***Use for 2022-2023 or 2023 AUPs [[1]](#endnote-1)***

***[[2]](#endnote-2)(Countywide Emergency Management Agency AUP – Per AT-C 105 & 215 & GAGAS, January 2024[[3]](#endnote-3)) [[4]](#endnote-4)*** ***[[5]](#endnote-5)***

**INDEPENDENT ACCOUNTANT’S REPORT ON APPLYING AGREED-UPON PROCEDURES**

[Name of] Countywide Emergency Management Agency

[Name of] County

[Address]

[City], Ohio [Zip Code]

We have performed the procedures enumerated below on the [Name of] Countywide Emergency Management Agency’s (the Agency) receipts, disbursements and balances recorded in the cash basis accounting records for the years ended December 31, 2023 and 2022 and certain compliance requirements related to those transactions and balances, included in the information provided to us by the management of the Agency. The Agency is responsible for the receipts, disbursements and balances recorded in the cash basis accounting records for the years ended December 31, 2023 and 2022 and certain compliance requirements related to these transactions and balances included in the information provided to us by the Agency.

The Executive Committee and the management of the Agency have agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of providing assistance in the evaluation of the Agency’s receipts, disbursements and balances recorded in their cash-basis accounting records for the years ended December 31, 2023 and 2022, and certain compliance requirements related to these transactions and balances. **[Additionally, the Auditor of State has agreed to and acknowledged that the procedures performed are appropriate to meet their purposes.]*[[6]](#endnote-6) [<<IPAs must insert this. AOS staff should never insert this].***  No other party acknowledged the appropriateness of the procedures***.*** This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of the report and may not meet the needs of all users of the report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. The sufficiency of the procedures is solely the responsibility of the parties specified in the report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

For the purposes of performing these procedures, this report only describes exceptions exceeding $10.

The procedures and the associated findings are as follows:

**Cash [and Investments] *[if applicable]***

1. [XXX County] ***[<< revise as needed.]***is the custodian for the Agency’s deposits [and investments], and therefore the County’s deposit and investment pool holds the Agency’s assets. We [compared (confirmed)]***[[7]](#endnote-7)*** the Agency’s fund balances reported on its December 31, 2023 [Fund Status Report] to the balances reported in [XXX County]’saccounting records. The amounts agreed.
2. We agreed the January 1, 2022 beginning fund balances for [each fund]***[[8]](#endnote-8)*** recorded in the [Fund Ledger Report]***[[9]](#endnote-9)*** to the December 31, 2021 balances in the prior year [audited statements] ***OR*** [documentation in the prior year Agreed-Upon Procedures working papers]. We found no exceptions. We also agreed the January 1, 2023 beginning fund balances for each fund recorded in the [Fund Ledger Report] to the December 31, 2022 balances in the [Fund Ledger Report]. We found no exceptions.
3. We inspected the [Fund Status Report] to determine whether the Finding(s) For Adjustment identified in the prior [audit report] ***OR***[agreed-upon procedures report]*,* due from the X fund, payable to the Y fund,was properly posted to the report. We found no exceptions. ***[Delete procedure if not applicable. If the adjustment was not properly posted, you should reissue the FFA in this AUP.]***

***For applicability of Receipt Testing sections below see guidance in footnotes 5 and 11 and the AUP Additional Guidance Document.***

