



**COMPLIANCE WITH
CLOSED MEETING AND CLOSED SESSION
PROVISIONS OF THE SUNSHINE LAW**

**From The Office Of State Auditor
Claire McCaskill**

Public bodies did not fully document compliance with the closed meeting/session provisions of the Sunshine Law and did not timely respond to requests for public records.

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PERFORMANCE AUDIT

**COMPLIANCE WITH CLOSED MEETING AND
CLOSED SESSION PROVISIONS OF THE SUNSHINE LAW**

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Missouri State Auditor

Honorable Governor Bob Holden
and
Agency Directors, Board Members and Commissioners
and
Members of the General Assembly

The State Auditor performed an audit of public bodies' compliance with Sections 610.020, 610.021, 610.022, and 610.023, RSMo 2000, of the Missouri Sunshine Law (Sunshine Law). Specifically, our objectives were to determine if public bodies (1) posted notices of meetings at least 24 hours before meetings were held, (2) recorded and retained minutes of open and closed meetings, (3) held closed meetings and sessions to discuss only authorized topics, and (4) entered into their minutes the votes and specific topics discussed in closed meetings and sessions. We also analyzed how timely public bodies responded to our requests for public records.

The Sunshine Law requires members of public bodies demonstrate compliance with the provision of Sections 610.020, 610.021, 610.022, and 610.023, RSMo 2000. Our review showed a substantial number of public bodies within our sample could not demonstrate compliance. We could not determine if 70 public bodies posted public meeting notices at least 24 hours before the announced meetings because the notices did not include the date and time of posting. Analyses of minutes provided by 152 public bodies showed 38 (25 percent) did not identify the topics to be discussed during closed meetings/sessions and/or did not record the members' votes to go into closed meetings/sessions.

Finally, public bodies were not timely in responding to our requests for public information. It took an average of 31 days with a range of 1 to 171 days to respond. Fifty-seven of 356 public bodies did not respond until they had received a follow-up letter or telephone call or both. The Sunshine Law requires a response to public information requests within 3 business days.

We conducted the audit in accordance with applicable standards contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and included tests of the procedures and records as were considered appropriate under the circumstances.



Claire McCaskill
State Auditor

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RESULTS AND RECOMMENDATIONS

1. Public Bodies Need to Better Document Compliance with the Sunshine Law's Closed Meeting and Closed Session Provisions

Auditors reviewed practices of 152 public bodies holding closed meetings/sessions in 2001 and found general compliance with some Sunshine Law provisions, but were unable to determine compliance with other provisions:

- 114 public bodies properly identified and documented in open meeting minutes the permissible topics to discuss in closed sessions and recorded votes to go into closed sessions.
- 83 public bodies either did not include the date and time public meeting notices were posted or retain these notices, making it impossible to demonstrate if they complied with posting requirements.
- At least 38 public bodies did not keep records of closed sessions to prove compliance with other aspects of the law, while 6 public bodies discussed topics in closed sessions, which should have been addressed in an open meeting.

Discussions with public body officials disclosed they were not aware of the provisions of the law. In addition, state law does not require public bodies to record minutes of closed meetings/sessions, which would help prove compliance. State law puts the burden of persuasion on public bodies to demonstrate compliance with all Sunshine Law provisions.¹ Public bodies and members can be fined up to \$500 if they purposely violate the Sunshine Law.

Sunshine Law allows public bodies to hold closed meetings and closed sessions during open meetings

A public body is permitted to close meetings, records, and votes when they relate to certain allowed topics which include:²

- Privileged communications between a public body and its attorney
- Leasing, purchase or sale of real estate by a public body
- Discussions regarding personnel including, hiring, firing, disciplining and promoting
- Scholastic probations, expulsion or graduation of identifiable individuals

A public body must state and document the permissible topics to be discussed in a closed meeting/session and record the vote of each member. A closed meeting has no portion open to

¹ Section 610.027(2), RSMo 2000

² Section 610.021(1)(2)(3) and (6), RSMo 2000

the public and is preceded by a public notice announcing the closed meeting. A public body closes a session in an open meeting by vote and can discuss 1 or more of the 18 items allowed under the Sunshine Law.³

Notices for open and closed meetings must be posted at least 24 hours in advance of the meeting unless the public body can show "good cause" for not meeting this timeframe. If 24-hour notice is not possible, the "good cause" shall be stated in the meeting minutes. The meeting notice must note an open or closed session and include the time, date and place of the meeting. Attached to the notices is to be a tentative agenda "reasonably" advising the public on meeting discussion topics.⁴

Most public bodies complied with the closed meeting notification and vote recording provisions

