

Northeast Ohio Community Alternative  
Program  
Facility Governing Board Bylaws

**ARTICLE I MEMBERSHIP**

A. The Facility Governing Board (FGB) shall be comprised of individuals living within the counties of Trumbull, Lake, Geauga, Ashtabula and Portage Counties. The FGB shall consist of at least six (6) and not more than nine (9) members with each member serving a three (3) year term following initial appointments.

B. **APPOINTMENT.** The FGB members shall be appointed by the Judicial Advisory Board (JAB) and the boards of the County Commissioners of the member counties. The JAB shall appoint two-thirds of the members, and the County Executive shall appoint one-third of the members of the FGB.

C. **TERM.** In the initial appointments, one-third of the members shall be appointed to a one-year term, one-third of the members to a two-year term, and one-third of the members to a three-year term. Thereafter, the terms of persons appointed to the FGB shall be for a three (3) year term, with each term ending on the same day of the same month of the year as did the term it succeeds.

D. **REAPPOINTMENT.** Any member of the FGB may be reappointed to serve additional terms.

E. **VACANCY.** A vacancy or vacancies shall be filled in the same manner as provided for original appointments. Any member of the board who is appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of the predecessor's term.

F. **REMOVAL FROM OFFICE.** Any member of the FGB may be removed by the appropriate appointing authority for just cause.

G. **COMPENSATION.** Members of the FGB shall not be entitled to receive compensation for their services. The FGB members may be reimbursed for reasonable and necessary expenses incurred as a result of service on the board.

H. **VOTING RIGHTS.** Each member of the FGB shall be entitled to one vote. Each member shall be present in person at any meeting in order to cast a vote on business matters before the FGB.

## **ARTICLE II FGB MEETINGS**

A. **MEETING PLACE.** The FGB shall hold meetings at the principal office of the community based correctional facility or at such other place within the community based correctional facility jurisdiction as may be designated in the notice of the meeting.

B. **MEETINGS.** The FGB shall meet to perform its duties pursuant to the Ohio Revised Code and to perform such other business as found to be necessary from time to time. The FGB may meet as often as considered necessary by its members, but at a minimum shall meet quarterly at a time and place as determined by the full board.

C. **SPECIAL MEETING.** Special meetings of the FGB shall be held at the principal office of the community based correctional facility or at such other places within the community based correctional facility jurisdiction at any time pursuant to call by the Chairman of the FGB or by any three members of the FGB at the date, time and place designated in the notice of such meeting.

D. **NOTICE.** A written or printed notice of each regular or special meeting, stating the time and place, and in the case of special meetings, the objects thereof shall be mailed, e-mailed, or faxed to each FGB member at least seven (7) days before such meeting; provided. Notice of FGB meetings shall further be made available to the public in a manner deemed to provide reasonable notice.

E. **AGENDA AND MINUTES.** The FGB Chair shall be responsible for circulating in advance to each of the members a written agenda for all regular and special meetings. Minutes shall be provided to each member within a reasonable time after each meeting. Final approval of such minutes shall be voted on at the next regular or special meeting. The most recent copy of Robert's Rules of Order shall act as a guide for conducting meetings should consensus not prevail.

F. **QUORUM.** A majority of the sitting members of the FGB shall constitute a quorum at all meetings. At every meeting of the board at which a quorum is present, the board may act by or through a majority of those in attendance. If, however, such quorum shall not be present at any meeting, the board members present may adjourn the meeting.

## **ARTICLE III FGB DUTIES AND RESPONSIBILITIES**

A. **GENERAL POWERS.** The FGB shall be empowered by the duties and responsibilities in the operation of a community-based correctional facility in accordance with sections 2301.51 to 2301.58 of the Ohio Revised Code and Chapter 5120:1-14 of the Ohio Administrative Code, or as amended.

#### **ARTICLE IV OFFICERS**

A. **CHAIR**. The Chair of the FGB shall be elected from among the board members. The Chair of the FGB shall preside at all meetings of the FGB and shall have other powers and duties as may be prescribed.

B. **VICE CHAIR**. The Vice Chair of the FGB shall be elected from among the board members. In the absence of the Chair of the FGB, the Vice Chair of the FGB shall preside and shall perform the duties of the Chair, and when so acting, shall have all the powers of and be subject to all restrictions upon the Chair. The Vice-Chair shall perform such other duties and have such other powers as the FGB may, from time to time, prescribe.

C. **SECRETARY**. The Secretary of the FGB shall be elected from among the board members. The Secretary or designee shall (a) attend all meetings of the FGB, (b) record the proceedings of the meetings of the FGB, (c) give, or cause to be given, notice of all meetings and special meetings of the FGB, and (d) perform such other duties as may be prescribed by the FGB, or Chair, under whose supervision he or she shall be. The Secretary may designate an appropriate staff person to record proceedings as well.

D. **ELECTION**. The FGB shall elect officers of the FGB at its first meeting after the JAB Annual Meeting.

E. **TERM OF OFFICE**. The officers of the FGB shall hold office until they are re-elected, or their successors are elected and serving.

F. **COMMITTEES**. The FGB Chair may establish and abolish committees as deemed necessary to carry out the FGB's function. FGB members shall consider serving on at least one committee.

