

VANDALIA RECORDS COMMISSION MEETING

Large Conference Room

**333 James Bohanan Memorial Drive
Vandalia, Ohio**

**April 30, 2025
9:30 a.m.**

AGENDA

- I. Call to Order**
- II. Approval of Previous Minutes**
 - A. October 28, 2024
- III. New Business**
 - A. Policy for Remote Meetings
- IV. Old Business**
- V. Approval of Schedules:**
 - A. City Manager's Office RC-2, Schedule Number 12-27, Council Audio Tapes of Meetings.
- VI. Discussion**
 - A. Confidential For Official Use Only (FOUO) Standard Operating Guideline (SOG) and Records Retention
 - B. Sunshine Law Training
 - C. Shred Day, May 16th
- VII. Adjournment**

VANDALIA RECORDS COMMISSION MEETING MINUTES

October 28, 2024

MEMBERS PRESENT: Mrs. Hooper, Mrs. Leiter and Mr. McDonald

MEMBERS ABSENT: Mr. Schwieterman

REPRESENTATIVES PRESENT: Christine Budich, Kristen Carnes, Candice Jacobs, Sherry McConnaughey, Anissa Kanzari and Angela Swartz

OTHERS PRESENT: Leann, Hanf, Tonya Sparks and Deborah Wright

Call to Order

The meeting of the Vandalia Records Commission was called to order by Mr. McDonald at 9:01 a.m.

Approval of Previous Minutes – April 29, 2024

Mr. McDonald asked the voting members if they had a chance to review the April 29, 2024, Vandalia Records Commission draft minutes. All members present responded in the affirmative. Mr. McDonald asked for a motion to approve the minutes. It was moved by Mrs. Leiter, seconded by Mrs. Hooper, to approve the April 29, 2024, Vandalia Records Commission minutes. All members present voted yes. Motion passed 3-0.

New Business

Mr. McDonald was prepared to introduce Mr. Schwieterman, however, advised Mr. Schwieterman had a prior commitment and was unable to attend the meeting. Mr. Schwieterman was excused from the meeting.

Old Business

Mr. McDonald followed up with Mrs. Budich's inquiry from the April 29, 2024 Records Commission meeting regarding keeping digital copies of receipts, purchase orders, bonds and certificates, records request, permits and complaints instead of paper copies. Mr. McDonald advised these items are listed on the on the Development and Engineering Services Records Retention Schedule as both paper and electronic. The schedule would need to be amended if the Development and Engineering Services choices to no longer keep these as paper copies.

Approval of Schedules

Mr. McDonald presented an amended City Manager/Council RC-2. Human Resources Manager, Lean Hanf addressed the Records Commission Members and Records Commission Representatives with the updates regarding HIPA laws, requesting the following items retention period be changed from years to Until no longer of administrative value.

12-36	Health Insurance Claims Explanation of benefits of employee health claims	3 years Until no longer of administrative value	Paper
12-37	Health Employee Claim Report	5 years Until no longer of administrative value	Paper

Mrs. Hanf also requested the following items be changed from Paper to Electronic media type.

12-01	Accident Reports Record of any accidents occurring on city property	2 years, providing no claims pending	Paper Electronic
12-02	Administrative Memoranda Memos from administration on variety of subjects	Until terminated and/or superseded; appraise for historical value	Paper Electronic
12-03	Affirmative Action forms Required documentation to be voluntarily filled out with employment applications	2 years	Paper Electronic

12-43	Job classification list List of job classifications within the city	Until superseded	Paper Electronic
12-44	Job descriptions Description of all full-time positions within the city	Until superseded	Paper Electronic
12-45	Labor Union Agreements	15 years after termination	Paper Electronic

24-54	Opinions of city attorney	Permanent	Paper Electronic
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12-65	Personnel roster full-time	Until superseded	Paper Electronic
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12-83	Wage/benefit surveys	Permanent / historical value	Paper Electronic
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After the commission had an opportunity to review and ask questions on the requested changes to the City Manager/Council RC-2, it was moved by Mrs. Hooper, seconded by Mrs. Leiter. All members present voted yes. Motion passed 3-0.

