Union County Board of Developmental Disabilities
POLICY

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Title: Powers and Duties of the Board		
Regulatory Authority: Ohio Revised Code 5126.		
Effective Date: ~~9/15/14~~, 2/16/16, Review Date: 2/15/2022		
Reviewer/Job Title: Superintendent or designee		

BOARD RESPONSIBILITIES

A. DEFINITIONS

"Related Service" means transportation, and such developmental, corrective, and other supportive services (including speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, school nurse services designed to enable a child with a disability to receive a free appropriate public education as described in the individualized education program of the child, counseling services, including rehabilitation counseling, orientation and mobility services, school health services, social work services in schools, and parent counseling and training, and medical services, except that such medical services shall be for diagnostic and evaluation purposes only) as may be required to assist a child with a disability to benefit from special education, and includes the early identification and assessment of disabling conditions in children. "Related services" does not include a medical device that is surgically implanted, or the replacement of such device.

"Service and Support Administration" means the duties performed by a Service and Support Administrator pursuant to the Ohio Revised Code.

B. POWERS AND DUTIES OF THE BOARD

(1) Under the rules established by the Ohio Department of Developmental Disabilities (DODD) for programs and services offered and subject to the rules established by the Ohio Department of Education (ODE) for programs and services, the Union County Board of Developmental Disabilities (UCBDD) shall:

(a) Administer and operate facilities, programs and services as provided by the Ohio Revised Code and establish policies for their administration and operation;

(b) UCBDD will provide liability coverage for the Board members, employees and the chief executive officer in the performance of their official duties.

(c) Assess the facility and service needs of individuals with a developmental disability who reside in Union County and of any former residents of Union County presently residing in state institutions or placed under purchase of service agreements;

(d) Plan and set priorities based on available funds for the provision of both facilities and services to meet the needs of county residents with developmental disabilities and of former residents of the county presently residing in state institutions or placed under purchase of service agreements;

(e) Coordinate, monitor, and evaluate existing services and facilities;

(f) Provide early childhood services and provide financial support for supportive home services, and adult services, according to the comprehensive service plan (strategic plan) and priorities;

(g) Ensure that related services and comprehensive evaluation services and residential services are available according to the plan and priorities;

(h) Require individual habilitation plans or service plans for individuals with developmental disabilities who are being served or who have been determined eligible for services and are awaiting the provision of services and ensure that methods of having their service needs evaluated are available;

(i) Provide special education programs in accordance to the Ohio Revised Code and ensure that related services are available according to the plan and priorities developed under this section;

(j) Provide for a qualified superintendent as defined by the rules of the DODD Director of either employing a superintendent or obtaining the services of the superintendent of another county board pursuant to this section;

(k) Employ a superintendent under contract with the Board for a term of employment not less than one and not more than five years. At the expiration of his or her current term of employment, the superintendent shall be reemployed for a term of one year at the same salary plus any increments that may be authorized by the Board, unless the Board, on or before ninety calendar days prior to his or her current contract expiration date, either reemploys the superintendent for a succeeding term or gives the superintendent written notification of its intention not to reemploy him or her. However, the Board shall give a superintendent in his or her first year of employment with the Board written notification, sixty days prior to his current contract expiration date if the contract is for one year, of its intention to reemploy or not reemploy him or her. If the superintendent is reemployed, the Board may, by resolution, designate that he or she is to continue for a term not to exceed five years. The superintendent shall have no voting privileges on the Board. The Board shall prescribe the duties of the superintendent, review his or her performance, and fix compensation. In addition

to such compensation, the superintendent shall be reimbursed for actual and necessary expenses. The superintendent may be removed, suspended, or demoted for cause pursuant to the Ohio Revised Code;

(l) Be authorized to enter into an arrangement under which the Superintendent of the UCBDD also acts as superintendent of other county boards. Each Board involved shall adopt a resolution agreeing to the arrangement. The resolution shall specify the duration of the arrangement, the functions the superintendent is to perform for the additional Board he or she serves, and the contribution each Board is to make to his or her compensation;

(m) Appoint a person who holds a valid superintendent certificate in the event a vacancy occurs in the position of superintendent, under the rules of the DODD, to work under a contract, for an interim period not to exceed one hundred eighty (180) days, until a permanent superintendent can be secured. The Director of the Department may approve additional periods of time for these types of interim appointments when so requested by a resolution adopted by the UCBDD, if the Director determines that the additional periods are warranted and the services of a permanent superintendent are not available;

(n) Adopt a budget, authorize expenditures in accordance with the Ohio Revised Code, approve attendance of Board members and employees at professional meetings, when warranted by Board policy and approve expenditures for such attendance, and exercise such powers and duties as are prescribed by the Director of the DODD;

(o) Submit annual reports of its work and expenditures, pursuant to the Ohio Revised Code, to the Director of DODD, the superintendent of public instruction, and the board of county commissioners at the close of the fiscal year and at such other times as may reasonably requested;

(p) Authorize all positions of employment, establish compensation, including but not limited to salary schedules and fringe benefits for all Board employees, approve contracts of employment for management employees that are for a term of more than one year, employ legal counsel, and contract for employee benefits;

(q) Provide service and support administration services as defined in rules adopted by the Director of DODD, in accordance with the Ohio Revised Code;

(r) Certify respite care homes pursuant to rules adopted under the Ohio Revised Code by the Director of DODD;

(s) Determine that a residence in which an individual is to be provided supported living, other than a facility licensed by the DODD, meets quality assurance standards established by DODD;

(t) Be authorized to enter into contracts with other Boards and with other agencies or organizations to provide the facilities, programs, and services authorized or required, in accordance with the Ohio Revised Code;

(u) Be authorized to combine transportation for children and adults enrolled in programs and services offered by the UCBDD;

(v) Be authorized to purchase all necessary insurance policies, equipment and supplies, and may enter into cooperative purchasing arrangements;

(w) Be authorized to receive by gift, grant, devise, or bequest, any moneys, lands, or property for the benefit of the purposes for which the Board is established and hold, apply, and dispose of the same according to the terms of the gift, grant, or bequest. All money received by gift, grant, devise, or bequest shall be deposited in the county treasury to the credit of the Board and shall be available for use by the Board for purposes determined or stated by the donor or grantor, but may not be used for personal expenses of the Board members. Any interest or earnings accruing from such gift, grant, or bequest shall be treated in the same manner and subject to the same provisions as such gift, grant, or bequest;

(x) The Board may, with written permission of the Union County Prosecuting Attorney, employ legal counsel to represent it or any of its members or employees on business related matters or in the prosecution or defense of any action in which the Board, a member or an employee acting in his official capacity is a party or has an interest. If the Prosecutor is unable for any reason to represent the Board, the Prosecuting Attorney must notify the Board of his/her inability to provide representation, whereby the Board may hire special legal counsel without the Prosecuting Attorney's approval; and

(y) Levy taxes and make appropriations sufficient to enable the Board to perform its functions and duties and may utilize any available local, state, and federal funds for such purpose and do so through the Union County Board of County Commissioners.