

Your “Right to Know:” Sunshine Laws & the Freedom of Information Act

“Government ought to be all outside and no inside.” Pres. Woodrow Wilson

Overview

The majority of North Carolina citizens believe that having an open, transparent government is important, yet most people are unaware of the laws that encourage such transparency. In this series of activities, students will gain an understanding of North Carolina’s Sunshine Laws and the federal Freedom of Information Act, and how these laws grant citizens the right of access to public meetings and public records. Through engaging activities such as class discussion, role plays, group work, etc., students will learn about the importance of freedom of information and discover their role in protecting these freedoms. Students will culminate their understanding by creating a Public Service Announcement in which they design and perform an innovative, creative, and educational commercial to teach youth about the importance of open government and sunshine laws.

NC Essential Standards for 8th Grade Social Studies

- Objective 8.03: Describe the impact of state and national issues on the political climate of North Carolina.
- Objective 9.01: Describe contemporary political, economic, and social issues at the state and local levels and evaluate their impact on the community.
- Objective 9.03: Describe opportunities for and benefits of civic participation.

NC Essential Standards for Civics & Economics

- CE.C&G.1.4: Analyze the principles and ideals underlying American democracy in terms of how they promote freedom (i.e. separation of powers, rule of law, limited government, democracy, consent of the governed / individual rights –life, liberty, pursuit of happiness, self-government, representative democracy, equal opportunity, equal protection under the law, diversity, patriotism, etc.
- CE.C&G.1.5: Evaluate the fundamental principles of American politics in terms of the extent to which they have been used effectively to maintain constitutional democracy in the United States (e.g., rule of law, limited government, democracy, consent of the governed, etc.
- CE.C&G.2.1: Analyze the structures of national, state and local governments in terms of ways they are organized to maintain order, security, welfare of the public and the protection of citizens (e.g., federalism, the three branches, court system, jurisdictions, judicial process, agencies, etc.)
- CE.C&G.2.2: Summarize the functions of North Carolina state and local governments within the federal system of government (e.g., local charters, maintain a militia, pass ordinances and laws, collect taxes, supervise elections, maintain highways, types of local governments, etc.).
- CE.C&G.2.6: Evaluate the authority federal, state and local governments have over individuals’ rights and privileges (e.g., Bill of Rights, Delegated Powers, Reserved Powers, Concurrent Powers, Pardons, Writ of habeas corpus, Judicial Process, states’ rights, Patriot Act, etc.)

- CE.C&G.2.7: Analyze contemporary issues and governmental responses at the local, state, and national levels in terms of how they promote the public interest and/or general welfare (e.g., taxes, immigration, naturalization, civil rights, economic development, annexation, redistricting, zoning, national security, health care, etc.)
- CE.C&G.3.3: Analyze laws and policies in terms of their intended purposes, who has authority to create them and how they are enforced (e.g., laws, policies, public policy, regulatory, symbolic, procedural, etc.)
- CE.C&G.3.4: Explain how individual rights are protected by varieties of law (e.g., Bill of Rights, Supreme Court Decisions, constitutional law, criminal law, civil law, Tort, Administrative law, Statutory law and International law, etc.)
- CE.C&G.3.8: Evaluate the rights of individuals in terms of how well those rights have been upheld by democratic government in the United States.
- CE.C&G.4.3: Analyze the roles of citizens of North Carolina and the United States in terms of responsibilities, participation, civic life and criteria for membership or admission (e.g., voting, jury duty, lobbying, interacting successfully with government agencies, organizing and working in civic groups, volunteering, petitioning, picketing, running for political office, residency, etc.)
- CE.C&G.4.4: Analyze the obligations of citizens by determining when their personal desires, interests and involvement are subordinate to the good of the nation or state (e.g., Patriot Act, Homeland Security, sedition, civil rights, equal rights under the law, jury duty, Selective Services Act, rule of law, eminent domain, etc.)

Essential Questions

- What is meant by the term “open government?”
- What are the two North Carolina Sunshine Laws and why are they relevant to every North Carolinian?
- Why are the FOIA and Sunshine Laws crucial to ensuring an open and transparent government?
- What is the Freedom of Information Act and why is it relevant to every citizen?
- Why are openness, transparency and accountability important to a democratic government?
- How does your right to request information from the government help you to become a more involved and effective citizen?
- What impact do sunshine laws and the FOIA have on government officials, the press/media, and individual citizens?
- Why is it important to be aware of what your local government (i.e., city council, county commissioners, school board, etc.) as well as your federal government is doing?

Materials

- Your ‘Right to Know’: Exploring Open Government, Sunshine Laws, & the FOIA accompanying Power Point; available in the Database of K-12 Resources (in PDF format)
 - To view this PDF as a projectable presentation, save the file, click “View” in the top menu bar of the file, and select “Full Screen Mode”
 - To request an editable PPT version of this presentation, send a request to cnorris@unc.edu
- Fictional memo from Cardinal City School District, attached (ideally, teachers will replicate this memo to look like a memo from their local school board)
- Sunshine Laws Role Play Scenarios, attached
- Open Government: Your “Right to Know” reading, word scramble & answer key, attached

- Sunshine laws political cartoon worksheet, attached
- Open Government Quote Strips, attached (these should be cut into strips prior to class)
- Memo from President Obama and corresponding questions, attached
- FOIA “What Would You Do?” Scenarios, attached
- Teaching Our Kids About Open Government, blog article attached
- Create an Educational Commercial Regarding Open Government, assignment attached

Optional Materials

- Invite a resource person to your classroom to talk about the Freedom of Information Act and/or North Carolina’s sunshine laws, such as a representative from your local newspaper or a local government official who can address meetings and records.
- Share “Uncovering Sunshine Laws” with students, a brief 11 minute video available through Elon’s Sunshine Center (www.ncopengov.org). Discussion questions are attached.

Preparation

Students should have basic knowledge of local government. For lesson plans on North Carolina local government, see the Civic Education Consortium’s Database of K-12 Resources at <http://database.civics.unc.edu/> and click on the search box for “NC Local Government.”

