

ARIZONA BOARD OF REGENTS
Minutes of the Free Expression Committee
July 22, 2019

A meeting of the Free Expression Committee was held on July 22, 2019 at the board office in Phoenix, Arizona.

Present: John Arnold
 José Cárdenas (via phone)
 Derrick Anderson (via phone)
 Michael Bergstrom (via phone)
 Joanne Vogel (via phone)
 David Schmitz (via phone)
 Erin Grisham (via phone)
 Michelle Parker (via phone)
 Dylan Graham (via phone)
 Eric Yordy (via phone)
 Kimberly Ott (via phone)
 Toni Massaro
 Kendal Washington White (via phone)
 Robert “Bob” Sommerfeld (via phone)

Absent: Stefanie Linqvist, Sydney Hess, Ronni Marks

Also present Nancy Tribbensee, Jennifer Pollock, Julie Newberg, Suzanne Templin, and Monica Simental from the board office.

Chair Arnold called the meeting to order at 11:32 a.m.

Approval of Minutes (Item 1)

Upon motion by Chair Arnold and seconded by Kendal Washington White, the committee approved the minutes of the December 11, 2018 Free Expression Committee Meeting with José Cárdenas, Derrick Anderson, Joanne Vogel, Erin Grisham, Michelle Parker, Dylan Graham, Eric Yordy, Kimberly Ott, Bob Sommerfeld voting in favor. None opposed and none abstained.

Review of Open Meeting Law (Item 2)

Jennifer Pollock, reminded the committee on Open Meeting Law as it pertains to the committee. This committee is a public body that is subject to the Open Meeting Law so that means that members of the public are welcome to attend and listen to the committee’s deliberations and discussions. These are public meetings. Our agendas and notices are posted and any discussion or action taken is subject to the items that are specifically listed on the agenda. We also provide the recording of minutes.

To refresh everyone's recollection a meeting is a gathering in-person or through technological devices of a quorum of members of a public body where you purpose, discuss or take legal action regarding any item that is sufficiently within the committees charge or that may foreseeable come before the committee. That means that you could meet telephonically, through video conference, through email, so we want to caution not to engage in email communication with a quorum of members of the committee where you are discussing or taking action regarding any items that may foreseeable come before the committee also want to caution that one-way communication to a quorum of the committee where legal action is proposed can be a violation of the Open Meeting Law if the discussion is not properly posted so we want to call your attention to that and caution you about email communication.

One final reminder, any email communication or records that you keep for purposes of the committee are public records subject to disclosure pursuant public records request under our public records law.

If you have any questions regarding the Open Meeting Law or the Public Records Law or any other items, please don't hesitate to contact Nancy Tribbensee or myself and we would happy to address those for you.

Chair Arnold asked the committee if they had any questions about Open Meeting Law and the potential penalties that come with Open Meeting Law violations. Please be very cautious as you deal with emails and reply-all. Once you reply-all you're having a meeting. Reply-all exchanges would be an Open Meeting Law violation. We don't anticipate a lot of materials going out for this committee but as we develop the report, feedback can be provided to staff but not the rest of the committee.

ADJOURNMENT

Chair Arnold adjourned the meeting at 11:43 a.m.

Submitted by:

Monica Simental
Committee Secretary