

From: Lux, Jace <jace.lux@wku.edu>
Sent: Thursday, June 20, 2024 10:41 AM
To: Shaw, Cameron <cameron.shaw555@topper.wku.edu>
Subject: Re: Statement on concerns over Open Meetings Act

Hi Cameron,

Higher education budgets are complex and nuanced, consisting of funding from numerous sources, including federal and state government, tuition revenue estimates, and private gifts. Each year the university provides members of its Board of Regents a copy of the budget approximately one week prior to the public meeting and creates opportunities to attend educational budget sessions, colloquially referred to as workshops. No action is taken at these informational sessions, and as such, they do not fall under the guidelines of the Kentucky Open Meetings Act. They are simply opportunities for Regents to be informed about the budget on which they will be asked to vote. The university is confident these sessions are permissible under Kentucky's Open Meetings Act. In fact, a previous Attorney General's opinion, citing the statute, stated, "Nothing in this subsection shall be construed to prohibit discussions between individual members where the purpose of the discussions is to educate members on specific issues." Nonetheless, to demonstrate the commitment of the university and its governing Board to transparency and their desire to conduct meetings lawfully, we have proactively asked the current Kentucky Attorney General for an opinion on this matter.

During these informational sessions, Regents seek clarification on the budget so they are better prepared to engage more deeply during the public meeting. It would be ludicrous to expect Regents to ask educated questions and thoroughly understand a nearly \$400 million, 79-page budget without an informed perspective of its intricate details. These courtesy educational sessions have taken place for many years and have evolved into an expected and key part of the budgeting process.

These important sessions enable Regents to ask more informed questions and hold more insightful and productive discussions about the budget in the public meeting. They require significant time investments from multiple university administrators, clearly signifying the university's commitment to transparency in the budgeting process and illustrating the importance university administrators place on ensuring Regents are adequately equipped to cast an informed vote. No Regent is obligated to attend, and the sessions are held based on the availability of the individual Regents. The spirited conversations which took place in the June 7 open meeting are a testament to the fact that these workshops helped better prepare the Board to express concerns and opinions about the budget before voting.



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