



# LEGAL UPDATE

For Ohio Community School Boards



## OPEN MEETINGS

For purposes of Ohio’s Open Meetings Act, a meeting is:

- prearranged gathering of...
- majority of members of the public body...
- conducting or discussing public business.

A public body must:

- take action and deliberate on public business in open session
- give appropriate notice of meetings
- take and maintain minutes of meetings

### Not a “Meeting”

**Open house**  
**Graduation ceremony**  
**School sporting event**  
**Training**  
**Any other gathering, even if a quorum is present, if the board members are *not* discussing or deliberating about school business**

Executive session topics:

- Hiring, firing, discipline, compensation of public employees
- purchase or sale of property
- pending/imminent litigation
- matters required by law to be kept confidential
- collective bargaining
- security arrangements
- a few others not relevant to community schools

# PUBLIC RECORDS



A public record is:

- any document, device, or item regardless of form/medium
- created or received by or coming under the jurisdiction of a public office
- Which serves to document the organization, functions, policies, decisions, procedures, operations, or activities of the office

If something is a public record, the public office must:


- provide inspection or copies
- within a prompt/reasonable period of time
- to any requestor

## Question & Answer:

**Q: Are text messages one board member sends to another a public record ?**

A: Whether something is a public record is not determined by the medium. Rather the content is controlling. Thus, if a board member texts another board member or the school leader, etc. about school business, then the text is almost certainly a public record subject to disclosure.



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