Duration

- Three or more class periods
- Teachers with limited time can edit or omit activities as they see fit

Procedure

Day One

Our School Board is Doing *WHAT???*

1. As a warm up, enlist student discussion regarding a fictional scenario (that you initially present as factual) that involves your local school board making a decision that will impact students in a closed session. Ideally, the scenario you present will be a “hot” issue that students will care about; for example:
 - the board is considering a mandatory uniform policy
 - the board is meeting to determine whether or not to change the district-wide lunch room menus, requiring that all high-fat and high-sugar foods – such as pizza, hotdogs, french-fries, cookies, etc. – be banned from all school cafeterias
2. Once you have determined a topic that students will be interested in and care about (a cafeteria menu policy is used here as an example, but again, this should be tailored based on your knowledge of what your students will be most passionate about), start class by asking:
 - What is your opinion of our local school board’s pending decision regarding the changes to our cafeteria menu?
3. When students share that they aren’t familiar with what you are talking about, feign surprise and provide some background information, making the scenario as believable as possible. For example:

- “I can’t believe you guys haven’t been following this story! A few of our School Board members have proposed that a district-wide policy be adopted regarding what type of menu school cafeterias can serve. They are proposing that any food that is high in fat and/or sugar be banned. If this passes, this means that any fried food (i.e., French fries, tater tots, chicken fingers, etc.), deserts (cookies, ice cream), and even items like chocolate milk or macaroni and cheese, will be struck from the menu. No one has heard anything about this? I thought you guys would be pretty interested in the decision.”
4. After setting up the scenario, discuss with students:
 - What questions do you have?
 - What is your initial opinion of the proposal? Do you like the idea?
 - Who all will be impacted by this decision?
 - What do you think the school board should consider when making this decision?
 - What questions would you like to ask the board members? (Compile a list of questions at the front of the room. Questions might include: What has informed this proposal? What research has been done to prove the benefits of removing these items from the menu? Has the board interviewed students, staff, parents, etc. to incorporate various perspectives into the decision? Etc.)
 - For those of you who have strong feelings of agreement or disagreement, what options do you have in making your thoughts known?
 - Ensure students consider options such as writing letters to the board, spreading awareness about the pending decision, and in particular, attending and/or presenting their thoughts at the meeting.
 5. After discussing the options students have to make their opinions known, particularly attending the meeting, tell students you have some additional information to share with them on that account. Project or pass out copies of a fictional memo that notes that the meeting in which the school board will make a decision will be closed. (An example is attached; ideally, in order to keep the illusion going, teachers will recreate this so that it appears to be from their own local school board.) Give students a moment to read the memo then discuss:
 - What information does this memo share?
 - Why has the school board decided to make its decision in a closed meeting?
 - What is your opinion regarding their meeting in private? How does this make you feel and why?
 - Is the school board allowed to do this? If no, what evidence can you cite that disallows this?
 - Do you think that our local governmental bodies (i.e., school board, city council, county commissioners, etc.) should be able to meet in private? Why or why not?
 - What about state government and federal government? How much of a right should we as citizens have to know what happens in such meetings?

Introduction to North Carolina’s Sunshine Laws

6. Explain to students that it’s actually not permissible for the school board to make this decision in a closed session solely because they think public input will be a nuisance. North Carolina has two state laws, referred to as sunshine laws, which make the actions of the board illegal. Project slides

2 & 3 which provides an introduction to the two state sunshine laws and an overview of the NC Open Meetings Law then discuss:

- Why is the NC Open Meetings Law important?
- Who does this law impact and why?
- Do you think there are any circumstances when a governmental body does not have to have an open meeting? Explain.

7. Continue to slide 4, which addresses exemptions to the Open Meetings Law, and discuss the questions posed on slide 5:

- Do you think the school board's meeting in privacy to avoid controversy counts as an exempted meeting? Why or why not?
 - It is not acceptable for the school board to meet in private only to avoid controversy, as this reason does not fall under the exceptions to the law.
- In what circumstances might the School Board be allowed to meet in private?
 - If the meeting fell under one of the law's exemptions (i.e., the board members convene for social purposes, or something confidential was being discussed), it could be private.
- To meet in a closed session, what steps should the school board have taken?
 - They would have had to have passed a motion at an open meeting, citing one or more of the permissible exemptions (i.e. privileged or confidential material will be discussed)
- What types of actions can citizens take to hold a board accountable for an "illegal" meeting?
 - Explain to students that citizens do in fact have recourse if officials break this law. Project slide 6, which explains how individuals can bring charges against a public body in front of a judge if they believe the meeting was held illegally.

8. Return student focus to the school board scenario they have been grappling with. Discuss:

- We've determined that the school board is breaking the law by meeting in a closed session. What if I also told you that some parents and students requested to see the meeting minutes from the past few board meetings during which this issue was discussed, as well as any records detailing why they are considering this change, and the school board said no...how would you feel about their refusal to share their records? Is this fair on their part? Is this legal? Explain. (For students who say that this isn't allowed, ask them if they have any evidence that this is not allowed, or illegal.)

9. Move on to slide 7 and explain to students that complimenting the open meetings law is North Carolina's Public Records Law. After sharing the information on the slide, further discuss:

- Why is this law important? Why should citizens (you, me, the media, etc.) have access to meeting records?
- Why might someone want to review the records of a governmental body? For example, why might looking back at the school board's past minutes be of interest to us given their current controversial decision?
- What if you ask to see records and the government official tells you no? (Allow students to share their thoughts then provide the information on slide 8.)

➤ For more information regarding NC open meetings and records, go to

<http://smvt.com/media/faq/open-meetings/>. Additionally, information regarding 2010 updates to

the records law can be found at <http://www.newsroomlawblog.com/2010/07/articles/public-records/nc-general-assembly-amends-public-records-law/>.

10. Finally, let students know that you have set them up to consider the concept of “open government,” and that in actuality, their french-fries are safe for now...there is no proposal for a district-wide menu change (or whatever topic you used for your scenario) underway.
 - What is meant by the term “open government?”
 - Why are sunshine laws in particular important to maintaining open government?
 - Why is open government so important to a democracy?
 - What impact do you think sunshine laws have on government officials? On the press/media? On individual citizens (i.e., each of you)?

Further Exploring NC’s Sunshine Laws with Role Plays

11. Next, project slide 9 and tell students that they are going to spend some time further exploring North Carolina’s sunshine laws by examining some scenarios in groups. Explain to students that they will receive a scenario that deals with sunshine laws and that they must decide whether or not a sunshine law was violated. Tell students that after reading the scenario, they will discuss it using the questions provided on slide 9:
 - What is the conflict in this scenario?
 - Which of North Carolina’s two sunshine laws is involved?
 - Was a law broken in this scenario? Explain.
12. Explain to students that after they have a firm understanding of their scenario, they must work together to stage the scenario into a brief dramatic scene that they perform in front of the class. At the end of each performance, the remainder of class will guess whether or not a sunshine law was violated. Make sure students understand that the goal is not to present a humorous scene; rather, they must present the scenario seriously, ensuring all the important details are clear in their performance. (Encourage students to make use of dramatic techniques as needed to make their scene clear, such as the use of a narrator to announce the changing of location or the passing of time.) Also, tell students that each group member must play a part (even if it isn’t a speaking part); students should feel free to add additional parts as needed. Explain that at the end of each performance, the remainder of class will discuss what they viewed and whether or not they think a sunshine law was violated.
13. Allow students to ask questions then divide them into five groups, assigning each group one of the attached Sunshine Laws Role Play Scenarios. Review class expectations for respectful, on-task group work then allow students 10-15 minutes to work on their scenes. As groups work, the teacher should rotate among each group to ensure they have a firm understanding of their roll play, the sunshine law involved, and whether or not the scene represents a violation of the law.
14. Once students are ready to perform, review class expectations for respectful audience members and then have each group present. After each scenario, use the following discussion questions to engage the class in dialogue regarding what they viewed:
 - **County Budget Issues**
 - What took place in this scene?