**Intergovernmental and Other Confirmable Cash Receipts**

***[Modify these procedures as appropriate.]***

1. We selected a total of 5 receipts from the State Distribution Transaction Lists (DTL) and the County Auditor’s DTLs ***[<<<insert exact report name]*** from 2023 and a total of 5 from 2022. ***[Modify this procedure as appropriate. For example if no County DTL receipts, delete that sentence.]***
	1. We compared the amount from the above report(s) to the amount recorded in the [Receipt Register Report]. The amounts agreed.
	2. We inspected the [Receipt Register Report] to determine these receipts were allocated to the proper fund(s). We found no exceptions.
	3. We inspected the [Receipt Register Report] to determine whether the receipts were recorded in the proper year. We found no exceptions.
2. ***For other confirmable receipts, either confirm them or agree them to documentation supporting the amount received. [Note: This procedure is intended to test a funding source not already tested. For example, county receipts are already tested in procedure 1 and state receipts appearing on the DTL are already tested in procedure 1.] Example:*** We confirmed the [total amount paid] ***OR*** [individual amounts paid] from the [name of grantor / donor]***[[10]](#endnote-10)*** to the Agency during [2022] with the Corporation. We found no exceptions.
	1. We inspected the [Receipt Register Report] to determine whether these receipts were allocated to the proper fund(s). We found no exceptions.
	2. We inspected the [Receipt Register Report] to determine whether the receipts were recorded in the proper year. We found no exceptions.

**Other Receipts*****[[11]](#endnote-11)***

We selected 10 other receipts from the year ended December 31, 2023 and 10 other receipts from the year ended 2022 and:

* 1. Agreed the receipt amount in the [Receipt Register Report] to supporting documentation. The amounts agreed.
	2. Confirmed the amounts charged complied with rates in force during the period. We found no exceptions. ***[If applicable]***
	3. Inspected the [Receipt Register Report] to determine the receipt was posted to the proper fund(s), and was recorded in the proper year. [We found no exceptions.] ***OR*** [We found 1 receipt of $100 for a [xxx] recorded in the Y fund that should have been recorded in the Z fund. We brought this to management’s attention. They corrected the fund Y and Z fund balances for this item. However, because we did not inspect all receipts, our report provides no assurance regarding whether or not other similar errors occurred.]

**Debt *[This shell was written assuming the Agency had no debt activity. If this Agency had debt activity, contact legal regarding the legality of such, and AOS staff should submit a consult through the AUP Specialty in Spiceworks (IPAs should contact the*** ***IPAcorrespondence@ohioauditor.gov*** ***inbox) regarding amending the procedures.]***

1. The prior [audit] ***OR*** [agreed-upon procedures] documentation disclosed no debt outstanding as of December 31, 2021.
2. We inquired of management and inspected the [Receipt Register Report] and [Payment Register Detail Report] for evidence of debt issued during 2023 or 2022 or debt payment activity during 2023 or 2022. We identified no new debt issuances, nor any debt payment activity during 2023 or 2022.

**Payroll Cash Disbursements**

1. We selected 1 payroll check for 5 employees***[[12]](#endnote-12)*** from 2023 and 1 payroll check for 5 employees from 2022 from the [Wage Withholdings Detail Report] and:
	1. We compared the hours and pay rate, or salary recorded in the [Wage Detail Report] to supporting documentation (timecard, legislatively or statutorily-approved rate or salary).

[We found no exceptions.] ***OR*** [We found 1 instance where an employee was paid for 3 hours less than the hours recorded on her timecard. We brought this to management’s attention, and they added this amount to a subsequent payment to this employee. Because we did not compare all timecards, our report provides no assurance whether or not other similar errors occurred.]***[2024 OCS 2A-13]***

* 1. We recomputed gross and net pay and agreed it to the amount recorded in the payroll register. We found no exceptions. ***[This procedure only applies to manual payroll systems. This procedure is N/A if the system is automated, such as UAN.]***
	2. We inspected the fund and account code(s) to which the check was posted to determine the posting was allowable based on the employees’ duties as documented in the [employees’ personnel files and/or minute record] ***[<<<list actual source]*** ***OR*** [as required by statute] ***[<<if set by statute]****.* We found no exceptions.
	3. We confirmed the payment was posted to the proper year. We found no exceptions.
1. ***[If the Agency did not have any new employees or new Executive Committee members during the engagement period this step can be deleted. If the Agency had new employees and/or new Executive Committee members in one year but not the other year, then modify the step accordingly.]*** We selected 3 new employees and Executive Committee members from 2023 and 3 new employees and Executive Committee members from 2022 and:
	1. We inspected the [employees’/ Executive Committee members’ personnel files and/or minute record] ***[<<<list actual source]*** for the Retirement system, Federal, State & Local income tax withholding authorization.
	2. We agreed the items in a above to the [Employee General Information Report] ***<<Standing data report]***. ***[Make sure taxes were withheld if a form was in their file. You do not have to recalculate the amount of federal, state, or local tax to withhold.]***

