



RICHARD CORDRAY
OHIO ATTORNEY GENERAL

February 16, 2010

James Shimko
Professor, Accounting Instruction
6194 Hilsdale Lane
West Chester, Ohio 45069

Re: Faculty Issues Team

Dear Professor Shimko:

I serve as General Counsel to Sinclair Community College. The letter to Helen Grove, Senior Vice President & Provost, dated November 18, 2009, and signed by you and several other faculty members, has been referred to me for response. At the outset, I would point out that in your letter the name of Dr. Grove is misspelled; her last name has no 's' at the end.

In your letter you request copies of minutes of meetings of the Faculty Issues Team (FIT) held in 2006 through 2009, as well as documentation of so called "Public Notice Provisions" of these meetings. You also request to be provided with notification of all future meetings of FIT.

As any faculty member who has participated in meetings of the FIT is aware, minutes of the meetings are not kept. Nor are there any "public notices" of meetings of FIT. Accordingly, there are no documents responsive to your request.

The lack of such documents does not present any legal issues under Ohio's Open Meetings Act, Ohio Revised Code Section 121.22 because FIT is not a "public body" for purposes of that act. The statute defines a "public body" as follows:

(a) Any board, commission, committee, council, or similar decision-making body of a state agency, institution, or authority, and any legislative authority or board, commission, committee, council, agency, authority, or similar decision-making body of any county, township, municipal corporation, school district, or other political subdivision or local public institution;

(b) Any committee or subcommittee of a body described in division (B)(1)(a) of this section. . . .

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