Student notes for Student Press Law Center’s Media Law Presentation: Freedom of Information Law

SPLC’s phone number:

SPLC’s website:

Three main types of FOI

6:

• Open Records Laws

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7:

• Open Meetings Laws

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9:

• ”Pocket” FOI Laws

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10:

Only “public bodies” or “public agencies” are covered by traditional \_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ law.

11:

Provide two examples of a public entity

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Provide two examples of a private entity

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15:

Open Records Laws

General Law: A \_\_\_\_\_\_\_\_\_ body must make its records available upon request unless the records are \_\_\_\_\_\_\_\_ exempted by statute.

16:

Common exemptions

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• Disclosure of police techniques; undercover agent identities

• Information that could jeopardize \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

17:

• Some personal records (hiring/ firing)

• Records such as pending real estate deals or ongoing or contemplated legal proceedings.

• Documents whose release would constitute an invasion of privacy (medical, adoption, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

18:

• “\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_” kept by a school that identify specific students.

19-20:

FERPA (Family Educational Rights and Privacy Act)

• Schools must supply educational records \_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_.

• FERPA does not \_\_\_\_\_\_\_\_ student journalists from publishing or disclosing information about students.

22:

Requesting Records

• Be *\_\_\_\_\_\_\_\_\_\_\_*

• Submit a \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_ where required or when a “paper trail” is needed.

24:

• A sample FOI letter can be found at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

25:

What can you do if your request is denied?

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35:

Open Meetings

General Law: A public body must provide notice of all gathings and allow \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_ unless meeting is explicitly exempted by statute.

37:

Name three common exemptions

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37:

What do you do if you get kicked out of a public meeting?

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“Pocket” FOI Laws

42:

What does the “Clery Act” mandate the reporting of?

44:

What does “Student Right-to-Know-Act” require?