



Book: BYLAWS AND POLICIES
Section: 1000 ADMINISTRATION
Title: INCAPACITY OF THE CEO, EXECUTIVE DIRECTOR
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It is the legal duty of the Edison School of the Arts Board to appoint an interim or acting CEO, Executive Director by a majority vote of the Board upon medical determination that the CEO, Executive Director is incapacitated in such a manner that s/he is unable to perform the duties of his/her office.

The Board shall fix the compensation of an interim CEO, Executive Director who shall serve until the CEO, Executive Director's incapacity is removed or until the expiration of the CEO, Executive Director 's contract whichever is sooner. S/He shall perform all of the duties and functions of the CEO, Executive Director, and may be removed at any time for cause by a majority vote of the Board.

The Board shall determine that the CEO, Executive Director is incapacitated:

- A. at the request of the CEO, Executive Director, if the CEO, Executive Director is absent by reason of lengthy personal illness or injury or exposure to communicable disease which could be communicated to others;
- B. upon certification of a physician selected and compensated by the Board;
- C. upon the determination of a mutually chosen referee by the Board and CEO, Executive Director that the CEO, Executive Director is unable to perform his/her the duties.

Where the physician designated by the Board disagrees with the physician designated by the CEO, Executive Director, the two (2) physicians shall agree in good faith on a third impartial physician who shall examine the CEO, Executive Director in the area(s) of disagreement and whose medical opinion shall be conclusive and binding on the issue of medical capacity to perform assigned duties. The expenses of a third examination shall be borne by the Board. If the Board determines that the CEO, Executive Director is unable to perform his/her duties, s/he may be placed on sick leave

with such pay to which s/he may be entitled, or which may be authorized by the Board. The foregoing leave shall not extend beyond the term of the contract. The CEO, Executive Director may, upon request to the Board and proper certification of recovery, be returned to active duty status, unless the Board denies the request.