- Which sunshine law is at play in this scene?
- Was the Open Records Law violated? Why or why not?
 - Ensure students understand that the Open Records law was violated in this scenario. A county budget (even in draft form) is public, does not fall under any of the exemptions, and should have been provided for review.
- Why is it important that citizens have the right to see their city or county’s budget, even if it is still in draft form?
- What next steps could the SGA take?
- **School board meeting**
 - What took place in this scene?
 - Which sunshine law is at play in this scene?
 - Was the Open Meetings Law violated? Why or why not?
 - In this case, the Open Meetings Law was not violated. The school board is able to meet in private since the reason for the meeting – a confidential HR decision – falls under a legitimate exemption.
- **E-mails of a Legislator**
 - What took place in this scene?
 - Which sunshine law is at play in this scene?
 - Was the Open Records Law violated? Why or why not?
 - Even though it may seem that e-mails fall under personal, confidential information, they are actually public record and thus, the Open Records Law was violated in this scenario. Remind students that North Carolina defines public records as "...all documents ...regardless of physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions." The press requested access to Sheila O’Brien’s work e-mails and she is required to disclose them under the law.
 - What if the press wanted to review Rep. O’Brien’s personal e-mail and phone records? Would that be permissible under the Open Records Law?
 - Any e-mail sent or phone call made, if relating to governmental business, is public record, regardless of whether the device is a personal or work device. If the communication involves “the transaction of public business by any agency of North Carolina government or its subdivisions,” it is deemed public record and citizens have the right to access it.
 - For more information, read “Are Phone Records Public,” which discusses two NC controversies regarding e-mails and phone calls at <http://www.theherald-nc.com/2012/07/28/23805/are-phone-records-public.html>.
- **A BBQ for the City Council**
 - What took place in this scene?
 - Which sunshine law is at play in this scene?
 - Was the Open Meetings Law violated? Why or why not?
 - Since the BBQ is strictly social, it falls under an exception to the law and is not a violation. Government officials do have the right to have personal lives and socialize with one another if they choose. However, no decision regarding the ball field should be made at the BBQ, since this would then mean that the gathering was not strictly social.

- **County Animal Shelter**
 - What took place in this scene?
 - Which sunshine law is at play in this scene?
 - Was the Open Records Law violated? Why or why not?
 - This is based on an actual situation in Union County, where the county animal shelter was sued over its euthanasia practices. Animal welfare organizations had to retain lawyers to obtain shelter records when they were withheld without explanation: <http://www.animallawcoalition.com/gas-chambers/article/469/>

➤ **Teacher notes:**

- If time runs out, roll plays can be performed the following day in class as well.
- In addition to the scenarios provided, teachers can access articles regarding current open government issues at <http://www.elon.edu/e-web/academics/communications/ncopengov/>. The situations posed in these articles can be used to create additional or alternative scenarios, or teachers can provide an article to students for discussion as an additional/alternative activity.

Homework: Open Government: Your “Right to Know”

15. For homework and review, provide the attached “Open Government: Your ‘Right to Know’” reading and word search for completion. Let students know that they will also learn a bit about the federal Freedom of Information Act in the reading, which guarantees similar citizen access to federal agency records as state sunshine laws do at the state level. Tell students they will learn more about the FOIA the next time class meets.

Day Two

Why is Open Government Important?

16. As a warm up and review, provide students with the attached political cartoon worksheet and instruct them to take 5 minutes to examine the image and answer the questions provided. (The image can also be projected using [slide 10](#) of the accompanying Power Point.) Once students have had time to work independently, discuss as a class:
 - What did you first notice about this political cartoon? What symbols did you identify?
 - What message do you think the artist is conveying? What evidence makes you think this?
 - Who might agree with the content of this political cartoon and why? Who might disagree and why?

17. To further students’ review of open government and its importance, provide each pair with one of the attached open government quote strips as a warm up activity. (It is fine for a quote to be repeated among partners.) Project the questions on [slide 11](#) and instruct students to read the quote together while reconsidering what was covered in the previous class regarding sunshine laws, open government, etc. Students should then discuss the quote with their partner using the questions as a guide; provide approximately 5 minutes for partner discussion. The attached quote strips include:
 - “Liberty cannot be preserved without a general knowledge among the people, who have a right and a desire to know.” ~John Adams
 - “Let the people know the facts, and the country will be safe.” ~Abraham Lincoln

- "We must never forget that the free flow of information is essential to a democratic society." Pres. Clinton, veto of Intelligence Re-Authorization Bill, 2000
- "When information which properly belongs to the public is systematically withheld by those in power, the people soon become ignorant of their own affairs, distrustful of those who manage them, and -- eventually -- incapable of determining their own destinies." ~Richard Nixon
- "The more that government becomes secret, the less it remains free." James Russell Wiggins, newspaper editor, 1956
- "Government ought to be all outside and no inside." Pres. Woodrow Wilson
- "Democracies die behind closed doors. The First Amendment, through a free press, protects the people's right to know that their government acts fairly, lawfully, and accurately." Judge Damon Keith, U.S. Sixth Circuit Court of Appeals
- "Secrecy, being an instrument of conspiracy, ought never to be the system of regular government." Jeremy Bentham

18. Once students have had time to discuss, bring the class back together and ask a pair of students who was assigned each quote to read it out loud then summarize their thoughts regarding the quote. (For quotes that were repeated, teachers can ask if other partners thought about the quote differently, or have anything new or additional to add.) Further discuss:

- What do all of the quotes have in common?
- What consequences might we face if our government is not open and transparent?
- Whose responsibility is it to hold our government accountable in this sense?
- Do you think most citizens (your age or older as well) are aware of the federal and state laws that help ensure our access to governmental meetings and records? Why or why not?
- What is dangerous about not being aware of the rights provided to you, whether you are young or old?

The Freedom of Information Act

19. Next, review the "Open Government: Your 'Right to Know'" homework reading and word scramble answers with students. Explain that you want to spend a bit of time talking about the federal laws regarding access to governmental information, particularly the federal Freedom of Information Act that was discussed in their homework handout. Begin by asking:

- What is your understanding of the Freedom of Information Act? How does it compare to state sunshine laws?

20. Project [slide 12](#), which provides an overview of the FOIA and discuss:

- Why is it important that you be able to access federal government records/information?
- What impact do you think this law has on federal government officials? On citizens? On you individually?

21. Next, ask students whether they think there are any circumstances when the government should be able to keep information from us (confidential.) Project and share the information on [slides 13-14](#) and discuss:

- Do you find these exemptions acceptable reasons to keep some government information confidential from the public? Explain.