The minutes provided by 114 of 152 public bodies showed they identified the topics planned for discussion during closed meetings/sessions and recorded the members' votes. The remaining 38 (25 percent) public bodies did not identify the topics planned for discussion during closed meetings/sessions and/or did not record the members' votes to close a meeting. Members of 19 public bodies' interviewed stated they were either not aware of the requirement to record a specific topic in the open minutes, or believed they were not required to record the topic in the minutes if it had been cited on the tentative agenda for the meeting. *(See Appendix III, page 13, for a summary of compliance issues for the 152 public bodies).*

38 public bodies did not state topic and/or record vote

The Attorney General's office recognized the Sunshine Law's language in Section 610.022.1, RSMo 2000, may be confusing and can result in misinterpretation. As a result, the Attorney General's office supported a proposal to have the confusing language removed by Senate Bill 709; however, the bill did not pass during the 2002 legislative session.

Twelve public bodies used a general statement in their meeting notices and minutes to cover all possible exceptions to open meetings, and did not specify the particular exception to be discussed in the closed session. Although the Sunshine Law does not specifically address general statements, such statements miss the law's intent to require a specific, cited reason.

Notices posted by public bodies did not document compliance with the 24-hour rule

Meeting notices were received from 139 of the 152 public bodies that had closed meetings/sessions. Auditors found 70 public bodies (50 percent) did not include the date and time of posting on all public meeting notices to prove the notice was posted at least 24 hours before the meeting as required by law. An additional 13 public bodies did not retain meeting notices, and also could not prove when notices were posted. The Sunshine Law does not specifically state public meeting notices must include the posting date and time. However, the Sunshine Law requires the public body and its members demonstrate compliance with all law

³ Section 610.021, RSMo 2000

⁴ Section 610.020, RSMo 2000

provisions, including the 24-hour posting requirement. Unless a notice includes the posting date and time (if the notice is posted less than 2 days before the meeting), a public body cannot clearly demonstrate compliance with the 24-hour rule. An Attorney General's office official suggested the notice should include the posting date and time.

Public bodies should document discussions held during closed meetings and sessions

The Sunshine Law does not specifically require public bodies to keep minutes for closed meetings or sessions. The Attorney General's Sunshine Law booklet recommends public bodies document discussions during closed session to demonstrate, if necessary, the discussions were limited to the topics announced for the closed session. Audit tests showed at least 38 of 152 public bodies did not record minutes of closed meetings/sessions. Analysis of closed minutes showed 6 public bodies included the following notes in their minutes about topics not exempt under the Sunshine Law for discussion in a closed meeting/session:

Attorney General
suggests
keeping minutes

- Membership dues in a rotary club for a director
- Holiday gifts for staff members
- Reimbursements for employee uniforms
- Naming a building after a benefactor
- Location of next public meeting
- Recreational permit sanctions and revocations
- Use of department facilities
- Insurance premium changes
- Training on effective letter writing

The Sunshine Law states "public governmental bodies shall not discuss any business in a closed meeting, record, or vote which does not directly relate to the specific reason announced to justify the closed meeting or vote."⁵ Officials from these public bodies stated they would take action to prevent reoccurrence.

The Sunshine Law requires certain decisions made during closed meetings/sessions related to legal, real estate, and personnel actions to be made public within specified timeframes. For example, a public body that exercises the power of eminent domain in closed session must publicly announce the vote immediately following the action. Also, any vote on final decisions to hire, fire, promote, or discipline employees must be made public with the record of how each member voted within 72 hours of the closed meeting/session.⁶ Public bodies would be in a better position to prove compliance with these provisions if they maintained minutes of closed meetings/sessions.

⁵ Section 610.022(3), RSMo 2000

⁶ Section 610.021(1)(2) and (3), RSMo 2000

Conclusion

Public bodies have not consistently demonstrated compliance with the Sunshine Law's provisions related to holding closed meetings and sessions. Part of the lack of demonstration can be attributed to unclear provisions in the law. But the law clearly provides once a party seeks judicial enforcement, the public body must prove compliance with the law's provisions. Public bodies and members can be subject to civil fines up to \$500 if they purposely violate the Sunshine Law. Accordingly, it is important for public bodies to ensure they can demonstrate compliance with all provisions of the law.

Recommendations

We recommend the General Assembly revise the Sunshine Law to require:

- 1.1 Notices posted for public meetings include the date and time the notice is posted.
- 1.2 Public bodies record minutes to document discussions held during closed meetings and sessions.

