



## County Risk Sharing Authority

a service program of the County Commissioners Association of Ohio

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### RISK CONTROL SERVICE BULLETIN

#### *Operational Changes During Ohio's Stay at Home Order*

COVID-19 changed, and continues to change, the way in which appointing authorities operate. Appointing authorities have implemented or are considering implementation of operational changes such as: virtual meetings and employee telework. While it is important that appointing authorities thoroughly consider opportunities associated with potential operational changes, it is equally important to ensure compliance with open meetings and public record law and take proper cybersecurity measures.

**Open Meetings, Cyber Security:** Recently enacted HB 197 allows members of public bodies to hold and attend meetings, and to conduct hearings, by teleconference, video conference or any similar electronic technology for the duration of Ohio's Stay at Home Order. The Ohio Attorney General has issued general guidance regarding HB 197 located at: <https://www.ohioattorneygeneral.gov/Media/Coronavirus-Resources-Guidance>. Appointing authorities should consult their Prosecutor before enacting or implementing changes to how they conduct public meetings to ensure compliance with all applicable Open Meetings Law requirements, including HB 197. Appointing authorities should also consult their IT department/provider before implementation of virtual meetings to ensure that cybersecurity protocols are in place and the technology employed best meets their needs.

**Public Records, Teleworking, Cyber Security:** Governor DeWine encourages employee telework while the Stay at Home Order remains in effect. Employee telework may help reduce the spread of COVID-19; however, appointing authorities must be mindful of public records requirements, confidential documents/information, and cybersecurity. Before implementing employee telework, appointing authorities should ensure their records retention schedule, public records policy and overall information/document management protocol complies with public records law and meets their security needs. For a general public records guidance you may consult Ohio's Sunshine Manual located at: [https://www.ohioattorneygeneral.gov/Files/Publications-Files/Publications-for-Legal/Sunshine-Law-Publications/2020-Sunshine-Manual\\_WEB.aspx](https://www.ohioattorneygeneral.gov/Files/Publications-Files/Publications-for-Legal/Sunshine-Law-Publications/2020-Sunshine-Manual_WEB.aspx). Again, please consult your Prosecutor regarding legal considerations associated with telework. Also, please consult your IT department/provider regarding cybersecurity considerations as well as CORSA's Risk Control Bulletin regarding telework located at: <https://corsa.org/wp-content/uploads/2020/03/Risk-Bulletin-and-HHS-COVID-19-Merged.pdf>

This Risk Control Bulletin is not legal advice nor should it be construed as legal advice. We recommend you consult your Prosecutor or legal advisor should you require a legal opinion. If you have questions regarding this Bulletin or CORSA Risk Management services please contact Frank Hatfield, CORSA Risk Control Manager, at (614) 560-1474 or [fhathfield@ccao.org](mailto:fhathfield@ccao.org).