



Oklahoma Open Meeting Act Compliance

Why OCA did this project:

Title 25 O.S. Section 302: states: It is the public policy of the State of Oklahoma to encourage and facilitate an informed citizenry's understanding of the governmental processes and governmental problems. The state accomplishes this through requirements in the Oklahoma Open Meeting Act ("OOMA"). Actions taken in a meeting that is noncompliant with OOMA shall be invalid, and willful violation is a misdemeanor. This project was requested by Patrick Boulden, City Council Administrator, to gain assurance City of Tulsa authorities, boards, commissions, and committees (ABCs) are complying with the act.

Project Scope:

This audit focused on compliance activities January 1, 2021, through April 30, 2023. A sample of 25 of the 47 ABCs were included in audit testing, including 21 rated high risk and 4 rated medium risk.

How OCA did this project

Project procedures included:

- Gained an understanding of OOMA requirements and processes used for compliance;
- Developed a risk assessment methodology to focus compliance testing;
- Reviewed a sample of meetings for compliance with OOMA; and
- Interviewed City of Tulsa ABC liaisons about how they were trained for their duties, how they carry out their duties and what they do when there are any compliance issues.

Key Observations

1. Most ABC meetings comply with OOMA requirements;
2. Ongoing monitoring could be improved by establishing a risk assessment method to determine the extent of support to be provided to each ABC;
3. There is no formal training program for liaisons who support ABCs.

Audit Observations and Management Response

Observation 1: Most ABC meetings comply with OOMA requirements

OOMA Requirement	Audit Observation
Annual meeting schedule	All 25 ABCs in the sample filed annual meeting schedules.
Pre-meeting notice and agenda	All 25 ABCs in the sample were in full compliance.
Executive session	One ABC had one instance of noncompliance in 2022. This ABC posted information, but the session's purpose was not described correctly.
Changes to meeting date/time	In 2023, one ABC had 3 meeting date changes that were not posted correctly.

Observation 2: Establish a risk assessment method for ABC support

There were 47 ABCs with meetings posted January 1, 2021, through April 30, 2023. Some ABCs have their own support staff and/or attorney. All others look to the Legal Department for help with OOMA compliance. The City Attorney's Office recently revised a job description, adding to a position's duties, "Monitor and support City authorities, boards and commissions..." This position has other duties in addition to ABC support. Other attorneys in the Legal Department also provide some ABC support.

The audit team developed a risk assessment methodology to guide the type and extent of testing in this audit. The risk assessment method was shared with the City Attorney for possible use in making decisions on ABC support.

Observation 3: There is no formal training program for liaisons

OCA interviewed seven liaisons about how they were trained, how they carry out their duties and what they do when there are any compliance issues. A key learning from this discussion was the liaisons do not regularly attend training, and the City does not provide or identify training specific to this important duty.

Other key points from our five areas of discussion with liaisons included:

Liaison experience:

Liaison experience varied widely from being assigned duties with only past records and no one to ask procedural questions to having a supervisor who had written procedures and provided hands-on training.

Written procedures:

Two liaisons had written procedures. Three liaisons had some procedures but were not satisfied with their quality. Two liaisons had no written procedures.

Formal training:

Four liaisons had attended at least one training session. Three liaisons have attorneys available to help them learn. Six of the liaisons had some form of on-the-job training.

Addressing compliance issues:

Five liaisons ask their supervisor or department head about problems. Three have attorneys assigned to help.

Records retention:

All the liaisons manage a combination of paper and electronic files. Three have a formal retention process. Four use a filing system they either created or inherited.

Liaisons expressed the following concerns:

- No official source describing basic liaison duties;
- Need information on liaison roles in records retention;
- Need information on Oklahoma laws and rules on virtual meetings;
- Need information on Title 60 laws and rules.

Planned Corrective Action:

The City Attorney will formalize a plan for annual liaison training. The training sessions will provide liaisons the opportunity to meet and share information with other liaisons.