



Pre-Test and Post-Test Ethics, Public Records, and Sunshine Law

PRE-TEST (Circle your answer prior to the ethics training.)	POST-TEST (Did your answer change?)
<p>1. There is an opening for Deputy Superintendent. As the Superintendent, you know that your spouse meets all of the minimum requirements, is a qualified long-time career educator, and would be the perfect fit for the leadership position on your Cabinet. Plus, the two of you work so well together, you never fight, and you are both well-respected in the organization and in the community. Technically, you will both be employed by The School Board of Panhandle County and now, since the Deputy Superintendent will report directly to you, you can tell your spouse what to do at home and at work. What do you do?</p> <ul style="list-style-type: none">a. Place your spouse's name on the next School Board agenda for approval. You are both so dedicated to serving the students in Panhandle County and now you'll be able to discuss innovative ideas at work and at home.b. Direct your Human Resources team to place your spouse's name on the agenda. There are so many names on the agenda that you're sure the School Board and/or the public and/or other employees won't notice. Plus, you're responsible for running the day-to-day aspects of the district and this is a simple employment decision.c. Put it on your desk to look at later.d. Re-think your original idea, remembering that CEO 19-12 deals directly with this particular instance and since the statute applies to superintendents who appoint or employ a relative to work under their direct supervision, come to the conclusion that this action would be prohibited. Your spouse can seek another position at another district or at your district where your spouse will not work under your direct supervision.	
<p>2. What does the acronym FERPA mean?</p> <ul style="list-style-type: none">a. Family Education Responsibilities and Probability Actb. Family Educational Rights and Privacy Actc. Family Excels Rights and Protection Actd. Family Educational Rules and Practicality Act	
<p>3. You are the Superintendent or a School Board member. A parent has emailed you with a public records request, asking you for all communication, including texts and emails, among teachers and staff regarding his child. What do you do?</p> <ul style="list-style-type: none">a. Tell him that he can contact your district's records management department and that you are not giving him anything because you don't have access to those records.b. Tell him that the texts and emails are not part of the education record so he cannot have them; plus, everyone knows that text messages received on a personal phone are not public record.c. Ask all the parties he has identified to search their texts and emails and provide him with copies of everything you get.d. Tell him that all requests for public records go through your district's records management department and that you will start the process by forwarding his email seeking the records. Advise that many of the communications he seeks will not be contained in his child's education record.	

<p>4. As the Superintendent, there is a very sensitive topic that you have made a decision upon and plan to recommend a certain course of action to the School Board for a vote at a future meeting. You poll your School Board members, individually, of course, for their individual opinion on that sensitive topic and on your recommendation. In your discussions with each School Board member, you verbally relay your “tally” of the poll, advising each member of what the other members have shared. After you have spoken to each School Board member, you</p> <ol style="list-style-type: none"> a. Place the item on the agenda for a School Board vote, ensuring that you have incorporated all of their comments/suggestions into the recommendation. Any alleged Sunshine Law violation will be cured by the School Board taking action in the form of a vote. b. Realize that you have directly engaged in being the conduit among your School Board members, in violation of the Sunshine Law. You decide to place your original recommendation on the agenda for approval and encourage the School Board members to have those open discussions on the item at the next properly noticed meeting. c. Assimilate all of the comments into one document, indicating which input was made by which individual School Board member, and publish it on the website for 30 days. Then, bring it forward as an agenda item with your original recommendation. d. Use all of the district’s social media platforms to put each School Board member’s position so they can now discuss it freely among themselves. 	
<p>5. When is the district required to provide access to a student’s education records?</p> <ol style="list-style-type: none"> a. To the media under the Freedom of Information Act. b. The parent(s) always have a right to inspect their child’s education records unless there is a specific court order to the contrary. You may provide copies of the education records to the parent(s). You may provide copies of the education records to other parties with the express written permission of the parent(s). You may charge for copies of the education records. c. To the parent(s) and/or their attorney(s). d. To anyone who requests the education records because education records are public records maintained in the ordinary course of business and are subject to disclosure. 	
<p>6. A parent has requested to watch and receive a copy of a video of a fight in the hallway between her child and another student. What do you do?</p> <ol style="list-style-type: none"> a. Advise parent that security video is exempt from disclosure under Section 281.301, Florida Statutes, and therefore, the district is prohibited from releasing and/or providing a copy of the video without a lawfully issued subpoena. However, because the video was used as a basis for discipline, make arrangements for the parent to come view the video at the school. b. Tell the parent to go to or call the SRO assigned to her child’s school. c. Tell the parent to go to or call the principal. d. Immediately bring the parent into your office and let them watch the video. Then, make a copy for them on a thumb drive, and hand the thumb drive to the parent. 	
<p>7. You are a School Board member who wants to make sure that a certain development application will gain approval at an upcoming meeting of the County Commission in which the County is going to take a vote since it will be in your district and you need some new development so the new school you have been proposing will be able to be built. You see your good friend, Clay, the County Commissioner out at lunch on his own and decide to join him. What can you do?</p> <ol style="list-style-type: none"> a. Ask him what his vote is going to be on the development application. If it aligns with your thought processes, buy his lunch and tell him not to tell anyone that you talked since you both are elected officials. b. Ask him what his vote is going to be on the development application. If it does not align with the way you think the County Commission should vote, buy him an appetizer and tell him how you think he should vote. Then, go make sure you have the same conversations with each of the other County Commissioners, persuading them to vote to approve the development application. 	