2. Problems Still Exist with Obtaining Access to Public Records

The State Auditor reported in 1999 and 2001 over 40 percent of public bodies audited did not respond timely and/or properly to public information requests, as required by the Sunshine Law.⁷ The 356 entities answering audit request letters during this audit averaged 31 days to respond with a range of 1 to 171 days. The Sunshine Law requires entities to respond to each public records request by the third business day following receipt of the request.⁸ Auditors contacted entities 3 ways to obtain the 356 responses (1) an initial letter, (2) a follow-up letter and (3) follow-up telephone calls to the public bodies not responding to the second letter. Twenty public bodies stated they did not receive our initial requests for public records. However, 14 of these public bodies responded to our second request, which was mailed to the same public custodian and address. Random audit tests also showed public bodies did not fully comply with requests for public records. Public bodies and members that do not timely and/or fully respond to requests for public records can be found in non-compliance with the Sunshine Law and subject to fines.

Sunshine Law requires public bodies to respond to requests for public records

According to the Sunshine Law, except as otherwise provided by law, all public records shall be open to the public for inspection and copying. The Sunshine Law states:

"Each request for access to a public record shall be acted upon as soon as possible, but in no event later than the end of the third business day following the date the request is received by the custodian of records of a public governmental body. 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. This period for document production may exceed three business days for reasonable cause."⁹

A public body or members who have been found to purposely violate the Sunshine Law can be subject to fines not to exceed \$500.

Previous audits showed public bodies frequently ignored requests for public records

Audit tests conducted during our 1999 and 2001 Sunshine Law audits identified over 40 percent of public bodies did not comply with the Sunshine Law provisions related to access to public records. The 1999 audit reported 102 of 214 (48 percent) political subdivisions (eg. counties, cities, and school districts) either did not respond or denied requests for public records. The 2001 audit reported 86 of 194 (44 percent) state agencies, boards, and commissions, either did not respond, responded untimely, or improperly denied requests for public records.

⁷ *Audit of Compliance with Sunshine Law Requirements* (Report No. 99-104, November 6, 1999), and *Compliance with Sunshine Law Requirements State Agencies, Boards and Commissions* (Report No. 2001-33, April 17, 2001)

⁸ Section 610.023.3, RSMo 2000

⁹ Section 610.023, RSMo 2000

Official request for public records sent to over 300 public bodies

Auditors sent letters on official letterhead to 319 public bodies including (1) 247 political subdivisions from a universe of 3,470 political subdivisions, (2) 53 boards or commissions from a universe of 246, and (3) 19 state departments and agencies. The letters requested the following public information concerning public meetings held during calendar year 2001:

- The number of closed meetings/sessions
- The date, time, and place of each closed meeting/session, and copies of the posted notices
- For each closed session, the number of board members and copies of minutes indicating the votes to enter closed session

The letters also requested the public bodies disclose if closed meetings or sessions were not held during calendar year 2001.

The 319 public bodies sent 356 responses because some state departments sent multiple responses. Auditors measured timelines by calculating the days between postmark dates for the request letters and the responses.

Public bodies did not respond timely

Auditors used two request letters and follow-up telephone calls to obtain all the responses. Table 2.1 shows the number of responses for each type of request and the average response times.

Table 2.1: Days to Respond

Response Description	Number of Responses	Days to Respond	
		Average	Range
First Request	299	15	1-90
Second Request	23	111	81-133
Phone Contact	34	125	56-171 ¹
All requests	356	31	1-171

¹Two public bodies claimed they responded in July 2002 to our first request.

Source: SAO analysis of responses

Telephone discussions disclosed 20 officials stated they did not receive our first letter and 6 of the 20 also stated they did not receive the second letter although none of these letters were returned by the U.S. Postal Service as undeliverable. Eleven officials stated they did not respond to our first and/or second request, because they did not hold any closed meetings/sessions and assumed they did not have to respond. Some officials stated they were still working on the requests and others stated they had responded to the first request. (See Appendix IV, page 18, for a listing of the response times for each public body contacted.)

Many second request letters were answered late

Our requests required many public bodies to provide substantial documentation, and the Sunshine Law allows the period for document production to exceed 3 business days for reasonable cause. Eighty-seven public bodies took more than 4 weeks to respond. Of these public bodies, 61 responded they did not hold any closed meetings or sessions.

Ten public bodies did not provide complete information

Auditors visited 58 public bodies to verify their response of not holding any closed meetings or sessions in 2001. Ten of the 58 public bodies actually held closed meetings or sessions, which should have been reported. Officials stated they overlooked the records, or assumed the records request was only for "special" closed meetings, not executive meetings.