Discussion

Mr. McDonald recognized and welcomed records custodian Tonya Sparks, Public Works Department and records custodian Deborah Wright, Division of Police. Mr. McDonald recognized Anissa Kanzari on her upcoming retirement.

It was moved by Mrs. Leiter, seconded by Mrs. Hopper, to adjourn the meeting. All members present voted yes. Motion passed 3-0.

The meeting was adjourned at 9:21 a.m.

Gerald McDonald, Acting Chairman

VIRTUAL MEETING POLICY

FOR VANDALIA PUBLIC RECORDS COMMISSIONS

I. Purpose and Scope

The Vandalia Public Records Commission adopts this Virtual Meeting Policy in compliance with Ohio Revised Code 121.221. This policy governs the conduct of virtual meetings for the Commission to enhance accessibility, transparency, and efficiency in public governance.

II. Virtual Meeting Requirements

A. Notice Requirements. If the Chairperson of the Public Records Commission desires a virtual meeting, public notice of a virtual meeting must be provided at least 72 hours in advance. Notice must be given to the public, media outlets that have requested notification, and any other required parties. The notice must include the time and date of the meeting, the agenda, and the method of meeting. It must also provide access information to ensure transparency and public participation.

B. Public Access. All virtual meetings must be accessible to the public in a manner consistent with in-person meetings. The public must be able to clearly observe and hear all members, whether they are attending in person or virtually. To meet this requirement, meetings may be livestreamed via the Internet or made available through other widely used electronic technologies.

C. Voting Procedures. All votes conducted during a virtual meeting must be taken via roll call unless a motion for unanimous consent is adopted. If unanimous consent is granted, the public body must ensure that the final record clearly reflects how each member voted, including any abstentions.

D. Member Participation and Notification. Any member intending to attend a meeting virtually must notify the chairperson at least 48 hours in advance. Members attending virtually must ensure they have a stable internet or electronic connection that allows them to be seen and heard clearly throughout the meeting.

III. Ten Percent Exception

If at least 10% of the members of the meeting body request that an item on the agenda be addressed in an in-person meeting, the chairperson must schedule an in-person meeting for that item. Such a request must be submitted no later than 48 hours before the scheduled meeting.

Angela Swartz

From: McDonald, Gerald <GMcDonald@pselaw.com>
Sent: Wednesday, April 9, 2025 2:24 PM
To: Angela Swartz
Subject: FW: Recommendation to Update RC-2 Retention Period for Audio/Video Recordings of Public Meetings

[EXTERNAL EMAIL]

Can you have a proposed revised RC-2 for approval at the RC meeting regarding this? Have it kept until no longer of administrative value, and if Commission wants to change it we can.

From: Darren Davey <ddavey@vandaliaohio.org>
Sent: Wednesday, April 9, 2025 12:45 PM
To: Kurt Althouse <kalthouse@vandaliaohio.org>; McDonald, Gerald <GMcDonald@pselaw.com>; Angela Swartz <aswartz@vandaliaohio.org>; Rich Hopkins <rhopkins@vandaliaohio.org>
Subject: Recommendation to Update RC-2 Retention Period for Audio/Video Recordings of Public Meetings

*** NOTE: This email originated from a source OUTSIDE of Pickrel, Schaeffer & Ebeling Co.

Purpose

This memo provides a recommendation regarding the retention period for audio and video recordings of public meetings, including City Council, Planning Commission, and Building & Zoning Board meetings. Our current RC-2 schedule designates these recordings as permanent records, but I recommend that we revise the RC-2 schedule to reflect a transitory classification or a defined short-term retention period. We can continue to keep these files beyond the minimum retention period, such as on YouTube or on our server to benefit the public, but requiring them to be kept permanently is difficult to do.

Background

The City of Vandalia complies with the Ohio Sunshine Laws and maintains approved RC-2 forms for records retention. Audio and video recordings of public meetings are currently scheduled for permanent retention. However, official meeting minutes—once approved—serve as the legal and historical record of public meetings. According to guidance from the Ohio History Connection's Local Government Records Manual, once meeting minutes are approved, the corresponding audio or video recordings may be considered transitory records, or at minimum, no longer necessary for long-term storage. Retaining these digital media files permanently poses ongoing challenges due to:

- File format obsolescence
- Digital storage limitations and costs
- System migration and maintenance burdens

- The lack of legal requirement to retain video/audio as the official record

Recommendation

After evaluating these concerns, I recommend revising our RC-2 form to reflect one of the following retention strategies for all public meeting audio and video recordings:

Option 1: Transitory Classification

Retention Period: *Until no longer of administrative value*

Rationale: This approach aligns with common practices across Ohio municipalities. It offers maximum flexibility to delete recordings once they have served their administrative purpose (e.g., preparation of minutes or temporary public access).

