

SUNSHINE LAW AND PUBLIC RECORDS EXAM

PART I: SUNSHINE LAW

1. Mr. Smith and Mrs. Jones are both members of the same Board. While shopping at Publix for sunflower seeds, they meet and strike up a conversation. They can discuss the following without violating the Sunshine law:
 - a. Whether they prefer salted or unsalted seeds.
 - b. An item on the agenda of their next Board meeting.
 - c. Anything they want as long as they go outside Publix into the Sunshine.
2. The Board has business to discuss so they get together at one of the member's homes. Seven (7) days' notice is provided in the paper and minutes are kept. There has been no Sunshine violation.
 - a. True
 - b. False
3. Jack and Jill are members of the same Board and they have a water issue that they know will come before them for a vote and they know that they cannot meet together outside the Sunshine to discuss Board business. So Jack calls Jill on the phone and they discuss the best means to fetch this water. There has been no Sunshine violation as long as they use a pail.
 - a. True
 - b. False
4. Bill and Ted are members of the same Board. The Board has set up a committee to make recommendations as to excellent adventures the Board may wish to undertake. Does the committee have to meet in the Sunshine?
 - a. Yes
 - b. No

5. A violation of the Sunshine law is subject to the following:
- a. For an unintentional violation, a fine of up to \$500.00.
 - b. For a knowing violation, a fine not more than \$500 and/or jail not greater than 60 days.
 - c. Suspension or removal from office.
 - d. Attorney fees and costs if a civil action is filed and the party is successful in proving a violation.
 - e. All of the above.
 - f. None of the above.

PART II: PUBLIC RECORDS

1. E-mails between a member of the public and a Board member related to a Board issue are public records and must be preserved in some format for access by inquiring parties.
- a. True
 - b. False
2. Executive Director, Red Baron, is preparing an exciting parachuting policy for review and approval by his Airport Authority. He produces a "draft" policy clearly marked "draft" and circulates it to the Airport Authority members for review and comment. The "draft" is a public record subject to inspection.
- a. True
 - b. False
3. An unknown person, going only by the symbol "?," sent a public records request in magic marker on a gum wrapper to the City for all e-mails from the past five (5) years sent to Board members and only gives a Post Office Box for sending the information. The City should:
- a. Respond and tell him/her the records will be made available, but only between 2:00 a.m. and 3:00 a.m.
 - b. Respond only after the anonymous requester identifies him/herself more fully.
 - c. Ignore the request.
 - d. None of the above.

4. A Parks and Rec Board member exchanges e-mails with a resident about the location of a proposed pickleball court and he/she uses his/her private e-mail address rather than the Board-issued address. The City then receives a public records request for all e-mails related to the consideration of a pickleball court. Because the Board member used his/her private address and because there are personal e-mails on his/her computer, those e-mails are not subject to review unless the Airport Authority member gives permission.
- a. True
 - b. False
5. A violation of public records law is subject to the following:
- a. For a knowing violation, up to a \$1,000.00 fine and/or one (1) year in jail.
 - b. For an unintentional violation, a fine not to exceed \$500.00.
 - c. Attorney fees and costs if a civil action is filed and the court determines the party unlawfully refused to permit a public record to be inspected or copied.
 - d. All of the above.
 - e. None of the above

Bonus Question:

6. I am glad this silly test is over.
- a. True
 - b. False