Conclusion

Unless otherwise provided by law, records of public bodies are to be open and available to the public for inspection and copying. The Sunshine Law requires action on each public records request within the end of 3 business days following the date the request is received by a public body's records custodian. Two previous audits and this audit show a substantial number of public bodies have not complied with this provision of the Sunshine Law.

OBJECTIVES, SCOPE AND METHODOLOGY

Objectives

Our objectives were to determine if during calendar year 2001 public bodies (1) posted notices of meetings at least 24 hours before meetings were held, (2) recorded and retained minutes of open and closed meetings, (3) held closed meetings and sessions to discuss only authorized topics, and (4) entered into their minutes the votes and specific topics discussed in closed meetings and sessions. Our objectives also included determining how timely public bodies responded to our requests for public records.

Scope and Methodology

Auditors mailed request letters in postmarked envelopes to 319 public bodies which included (1) a sample of 247 political subdivisions selected from a universe of 3,470, (2) a sample of 53 boards or commissions from a universe of 246, and (3) 19 state departments and agencies. The date of receipt was determined using the postmark date of the letter minus 1 day. This method was used to adjust for any responses that were mailed after the business day was over.

A second request was sent to 57 entities that did not respond to the initial mailing and 34 still did not respond. These entities finally responded to telephone calls made to determine why they did not respond to the first and second request letters.

In addition to reviewing the response documentation, auditors selected a sample of 58 public bodies that responded they held no closed meetings or sessions in calendar year 2001; and visited those entities to verify that they were in compliance with the Sunshine Law.

Auditors reviewed Sections 610.020, 610.021, 610.022, and 610.023, RSMo 2000, of the Sunshine Law, and the Office of the Attorney General's Sunshine Law booklet. Staff of the Attorney General's office were also contacted to discuss and clarify sections of these statutes.

Table I.1 lists the number and types of public bodies contacted, and the number of responses received.

Table I.1: Types of Public Bodies Contacted

Public Bodies	Initial Request	Responses Received
State Departments and Agencies	19	56 ¹
Boards/Commissions	53	53
Ambulance Districts	9	9
Cities	50	50
College	1	1
Counties	12	12
Drainage Districts	3	3
Fire Protection Districts	21	21
Hospital Districts	2	2
Levee Districts	5	5
Library Districts	13	13
Light District	1	1
Nursing Home Districts	4	4
Public Water Supply Districts	11	11
School Districts	33	33
Sewer Districts	3	3
Soil & Water Conservation Districts	9	9
Special Business Districts	2	2
Special Road Districts	18	18
Townships	22	22
Villages	27	27
Watershed District	<u>1</u>	<u>1</u>
Total	<u>319</u>	<u>356</u>

¹Five departments and agencies responded with multiple responses

Source: SAO Analysis

BACKGROUND

Missouri's commitment to openness in government is stated in Chapter 610, RSMo 2000. Referred to as the Sunshine Law, the intent of the law is to ensure that public governmental bodies conduct their business in a manner that is open to public scrutiny. Public meetings, including meetings conducted by telephone or other electronic means, are to be held at reasonably convenient times and must be accessible to the public. Meetings should be held in facilities that are accessible to persons with disabilities.

Public governmental bodies are defined as legislative, administrative or other governmental entities created by the constitution or statutes of the state of Missouri, or by order or ordinance of any political subdivision or district as well as judicial entities when operating in an administrative capacity. Such governmental bodies include state agencies and officials; governing bodies of institutions of higher education; and any department of any political subdivision of the state, county or municipal government, school district, or special-purpose district.

Section 610.021, RSMo 2000, defines the following reasons that a governmental agency or political subdivision may close a meeting to the public:

Privileged communications between a governmental body and its attorney or confidential communications with its auditor.

Discussions of identifiable persons which relate to hiring, firing, disciplining, promoting, mental health, physical health, scholastic probation, expulsion, graduation, welfare, personnel records, performance ratings, employment applications, or abuse/wrongdoing hot line records.

Discussions of business information such as leasing, purchase, or sale of real estate; negotiations with employee groups; testing and examination materials for students; specifications for competitive bidding, sealed bids and related documents; records which relate to scientific innovations, software codes and related documentation; or certain aspects of a municipal electric utility during restructuring.

Discussions of issues related to the state militia or National Guard or of records which are protected from disclosure by law.

Section 610.022, RSMo 2000, requires a majority vote to close a meeting and requires sufficient public notice of the time, date, place, and reason for the closed meeting. No governmental body is ever required to close a meeting for any reason.

