Faculty Senate Governance Council (aka FSGC)
Meeting minutes 1/10/2008

Present: Dan Loy, Paul Tanaka, Joel Geske, Max Porter (chair), Kyle Miller (member of the fourth estate), Denise Vrchota, Sedahlia Crase (president), Steven Porter, Michael Martin (minutes recorder for this meeting)

Motion to approve previous meeting (12/13/07) minutes died, as there had not yet been opportunity for scrutiny; minutes to be reviewed for vote to approve at subsequent FSGC meeting

Consideration ensued of the open meetings item amendment, which was on the agenda but not considered by the full faculty senate at its December meeting:

Joel noted that the wording of the proposed amendment (which would replace existing language in the faculty handbook) allowing that meetings may be closed “as necessary” was much too wide a loophole…I believe he said one could drive the Grand Canyon through it, which would be wide indeed (and deep)

Paul noted that there is a need to state ISU open meetings policy “officially”, and not just in the faculty handbook; currently, there is no ISU policy (as distinct from policy described in the faculty handbook)...Paul emphasized that the law (state law) does not say that ISU meetings must be open, except for Leopold Center and Athletic Councils

Denise noted that her committee had revised handbook section 8.4.8 (the proposed amendment in question) to include the problematic (to Joel and others) loophole in order to be flexible for unseen needs to close a meeting; her committee believed that it was not feasible to provide a “laundry list” for all possible scenarios that might merit closing a meeting

Paul agreed that there are cases where closing a meeting would be a good idea, but that we can’t anticipate all eventualities...Paul also pointed out that ISU committees routinely ignore the policy provision that requires notice of meetings (and their agendas) to be published in the Daily; he recommends that such publication should be done via websites

Joel maintained that we should use dead-tree press at least to alert readers to websites that publish meeting information—since websites may be unknown/obscure and seldom visited by public

Joel offered a version of the amendment that referred to Iowa Code section 21.5 (which establishes open meeting law for the state); while Joel’s amendment does not state that a meeting must be open unless support for closing it can be found under 21.5, Michael felt that this was implied...Michael objected on the grounds that this was ambiguous, and then wondered aloud whether maybe ambiguity might be a good thing in this case...

Sedahlia countered by pointing out that Joel’s amendment does allow that any meeting can be closed, in its opening sentence...

Paul reiterated that there are times when a “players only” meeting is desirable or even necessary, and that we have to be careful we don’t disallow this; he noted that the problem here is that this is an attempt to create a one-size-fits-all policy in a university that hosts a great variety of meeting types. When is it a meeting?

Much discussion ensued...

Eventually, members agreed that Joel would take the initiative to create a new amendment. The existing statement under 8.4.8 would be updated with regard to the requirement for notifications published in the Daily (allowing for website publication/notification in lieu of paper), and the “laundry list” of exceptions would be eliminated (since, as noted, no list can accommodate all possible contingencies). Joel will send this newly amended proposal to Max, and the FSGC will review and discuss it at the next FSGC meeting.