

Guidelines on Defining “Public Body” within the Meaning of the Open Meetings Act

Each campus shall use the following as a guide in determining what authorities, boards, commissions, committees, councils or other multi-person bodies are deemed to be "public bodies" within the meaning of the Open Meetings Act.

The statutorily created governing boards of the University, and the committees of such boards, are "public bodies" subject to the requirements of the Open Meetings law. In addition, "public body" shall be deemed to include an authority, board, commission, committee, council or other multi-person body of the University that satisfies all of the following criteria:

1. It is established by or at the direction of:
 - a. the Board of Governors;
 - b. the president;
 - c. a vice president;
 - d. a board of trustees;
 - e. a chancellor;
 - f. a vice chancellor; or
 - g. any combination of the foregoing.
2. The membership does not consist exclusively of administrative officers of the University.
3. Its designated function or subject-matter jurisdiction is either University-wide or constituent institution-wide.
4. It is expressly authorized or directed
 - a. to legislate, make policy, adjudicate or take administrative action; or
 - b. to make findings concerning or to recommend legislative, policy-making, quasi-judicial, or administrative action.
5. This guideline is not intended to include the Council of Student Body Presidents, the Faculty Assembly, the Graduate Council, or any other similar group. Even though any of these groups may be asked to meet with the President or other senior administrators for general discussion of the affairs of the University, these groups are not expressly authorized or directed to take any of the actions set out in paragraph (4) of this guideline.