SUMMARY OF COMPLIANCE WITH CLOSED MEETING PROVISIONS

The following public bodies complied with closed meeting provisions for meetings held in 2001:

- Advisory Commission for Clinical Perfusionists
- Armstrong Fire Protection District
- Bolivar R-I School District
- Callaway County Ambulance District
- City of Canton
- City of Cassville
- City of De Soto
- City of Edmundson
- City of Fair Grove
- City of Fulton
- City of Jasper
- City of Kidder
- City of Kimberling City
- City of Leeton
- City of Milan
- City of Pineville
- City of Purdin
- City of St. Mary
- City of Sikeston
- City of Truesdale
- City of Versailles
- Clay County
- Commission on Human Rights
- Consolidated Public Water Supply District No. 1 Linn County
- Dam and Reservoir Safety Council
- Department of Elementary and Secondary Education
- Department of Health and Senior Services
- Dixon R-I School District
- East Newton County R-VI School District
- Highway and Transportation Commission
- Johnson County
- Kansas City Board of Police Commissioners
- Kelso C-7 School District
- Kingdom City
- Laclede County Soil & Water Conservation District
- Lincoln Township, Nodaway County
- Meadville R-IV School District
- Nixa R-II School District

APPENDIX III

- Northwest Missouri State University Board of Regents
- Osage R-II School District
- Public Water Supply District No. 2 of Lincoln County
- Public Water Supply District No. 1 of Putnam County
- Rolling Hills Consolidated Library
- Riverside-Quindaro Bend Levee District
- St. Louis County Soil & Water Conservation District
- Southeast Missouri State University Board of Regents
- State Emergency Management Agency
- State Fair Commission
- State Lottery Commission
- Tarkio R-I School District
- Tourism Commission
- Truman State University Board of Governors
- University of Missouri Board of Curators
- Well Installation Board
- Worth County

Table III.1 lists the closed meeting compliance errors identified for the other public bodies reviewed during the audit.

Table III.1: Compliance Errors with Closed Meeting Provisions

Public Body	Compliance Issues With Meeting Notices			Not Recorded in Open Minutes	
	Not 24 Hours	No Date and Time	Not Retained	Vote	Topic
State Departments and Agencies¹					
Administrative Hearing Commission		X			
Air Pollution Control Program		X			
Higher Education		X			
Highway Patrol		X			
Land Reclamation Commission		X			
Personnel Advisory Board		X			
Public Entity Risk Management Fund		X			
Public Safety, Director's Office		X			X
Revenue		X			
Division of State Parks					X
Boards, Commissions, Committees, Councils, and Foundations					
Agricultural & Small Business Development Authority		X			

APPENDIX III

Public Body	Compliance			Not Recorded in	
	<u>Issues With Meeting Notices</u>			<u>Open Minutes</u>	
	Not 24 Hours	No Date and Time	Not Retained	Vote	Topic
Central Missouri State University Board of Governors		X			
Clean Water Commission			X		
Conservation Commission		X			
Credit Union Commission ²		X			
Gaming Commission		X			
Hazardous Waste Program		X			X
Housing Development Commission		X			
Lincoln University Board of Curators		X			
Mental Health Commission ²		X			
Public Service Commission		X			
Soil & Water Districts Commission		X			
Southwest Missouri State University Board of Governors		X			
State Milk Board				X	X
State Tax Commission			X		
Veterans Commission		X			
Ambulance Districts					
Clark County	X				
Galitan Community		X			
Valle		X			
Cities					
Black Jack ²		X			
Campbell		X			
Cleveland					X
Dearborn		X			
El Dorado Springs		X			
Elsberry	X			X	
Eureka		X			
Excelsior Springs				X	X
Forest City			X		
Garden City	X				
Gilman City		X	X		
Holcomb		X			X
Hollister		X			
Howardville			X	X	X
Knob Noster		X			
La Plata ²		X			

APPENDIX III

Public Body	Compliance			Not Recorded in	
	Not 24	No Date	Not	Vote	Topic
	Hours	and Time	Retained		
Linn Creek					X
Maysville		X			X
Moberly		X			
New Franklin				X	
Ozark		X			X
Pleasant Hill		X			X
Richmond					X
Seligman					X
Waynesville ²		X			
Counties					
Barry		X	X		
Jasper		X			
St. Genevieve			X	X	
Warren		X			
Fire Protection Districts					
Eolia Community				X	
Mid-County			X		
Western Cass			X		X
Libraries					
Cape Girardeau County Library					X
Cape Girardeau Public Library		X		X	
Howard County Library		X			
Maplewood Public Library		X			
Texas County Library District		X		X	
School Districts					
Adair County R-I		X		X	X
Arcadia Valley R-II		X			
Bakersfield R-IV		X			X
Fulton Public No. 58	X			X	X
Grain Valley R-V		X			
Green Ridge R-VIII		X		X	X
Hayti R-II		X			X
Kirbyville R-VI		X		X	X
La Monte R-IV		X	X		
Laclede County R-I		X			
Licking R-VIII		X			