We found no exceptions. ***[2024 OCS 1-20]***

1. We inspected the last remittance of tax and retirement withholdings for the year ended December 31, 2023 to confirm remittances were timely charged by the fiscal agent [XXX], and if the amounts charged agreed to the amounts withheld, plus the employer’s share where applicable, during the final withholding, period of 2023. We observed the following:***[[13]](#endnote-13)***

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Withholding****(plus employer share, where applicable)** | **Date****Due** | **Date****Paid** | **Amount****Due*[[14]](#endnote-14)*** | **Amount** **Paid** |
| Federal income taxes & Medicare(and social security, for employees not enrolled in pension system) | January 31, 2024 |  |  |  |
| State income taxes***[[15]](#endnote-15)***  | January 15, 2024 |  |  |  |
| Local income tax***[[16]](#endnote-16)***  | [insert date] |  |  |  |
| OPERS retirement | January 30, 2024 |  |  |  |
| OP&F retirement ***[[17]](#endnote-17)*** | January 31, 2024 |  |  |  |

***Revise the table above as needed, for example to omit OP&F if inapplicable.***

We found no exceptions.

***Example exception:***[As stated above, as of the date of this report, the Agency has not paid OPERS the amount due as required by Ohio Rev. Code §§ 145.47 and 145.48 by January 31, 2024. The Auditor of State will notify OPERS of this matter.] ***[See OCS Implementation Guide Referring Audit Reports]***

1. ***[This procedure is only applicable for fiscal year 2022. Omit this procedure unless the government applied the provisions in the Families First Coronavirus Response Act, Coronavirus, Aid, Relief, Economic Security Act, Treasury IRS Guidance n-20-65 as modified by Treasury IRS Guidance n-21-11, or the American Rescue Plan Act of 2021.]*** For fiscal year 2022, we inspected the [appropriation ledger] and [meeting minutes] to determine the Agency properly credited the paid leave costs against the tax obligations and / or deferred the tax obligations to future periods. We found no exceptions. ***[2023 OCS 1-19]***

**Non-Payroll Cash Disbursements**

1. From the [Payment Register Detail Report], we re-footed checks recorded as General Fund disbursements for *security of persons and property*, and checks recorded as *public works* in theX fund for 2023. We found no exceptions.***[Perform only if this is a manual system. Select one program from two funds to test foot. This procedure is N/A if the system is automated, such as UAN.]***
2. We selected 10 disbursements from the [Payment Register Detail Report] for the year ended December 31, 2023 and 10 from the year ended 2022 and determined whether:
	1. The disbursements were for a proper public purpose. We found no exceptions.
	2. The check number, date, payee name and amount recorded on the [returned, canceled check] ***<<< modify if the payment was EFT/ACH]*** agreed to the check number, date, payee name and amount recorded in the [Payment Register Detail Report] and to the names and amounts on the supporting invoices. We found no exceptions.
	3. The payment was posted to a fund consistent with the restricted purpose for which the fund’s cash can be used. We found no exceptions.

**Sunshine Law Compliance *[2024 OCS 2B – 8][[18]](#endnote-18)***

1. We obtained and inspected the Agency’s Public Records Policy to determine the policy was in accordance with Ohio Rev. Code §§ 149.43(E)(2) and 149.43(B)(7)(c) and did not limit the number of responses that may be made to a particular person, limit the number of responses during a specified period of time, or establish a fixed period of time before it will respond unless that period is less than eight hours. [We found no exceptions.]

