

INCAPACITY OF THE EXECUTIVE DIRECTOR

The Board of Directors shall appoint an Executive Director Pro Tempore by a majority vote of the members of the Board of Directors upon determination that the Executive Director is incapacitated in such a manner that he/she is unable to perform the duties of his/her office.

The Board of Directors shall fix the compensation of or engage the services of the Executive Director Pro Tempore who shall serve until the Executive Director's incapacity is removed or until the expiration of the Executive Director's contract or term of office, whichever is sooner. He/she shall perform all of the duties and functions of the Executive Director, and may be removed at any time for cause by a two-thirds majority vote of the members of the Board of Directors.

The Board of Directors may determine the incapacity of the Executive Director in the following manner:

- A. At the request of the Executive Director, if he/she is absent without pay by reason of personal illness, injury, or exposure to contagious disease which could be communicated to others.
- B. Upon certification of a physician selected and compensated by the Board of Directors.

If the Board of Directors determines that the Executive Director is unable to perform the duties of his/her office, he/she may:

- A. At the request of the Board of Directors, be placed on sick leave with such pay to which he/she may be entitled or which may be authorized by Board of Directors policy; or
- B. At his/her request, or without such request, pursuant to O.R.C. §3319.13, be placed on a leave of absence without pay.

The foregoing leave shall not extend beyond the contract or term of office of the Executive Director.

The Executive Director shall, upon request to the Board of Directors, be returned to active duty status, unless the Board of Directors denies the request. The Board of Directors may require the Executive Director to establish to its satisfaction that he/she is capable of resuming such duties on a full-time basis.

The Board of Directors may demand that the Executive Director return to active service, and upon the determination that he/she is able to resume his/her duties, the Executive Director shall return to active service.

The Executive Director may request a hearing before the Board of Directors on any action taken under this policy and shall have the same rights in such hearing as are granted under O.R.C. §3319.16.