

INCAPACITY OF SUPERINTENDENT

A Superintendent Pro Tempore will be appointed by a majority of the members of the Board upon determining that the Superintendent is incapacitated in such a manner that he/she is unable to perform the duties of that office. Such incapacity will be determined in one of the following ways:

1. at the request of the Superintendent, if the Superintendent is absent with pay for reasons of personal illness, injury or exposure to contagious disease which could be communicated to others;
2. upon certification of the attending physician, that the Superintendent is unable to perform the duties of the office of Superintendent and is absent with pay for reasons of personal illness, injury or exposure to contagious disease, which could be communicated to others;
3. upon the determination of a referee pursuant to ORC 3319.16, that the Superintendent is unable to perform the duties of the office of Superintendent and is absent with pay for reasons of personal illness, injury or exposure to a contagious disease, which could be communicated to others;
4. upon the granting of a leave of absence without pay requested by the Superintendent for reasons of illness, injury or other disability and
5. upon the placing of the Superintendent upon an unrequested leave of absence without pay for reasons of illness or other disability pursuant to ORC 3319.13 and 3319.16.

During the period of incapacity, the Superintendent will:

1. at his/her request, be placed on sick leave, with pay, not to exceed the extent of his/her accumulated, but unused, sick leave and any advancement of such sick leave which may be authorized by Board policy and
2. at his/her request, or without his/her request, the Superintendent will be placed on a leave of absence without pay pursuant to ORC 3319.13.

The leave provided during the period of incapacity (described above) will not extend beyond the contract or term of office.

The Superintendent will, upon request to the Treasurer of the Board, be returned to active-duty status, unless the Board denies the request within 10 days of receipt of the request. The Board may require the Superintendent to establish to its satisfaction that he/she is capable of resuming such duties and that the duties be resumed on a full-time basis.

The Board may demand that the Superintendent return to active service; upon the determination that he/she is able to resume his/her duties, the Superintendent will return to active service.

The Superintendent may request a hearing before the Board on any action taken under this policy and will have the same rights as are granted under ORC 3319.16.

The Superintendent Pro Tempore will perform all of the duties and functions of the Superintendent and may be removed at any time by a two-thirds majority vote of the members of the Board.

The Board will fix the compensation of the Superintendent Pro Tempore in accordance with ORC 3319.011. He/She will serve until the Superintendent's incapacity is removed or until the expiration of the Superintendent's contract or term of office, whichever is earlier.

(Approval date: September 25, 1995)