 ***OR***

 ***[Include if the entity did not have a Public Records policy.]*** [We inquired with Agency management and determined that the Agency did not have a public records policy during the engagement period as required by Ohio Rev. Code § 149.43(E)(2).]

2. ***[[19]](#endnote-19)***We selected 5 ***[or total population if less than five]*** public records requests from the engagement period and inspected each request to determine the following:

* 1. The Agency was compliant and responded to the request in accordance with their adopted policy as required by Ohio Rev. Code § 149.43(B)(1). [We found no exceptions.]  **OR** [For 3 of the 5 public records requests selected, the Agency did not respond to the request in accordance with their adopted policy. See the table below.

|  |  |  |  |
| --- | --- | --- | --- |
| **Date Request Received** | **Date Request Fulfilled** | **Policy Response Time (in Business days)** | **Actual Response Time (in Business days)** |
| 6/15/2023 | 6/22/2023 | 3 | 6 |
| 8/2/2023 | 8/15/2023 | 3 | 9 |
| 11/13/2023 | 11/20/2023 | 3 | 5 |

 ***OR***

 ***[Include if the entity did not have any completed public records requests.]*** [We inquired with Agency management and determined that the Agency did not have any completed public records requests during the engagement period.]

b. ***[Include if a request was denied, in part or in whole.]*** The Agency provided an explanation for the denied request which included the legal authority to the requester as required by Ohio Rev. Code § 149.43(B)(3). [We found no exceptions.]

 ***OR***

 ***[Include if the entity did not have any denied public records requests.]*** [The Agency did not have any denied public records requests during the engagement period.]

c. ***[Include if a request contained redactions, in part or in whole.]*** [The Agency was redacting records and making the redactions visible and provided an explanation which included the legal authority to the requester as required by Ohio Rev. Code § 149.43(B)(1). [We found no exceptions.]

 ***OR***

 ***[Include if the entity did not have any public records requests with redactions.]*** [The Agency did not have any public records requests with redactions during the engagement period.]

3. We inquired whether the Agency had a records retention schedule and observed that it was readily available to the public as required by Ohio Rev. Code § 149.43(B)(2). [We found no exceptions.]

 ***OR***

 ***[Include if the entity did not have a records retention policy.]*** [We inquired with Agency management and determined that the Agency did not have a records retention schedule during the engagement period and therefore could not make it readily available to the public as required by Ohio Rev. Code § 149.43(B)(2).]

4. We inspected written evidence that the Public Records Policy was provided to the records custodian/manager as required by Ohio Rev. Code § 149.43(E)(2). [We found no exceptions.]

 ***OR***

 ***[Include if the entity did not have a Public Records policy.]*** [We inquired with Agency management and determined that the Agency did not have a public records policy during the engagement period therefore could not provide it to the records custodian/manager as required by Ohio Rev. Code § 149.43(E)(2).]

5. We inspected the Agency’s policy manual and determined the public records policy was included as required by Ohio Rev. Code § 149.43(E)(2). [We found no exceptions.]

 ***OR***

 ***[Include if the entity did not have a Public Records policy.]*** [We inquired with Agency management and determined that the Agency did not have a public records policy during the engagement period therefore it could not be included in a policy manual as required by Ohio Rev. Code § 149.43(E)(2).]

 ***OR***

 ***[Include if the entity did not have a policy manual.]*** [We inquired with Agency management and determined that the Agency did not have a policy manual during the engagement period therefore the public records policy could not be included as required by Ohio Rev. Code § 149.43(E)(2).]

6. We observed that the Agency’s poster describing their Public Records Policy was displayed conspicuously in all branches of the Agency as required by Ohio Rev. Code § 149.43(E)(2). [We found no exceptions.]

 ***OR***

 ***[Include if the entity did not have a Public Records policy.]*** [We inquired with Agency management and determined that the Agency did not have a public records policy during the engagement period therefore it could not be displayed in all the branches of the Agency as required by Ohio Rev. Code § 149.43(E)(2).]