APPENDIX III

Public Body	Compliance Issues With Meeting Notices			Not Recorded in Open Minutes	
	Not 24 Hours	No Date and Time	Not Retained	Vote	Topic
Missouri City No. 56		X			X
Mount Vernon R-V		X			
Northeast Nodaway County R-V		X			X
Northeast Randolph County R-IV		X			
Osage County R-III					X
Richards R-V		X			X
Richwoods R-VII ²		X			
Sikeston R-VI		X			
Southwest Livingston County R-I *		X			
St. Charles County R-V		X			
Sweet Springs R-VII		X			
Taneyville R-II		X			
Soil & Water Conservation District					
Grundy County			X	X	X
St. Genevieve County		X		X	
Other					
Jefferson College		X			
Harrison County Hospital District				X	
Tri County Nursing Home District				X	X
Locust Central Special Business District			X		X
Lebanon Special Road District No.1 of Laclede County		X			
Village of Leasburg					X
Total	4	70	13	17	30

¹Five departments and agencies sent multiple responses.

²Most meeting notices did not include a date and time.

Source: SAO Analysis

* Error--See letter attached to end of report.

RESPONSE TIME FOR PUBLIC BODIES**Table IV.1: Response Time**

State Departments and Agencies	Days to Reply¹⁰
Department of Natural Resources	
Unmarked Human Burial Consultation Committee	2
Land Reclamation Commission	5
Soil And Water Conservation Program	5
Southwest Regional Office	6
Environmental Services Program	12
Land Survey Advisory Committee	13
Well Installation Board	13
Air Pollution Control Program	14
Division of State Parks	14
Division of Environmental Quality	14
Outreach Assistance Center	19
Small Business Compliance Advisory Committee	19
Interim Management Team	27
Office of State Courts Administrator	4
Department of Agriculture	
Division of Plant Industries	5
Division of Animal Health	6
Division of Grain Inspection and Warehousing	11
State Fair Commission	18
Division of Market Development	22
Department of Conservation	5
Office of Administration	
Personnel Advisory Board	7
Administrative Hearing Commission	28
Children's Trust Fund	28
Division of Accounting	28
Division of Budget and Planning	28
Division of Design and Construction	28
Division of Facilities Management	28
Division of Information Services	28
Public Entity Risk Management Fund	28
Division of Purchasing and Materials Management	28

¹⁰"Days to reply" is based on the days between postmark dates for our request letters and the responses. The statute requires responses within 3 business days of receipt of the request. The "days to reply" in this table reflect the calendar days between the postmarks and does not necessarily mean an entity's response did not comply with the statute. Entities with a low number of days to reply could be in compliance with the statute.

APPENDIX IV

State Departments and Agencies	Days to Reply
Department of Insurance	7
Department of Mental Health	7
Department of Higher Education	11
Office of the Secretary of State	12
Department of Health and Senior Services ¹	13
Environmental Public Health	13
Department of Labor and Industrial Relations	
Division of Employment Security	13
Division of Labor Standards	13
Division of Workers' Compensation	13
Governor's Council on Disability	13
State Board of Mediation	13
Department of Transportation	14
Department of Social Services	22
Department of Elementary and Secondary Education	25
Department of Public Safety	
Adjutant General	26
Capitol Police	26
Director's Office	26
Highway Safety	26
Liquor Control	26
Highway Patrol	26
State Emergency Management Agency	26
Water Patrol	26
Department of Economic Development	27
Department of Revenue	40
Department of Corrections	82
Office of the State Treasurer	123

¹One department-wide response was received along with a separate response from one unit.

Boards, Commissions, Committees, Councils, and Foundations	Days to Reply
Central Missouri State University Board of Governors	1
Northwest Missouri State University Board of Regents	1
State Tax Commission	4
Department of Conservation Commission	5
Governor's Commission on Driving While Intoxicated	5
Lincoln University Board of Curators	5
Housing Development Commission	5
Tourism Commission	5
Veterans Commission	5