22. Move on to slide 15, which shares an overview of the Privacy Act of 1974, another federal law regarding governmental records and information about individuals that is worth mentioning to students. Then project slide 16, and ask students to discuss the quote provided:
- What message is the senator conveying? What do you infer his opinion of the FOIA is?
 - What do you think the general public perception of the government is? Meaning, do most people believe the American government is corrupt, or that it is working for the people? How might the FOIA and ensuring transparent government impact our perceptions?
23. Tell students that on his first full day in office, President Barack Obama issued a memorandum to all federal agencies and departments calling for more openness and transparency in the federal government, declaring that “information maintained by the federal government is a national asset.” Pass out the attached copy of the memo and instruct students (either individually or in pairs) to take 15 minutes to read the memo and answer the corresponding questions. Afterwards, discuss the questions as a class:
- What does President Obama mean when he says that “A democracy requires accountability, and accountability requires transparency?” What is “accountability” and “transparency?”
 - Why is having an open government that is accountable and transparent important to democracy?
 - President Obama believes it is important that “In the face of doubt, openness prevails.” What message is he conveying?
 - What scenarios does President Obama outline that might compel the government to practice nondisclosure? What is his direction regarding such scenarios?
 - Why is the Freedom of Information Act important and something each of us should be aware of?
 - Do you think most citizens and community members view American government as being open, transparent, and accountable? Why or why not?
 - What is our responsibility as American citizens and community members in terms of ensuring an open, transparent, and accountable government and utilizing the FOIA?
24. Next, provide an overview regarding how to exercise one’s rights to information under the FOIA using slides 17-19. Afterwards, discuss:
- Why should you know how to exercise your rights under FOIA? Can you think of any examples of scenarios that could arise when you would want to do so? Explain.
25. To highlight examples of the relevance of FOIA, instruct students to again partner up and provide each pair with one of the attached two FOIA “What Would You Do?” scenarios. Instruct students to read the scenario with their partner and discuss it using the questions provided as a guide. Provide approximately 6-8 minutes for students to work then discuss as a class (not every pair needs to report out; teachers can simply take volunteer responses):
- Dangerous Toy Fire Truck:
 - For those of you who had the toy fire truck scenario, who can summarize the situation?
 - How does this scenario involve the Freedom of Information Act?
 - If this was your friend, what would you tell him or her to do next?
 - Make sure students understand that if they were in this situation, they can visit the website for the U.S. Consumer Product Safety Commission, a federal agency charged

with protecting the public from unreasonable risks of injury or death from thousands of types of consumer products under the agency's jurisdiction. If you want to know whether the fire truck has been recalled and you want to know the details, under the FOIA the Consumer Product Safety Commission will help you by providing copies of the recall documents.

- Why is transparency in an agency like the US Consumer Product Safety Commission important?
- Safety Concerns at the Nursing Home:
 - For those of you who had the nursing home scenario, who can summarize the situation?
 - How does this scenario involve the Freedom of Information Act?
 - If this was your friend, what would you tell him or her to do next?
 - Under FOIA, inspection reports on conditions at a nursing home certified for Medicare are public and should be available through your local Social Security office.
 - Why is having access to inspections reports such as this an important right?
 - If the FOIA did not exist, and such inspections reports were not public, what consequences might result?

➤ For additional details regarding the FOIA and citizen rights under the law, go to <http://publications.usa.gov/epublications/foia/foia.pdf>.

Educating Youth Regarding Open Government

26. Next, ask students to discuss the public's knowledge of sunshine laws by asking:
- Do you think most young people are aware of sunshine laws and their importance? Why or why not?
 - Do you think most adults are aware of sunshine laws and their importance? Why or why not? Specifically, if I asked 600 North Carolinians whether they know about North Carolina's two sunshine laws, what percentage do you think would be unaware?
 - What percentage of the same people do you think would say that having an open, transparent government is important?
27. Tell students that in March 2009, Elon University conducted a poll of over 600 North Carolina residents regarding their knowledge of sunshine laws. (The summary of the poll can be accessed at <http://www.elon.edu/e-net/Note.aspx?id=936098>.) Go over the poll results on slides 20-21 and discuss:
- Are any of the poll results surprising to you? Why or why not?
 - Why do you think over 63% of North Carolina residents are unaware of the sunshine laws, even though the majority of those polled say they feel open government is important?
 - Do you agree with the 77% of respondents who feel exceptions should be made in issues of national security? Why or why not?
 - Why is it problematic that so few people are aware of open government laws, such as NC's two sunshine laws? If citizens are unaware of sunshine laws, what's to keep our government officials accountable for practicing transparency?
28. To set up the culminating activity, provide students with the attached blog entry from the Virginia Coalition for Open Government, "Teaching our kids about open government." Tell

students you want them to read the entry, which is referring to the lack of education regarding sunshine laws and open government, particularly in youth. Explain that after reading the blog, you want students to offer their opinions regarding what Megan Rhyne says regarding youth, as well as offer advice regarding her questions for how to reach youth and teach them about open government. Give students a few minutes to read, then discuss as a class:

- The author notes that kids can be taught the facts about open government, but what does she likewise note as being more difficult to teach? Do you agree? If so, why do you think this is the case?
- What are the challenges the author notes regarding teaching kids about open government?
- What does it take for many people to finally engage in the governmental process? Why is it important for people to be aware and engaged even before this point?
- Do you agree with the author that kids don't care about government, or anything else that doesn't directly impact them? Why or why not?
- The author states that K-12 students aren't able to challenge authority. Do you agree or disagree and why?
- The author seems desperate regarding ideas for how to teach kids about open government and its importance. What advice and specific ideas would you give her?

29. As students consider the last question, really encourage them to think about what it will take to get people their age to care about government and in particular, the relevance of sunshine laws. Chart their thoughts on the board.

30. Explain to students that there are efforts being taken to educate the public regarding open government and its importance. For example, many states have some form of an open government coalition, typically charged with promoting and educating about open government and governmental transparency. In North Carolina, the North Carolina Open Government Coalition (www.ncopengov.org) "unites organizations interested in ensuring and enhancing the public's access to government activity, records and meetings. The nonpartisan coalition will educate people about their rights and support their efforts to gain access, and advocate the principles and benefits of open government. Education is critically important these days because, according to Elon Poll results, a majority of North Carolina residents are unaware of sunshine laws."

Coalitions such as these, in collaboration with local governments, newspapers and other media organizations, etc., promote an annual "Sunshine Week" (<http://www.sunshineweek.org>) in March, in an effort to explain why open government is important to everyone.

Culminating Project: Create a PSA to Teach Youth about the Importance of Open Government

31. Tell students that they are to imagine that they have been hired to create a Public Service Announcement (PSA) regarding the importance of open government and North Carolina's sunshine laws. Pass out the attached assignment sheet and go over the project in detail. Prior to assigning the project, teachers should determine and inform students of:
- whether students will pick or be assigned group members
 - how much class time and homework time will be provided to work on the PSA.