7. ***[Include if the entity has records authority. (Please review the OCS Legal Matrix, OCS 2B-8 Step 7 Applicability tab. “No Records Authority” indicates this step is not applicable.)]*** We selected 5 ***[or total population if less than five]*** applications submitted to the Records Commission for one-time disposal of obsolete records, and management’s review of the schedules of records retention and dispositions for the engagement period. We inspected the approval by the Records Commission for the 5 selected and the review of the schedules. This was required by Ohio Rev. Code §[***[[20]](#endnote-20)***]. [We found no exceptions.] ***<<< Note: the records retention schedule is not the same policy as the public records policy.]***

 ***OR***

 ***[Include if the entity did not have any applications submitted to the Records Commission but has Records Authority per OCS Legal Matrix, OCS 2B-8 Step 7 Applicability tab.]*** [We inquired with Agency management and determined that the Agency did not have any applications for record disposal submitted to the Records Commission during the engagement period.]

 ***OR***

***[Include if the entity has “No Records Authority” per OCS Legal Matrix, OCS 2B-8 Step 7 Applicability tab and this step is not applicable.]*** [We did not select any applications submitted to the Records Commission for one-time disposal of obsolete records, and management’s review of the schedules of records retention and dispositions for the engagement period. The Agency is not subject to the Ohio Rev. Code records authority. Therefore this step is not applicable and applications were not inspected or inquired about.]

8. We inspected [individual proof of attendance***[[21]](#endnote-21)***] and determined whether each elected official**[[22]](#endnote-22)** in accordance with Ohio Rev. Code § 149.43(E)(1) (or his/her designee) successfully attended a certified three-hour Public Records Training for each term of office as required by Ohio Rev. Code § 109.43(B). [We found no exceptions.]

 ***OR***

 ***[Include if the entity did not have any elected officials subject to the training requirement.]*** [We inquired with Agency management and determined that the Agency did not have any elected officials subject to the Public Records Training requirements during the engagement period as required by Ohio Rev. Code §§ 149.43(E)(1) and 109.43(B).]

9. We inspected the public notices for the public meetings held during the engagement period and determined the Agency notified the general public and news media of when and where meetings during the engagement period were to be held as required by Ohio Rev. Code § 121.22(F). [We found no exceptions.]

10. We inspected the minutes of public meetings during the engagement period in accordance with Ohio Rev. Code § 121.22(C) and determined whether they were:

a. Prepared – a file is created following the date of the meeting

b. Filed – placed with similar documents in an organized manner

c. Maintained - retained, at a minimum, for the engagement period

d. Open to public inspection – available for public viewing or request.

[We found no exceptions.]

11. We inspected the minutes from the engagement period in accordance with Ohio Rev. Code § 121.22(G) and determined the following:

1. Executive sessions were only held at regular or special meetings.
2. The purpose for the meetings and going into an executive session (when applicable) correlated with one of the matters listed in Ohio Rev. Code § 121.22(G).
3. Formal governing board actions were adopted in open meetings.

[We found no exceptions.]

**Other Compliance**

1. Ohio Rev. Code § 117.38 requires agencies to file their financial information in the HINKLE system within 60 days after the close of the fiscal year.  This statute also permits the Auditor of State to extend the deadline for filing a financial report and establish terms and conditions for any such extension.  Auditor of State established policies, regarding the filing of complete financial statements, as defined in AOS Bulletin 2015-007 in the Hinkle System.  We confirmed the Agency filed their complete financial statements, as defined by AOS Bulletin 2015-007 and Auditor of State established policy within the allotted timeframe for the years ended December 31, 2023 and 2022 in the Hinkle system. [We found no exceptions.] ***OR*** [Financial information was filed on [Date] which was not within the allotted timeframe.] ***[2024 OCS 1 – 14][[23]](#endnote-23)***

**Related Party Transactions** ***[Delete this procedure if your entity does not have any related party transactions]***

1. ***[[24]](#endnote-24)***We inquired with management and identified the following Related Party Transactions:

a. [List related party transactions]

b. [List related party transactions]

We found no exceptions.