Option 2: Defined Short-Term Retention

Retention Period: *Two (2) years*

Rationale: If a time-based retention schedule is preferred, a 2-year period provides sufficient time for internal use, reference, and public access, while also avoiding the burdens of indefinite storage. This option may also better satisfy expectations of public transparency without creating a permanent obligation.

In either case, written and approved meeting minutes will remain the permanent record as required.

Next Steps

If either recommendation is approved, we can update the RC-2 form to reflect the new retention schedule and have the Records Commission review and approve it at the next meeting.

Darren Davey
Information Technology Manager

City of Vandalia, Ohio
245 James E. Bohanan Dr.
Vandalia, OH 45377
937-415-2252 Office
937-694-0948 Cell
937-415-2248 Helpdesk

[illegible]

Attention:

----CONFIDENTIALITY/LEGAL DISCLAIMER----

Unless otherwise indicated or obvious from the nature of this transmittal, the information contained in this email message is attorney-privileged and confidential, intended for the use of the intended recipient. Also, pursuant to recently enacted US Treasury Department Regulations, we are now required to advise you that, unless otherwise expressly indicated, any Federal tax advice contained in this communication, including attachments and enclosures, is not intended or written to be used, and may not be used, for the purpose of (1) avoiding tax related penalties under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any tax related matters addressed herein.

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Ohio Historical Society
State Archives of Ohio
Local Government Records Program

800 E. 17th Avenue
Columbus, Ohio 43211-2497

Proposed Changes

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP	(6) RC-3 Required by OHS- LGRP
12-24(a)	Council Agenda Packets Agenda and backup information for items on the agenda	delete after hard copy printed	Electronic		
12-25	Council Committee Reports	5 years, appraise for historical value	Paper		☐
12-26	Council correspondence	3 years;	Paper		☐
12-27	Council Audio Tapes of Meetings	Permanent Until no longer of administrativ e value	Magnetic Tape		☐
12-28	Deeds, Easements, Land Purchases	Permanent	Paper		☐
12-29	Departmental files Correspondence/reports from departments within the city	1-5 years and review, retain reports permanent	Paper		☒
12-30	Election certifications Election results from the county	Permanent	Paper		☐
12-31	Employee performance evaluation Included in personnel file	Permanent	Paper		☐
12-32	Employment applications Included in personnel file if employed	Permanent if employed; otherwise 1 year	Paper		☐
12-33	General Files	1-5 years and review	Paper		☐
12-34	Grants/Project Files Various projects funded from outside the city	Termination + 3 years and audited & reviewed	Paper		☐
12-35	Grievance Hearing Files	Until resolved	Paper		☐
12-36	Health Insurance Claims Explanation of benefits of employee health claims	Until no longer of administrativ e value	Paper		☐
12-37	Health Employee Claim Report	Until no longer of	Paper		☐

GUIDE #21

**Determination of Confidential and For Official Use Only (FOUO) Emergency
Operations Documents**

I. Purpose

This SOP establishes procedures for identifying, classifying, handling, and protecting emergency operations plans, documents, and information deemed confidential and For Official Use Only (FOUO) under Ohio Revised Code (ORC) §149.433.

II. Scope

This SOP applies to all employees, contractors, and partners of City of Vandalia who create, access, or manage emergency operations documents.

III. Authority

This SOP is governed by Ohio Revised Code Section 149.433, which provides that certain security and infrastructure records are exempt from public disclosure to prevent acts of terrorism or sabotage.

IV. Definitions

- a. **FOUO (For Official Use Only):** Information not classified but which may be exempt from public release under ORC 149.433.
- b. **Security Record (per ORC 149.433)¹:** is any record that contains information directly used for protecting or maintaining the security of a public office against attack, interference, or sabotage, or for protecting or maintaining the security of persons or property against a threat of attack, interference, or sabotage.

