



# AG says NDSU foundation violated open meetings laws

By [Grace Lyden](#) on Jun 2, 2015 at 9:57 a.m.

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ISMARCK – The state attorney general found that leaders of the North Dakota State University Development Foundation and Alumni Association broke opening meetings law when they went into executive session during two December meetings to discuss the firing of the fundraising group’s CEO, said an opinion released Tuesday morning.

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During one of those closed-door sessions, the executive committees appointed a subcommittee to meet with former CEO Doug Mayo and discuss separation terms, which should have occurred in the public eye, Attorney General Wayne Stenehjem wrote in the opinion.

At that Dec. 4 session, which lasted about two hours, committee members were reminded that a subcommittee would be subject to open meetings law, he wrote.

But “the existence of the subcommittee was unknown to the public” and “remained unknown to the public” when the foundation failed to announce those meetings, Stenehjem wrote.

This attorney general opinion was requested by The Forum.

In another executive session Dec. 16, committee members received an overview on negotiations between the subcommittee and Mayo, and between attorney Lisa Edison-Smith and Mayo. This was also a violation, Stenehjem wrote.

State open meetings law “does not authorize an executive session for a governing body to receive an update, history or summary from its negotiator,” he wrote. “Allowing the public to hear this general update is particularly important here, where no previous meetings between the executive committees and Mr. Mayo were preceded by public notice.”

As a result of the opinion, the groups must amend meeting minutes to reflect these discussions, and minutes must be created for the meetings between the subcommittee and CEO. The foundation must also provide a recording of the Dec. 16 overview to “any member of the public requesting.”

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## Grace Lyden

Grace Lyden is the higher education reporter for The Forum. Previously, she interned at the St. Paul Pioneer Press, after graduating from the Missouri School of Journalism in 2014. She welcomes story ideas via email or phone. Have a comment to share about a story? Letters to the editor should include author's name, address and phone number. Generally, letters should be no longer than 250 words. All letters are subject to editing. Send to [letters@forumcomm.com](mailto:letters@forumcomm.com).

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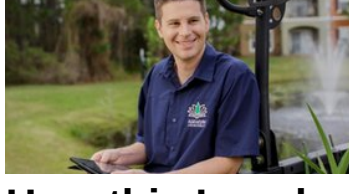
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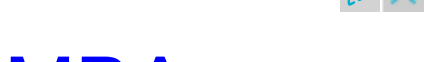
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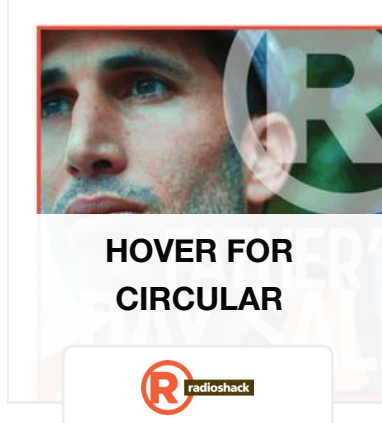
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