- Teachers should use their discretion based on their own pacing guide and time available. The project can be done quickly, with students spending approximately 20 minutes time planning in class and performing immediately or the following day, or it can be more intensive, with students being given some time in and outside of class over the course of a few days to develop more advanced PSAs, bringing in props, costumes, etc.
- whether the project will be filmed when presented
 - Teachers may choose to check out a video camera from the media center to actually film the PSAs, or use a phone to film the PSAs.
 - Note: If your class produces final PSAs that you would like to have publicized on the NC Open Government Coalition’s website, contact cnorris@unc.edu for more information.
- when it is due
- whether students will be required to turn in a written script or whether they will be graded solely on their performed PSA

Day Three

32. On the performance date, teachers should review expectations for respectful audience members and instruct students to take notes in the following format as they view each group’s PSA:

PSA Title/Group members	Facts shared regarding open govt. & sunshine laws	What I liked about the PSA

➤ **Teacher note:** As an alternative to creating PSAs, students can be instructed to present similar content in a poster campaign instead. Rather than performing a commercial, students will design posters and/or billboards educating the public regarding open government and sunshine laws.

Resources

- North Carolina Open Government Coalition: <http://www.ncopengov.org/>
- NC’s Open Meetings Law: <http://smvt.com/media/faq/open-meetings/>.
- State Sunshine Laws: [http://sunshinereview.org/index.php/State sunshine laws](http://sunshinereview.org/index.php/State_sunshine_laws)
- Sunshine Week: <http://www.sunshineweek.org>
- Department of Justice: <http://www.justice.gov/oip/>
- Freedom of Information Act: <http://www.foia.gov/>
- Your Right to Federal Records: <http://publications.usa.gov/epublications/foia/foia.pdf>
- Freedom of Information Center: <http://www.missouri.edu/~foiwww/>
- Your Right to Federal Records: http://www.pueblo.gsa.gov/cic_text/fed_prog/foia/foia.pdf
- Special thanks to Sue Rowland, Cary Town Clerk and Kara Millonzi, UNC-Chapel Hill School of Government faculty, for advisement regarding these activities.

Cardinal City Public School District

MEMO

To: Cardinal City School Board Members
From: Jose Smith, Chair
Date: October 5, 2012
Re: Decision regarding proposed cafeteria menu change for district

Please be advised that I hereby call a special closed meeting of the Cardinal City School Board for this Thursday, October 8, 2012, to commence at 7:00 PM for the following purpose:

- A final vote regarding the proposed district-wide cafeteria menu policy will be made.

Due to the controversy surrounding this decision, I have determined that this meeting will not be open to the public. This is to ensure that the Board can make a fair and accurate decision without the distraction of citizen attendance and input at this time. The Board will, however, consider the impact of this decision on all stakeholders, and will vote with the best interests of the community in mind.

No other matters will be discussed, introduced, or considered at this meeting. Action on the foregoing item will be taken at the meeting.

Sincerely,

Mr. Jose Smith, Chair
Cardinal City School Board

Sunshine Laws - Role Play Scenarios

County Budget Issues

Much has been written in your local paper lately regarding the new county administration building, which has been under renovations for almost a year. The building, which houses county departments such as human resources, the tax office, clerk of court, etc., and is also where the board of county commissioners meets, has been turned into a state of the art facility at a very hefty price tag. Recently, the Dogwood High School Student Government Association has started paying attention to what the county commissioners are up to, since the commissioners are currently in the process of adopting a county budget. Particularly, Dogwood's SGA is interested because it is rumored that the draft county budget contains a huge cut to the county's school budget, likely in order to pay for some of the renovations to the administration building. Students are angry about this possibility, since Dogwood High School has been in terrible condition for years. On any given day, at least one of the four bathrooms is out of order, the classrooms are outdated and lack technology, the gym floor is in such bad shape that it can't be used for basketball games anymore, and not one water fountain in the whole school works. The Student Government decides to ask to see a copy of the draft budget. If they find that the county is planning on slashing the education budget, Dogwood's SGA is planning to organize a letter writing campaign in which students, parents, and community members demand the education budget not be cut, and instead be raised. However, when the Dogwood SGA advisor requests a copy of the draft budget, the county declines. The clerk claims that because the budget is not yet final, it cannot be released.

School board meeting

Diane Rodriguez's little brother Adam goes to Jefferson Elementary School, where he is in third grade. Several months ago, it became known that Adam's teacher, Mr. Stark, posted a picture of one of Adam's homework assignments on his personal FaceBook page and wrote several comments making fun of Adam for his poor writing skills. When Diane and her parents found out, they were furious. In speaking with a few other parents in Adam's class, they found out that Mr. Stark had even posted a picture of one of Adam's classmates, LaTonya Jeffries, and had made jokes about her hair style on his FaceBook page as well. The parents were outraged and complained to the principal and the school board. Next week, the school board is having a special meeting to discuss the issue and make a determination regarding how Mr. Stark should be reprimanded, and particularly whether or not he should be fired. Diane, her parents, and several other parents of third-graders were hoping to attend, given that they have been personally impacted by this teacher. However, they have been told that they cannot since the meeting will be closed.

Legislator E-mails

Sheila O'Brien is a legislator in the NC General Assembly. Last year, she introduced legislation that would allow for fracking in North Carolina. (Fracking involves pumping a mix of water and chemicals into a drilled well to break apart deposits of underground shale and release natural gas.) Environmental groups have been up in arms regarding the proposed legislation and contend that it will be bad for the environment and drinking water in the areas where the wells are drilled and the fracking occurs. Recently, a Raleigh newspaper interviewed the president of the Raleigh Sierra Club, a very popular environmental group who is strongly opposed to the legislation. The president of the Sierra Club told the reporter that he believes Sheila O'Brien is pushing for this legislation because her family owns a business that sells drilling equipment, thus they have the potential to make a lot of personal profit if

fracking becomes legal in North Carolina. The newspaper decides to request to see copies of all Sheila O'Brien's e-mails from her work account concerning fracking, in hopes to get a sense of what has led her to push for this legislation. She refuses, saying that her e-mails are confidential and she is thus not required to disclose them.

A BBQ for the City Council

Montrez Wilson's baseball team has been playing on the city baseball field the entire season, but the field is greatly in need of repair. The bleachers are falling apart, the scoreboard doesn't work, and the field itself is located on the outskirts of the city and is hard to get to. Several representative's from Montrez's team attended the past two city council meetings, where one of the agenda items was whether or not the city should acquire new land and build a brand new field. Montrez and several of his teammates presented at the last meeting, strongly encouraging the city council that this would be a great idea and very good for the community. However, the city council hasn't made a decision yet. Montrez happens to be friends with one of the city council member's sons, who mentioned in passing that his mom will be hosting a backyard barbeque for some friends, including the other council members, this coming weekend. Montrez feels sure they will talk about the baseball field at the barbeque, and wonders if they won't even make a decision while enjoying their hotdogs. He is very excited to know what is decided, so he sends an e-mail to the city council member hosting the BBQ to let her know he plans to attend under the rights provided to him in the Open Meetings Law. She responds to the e-mail and denies Motrez's request to attend, saying that this event is social in nature and that no business will be officially discussed.