This includes, but is not limited to:

- Information directly used for preventing, mitigating, or responding to acts of terrorism.
- Vulnerability (threat) assessments.
- Operational procedures of emergency response agencies.
- Communication codes, deployment plans (IAP), etc.

- c. **Critical Infrastructure:** Systems and assets vital to public safety, public health, transportation, communications, energy, or emergency services.
- d. **Infrastructure Record²:** for the purpose of the EOP, is defined as any record that discloses the configuration of critical systems. More specifically threat/risk assessments performed by the Emergency Management and/or Public Safety Team (which includes law enforcement). Incident Action Plan (IAP) could be classified as Infrastructure Records as they contain threat, risks, hazards, and/or vulnerability assessments.

¹ Definition includes a legal opinion for the City Attorney on April 9, 2025

² Definition includes a legal opinion for the City Attorney on April 9, 2025

V. Procedures

- a. Identification of Confidential/FOUO Information- Staff must assess whether information meets criteria in ORC 149.433(A):
 - Contains infrastructure records related to emergency response plans, evacuation plans, or security protocols.
 - Reveals vulnerability assessments or risk analyses.
 - Includes information used to prevent, mitigate, or respond to terrorist acts or other threats.
 - Describes response strategies, tactical deployment, or critical resource inventories.
- b. Classification Steps
 - 1) Initial Review: Document creator or owner evaluates the content using criteria from ORC 149.433.
 - 2) Consultation: If uncertain, consult the agency's legal counsel or records officer.
 - 3) Classification Determination: Designate the document as one of the following:
 - Public
 - FOUO / Confidential – ORC 149.433 Protected
- c. Documentation of Classification- Use a classification marking such as:

~~“CONFIDENTIAL- FOR OFFICIAL USE ONLY(FOUO) – PROTECTED UNDER ORC 149.433”~~
- d. Each department that produces Confidential FOUO documents shall maintain a classification log, that records the following information:
 - 1) Document name
 - 2) Date of classification
 - 3) Reason for classification
 - 4) Reviewer's name and signature

Retention of Confidential/FOUO documents and the log shall be maintained in accordance with the city's public records retention policies.
- e. Access and Handling
 - 1) Access limited to personnel with a valid need-to-know.
 - 2) Stored in secured systems (digital and/or physical).
 - 3) Do not email or transmit via unsecured means.
 - 4) Any printed copies must be clearly marked (per Section C, above).

EMERGENCY OPERATIONS PLAN Standard Operating Guideline

f. Public Records Requests- If a public records request is received:

- 1) Refer to the agency's public records guardian(s).
- 2) Conduct a legal review before disclosure.
- 3) Deny access only if document is classified as Confidential/FOUO: advise requestor that denial is pursuant to ORC 149.433.

g. Review and Reclassification

- 1) Review FOUO documents annually.
- 2) Reclassify or declassify if no longer sensitive (destroy these records in accordance with the city's public records policies).
- 3) Update classification log accordingly, if necessary.

VI. Responsibilities

- a. The City Manager (Public Safety Director) Public Safety Director/Chief, and/or City Designated Emergency Manager will oversee the classification processes and/or procedures, for Confidential/FOUO information within their areas of responsibility and ensures compliance.
- b. The City Attorney will advise emergency managers on ORC 149.433, and provide interpretations.
- c. All staff are responsible for the proper handling of and/or the reporting of potentially sensitive information.

VII. Training

Training covering Confidential and FOUO information, policies and procedures will be covered during, Emergency Operations Plan/Center training sessions once every three years (or when/if the policy or ORC 149.433 provisions are revised).

Training will cover; specific city policies and procedure pertaining to Confidential/FOUO, the process of document (information) classification and marking, records retention policies/procedures, and public access.

VIII. Enforcement

Failure to comply may result in disciplinary action, up to and including termination, and possible legal penalties under Ohio law.

IX. References

- a. Ohio Revised Code §149.433: Confidentiality of security and infrastructure records
- b. Ohio Attorney General's Public Records Manual
- c. Agency Records Retention Policies
- d. City Attorney's Legal Review and Opinion issued on April 9 and April 17, 2025.

promoting, marketing or recommending to another party any tax related matters addressed herein.

