**Annual Training for FOIA Officers**

Training Requirement

Effective on July 1, 2016, House Bill 818 (2016) (2016 Acts of Assembly, c. 748) requires public bodies that are subject to FOIA to designate and publicly identify one or more FOIA officers whose responsibility is to serve as a point of contact for members of the public in requesting public records and to coordinate the public body's compliance with the provisions of FOIA. Originally, HB 818 required that all FOIA officers "shall possess specific knowledge of the provisions of this chapter and be trained at least annually by legal counsel for the public body or the Virginia Freedom of Information Advisory Council." As of July 1, 2020, the training requirement has been amended to require training "at least once during each consecutive period of two calendar years commencing with the date on which he last completed a training session."

**NOTE: It is NOT required that the FOIA officers be trained by any particular date (there is no specific calendar deadline).**

**FOIA Officers: We understand many FOIA Officers may not have had any FOIA training before and the law can be quite complicated. Please do not hesitate to contact the FOIA Council with any FOIA questions you may have at any time.**

Online Training

In order to facilitate the training of FOIA officers, the FOIA Council has worked with the Department of Human Resources to create an online training program available on the Commonwealth of Virginia Learning Center (<https://covlc.virginia.gov/>). If you do not have a log in name and password, the registration process is as follows:

* Go to the URL – [https://covlc.virginia.gov](https://covlc.virginia.gov/)
* If you do not have a COVLC account then Select “Need an Account”.
* When the Non-State Registration window appears select the down pointing arrow and choose DLS-Division of Legislative Services (107). Hint: Use the keyword "legislative" in the search box. Then click OK.
* Fill out the form; if you do not wish to put your Date of Birth type in 1/1/1970.
* Select DLS-Division of Legislative Services (107) as the Organization, then click Save.
* When back on the Create New Account select Create.
* NOTE – Please remember the Login ID and Password.
* NOTE - If you do not receive a confirmation by email or have any other problems with registration, please contact us using the contact information listed below.

After logging in, choose "FOIA-Freedom of Information Act" from the list of courses on the right-hand side of the page title "Browse Categories." The course consists of a tutorial that should take less than an hour, followed by a 15 question quiz. You must answer 12 questions correctly (80%) to pass the quiz. After completing the tutorial and passing the quiz, you will have the option to print a certificate showing that you completed the online training.

**NOTE**: We have heard from several people who have had issues using the online training program. If you need additional help, please contact the Learning Center's support staff at [covlchelpdesk@dhrm.virginia.gov](mailto:covlchelpdesk@dhrm.virginia.gov).

Other Training Options

The FOIA Council also will continue to provide free training by arrangement year-round as it has in the past. Please see the [FOIA Training](http://foiacouncil.dls.virginia.gov/Services/training.htm) web page for more information. Additionally, please note that the required annual FOIA training may also be provided by legal counsel for the public body (i.e. your local government or agency attorney) as well as the FOIA Council.

Rights & Responsibilities Statement

Please note that HB 818 also contains provisions requiring public bodies to post a statement of rights and responsibilities, including the name and contact information of the FOIA officer(s). The FOIA Council has designed a template for the statement of rights and responsibilities that may be used by any public body, available on the [FOIA Rights & Responsibilities](http://foiacouncil.dls.virginia.gov/rts_resp.htm) page.

Designation of FOIA Officer

Please note also that while FOIA requires public bodies to designate FOIA officers, FOIA does not specify *how* those designations are to be made. We have been asked whether local governing bodies must vote to designate their local FOIA officers. FOIA does not require such a vote - it may be done that way, or the chief executive for the locality may designate the FOIA officer. It is up to each agency and locality to choose how to designate its FOIA officer.

Additionally, please note that one FOIA officer may serve multiple public bodies, such as someone designated as the FOIA officer for a locality who also serves as the FOIA officer for local constitutional officers such as the Treasurer or Commissioner of Revenue in the same locality.

Training Certificates

As mentioned above, the online training course will allow you to view, save, and print a certificate directly after you have completed the tutorial and passed the quiz (if for some reason it does not, please contact us). You do not need to send a copy of the certificate to the FOIA Council, but you should keep it for your records.

In order to receive a certificate showing that you attended a live FOIA training presentation, please contact us and include your name, mailing address, and the date of the training.

**Please do not hesitate to contact us if you have any questions or need additional information.**

**Phone: (804) 698-1810 or (866) 448-4100 (toll-free)**

**Email: foiacouncil@dls.virginia.gov**