<p>c. Realize that the Sunshine Law does not apply to a meeting between individuals who are members of different boards unless one or more of the individuals has been delegated the authority to act on behalf of his or her board. Since you have not been delegated that authority, you're safe and have not violated the Sunshine Law, and you are not acting as a liaison or conduit. Therefore, you enjoy your lunch with Clay, have discussions on many topics, and pay your own way (remember, there may be other "costs" involved when accepting a free lunch).</p> <p>d. Restrict your conversations to the six (6) "F"'s – food, fun, football, friends, family, and Facebook. Make sure you do not discuss any business that might come before your board and/or before the County Commission.</p>	
<p>8. The Alligator County School Board, of which you are a member, along with other school officials, after proper notice, took a fact-finding field trip (on a school bus) to tour neighboring districts to visit their respective performing arts centers to determine whether the School Board wishes to build its own performing arts center for the annual Top Talent event and subsequent fundraising events. The Alligator County School Board members did not sit next to each other on the bus, they did not express any opinions or personal preferences for any of the respective performing arts centers, nor did the Alligator County School Board members vote during the field trip. What is wrong with this scenario as it relates to the Sunshine Law?</p> <p>a. There is nothing wrong with this scenario, as no voting took place among the Alligator County School Board members.</p> <p>b. Nothing. Alligator County School Board members should ride school buses.</p> <p>c. Nothing. The Alligator County School Board members are the ultimate decision-making body and were together with proper notice.</p> <p>d. None of these.</p>	
<p>9. It is mid-December. Coastal County School Board members, County Commissioners, City Councilmen, and other school officials attend a Winter Party together at one of the School Board Member's home. Can they meet like this even after taking the field trip mentioned in question #8?</p> <p>a. Yes. They can meet in social settings, so long as two (2) or more of the members of the same Board/Commission/Council do not discuss any matter which will come before that same Board/Commission/Council for action.</p> <p>b. Yes. They can meet in social settings, so long as they don't toast to a decision.</p> <p>c. No. They cannot meet in social settings like this. Everyone knows that they already have too many meetings as is.</p> <p>d. None of these.</p>	
<p>10. A Flamingo County School Board member creates a post regarding a school-related issue on social media. All of the other members of the Flamingo County School Board make comments and have engaged in several replies back and forth, expressing their opinions. Is this form of interaction a violation of the Sunshine Law?</p> <p>a. No. Flamingo County School Board members are allowed to use social media because it is a public communication forum where everyone can see and participate.</p> <p>b. Yes. This would be considered to be a violation because there is continued correspondence on the subject matter, including the exchange of ideas, and it involves a matter which will foreseeably come before the Flamingo County School Board for a recommendation in the future.</p> <p>c. No. Social media posts are the new form of public communication. Everyone can see, comment, and participate. It is in a public domain, and, therefore, everyone has continuous notice.</p> <p>d. Yes. This would be considered to be a violation because the Flamingo County School Board members did not use any emojis in their posts.</p>	