



# 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 generally 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 documents 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

\*Note: emails and texts can be public records

## Question & Answer:

### **Q: Can our community school board meet virtually?**

**A:** House Bill 257 effective April 9th allows certain public bodies who are not compensated to meet virtually for most purposes if the board adopts a policy including amongst other requirements:

- 72 hours advance notice of the meeting
- Board members indicate their virtual attendance 48 hours prior
- Virtual access to the public via a widely available platform
- Board members must be able to be seen and heard at all times
- All votes must be taken by a roll call
- Meeting cannot involve significant hiring decisions or nonroutine expenditures



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