

SCIOTO COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

POLICY 1.02 BOARD MEMBER APPOINTMENT, REAPPOINTMENT AND REMOVAL

I. Definitions

- A. "Immediate Family" for the purposes of this policy means parents, grandparents, brothers, sisters, spouses, sons, daughters, aunts, uncles, mothers-in-law, fathers-in-law, brothers-in-law, sisters-in-law, sons-in-law, and daughters-in-law. (Ref.: ORC 5126.1)
- B. "County Board" for the purposes of this policy means the seven member board rather than the agency as a whole.

II. Qualifications (Ref.: ORC 5126.022)

- A. The County Board must be made up of:
 - 1. Residents of Scioto County;
 - 2. Five appointees of the County Board of Commissioners, two of whom must be either eligible for or immediate family members of individuals who are eligible for DD services.
 - 3. Two appointees of the County's senior probate judge, one of whom must be an immediate family member of an individual eligible for residential services or supported living.
- B. If possible, the County Board will be have:
 - 1. An appointee of the County Board of Commissioners who is eligible for, or the immediate family member of an individual who is eligible for, adult services;
 - 2. An appointee of the Board of Commissioners who is an immediate family member of an individual who is eligible for early intervention, preschool or school-age services;
 - 3. Members who have professional training and experience in business management, finance, law, health care practice, personnel administration or government service;
 - 4. A membership that reflects the composition of Scioto County citizenry.

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III. Disqualifying Factors (Ref.: ORC 5126.023)

None of following individuals shall serve as a member of the County Board:

- A. Elected public officials, except for township trustees, township fiscal officer, or an individual excluded from the definition of public official or employee in Division (B) of Section 102.01 of the Revised Code.
- B. An immediate family member of a member of the Board;
- C. An employee of any county board;
- D. Immediate family members of employees of the SCBDD; and
- E. Former Board employees whose of employment with the Board ceased less than four calendar years before the former employee would begin to serve on the Board.
- F. A former employee of another county board whose employment ceased less than two years before the former employee would begin to serve on the Board.
- G. Unless there is no conflict of interest, an individual who, or whose immediate family member, is a board member or an employee of an agency licensed or certified by the Ohio Department of Developmental Disabilities.

IV. Terms (Ref.: ORC 5126.025)

- A. Except for members appointed to fill a vacancy, all appointments shall be for terms of four years and begin on the date of the stated annual organizational meeting in January.
- B. The membership of a person appointed as an immediate family member of a recipient of services shall not be terminated because the services are no longer received.
- C. Members may be reappointed, except as provided below, for three consecutive terms. Prior to a reappointment, the Board shall confirm, through written communication with the appointing authority, that the member being considered for reappointment has met his/her obligations of membership. (Ref.: ORC 5126.026 and 5126.0218)

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- D. A member who has served during each of three consecutive terms shall not be reappointed for a subsequent term until two years after ceasing to be a member of the Board, except that a member who has served for ten years or less within three consecutive terms may be reappointed for a subsequent term before becoming ineligible for reappointment for two years.
 - E. If, however, a county board experiences extenuating circumstances that would severely restrict the board from being able to fill a pending vacancy of a board member who will become ineligible for service on the board after serving three consecutive terms, the appointing authority may request a waiver from the Director of Ohio Department of Developmental Disabilities to allow that member to serve an additional four-year term subsequent to serving three consecutive four-year terms. The Director shall determine if the extenuating circumstances associated with the board warrant the granting of such a waiver.
- V. Vacancies
- A. Before filling a vacancy, the appointing authority shall cause a notice of the vacancy to be published on at least two separate dates in one or more newspapers serving this county.
 - B. Expired Term

Appointment to fill a vacancy created by an expiring term shall be made no later than the last day of November of each year, and the term of office shall commence on the date of the stated annual organizational meeting in January.
 - C. Unexpired Term

Within sixty days after a vacancy occurs for an unexpired term, including one created by removal of a member, it shall be filled by the appointing authority. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which a member's predecessor was appointed shall hold office for the remainder of that term.
- VI. Training Requirements
- See the policy on duties and authority of the Board.

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- VII. Removal (Ref.: ORC 5126.0213 through 5126.0218)
- A. Subject to ORC Sections 5126.0214 and 5126.0216, a board member shall be removed from the board by the appointing authority for the following reasons:
1. Neglect of duty;
 2. Misconduct;
 3. Malfeasance;
 4. Ineligibility to serve pursuant to ORC 5126.023;
 5. Failure to attend at least one four-hour in-service training session each year;
 6. Failure to attend within one year four regularly scheduled Board meetings;
 7. Failure to attend within one year two regularly scheduled Board meetings if the member gave no prior notice of the member's absence; or
 8. Consistently poor performance on the Board, as demonstrated by documentation that the President of the County Board provides to the appointing authority and the appointing authority determines is convincing evidence.
- B. The removal provisions of A. 6 and 7 above do not apply to absences from special meetings or work sessions.
- C. A member removed from the board is ineligible for reappointment for not less than one year. When a member is removed, the appointing authority shall specify the time during which the member is ineligible for reappointment. If the member is removed for failing to attend in-service training, the County Board shall specify the training the member must complete prior to being eligible for reappointment.
- D. Additional provisions for the removal of a member, as well as, steps to take to waive the attendance requirements, are included in ORC Chapter 5126.

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VIII. Oath of Office

The following oath of office shall be administered to new Board members by the President of the Board or his designee. It shall read:

“Do you solemnly swear that you will support the constitution of the United States and the Constitution of the State of Ohio; and that you will faithfully and impartially discharge your duties as a member of the Scioto County Board of Developmental Disabilities to the best of your ability, and in accordance with the laws and the rules and regulations of the Board now in effect and hereafter to be enacted, during your continuance in said office, and until your successor is appointed?”

If so, the answer is “I do.”