#### **ARTICLE V EXECUTIVE COMMITTEE**

The Executive Committee of the FGB shall consist of the Chair, Vice-Chair, and Secretary. The Executive Committee is authorized to act on behalf of the Board between meetings for such matters which, in the opinion of the Executive Committee, cannot reasonably wait until a regular or special meeting of the Board. All such actions taken by the Executive Committee shall be reported to the full Board in writing as soon as possible.

#### **ARTICLE VI INDEMNIFICATION AND INSURANCE**

The FGB shall indemnify a board member or employee for any action or inaction in his or

her capacity as a member or employee or at the request of the FGB, whether or not the action or inaction is expressly authorized by Ohio Revised Code sections 2301.51 to 2301.58 of the Ohio Revised Code and Chapter 5120;1-14 of the Ohio Administrative Code, if the member or employee acted in good faith and manner that he or she reasonably believed was in or was not opposed to the best interest of the FGB.

The FGB may procure a policy of liability insurance insuring members or employees of the Board against liability arising from the performance of their official duties.

#### **ARTICLE VII AMENDMENTS**

These Bylaws may be amended, altered, repealed, or suspended, either in whole or in part, by the affirmative vote of two-thirds of the members of the Board at any duly organized meeting of the FGB.

#### **ARTICLE VIII ANTI-DISCRIMINATION**

The FGB and its employees shall not discriminate against any person or entity because of race, color, sex, religion, disability, national origin or any other factor as specified in Title VI of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1983 and subsequent amendments. Allegations of violation may be subject to investigation by the Office of Civil Rights Commission. The FGB, its employees and all persons under contract with the FGB shall comply with all appropriate federal and state anti-discrimination laws.

Approved and Effective on December 11, 2015

NORTHEAST OHIO COMMUNITY	EFFECTIVE DATE: March 2006
ALTERNATIVE PROGRAM	REVISED DATE: October 2014
POLICIES AND PROCEDURES	ANNUAL REVIEW REQUIRED: February 2015
SECTION: SECURITY	ACA STANDARD NUMBER: 2A-12
SUBJECT: OFFENDER ACCOUNTABILITY	PAGE 1 OF 3 PAGE (S)

I. Policy

Absconders are detected and promptly reported. Timely notification is made to the facility with jurisdiction over the offender and others as appropriate.

II. Procedure

A. Known Absconder:

1. In the event that staff visually sees a resident during an absconsion i.e. climbing the fence, fleeing the facility or in the event that it is reported that a resident has jumped the fence and staff see a broken fence line. The following steps must be taken:
  - a. Immediately notify the Residential Manager or Shift Supervisor on duty.
  - b. The Residential Manager/Shift Supervisor will notify Trumbull County ISP Unit who will take appropriate actions per Probation Department policies regarding issuing arrest orders.
  - c. An immediate eye count will be performed to ensure the accountability of the remainder of the residents.
  - d. The Residential Manager/Shift Supervisor will notify the Clinical Director or designee and the Clinical Director will then notify the Executive Director and the Deputy of Operations or designee.
  - e. The Residential Manager/Shift Supervisor on duty will make telephone contact with all known relatives/friends and advise them if that if they have contact with the resident they are to inform him/her to return to the facility immediately.

NORTHEAST OHIO COMMUNITY  ALTERNATIVE PROGRAM  POLICIES AND PROCEDURES	EFFECTIVE DATE: March 2006
	REVISED DATE: April 2012
	ANNUAL REVIEW REQUIRED:
SECTION: SECURITY	ACA STANDARD NUMBER: 2A-12
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- f. If contact is eventually made with the resident they are to inform him or her to return to the facility.
- g. The Deputy of Operations will notify the Probation Department and/or the court from which the resident was originally sentenced to NEOCAP of the resident's absconder status.
- h. The Executive Director will assign a staff member to complete a report that should include:
  - 1. A written statement from the staff who observed the resident fleeing from the facility.
  - 2. A written statement from any witnesses.
  - 3. Video surveillance, if available.
  - 4. A report summarizing the entire incident including any system breakdowns that occurred.

B. Suspected Absconder:

- 1. If a resident is not found during an eye count, an immediate check of the facility and with other staff shall be made. If the resident is not found, follow procedure on pg. 1: Known Absconder (b)
- 2. If a resident is unaccounted for more than one half (1/2) hour from a pass i.e. no phone call:
  - a. The Shift Supervisor must be notified immediately.

- b. Staff on Duty shall attempt to make telephone contact with the resident and give the direction to immediately return to the facility.
- c. The Clinical Director or designee must be notified of the resident's failure to return to the facility at his/her scheduled return time and must be informed if no contact was made with the resident.
- d. If no contact is made with the resident, the Clinical Director or designee will notify the Deputy of Operations or designee and the Executive Director.
- e. The Deputy of Operations or designee will notify the Probation Department and/or the court from which the resident was originally sentenced to NEOCAP of the resident's absconder status.
- f. Staff on duty shall make telephone contact with all known relatives/friends and advise them that if they have contact with the resident, they must inform the resident to return to the facility immediately.
- g. The Clinical Director or designee will be responsible for notifying the Trumbull County ISP unit when the resident is considered an absconder. The Trumbull County ISP unit will take appropriate actions per Probation Department policies regarding issuing arrest orders.
- h. If staff eventually makes contact with the resident he/she is to instruct the resident to immediately return to the facility.
- i. Procedure for Known Absconder 1 (h) will be followed.