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Certified Public Records Training (CPRT)

COURSE SCHEDULE

The Certified Public Records Training is a three-hour session, free of charge, provided to public officials or their appropriate designees and public employees, as well as members of the public.

Note: Certified Public Records Training offered by the Auditor of State is the same training offered by the Ohio Attorney General's office, which is called Sunshine Laws Training.

on-demand AOS Certified Public Records Training, Parts
1-3

virtual 5/6/2025 | Live-Virtual Training

virtual 6/12/2025 | Live-Virtual Training

virtual 7/10/2025 | Live-Virtual Training

virtual 8/14/2025 | Live-Virtual Training

virtual 9/9/2025 | Live-Virtual Training

virtual 10/23/2025 | Live-Virtual Training

virtual 11/13/2025 | Live-Virtual Training

virtual 12/11/2025 | Live-Virtual Training

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Sunshine Laws Training Schedule

[SLT Agenda and Outline \(rev.2024\)](#) The Sunshine Laws Training provided by the Ohio Attorney General's Office is a three-hour session, free of charge, provided to public officials or their appropriate designees and public employees, as well as members of the general public.

Ohio Revised Code Section 109.43(B) provides that:

The attorney general shall develop, provide, and certify training programs and seminars for all elected officials or their appropriate designees, and for all future officials who choose to satisfy the training requirement before taking office, in order to enhance the officials' knowledge of the duty to provide access to public records as required by section 149.43 of the Revised Code and to enhance their knowledge of the open meetings laws set forth in section 121.22 of the Revised Code. The training shall be three hours for every term of office for which the elected official or future official was appointed or elected to the public office involved.

Attendance at a session by an elected official or his or her designee satisfies the training requirement of R.C. 109.43. In addition each session is certified for three hours of Continuing Legal Education for Ohio attorneys. Each session includes an in-depth analysis of Ohio Public Records Act, and a brief review of Ohio's Open Meetings Law. Attendance records are posted online at [Sunshine Laws Training Attendance Reports](#).

The trainings are offered in Columbus and throughout Ohio, and are always open to members of the general public.

Click on the desired training location below to register:

Sunshine Laws Training

Sunshine Laws Training - Virtual Webinar 06.04.2025

Date: Wed, Jun 4, 2025

Time: 9:00 AM - 12:15 PM

Virtual Webinar- Overview of Ohio's Public Records Act and Open Meetings Act

- This training provides the mandatory three (3) hour training to be completed by elected officials or their designee per elected term as required by Ohio Rev. Code § 109.43(B).
- This training provides three (3) general CLE hours for Ohio attorneys.

This course has been approved by the Supreme Court of Ohio Commission on Continuing Legal Education for 3.00 total CLE hour(s) instruction.

The Sunshine Laws Training provided by the Ohio Attorney General's Office is a three-hour session, as required by Ohio Rev. Code § 109.43 for elected officials and is offered free of charge to public officials and/or their appropriate designees and public employees, as well as members of the general public.

ATTENDANCE REQUIREMENTS: To earn full credit, you must be logged in for 195 minutes. The webinar will be three hours with one 15-minute break or two shorter ones. Partial credit **will not** be given. We strongly encourage you to turn off any pop-up blockers in your Internet browser prior to the training.

GROUP VIEWING: Group viewing is not offered for this event. Each participant must register separately using a unique email. Each participant must also be signed into the event using their registered email to obtain credit.

Microsoft TEAMS is required to participate in this training and can be viewed through a web browser or the TEAMS app. A link to download the app or join from a web browser is included in the calendar event that is attached to your registration confirmation. Please be sure to open the calendar event and accept the invitation. If the confirmation does not appear in your Inbox, please check your Junk/Spam mail.

[TEAMS Meeting Guide](#)

Reference materials for this training are provided below to download and/or print:

[Sunshine Laws Manual](#)

[Sunshine Laws Training Agenda](#)

[Sunshine Laws PowerPoint Handout](#)

REGISTER NOW

Sunshine Laws Training - Virtual Webinar 08.06.2025

Date: Wed, Aug 6, 2025

Time: 1:00 PM - 4:15 PM

Virtual Webinar- Overview of Ohio's Public Records Act and Open Meetings Act

- This training provides the mandatory three (3) hour training to be completed by elected officials or their designee per elected term as required by Ohio Rev. Code § 109.43(B).
- This training provides three (3) general CLE hours for Ohio attorneys.

