

Open Government Quiz

Select "True" if the statement is correct and "False" if it is not correct. For questions followed by a series of lettered responses, none or more than one may be correct. Circle the letter of a response only if it is correct. Do not circle the letter of any response that is not correct.

1. In recognition of the fact that a representative government is dependent upon an informed electorate, it is declared to be the policy of this state that meetings for the conduct of governmental affairs and the transaction of governmental business be open to the public.

True

False

2. Which of the following groups must comply with the Kansas Open Meetings Act (KOMA) when they hold meetings?
 - a. school boards
 - b. boards of directors of a private corporation
 - c. boards of directors of a rural water district
 - d. public agency staff
 - e. district court judges
 - f. the legislature
 - g. Prisoner review board when conducting parole hearings or parole violation hearings held at a correctional institution

3. Non-profit organizations are always subject to the KOMA.

True

False

4. When a group that must comply with the KOMA holds its meetings, it is required to:
 - a. conduct the meeting in a way that the public may observe or listen to the proceedings
 - b. notify any person who has requested notice of the date of the meeting
 - c. notify the general public of the date of the meeting
5. When a group is the kind that must comply with the KOMA and holds a meeting, the meeting must be open to the public if:
 - a. There is a gathering in person, by telephone, or any other medium for interactive communication.
 - b. The gathering includes a majority of the members of a group subject to KOMA.
 - c. The members of the group discuss the business or affairs of the group's public body or agency.
6. A communication is an "interactive communication" and subject to KOMA if it:
 - a. is a two-way communication
 - b. involves a majority of the membership of the public body

- a. File a complaint with the county or district attorney in the jurisdiction where the public agency is located
- b. File a complaint with the Attorney General's Office
- c. File a lawsuit in the jurisdiction where the public agency is located
- d. Convince a county attorney, district attorney, or attorney general to bring a civil action in the jurisdiction where the public agency is located

12. If members of a public body made a binding decision at a meeting that violates KOMA, the state Attorney General has the authority to bring an action within 21 days in the district court in the county in which the KOMA violation occurred to void the public body's decision.

True

False

13. It is declared to be the public policy of the state of Kansas that public records shall be open for inspection by any person unless otherwise provided by the Kansas Open Records Act (KORA), and the KORA shall be liberally construed and applied to promote such policy.

True

False

14. Records of which of the following are subject to the Kansas Open Records Act (KORA)?

- a. any public agency
- b. any instrumentality or subdivision of any public agency
- c. any other entity receiving or expending and supported in whole or in part by the public funds appropriated by the state or by public funds of any political or taxing subdivision of the state
- d. any entity solely by reason of payment from public funds for property, goods or services of such entity
- e. any municipal judge, judge of the district court, judge of the court of appeals or justice of the supreme court

15. Which of the following is a "public record" subject to the KORA?

- a. recorded information, regardless of form, characteristics or location, which is made, maintained, kept by, or in the possession of any public agency
- b. recorded information, regardless of form, characteristics or location, which is made, maintained, or kept by any officer or employee of a public agency pursuant to the officer's or employee's official duties and which is related to the functions, activities, programs or operations of any public agency
- c. records which are made, maintained or kept by an individual who is a member of the legislature or of the governing body of any political or taxing subdivision of the state

16. The governing body of every public agency in Kansas which maintains public records shall designate a local freedom of information officer.

True

False

17. When a public agency receives a request under the KORA, which of the following is the public agency required to do?
- a. Act on the request as soon as possible, but not later than the end of the third business day following the date that the request is received.
 - b. If access to the public record is not granted immediately, the custodian shall give a detailed explanation of the cause for further delay and the place and earliest time and date that the record will be available for inspection.
 - c. If the request for access is denied, the custodian shall provide, upon request, a written statement of the grounds for denial citing the specific provision of law under which access is denied.

18. When a public agency charges fees for copying records requested under the KORA, the fees shall not exceed the actual cost of furnishing copies, including the cost of staff time required to make the information available.

True

False

19. Any person requesting records from an executive office (the Governor, Lieutenant Governor, Secretary of State, Attorney General, State Treasurer and Insurance Commissioner) may appeal the reasonableness of the fees charged for providing access to or furnishing copies of such records to the secretary of administration whose decision shall be final.

True

False

20. A public agency may require a person to write a request for public records on a particular form provided by the agency.

True

False

21. Which of the following reasons may a public agency assert for refusing to disclose public records?

- a. records the disclosure of which is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court
- b. personnel records, performance ratings or individually identifiable records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries or actual compensation employment contracts or employment-related contracts or agreements and lengths of service of officers and employees of public agencies once they are employed as such
- c. criminal investigation records
- d. notes, preliminary drafts, research data in the process of analysis, unfunded grant proposals, memoranda, recommendations or other records in which opinions are expressed or policies or actions are proposed, except that this exemption shall not apply

when such records are publicly cited or identified in an open meeting or in an agenda of an open meeting

- e. public records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy

22. If a public agency is asked for a record containing material not subject to disclosure, the agency shall separate or delete such material and make available to the requestor the material in the public record which is subject to disclosure.

True

False

23. The KORA defines public records in a way that includes email messages that are about a public agency's official business and that are sent and received by public employees using their private email accounts.

True

False

24. Which of the following remedies are available to a person who believes a public agency has violated the KORA?

- a. file a complaint with the county or district attorney in the jurisdiction where the public agency is located
- b. file a complaint with the Attorney General's Office
- c. file a lawsuit in the jurisdiction where the public agency is located
- d. convince a county attorney, district attorney, or attorney general to bring a civil action in the jurisdiction where the public agency is located

25. Which of the following must be proved in order to recover attorney fees in a civil lawsuit filed under the KORA?

- a. The agency's denial of access to the public record was not in good faith
- b. The agency's denial of access to the public record was without a reasonable basis in fact or law