



University of Oklahoma®
**STUDENT GOVERNMENT
ASSOCIATION**

**General Counsel Opinion
GC 2026-001
February 23, 2026**

Question Presented

Does the Oklahoma Open Meetings Act (“OMA”), 25 O.S. §§ 301–314, apply to the Student Government Association (“SGA”) Public Relations Committee (“PRC”)?

Brief Answer

No. Although it is a committee of a public body, the SGA PRC is a non-decision-making advisory group with no authority over financial or policy decisions, which allows it to be exempt from the Oklahoma OMA.

Background

This issue was raised by members of the SGA in connection with the proposed “SGA Public Relations Committee Revision Act of 2026” before the Undergraduate Student Congress. If passed, this act would, remove the statement “[m]eetings of the PRC shall be subject to the Oklahoma Open Meetings Act” from the SGA Code Annotated. Coleman Morgan, Chair of the Congressional Administration Committee of the Undergraduate Student Congress, specifically requested clarification on whether the SGA Public Relations Committee is exempt from the Oklahoma OMA to ensure compliance with the law.

The PRC “coordinat[es] communication timelines between SGA bodies to avoid scheduling conflicts. Each participating body determines its own content independently.”¹ The committee does not create or approve content, spend funds, or make binding decisions.² Any scheduling discussions or recommendations are advisory only; participating bodies may choose to follow or disregard the PRC’s recommended schedule.³

¹ E-mail from Aaron Gilson-Bond, Undergraduate Student Cong. Vice Chair, Univ. of Okla., to author (Feb. 11, 2026) (on file with author).

² *Id.*

³ *Id.*

Analysis

Under the OMA, public bodies must hold open meetings, publicly post agendas in advance, and publicly post minutes taken during the meeting.⁴ The Oklahoma Open Meetings Act (“OMA”) defines a public body as: “. . . boards of public and higher education in this state and all boards, bureaus, commissions, agencies, trusteeships, authorities, councils, *committees*, public trusts . . . , study groups and task forces . . . , and . . . all *committees* or subcommittees of any public body.”⁵ If the PRC is a public body, it must comply with the OMA.

There is no question that the SGA as a whole is a public body.⁶ And the PRC is a committee of SGA. Based on the plain meaning of the statute, it would appear that the PRC is included within the “all committees or subcommittees of any public body” language in the definition.⁷

However, case law limits this expansive interpretation. In *Sanders v. Benton*, the Supreme Court of Oklahoma held that “[i]n the absence of any exercise of actual or de facto decision-making authority by the subordinate entity, as for example in the performance of purely administrative or ministerial tasks, the provisions of [the OMA] are not called into play.”⁸ Because the PRC does not make binding decisions, and performs only advisory functions, it does not qualify as a public body and need not comply with the OMA.

A prior SGA General Counsel Opinion erred when it claimed that the language “supported in whole or in part by public funds or entrusted with the expending of public funds” in the definition of a public body applied to committees.⁹ However, a careful reading of the definition indicates that this phrase only applies to task forces and study groups based on the position of the commas.¹⁰ Thus, funding is immaterial in whether or not a committee is a public body. Instead, the key factor is whether the committee has decision-making authority.

⁴ 25 O.S. §§ 303, 311-12.

⁵ 25 O.S. § 304(1). (emphasis added).

⁶ OP-1994-008, 2 (explaining that because SGA is “a sub-entit[y] of a board of higher education vested with the authority to make decisions and take action affecting the expenditure of public funds,” it is a public body).

⁷ 25 O.S. § 304(1).

⁸ 1978 OK 53 ¶ 16, 579 P.2d 815. See *Int'l Ass'n of Firefighters, Local 2479 v. Thorpe*, 1981 OK 95 ¶ 9, 632 P.2d 408 (holding that the holding in *Sanders* remained valid after the most recent legislative amendments); see also *Andrews v. Indep. Sch. Dist. No. 29 of Cleveland Cnty.*, 1987 OK 40 ¶ 10, 737 P.2d 929 (reiterating that committees that do not and cannot make binding decisions are not subject to the OMA).

⁹ OP-1994-008, 2.

¹⁰ 25 O.S. § 304(1).

Caveats

Nothing in this opinion means that the PRC cannot follow the OMA. The PRC can still voluntarily comply with the OMA by having open meetings, posting agendas, and taking and posting minutes. In addition, SGA Congress can require the PRC to do these things, even if state law does not require it. In fact, the current SGA Code Annotated requires the PRC to comply with those provisions of the OMA.¹¹

Although the PRC may not be legally required to follow the OMA, the SGACA Code Annotated currently states that it does. The Code provides that “[t]he Oklahoma Open Meetings Act applies to SGA and its governmental entities”¹² and that “[t]he meetings of the student government associations, organizations, and committees are subject to the mandates and requirements of the Oklahoma Open Meetings Act.”¹³ Because the PRC is an SGA committee, this language includes it. Therefore, if the intent is for the PRC to be exempt from OMA, the Code would need to be amended to clearly state that exclusion. As written, the Code subjects the PRC to OMA.

This opinion also does not decide whether other SGA committees or sub-entities must comply with the OMA. Whether a committee or other sub-entity can or does make binding decisions is a very fact-specific issue. Each sub-entity must therefore be evaluated individually.

Finally, if the PRC changes how it operates and begins to make binding decisions or is given the authority to make binding decisions, it would need to comply with the OMA, at least for meetings where binding decision are made or could potentially be made.

This is the opinion of the General Counsel.



Mary McNeal, General Counsel



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¹¹ SGACA tit. IX, ch. 3 § 4; SGACA tit. I, ch. 5 § 2.

¹² SGACA tit. I, ch. 5 § 1.

¹³ SGACA tit. I, ch. 5 § 2.