This course has been approved by the Supreme Court of Ohio Commission on Continuing Legal Education for 3.00 total CLE hour(s) instruction.

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[TEAMS Meeting Guide](#)

Reference materials for this training are provided below to download and/or print:

[Sunshine Laws Manual](#)

[Sunshine Laws Training Agenda](#)

[Sunshine Laws PowerPoint Handout](#)

REGISTER NOW

Sunshine Laws Training - Virtual Webinar 10.01.2025

Date: Wed, Oct 1, 2025

Time: 9:00 AM - 12:15 PM

Virtual Webinar- Overview of Ohio's Public Records Act and Open Meetings Act

- This training provides the mandatory three (3) hour training to be completed by elected officials or their designee per elected term as required by Ohio Rev. Code § 109.43(B).
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[TEAMS Meeting Guide](#)

Reference materials for this training are provided below to download and/or print:

[Sunshine Laws Manual](#)

[Sunshine Laws Training Agenda](#)

[Sunshine Laws PowerPoint Handout](#)

REGISTER NOW

Sunshine Laws Training - Virtual Webinar 12.03.2025

Date: Wed, Dec 3, 2025

Time: 1:00 PM - 4:15 PM

Virtual Webinar- Overview of Ohio's Public Records Act and Open Meetings Act

- This training provides the mandatory three (3) hour training to be completed by elected officials or their designee per elected term as required by Ohio Rev. Code § 109.43(B).
- This training provides three (3) general CLE hours for Ohio attorneys.

This course has been approved by the Supreme Court of Ohio Commission on Continuing Legal Education for 3.00 total CLE hour(s) instruction.

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[TEAMS Meeting Guide](#)

Reference materials for this training are provided below to download and/or print:

[Sunshine Laws Manual](#)

[Sunshine Laws Training Agenda](#)

[Sunshine Laws PowerPoint Handout](#)

REGISTER NOW

Individuals & Families

Consumers
Military & Veterans
Parents
Seniors
Tipster
Victims
Task Force on Criminal Justice
and Mental Illness

About the AGO

Dave Yost
Administration
Public Records Access
Regional Offices
Service Divisions

Business & Development

Background Check
Services for Bingo
Collections
Professional Solicitors & Fundraisers
Services for Charities
Services for Business

Services

Webcheck Locations
File a Consumer Complaint
File a Charitable Complaint
Charitable Registration
Tobacco Enforcement

Law Enforcement

BCI
Concealed Carry
Missing Persons
Ohio Law Enforcement Gateway
OOCIC
OPOTA
SAK Annual Reporting
Unsolved Homicides

Training & Education

Nonprofit Board
Governance Webinars
Ohio's Charitable Registration
System Webinars
Online Sunshine Laws Training
OPOTA Courses
Victim Service Provider Training

Legal Community

Antitrust
Ballot Initiatives
Outside Counsel
Prosecution
Sunshine Laws

Media

Events
News Releases
Newsletters
Reports
Videos

State & Local Government

The Mount Vernon Project:
School of Public Service
Formal Opinions
Ohio School Threat Assessment
Training
Services for Schools

Career & Employee Resources

AG Employee Portal
myOhio.gov
Job Opportunities



Notice under the Americans with Disabilities Act | Privacy Statement | Ohio Checkbook



**Avoid identity theft and safely
dispose of sensitive documents !**



The City of Vandalia proudly presents

Shred Day 2025

Friday, May 16

9 a.m. to Noon

**Vandalia Municipal Building
333 James Bohanan Memorial Drive**

Bring your unwanted documents to this drive-up paper shredding event! Unwanted documents may include old tax returns, processed checks, loan documents, financial reports and papers that might include Social Security or credit card account numbers. There is **NO NEED** to remove paper clips, staples, rubber bands or folders. All paper collected will be recycled.



FREE FOR ALL VANDALIA RESIDENTS!



www.vandaliaohio.org