County Animal Shelter

"Man's Best Friend" is a local animal rights group who strongly opposes the euthanasia of animals. Rather, they support "no-kill" shelters that strive to find a home for each and every animal taken in. Recently, Man's Best Friend has requested to see the euthanasia records from the county animal shelter. They want to ensure that state law is being followed at the shelter. In particular, North Carolina law prohibits the use of gas chambers for euthanizing particular categories of animals, such as those that are young (i.e., puppies and kittens) or pregnant. Since the county shelter is supposed to keep records of the animals euthanized, such as impound sheets, Man's Best Friend wants to check whether the shelter is following the law and not gassing animals that are young or pregnant. Man's Best Friend hopes that if they can prove that the shelter has actually been breaking the law and is euthanizing these categories of animals illegally, perhaps they can sue and stop the practice of euthanization altogether. However, the shelter has refused to release the records.

Open Government: Your “Right to Know”



As a citizen, you have the right to know what your government is doing, and there are federal and state laws designed to make the inner workings of government more accessible and transparent to the public. At the federal level, the Freedom of Information Act (FOIA) grants citizens the right to access information from the federal government. In addition, each state has its own sunshine laws. State sunshine laws generally have two components. First, these state laws typically contain “open records” provisions that allow citizens and the press to inspect and/or obtain copies of certain government records. Second, state Sunshine laws contain “open meeting” provisions, which require state and/or local government bodies to conduct their meetings in a manner open to the public.

Freedom of Information Act

The **Freedom of Information Act (FOIA)** is a federal law that gives you the right to access information from the federal government. It was signed into law by President Lyndon Johnson on July 4, 1966 and went into effect in 1967. (It was amended in 2002.) The law generally provides that any person has the right to request access to federal agency records or information. Federal agencies are required to disclose records upon receiving a written request for them, except for those records that are protected from disclosure by any of the nine exemptions or three exclusions of the FOIA (i.e., issues of national security, privacy, etc.)

The FOIA also requires that certain information be made available to the public on agency FOIA websites. Agencies routinely post a wide variety of documents on their web sites to inform the public about the activities of that agency. A FOIA request can be made for any agency record by sending a request to the particular agency that holds the records you are seeking. (Each agency’s website will contain information about the type of records that agency maintains.)

The Executive Branch, led by the President, is responsible for the administration of the FOIA across the government. The Department of Justice’s Office of Information Policy oversees agency compliance with these directives and encourages all agencies to fully comply with both the letter and the spirit of the FOIA.

If the federal government fails to provide access to the information, that decision can be challenged in federal court. However, the FIOA only applies to the federal government. State records are governed by state law, where openness varies.

State sunshine laws

State sunshine laws are the laws in each state that govern public access to governmental records and meetings. These laws are sometimes known as open records laws or public records laws, and are also collectively referred to as state FOIA laws, after the federal Freedom of Information Act. In North Carolina, there are two sunshine laws:

1. **NC Open Meetings Law, § 143-318** - The *North Carolina Open Meetings Law* legislates the methods by which public meetings are conducted. This law states that all official meetings, hearings, deliberations, and actions of North Carolina’s governmental bodies are open to the public.

The act defines “government body” as all political agencies of the state which exercise "legislative, policy-making, quasi-judicial, administrative, or advisory function". This includes meetings of the NC General Assembly, your local city council and board of county commissioners, school boards, etc. The act also explicitly includes all boards associated with state universities, all public and non-profit hospital boards and the standing committees and commissions of the NC legislature.

As with the federal FIOA, there are exemptions to the law. For example, meetings that are social or informal assemblies, as well as meetings that deal with issues of confidentiality, are exempt. There are also exemptions to the definition of what constitutes a public body. Grand and petit juries, General Assembly caucuses, boards of trustees of endowment funds, the General Court of Justices, as well as any group directed by law to meet in a closed session, are examples of groups that are exempt.

Any individual may bring charges against a public body for violation of the open meetings act. If the judge determines that the public body violated the open meetings act, he or she may void any action taken or discussed during the meeting in question if the suit was filed within 45 days of the disclosure of the violation. The court may also assess attorney fees to either party depending on the degree of violation and if the lawsuit was frivolous. The court may also compel individual public officials to pay the attorney fees, if they were specifically in flagrant violation of the law.

2. **NC Public Records Law, § 132-1** - The *North Carolina Public Records Law* is designed to guarantee that the public has access to public records of governmental bodies in North Carolina. The first statute dealing with public documents in the state was passed in 1935. This law focused on the duty of government officials to *preserve* public records carefully.

Under the NC Public Records Law, all government records are to be made available to the public, with public records meaning all documents, papers, letters, maps, books, photographs, films, recordings, etc., made in connection with the transaction of public business by any agency of North Carolina government or its subdivisions.

However, not everything the government writes down is a public record. Examples of some of the exceptions include: documents about criminal investigations; attorney-client privilege, court witnesses when their safety is threatened; the 9-1-1 system information; tax records; emergency response plans; etc. North Carolina law also requires departments to separate exempt and non-exempt material when found in the same source, and release the non-exempt material upon request.

Why Sunshine Laws Are Important

Whether federal or local, it is important that citizens have access to government documents and meetings. Having an open, transparent government:

- means we are better informed when we go to the polls to vote.
- gives us more confidence in the work public officials do on our behalf.
- reduces the risk of corruption and abuse in government and helps citizens hold their leaders accountable.
- aids the search for truth and enhances our freedom.

Sources:

- http://www.ncga.state.nc.us/enactedlegislation/statutes/html/byarticle/chapter_143/article_33c.htm
- http://sunshinereview.org/index.php/North_Carolina_Open_Meetings_Law
- <http://publications.usa.gov/publications/foia/foia.pdf>
- <http://www.elon.edu/e-web/academics/communications/ncopengov/>
- <http://www.steptoe.com/assets/attachments/1481.pdf>

Name: _____

Open Government: Your “Right to Know “ Word Scramble

➤ Please read each statement and fill in the blank by unscrambling the answer.

