

February 25, 2004

Hon. Thurbert E. Baker, Attorney General
Department of Law
State of Georgia
40 Capitol Square, SW
Atlanta, Georgia 30334-1300

*Re: Illegal Closure of Meetings by University of Georgia
Foundation*

Dear Attorney General Baker:

I am writing to express the First Amendment Foundation's deep concern at the University of Georgia Foundation's illegal closure of its Executive Committee and Board of Trustees meetings on February 12 and 13.

In closing these meetings, the University of Georgia Foundation did a great disservice to the State of Georgia and violated both the letter and spirit of the Open Meetings Act. Discussion regarding the leadership of one of this State's premier public educational institutions is exactly the type of debate that must take place in the open for the public to have confidence in institutions such as the Foundation. Otherwise, the public is left with the impression, and rightly so, that the future of the University is being set by an elite group of citizens who will not even deign to share their views or plans with the public.

A strong response from your office is critical to restore the public's faith that the Open Meetings Act is not a meaningless law that can be put aside whenever a public institution prefers to operate in secrecy. When the Foundation Board met on February 13, citizens from around the State were watching closely, only to find out that the Foundation would openly dismiss your advice requiring openness and pull a veil of secrecy around their discussion of President Adams.

Particularly given that the Foundation itself set in motion and financed its wide-ranging investigation of President Adams, the Board's unwillingness to discuss their response to that investigation demonstrates that this is an institution more intent on serving the private predilections of

Honorable Thurbert E. Baker

February 25, 2004

Page 2

its members than the public purposes of a university. Indeed, when discussing an academic institution that is appropriately committed to the open exchange of ideas in the search for the truth, such secrecy is deplorable.

We commend President Adams for voting to have the Board's discussion take place in public as well as the Board members that refused to participate in the illegal meeting that took place. But such protests are not enough. We encourage your office to take strong measures to insure that the Foundation understands that there are consequences for such conduct and never again cavalierly dismisses Georgia's sunshine laws.

Thank you.

Sincerely,

Hollie Manheimer

cc: Ms. Lynda Courts
Dr. Allen Barber
Floyd Newton, Esq.