2. We confirmed the transactions with [the other party, or with intermediaries, such as banks, guarantors, agents, or attorneys.] We found no exceptions.

3. ***[[25]](#endnote-25)***We obtained supporting evidence for the Related Party Transactions identified in procedure 1. We found no exceptions.

***[Insert the following paragraph if the Agency declines to provide us written representations but has provided suitable written agreement* of the procedures and acknowledged that the procedures performed are appropriate to meet the intended purpose of the engagement*: AOS auditors should also see additional guidance in the representation letter.]***

Attestation standards established by the American Institute of Certified Public Accountants require that we request certain required written representations from the Agency. We requested that the Agency provide such representations but the Committee and/or fiscal officer refused to do so.

We were engaged by the Agency to perform this agreed-upon procedures engagement and conducted our engagement in accordance with the attestation standards established by the AICPA and the Comptroller General of the United States’ *Government Auditing Standards*. We were not engaged to, and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively on the Agency’s receipts, disbursements, balances and compliance with certain laws and regulations. Accordingly, we do not express an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the Agency and to meet our ethical responsibilities, in accordance with the ethical requirements established by the Comptroller General of the United States’ *Government Auditing Standards* related to our agreed upon procedures engagement.

Blank Signature

Signature Name

Signature Title

City, State

[Date]

1. This report shell should be used for entities with a testing period of 2022-2023 or 2023. For period 2021-2022 and prior, AOS Staff please obtain the previous report shell from the Old Practice Aids. IPAs, please obtain the previous report shell by contacting the IPAcorrespondence@ohioauditor.gov inbox. This shell is written for a 2 year engagement, please modify as needed for single year AUP engagements. [↑](#endnote-ref-1)
2. NOTE:

This shell is for Agencies not receiving tax revenue, and assumes they have no debt.

This shell assumes the County is the Agency’s fiscal agent.

AOS staff should submit a consult through the AUP Specialty in Spiceworks (IPAs should contact the IPAcorrespondence@ohioauditor.gov inbox) if any of the above is not true. [↑](#endnote-ref-2)
3. Updated January 2024 – Changes are not marked. The following should be completed prior to finalizing the report:

	* All the red references should be updated as appropriate and changed to black; and
	* All blue font items are guidance and need removed. [↑](#endnote-ref-3)
4. Please read the document, [*AUP Additional Guidance*](http://www.ohioauditor.gov/references/agreeduponprocedures.html) for additional information. [↑](#endnote-ref-4)
5. See the AUP Additional Guidance document for applicability of testing receipts / disbursements. If the shell does not include procedures for a receipt / disbursement type, AOS staff should submit a consult through the AUP Specialty in Spiceworks (IPAs should contact the IPAcorrespondence@ohioauditor.gov inbox) for additional procedures***.*** [↑](#endnote-ref-5)
6. **IPA AUP engagements:** AOS is a specified party. The use of the procedures in this shell and AOS’ written approval of any modifications / additions to these procedures will serve as AOS' written agreement and acknowledgement that the procedures performed are appropriate to meet our intended purposes as a specified party. [↑](#endnote-ref-6)
7. If you can visit the fiscal agent, you can “compare” the balances by viewing the fiscal agent’s accounting records. (It does not matter if the fiscal agent’s records have been audited – we assume they will be audited, and we are not aware of pervasive reconciling issues at many counties.) Also, see additional guidance on confirmations in the [*AUP Additional Guidance*](http://www.ohioauditor.gov/references/agreeduponprocedures.html) document.