1. It is important that the inner workings of government be accessible and _____.
(**apternstarn**)
2. Federal agencies are required to _____ records upon receiving a written request for them.
(**csdileos**)
3. The Freedom of Information Act applies to the records of _____ agencies. (**eraefdl**)
4. The FOIA requires that certain information be made available to the public on agency FOIA _____.
(**ibweests**)
5. If the federal government fails to provide access to requested information, that decision can be challenged in federal _____.
(**otucr**)
6. State _____ are the laws in each state that govern public access to governmental records and meetings.
(**nsnsuhie salw**)
7. _____ is a popular form of written communication and whether sent from a public or private account, is a public record if governmental business is discussed. (**laim-**)
8. _____ may obtain copies of public records. (**yeoann**)
9. A _____ of the members of a public body are required to conduct an official meeting.
(**otmyajri**)
10. Any public meeting not part of a regularly scheduled meeting requires _____ notice.
(**ritnwte**)
11. Every public body must keep full and accurate _____ of official meetings. (**nsmieut**)
12. Public bodies may exclude the public from a _____ session, but the content of the meeting must meet one of the exceptions. (**eolscd**)
13. If government officials are gathering for purely _____ reasons, the meeting is exempted from the NC Open Meetings Law. (**aocils**)
14. Having an open government means that hearings, deliberations and actions of public bodies are conducted _____.
(**llubcliapy**)
15. Anyone who has been denied copies of public records or access to a public meeting may bring action against the government agency or official who denied access in _____ court. (**lvcii**)

Open Government: Your “Right to Know “ Word Scramble – ANSWER KEY

1. It is important that the inner workings of government be accessible and **transparent**.
2. Federal agencies are required to **disclose** records upon receiving a written request for them.
3. The Freedom of Information Act applies to the records of **federal** agencies.
4. The FOIA requires that certain information be made available to the public on agency FOIA **websites**.
5. If the federal government fails to provide access to requested information, that decision can be challenged in federal **court**.
6. State **sunshine laws** are the laws in each state that govern public access to governmental records and meetings.
7. **E-mail** is a popular form of written communication and whether sent from a public or private account, is a public record if governmental business is discussed.
8. **Anyone** may obtain copies of public records.
9. A **majority** of the members of a public body are required to conduct an official meeting.
10. Any public meeting not part of a regularly scheduled meeting requires **written** notice.
11. Every public body must keep full and accurate **minutes** of official meetings.
12. Public bodies may exclude the public from a **closed** session, but the content of the meeting must meet one of the exceptions.
13. If government officials are gathering for purely **social** reasons, the meeting is exempted from the NC Open Meetings Law.
14. Having an open government means that hearings, deliberations and actions of public bodies are conducted **publically**.
15. Anyone who has been denied copies of public records or access to a public meeting may bring action against the government agency or official who denied access in **civil** court.

***Special thanks to Sue Rowland, Cary Town Clerk, for assistance in creating this activity.*

Name: _____

Please examine the political cartoon and answer the questions that follow:



1. What do you first notice about this political cartoon? What symbols can you identify?

2. What message do you think the artist is conveying? What evidence makes you think this?

Open Government Quote Strips

“Liberty cannot be preserved without a general knowledge among the people, who have a right and a desire to know.”

~John Adams

“Let the people know the facts, and the country will be safe.”

~Abraham Lincoln

"We must never forget that the free flow of information is essential to a democratic society."

~Bill Clinton

“When information which properly belongs to the public is systematically withheld by those in power, the people soon become ignorant of their own affairs, distrustful of those who manage them, and -- eventually -- incapable of determining their own destinies.”

~Richard Nixon

"The more that government becomes secret, the less it remains free."

*~James Russell Wiggins, newspaper editor,
1956*

"Government ought to be all outside and no inside."

~Pres. Woodrow Wilson

Open Government Quote Strips (cont.)

"Democracies die behind closed doors. The First Amendment, through a free press, protects the people's right to know that their government acts fairly, lawfully, and accurately."

~Judge Damon Keith, U.S. Sixth Circuit Court of Appeals

"Secrecy, being an instrument of conspiracy, ought never to be the system of regular government."

~Jeremy Bentham

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Freedom of Information Act

A democracy requires accountability, and accountability requires transparency. As Justice Louis Brandeis wrote, "sunlight is said to be the best of disinfectants." In our democracy, the Freedom of Information Act (FOIA), which encourages accountability through transparency, is the most prominent expression of a profound national commitment to ensuring an open Government. At the heart of that commitment is the idea that accountability is in the interest of the Government and the citizenry alike.

The Freedom of Information Act should be administered with a clear presumption: In the face of doubt, openness prevails. The Government should not keep information confidential merely because public officials might be embarrassed by disclosure, because errors and failures might be revealed, or because of speculative or abstract fears. Nondisclosure should never be based on an effort to protect the personal interests of Government officials at the expense of those they are supposed to serve. In responding to requests under the FOIA, executive branch agencies (agencies) should act promptly and in a spirit of cooperation, recognizing that such agencies are servants of the public.

All agencies should adopt a presumption in favor of disclosure, in order to renew their commitment to the principles embodied in FOIA, and to usher in a new era of open Government. The presumption of disclosure should be applied to all decisions involving FOIA.

The presumption of disclosure also means that agencies should take affirmative steps to make information public. They should not wait for specific requests from the public. All agencies should use modern technology to inform citizens about what is known and done by their Government. Disclosure should be timely...

BARACK OBAMA

Please answer the following questions on notebook paper:

1. What does President Obama mean when he says that "A democracy requires accountability, and accountability requires transparency?" What is "accountability" and "transparency?"
2. Why is having an open government that is accountable and transparent important to democracy?
3. President Obama believes it is important that "In the face of doubt, openness prevails." What message is he conveying?
4. What scenarios does President Obama outline that might compel the government to practice nondisclosure? What is his direction regarding such scenarios?
5. Why is the Freedom of Information Act important and something each of us should be aware of?
6. Do you think most citizens and community members view American government as being open, transparent, and accountable? Why or why not?
7. What is our responsibility as American citizens and community members in terms of ensuring an open, transparent, and accountable government and utilizing the FOIA?

FOIA “What Would You Do?” Scenario -

A Dangerous Toy Fire Truck

Your two-year old little brother received a toy fire truck for his birthday a week ago. He loves it, but you’ve noticed that the ladder keeps coming off and is small enough that he can fit it in his mouth. When you and your friend were babysitting him this morning, you heard him coughing in his room. When you checked on him, he had the ladder in his mouth and you feel sure he would have choked on it had you not arrived so quickly to take it away from him. You are surprised the toy packaging says it is safe for children over 6 months old and you decide to call the company, Little People Play, to inquire about the toy.

After spending hours on the phone with the toy company trying to find someone who can answer questions regarding safety, you start to feel like you are getting the runaround. When you finally get connected to someone in corporate headquarters, he/she tells you that if you and your parents don’t like the toy, “just take it away from the kid.” You ask whether other people have reported the toy as a choking hazard, and the person on the phone tells you that it’s none of your business what other people think of the toy – that’s confidential information. You hang up frustrated, feeling like you should be able to get the information you are seeking, but you just don’t know what to do.

Discuss and answer:

1. Summarize the problem in this scenario.
2. In what way does this scenario deal with the Freedom of Information Act?
3. If this was your friend, what would you tell him or her to do next?