APPENDIX IV

Boards, Commissions, Committees, Councils, and Foundations	Days to Reply
Oil and Gas Council	5
Advisory Commission for Clinical Perfusionists	6
Safe Drinking Water Commission	6
Sentencing Commission	6
Soil and Water Districts Commission	6
Solid Waste Management Program Advisory Board	6
State Lottery Commission	6
Mental Health Commission	7
Commission on Human Rights	7
Office of Information Technology Board	7
Southwest Missouri State University Board of Governors	7
Truman State University Board of Governors	7
University of Missouri Board of Curators	7
Fire and Safety Advisory Board	8
Credit Union Commission	11
Advisory Committee on Lead Poisoning	12
Women's Council	12
Dam and Reservoir Safety Council	13
Gaming Commission	13
Labor and Industrial Relations Commission	14
Highway and Transportation Commission	14
Clean Water Commission	15
Agricultural & Small Business Development Authority	18
Ethanol and Other Renewable Fuel Sources Commission	18
State Milk Board	18
Child Abuse and Neglect Review Board	19
Advisory Council on Historic Preservation	19
Barriers to Affordable Housing	20
State Board of Health	21
Southeast Missouri State University Board of Regents	21
State Banking Board	25
State Board of Education	25
Hazardous Waste Management Commission	27
Low-Level Radioactive Waste Compact Advisory Commission	29
Kansas City Board of Police Commissioners	32
State Employees' Deferred Compensation Commission	48
Workers' Compensation Determination Review Board	81
Board of Probation and Parole	82
Minority Business Advocacy Commission	82
Board of Fund Commissioners	83
Public Service Commission	83
The Hawthorn Foundation	83

APPENDIX IV

Boards, Commissions, Committees, Councils, and Foundations	Days to Reply
Investment Trust Board of Trustees	102
Division of Youth Services Advisory Board	103
Political Subdivisions	Days to Reply
Ambulance Districts	
Callaway County	1
Clark County	3
Gerald	3
West Carter County	9
Galitan Community	14
Knox County	15
Dunklin County	17
Valle	42
Dade County	119
Cities	
Hume	1
Kimberling City	1
Knob Noster	1
New Franklin	1
Pleasant Hill	1
Campbell	2
Cassville	2
El Dorado Springs	2
Excelsior Springs	2
Holcomb	2
Iberia	2
Leeton	2
Platte Woods	2
Richmond	2
Cleveland	3
Fair Grove	3
Fulton	3
Maysville	3
Seligman	3
St. Mary	3
Truesdale	3
Hollister	4
Canton	8
Kidder	8

APPENDIX IV

Political Subdivisions	Days to Reply
Ozark	8
Waynesville	8
La Plata	9
Versailles	9
De Soto	10
Gilman City	10
Moberly	10
Dearborn	14
Eureka	22
Purdin	22
Forest City	31
Avondale	44
Milan	50
Edmundson	51
Linn Creek	55
Howardville	56
Rock Hill	56
Black Jack	77
Pineville	90
Sikeston	127
Woodson Terrace	134
Birch Tree	136
Elsberry	137
Franklin	137
Jasper	144
Garden City	171
Counties	
Barry	1
Worth	1
Lawrence	2
Pike	2
Johnson	3
Warren	3
Jasper	8
St. Francois	9
Ozark	16
Reynolds	29
Clay	39
St. Genevieve	128

APPENDIX IV

Political Subdivisions	Days to Reply
Drainage Districts	
Tri-County	4
Platte County No. 1	14
Consolidated No. 3 Pemiscot County	57
Fire Protection Districts	
Mendon	1
Tuscumbia	1
Smithville Area	3
Canton R-V	7
Gilman City	7
Jameson	7
Doe Run	8
Duenweg	8
Weatherby Lake	8
Eolia Community	13
Armstrong	21
Marthasville	21
Southwest Camden County	27
Northeast Cass County	28
Gower	48
Western Cass County	82
Bellflower Volunteer	122
Dearborn	125
Lake Contrary	134
Fillmore	135
Mid-County	162
Hospital Districts	
Harrison County	2
Sullivan County Memorial	10
Levee Districts	
North Kansas City	1
Riverside-Quindaro Bend	27
Farmers Drainage & Levee	39
West Glasgow	39
No. 1 Jasper County	126

APPENDIX IV

Political Subdivisions	Days to Reply
Libraries	
Crawford County Library District	2
Howard County Library	2
Ozark Regional Library	2
St. Genevieve County Library	2
Warren County Library District	2
Cape Girardeau County Library	3
Cape Girardeau Public Library	3
Texas County Library District	9
Rolling Hills Consolidated Library	13
Steele Public Library	15
Maplewood Public Library	17
Poplar Bluff Public Library	21
Higginsville Public Library	123
Nursing Home Districts	
Dade County	1
Tri County	2
Webster County	4
Putnam County Care Center	9
Public Water Supply Districts	
No. 1 Stone County	1
Consolidated No. 1 Linn County	2
No. 7 Jefferson County	2
No. 1 Putnam County	2
No. 1 Phelps County	3
No. 2 Lincoln County	8
No. 2 Clinton County	8
No. 2 St. Francois County	10
No. 2 Stoddard County	42
No. 3 Caldwell County	98
No. 1 Reynolds County	113
School Districts	
East Newton County R-VI	1
Nixa R-II	1
Northeast Nodaway County R-V	1
Osage County R-III	1
Hayti R-II	2
Laclede County R-I	2
Meadville R-IV	3