If you cannot view the records, you may need to confirm. Use the proper verb based on the procedure you used. [↑](#endnote-ref-7)
8. Replace language with “Each Opinion Unit” if the prior engagement was a financial audit and if any prior findings for adjustments were adjusted to the client account records. [↑](#endnote-ref-8)
9. If the entity using the UAN system had no activity on 1/1/2022, then run the Fund Ledger Report as of the first date they had activity during the year. [↑](#endnote-ref-9)
10. Be specific in describing the procedure. If you have multiple funding sources to confirm, copy and paste this procedure for each funding source separately (i.e. OWDA, OPWC, etc.). [↑](#endnote-ref-10)
11. Other Receipts includes all receipts not tested in the procedures included in this report (i.e. Intergovernmental Receipts, Confirmable Receipts, etc. would be excluded from this total). Other Receipts should be assessed for each individual fund type category annually (e.g. governmental, fiduciary, and proprietary). [Omit this procedure unless other receipts exceed 10% of the appropriate category receipts.] [↑](#endnote-ref-11)
12. This population consists of both full and part time employees, including elected officials. [↑](#endnote-ref-12)
13. If the Agency does not use a fiscal agent (i.e. handles their own payroll), replace this payroll procedure with that from the Township shell. [↑](#endnote-ref-13)
14. The amount due should equal the amount paid, unless you have an exception noted below the table. [↑](#endnote-ref-14)
15. This date assumes they remit State income taxes monthly. If your entity reports quarterly, the due date should be changed to January 31. [↑](#endnote-ref-15)
16. Delete if no local income taxes. Insert additional rows if there is more than one applicable local income tax. [↑](#endnote-ref-16)
17. Payments should be remitted monthly. If your entity reports quarterly the due date should be changed. [↑](#endnote-ref-17)
18. For additional guidance see the [Sunshine Law and StaRS FAQ](http://ohioauditor.gov/ocs/2019/Sunshine%20Laws%20and%20StaRS%20FAQs.docx).

Note: AOS staff should consult with the assistant legal counsel assigned to their region regarding any non-compliance or questions related to these requirements or violations of Ohio Rev. Code § 149.351 (destruction of records) related to these records. [↑](#endnote-ref-18)
19. Note: one selection of five (or total population if less than five) is sufficient for each policy tested no matter how many departments follow that policy. In addition, if there are no denials or redactions pulled in the selection, auditors do not need to pull an additional selection. [↑](#endnote-ref-19)
20. See the “OCS 2B-8 Step 7 Applicability” Tab of the [Legal Matrix](https://ohioauditor.gov/ocs/2024/legal_matrix.xlsx) for the Ohio Rev. Code Section applicable to your entity type. [↑](#endnote-ref-20)
21. Note: Auditor should ask whether the elected official or his/her designee successfully attended a certified three-hour Public Records Training for each term of office.

The Attorney General’s Office (AGO) currently uploads an attendance roster for each certified public records training provided by its office to its external website. The roster is now proof of attendance from the AGO to attendees. The attendance rosters are located here: <https://www.ohioattorneygeneral.gov/Legal/Sunshine-Laws/Sunshine-Laws-Training-Attendance-Reports>. All attendees are notified at the trainings where the rosters are posted.

The AOS provides paper certificates as proof of attendance.

Additionally, the AGO may contract with other state agencies, political subdivisions, or other public or private entities to conduct the training programs and seminars. AOS auditor should consult with Legal to determine whether any other trainings qualify as a certified public records training. See Ohio Rev. Code § 109.43(D). [↑](#endnote-ref-21)
22. Elected official does not include judges or clerk of courts. See Ohio Rev. Code § 109.43(A)(2). [↑](#endnote-ref-22)
23. If the entity is required to re-file financial statements due to an incomplete filing, the filing date and accounting basis of the re-filed annual financial report will then become the basis for determining compliance with the filing requirements. Auditors should use professional judgement when determining whether to report an exception with timely filing if the public office or other entity required to file originally submitted timely but had to refile. Documentation of these comments should be included in the working papers. [↑](#endnote-ref-23)
24. Be sure to document in the working papers who you spoke with and when, including name, title, and date. [↑](#endnote-ref-24)
25. AOS Auditor should consult with both their CA and CFAE AUP Specialty if they identify potential fraud issues. [↑](#endnote-ref-25)