FOIA “What Would You Do?” Scenario -

Safety Concerns at the Nursing Home

Your grandmother recently suffered from a fall in which she broke her hip. She has needed a lot of care during her recuperation and since she is on Medicare, she was able to secure a spot at the local nursing home and has been living there for the past two months. You visit her at least once a week, and each time you’ve noticed some disturbing conditions. The halls are often unclean, with spills left on the floor for hours on end. Handrails in several places are also loose or missing and you’ve also noticed that medication carts are left unattended in the halls as well. Last week when you arrived for your visit, you discovered that your grandmother had been pushing the assistance button for a glass of water for over an hour and a half, but no nurse had entered her room or checked on her to see what she needed. She was dizzy and obviously dehydrated, and said that while it often took nurses a while to respond to resident calls for help, she didn’t want to “make any trouble.” All of this has left you concerned regarding the safety conditions of the facility. Your family was happy that this nursing home accepted Medicare, but her safety is obviously priority. When you leave, you ask a nurse at the nurse’s station how you can access the latest inspection reports for the nursing home. She tells you she can’t help you, since she is pretty sure that information like that is confidential. You leave frustrated, worried, and unsure of what to do.

Discuss and answer:

1. Summarize the problem in this scenario.
2. In what way does this scenario deal with the Freedom of Information Act?
3. If this was your friend, what would you tell him or her to do next?

Virginia Coalition for Open Government
Teaching our kids about open government
(Blog post by Megan Rhyne; posted 7/5/2012)

I read an article today about how Florida is launching a new test for middle schoolers to prove that they know as much about how their government works as they do about “Snooki & Jwoww.”

It’s no easy task...but, at least when you’re talking about government, you can talk about concrete matters like structure and process. These are the three branches of government. This is what federalism is. This is how a bill gets passed. Here are the criteria for running for president. This is the difference between representative democracy and direct democracy.

Kids can grasp (or at least memorize) these basic facts [but] they don’t have to really comprehend why it matters to them personally. So, we can imprint facts, but we can’t instill in them a passion for why our system matters. We’ve talked for years about reaching out to young people to talk to them about open government. But we can never get past the question of how.

How do you teach an abstract? How do you make pre-teens or teenagers understand why open government is important when many of us can’t agree on what open government means? Though there is universal lip service paid to the concept of open government, there is no similar agreement on the specific application of open government. It’s the old, “I believe in open government, but” One woman’s open government is another woman’s invasion of privacy. One man’s open government is another man’s threat to national security. And so on.

How do we make students understand why they need to be able to see meetings and have access to records when many adults don’t understand it themselves, or don’t care even if they do? And I don’t mean to insult anyone’s intelligence or integrity. It’s just that over the years what I’ve seen is people with busy lives just don’t have time to engage in the process unless or until something begins to directly impact them.

When that new bypass may run right next to their neighborhood, when a new school district is proposed, when their mother-in-law’s nursing home gets a failing inspection grade, *that’s* when most people become open government advocates. They have a problem, they need information to deal with it and that’s when they seek records and attend meetings.

Even if a kid shares his parents’ concern about any of the above, because they are kids, they will leave it to their parents to take care of. These are grown-up problems and grown-up battles to fight. How many adolescents -- precisely because they are adolescents -- care about much of anything that doesn’t directly affect them?

Sometimes it’s even difficult to get college-aged students to care or understand. I think this is because a zealous advocacy of open government oftentimes requires a challenge to authority. Kids in K-12 don’t have the luxury of challenging authority, at least not if they still want three squares and a roof over their heads. Once in college, they are just trying on notions of true independence. Some of them just aren’t ready to accept that they have the *right* to know, that the official answer isn’t necessarily the real answer, and that there are laws out there (FOIA) that exist to underscore both.

I don’t like to sound defeatist about this because I want these kids to care. I want them to understand. I want to teach them. But, again, how?

How would you reach America’s youth? How would you teach them -- and their parents -- about open government?

<http://www.opengovva.org/foi-blog-list/1620-teaching-our-kids-about-open-government>

Create an Educational Public Service Announcement (PSA) for Educating Youth about Open Government



As a young person, you know best how to reach your peers and capture their interest and attention. Using what you have learned regarding the importance of open government and North Carolina's sunshine laws, you will work in groups to plan a PSA (a commercial) that will be aired on local television stations with the specific purpose of educating youth. You must work with your group to design and perform an innovative, creative, and educational PSA that will help people your age learn about open government and sunshine laws, as well as see how these issues are relevant to their own lives.

Steps for Completion

1. As a group, discuss what you feel is most important about the concept of open, transparent government, as well as sun shine laws.
 - What are the key ideas and themes regarding open government and why are these important?
 - What is the purpose of North Carolina's sunshine laws and what types of rights do these grant to citizens?
 - In particular, how might young people be impacted by these topics?
2. Brainstorm ideas for a PSA that will educate North Carolinians about open government and sunshine laws in an engaging fashion. The PSA should grab the viewer's attention (especially people your age) and convince them that this is important information to know.
3. Once you have ideas for both the content of your PSA and how you will communicate this information in a creative, engaging way, begin drafting your PSA script. You might also want to get up and practice particular parts of the PSA as you draft to help spur creative thought.
4. Your final PSA...
 - Must be at least 3 minutes in length when aired on television
 - Must be educational and contain accurate facts regarding NC's sunshine laws and open government in general
 - Must highlight why sunshine laws and open government is important and specifically, why young people should care about this topic
 - Should be creative – you can use props, costumes, music, scenery, etc. Your PSA can be done in any genre or style that you choose
 - Must appear organized, well thought out, and be presented in a serious fashion (even if your PSA employs humor, you should do so in a mature, committed way)
 - All group members must actively participate in the planning and presenting of the commercial
 - Will be performed in front of the class, with all group members taking active, committed roles in the presentation.
5. PSA's will be presented in class on _____.

What questions to you have regarding this assignment?

OPTIONAL:
Discussion Questions for “Uncovering Sunshine Laws”
(Video available through Elon’s Sunshine Center – www.ncopengov.org)

- Stop at 5.20 and discuss:
 - Evaluate the knowledge the college students interviewed at the start of the video had regarding NC Sunshine Laws. Why do you think so many people are unaware of these laws?
 - What is the purpose of North Carolina’s sunshine laws?
 - Why do you think records from public meetings are required to be kept in a public place, with citizens allowed access to them?
 - What types of decisions do city councils, boards of county commissioners, school boards, etc. make? Why is it important that you have the right to attend open meetings of these groups, as well as be able to access the records from such meetings?
 - What constitutes a public record?
 - Can you access public records at any time that you want?
 - What happens when records contain both confidential and public information?

- Continue playing at 5.35, stopping at the end of the 11 minute video and discuss:
 - Why is open government so important, and why are sunshine laws in particular important to maintaining open government?
 - Why do you think the NC General Assembly mandated that governmental meetings include a public comment session at least once a month?
 - When governments abuse their power, whose responsibility is it to hold them accountable?
 - Do you agree with Gretchen Lothrop that we can’t have a democracy without open government? Explain.
 - Why did Gretchen Lothrop sue the Chatham County Board of Elections? What decision did the court make regarding the case?
 - What is meant by the newscaster’s comment that “Sunshine laws are kept alive through the actions of the public?”