

VIA EMAIL

The Honorable David Yost
Attorney General of Ohio
c/o Opinions Section
30 East Broad Street, 15th Floor
Columbus, Ohio 43215
OpinionsRequest@OhioAttorneyGeneral.gov

RE: Request for Opinion on Auditor of State Bulletin 2021-007

Dear Sir or Madam:

This Office represents Mid-Ohio Educational Service Center. (“ESC”). The ESC is a community school sponsor pursuant to Ohio Revised Code Chapter 3314. As a community school sponsor, the ESC is responsible for ensuring the compliance of its sponsored schools with all “applicable laws and rules.” R.C. 3314.016; O.A.C. 3301-102-08. As such, the ESC is responsible for ensuring its sponsored community schools comply with the requirements articulated in R.C. 3314.037, which provides:

The members of the governing authority of a community school, the designated fiscal officer of the school, the chief administrative officer and other administrative employees of the school, and all individuals performing supervisory or administrative services for the school under a contract with the operator of the school shall complete training on an annual basis on the public records and open meetings laws, so that they may comply with those laws as prescribed by division (A)(11)(d) of section 3314.03 of the Revised Code.

This Office respectfully requests your legal opinion and guidance as to the following issues:

- Must the unelected members of the governing authority of a community school, its unelected designated fiscal officer, chief administrator, and other administrative employees and individual performing supervisory or administrative services for the school, undergo training on public records and open meetings laws required by R.C. 3314.037 by completing the training programs and seminars established by the office of the Ohio Attorney General under R.C. 149.43(B) for elected officials and their appropriate designees?
- May the unelected members of the governing authority of a community school, its unelected designated fiscal officer, chief administrator, and other administrative employees and individual performing supervisory or administrative services for the school, complete the training on public records and open meetings laws required by R.C. 3314.037 by participating in trainings provided by licensed attorneys who have knowledge about such laws and their application to community schools?

For additional context as to the nature of the dispute at issue, please see the attached Auditor of State Bulletin 2021-007 and response from numerous attorneys across the state who represent hundreds of community schools in Ohio. Accordingly, this Office now respectfully seeks your opinion and guidance as to these issues.

If you have any questions regarding this request, please do not hesitate to contact [INSERT] at this Office at [Insert]. As always, thank you for your time and attention in this matter.

Respectfully,