APPENDIX IV

Political Subdivisions	Days to Reply
Kelso C-7	4
Kirbyville R-VI	4
Arcadia Valley R-II	8
Bakersfield R-IV	8
Dixon R-I	8
Adair County R-I	9
Bolivar R-I	9
Canton R-V	9
La Monte R-IV	9
Fulton Public No. 58	10
School of the Osage R-II	10
Grain Valley R-V	11
Mt. Vernon R-V	11
Licking R-VIII	14
Richwoods R-VII	14
Taneyville R-II	16
Sikeston R-VI	17
Northeast Randolph County R-IV	18
Sweet Springs R-VII	22
Southwest Livingston County R-I	31
Tarkio R-I	51
Altenburg No. 48	56
St. Charles County R-V	114
Missouri City No. 56	123
Richards R-V	140
Green Ridge R-VIII	151
Sewer Districts	
Beauty View	9
Benton County No. 1	37
Lynn Haven - St. Louis County	113
Soil & Water Conservation Districts	
St. Clair County	1
Jefferson County	2
St. Louis County	2
Bollinger County	4
Pulaski County	8
Laclede County	9
St. Charles County	21
St. Genevieve County	24
Grundy County	25

APPENDIX IV

Political Subdivisions	Days to Reply
<u>Special Business Districts</u>	
Locust Central	21
Baden Market Center	142
<u>Special Road Districts</u>	
Moberly, Randolph County	1
Clinton Country Club	2
Liberty No. 5, Clay County	2
Butterfield, Barry County	4
Freistatt, Lawrence County	4
Dudley, Stoddard County	10
Cornland, Bates County	14
Road District No.1, Iron County	14
Seymour, Webster County	15
Centralia, Boone County	22
Mountain Grove	22
Shell Knob No. 9, Barry County	34
Kaiser, Miller County	113
Blue Mound, Polk County	135
Lebanon No.1, Laclede County	135
Madison, Cedar County	135
Mountain No. 22	137
Garrison, Christian County	141
<u>Townships</u>	
Marion, Mercer County	1
Bowling Green, Chariton County	2
Chillicothe, Livingston County	2
Prairie, Bates County	2
Sherman, Harrison County	2
Unity Village	3
Keytesville, Chariton County	8
White Oak, Henry County	8
Jefferson, Nodaway County	16
Lincoln, Nodaway County	19
Milford, Barton County	22
Smith, Dade County	24
Wayland, Chariton County	24
Homer, Bates County	27
Henry, Vernon County	77
Chariton, Chariton County	113

APPENDIX IV

Political Subdivisions	Days to Reply
Holcomb, Dunklin County	114
Walnut, Bates County	118
Grant, Nodaway County	128
Union, Sullivan County	137
Washington, Harrison County	137
Butler, Harrison County	141
Villages	
Shoal Creek Estates	1
Leasburg	2
Plato	2
Kingdom City	3
St. Cloud	4
Rhineland	7
Deerfield	8
Clyde	9
Benton City	11
Hartsburg	11
Rushville	14
Caledonia	15
Miramiguoa Park	15
Rensselaer	15
Rea	16
Prathersville	22
Butterfield	29
Cairo	30
Watson	56
Cosby	79
Blue Eye	119
Catron	133
Glen Echo Park	135
Olean	135
South Lineville	135
Tina	136
Climax Springs	137
Other Entities	
Jefferson College	15
Hancock Street Light District, St Louis	12
Big Creek-Hurricane Creek Watershed District	136

Source: SAO Analysis



CLAIRE C. McCASKILL
Missouri State Auditor

March 4, 2003

Danny L. Lynn, Superintendent
Livingston County R-1 School District
Ludlow, MO

Dear Mr. Lynn

Our March 3, 2003 audit report, "Compliance With Closed Meeting and Closed Session Provisions of the Sunshine Law", incorrectly identified on page 17 that the Southwest Livingston County R-1 School District meeting notices did not include a date and time. I apologize for any adverse publicity this error has caused your school district.

Sincerely,

/s/ John Mollet

John Mollet
Audit Manager