

# **FORT BEND COUNTY CHILD WELFARE BOARD BYLAWS**

## **Article I Introduction**

The name of the organization shall be Fort Bend County Child Welfare Board, hereinafter referred to as the Board.

The Fort Bend County Child Welfare Board is established through Texas Family Code §264.005. The Board is able to operate pursuant to a contract between the Fort Bend County Commissioner's Court and the Texas Department of Human Services (TDHS). The Board is an entity of TDHS for coordinating the use of federal, state and local funds. The Board is also an extension of the Fort Bend County Commissioner's Court.

## **Article II Definitions**

- 2.01 The "Department" means the Texas Department of Family and Protective Service, Fort Bend County District Office.
- 2:02 The "Commissioner's Court" means the Fort Bend County Commissioner's Court.
- 2:03 The "County" shall mean Fort Bend County, Texas

## **Article III Purpose**

- 3.01 To provide coordinated state and local public welfare services for children and their families.
- 3.02 To coordinate use of federal, state and local funds to meet the needs of children in need of protection and care.
- 3.03 To assist the Department and Commissioners' Court with matters relating to child welfare by providing advice, recommendations and positive actions.
- 3.04 To perform other functions and services that may be requested from time to time by the Commissioner's Court or of the Department.

- 3.05 No part of the net earnings of the Board shall inure to the benefit of, or be distributable to its members or other private persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III hereof.

#### **Article IV Membership**

- 4.01 Board Members: The Board shall consist of not less than seven (7) and no more than fifteen (15) residents of the County and shall represent all areas of the County, as well as the professional, business and religious groups therein.
- 4.02 Board Members shall be selected with regard to their expertise and or interest regarding child welfare issues and their ability to effectively contribute to this area.
- 4.03 Appointments: The Commissioner's Court shall appoint Board Members who have completed the application process described in 4.07 below. Board Members shall serve without compensation.
- 4.04 Term of Office: Board Members shall serve a term of three (3) years from date of appointment. Any Board Member elected to an officer position shall be allowed to fulfill the position to the end of the fiscal year. Reappointments must be submitted to Fort Bend County Commissioner's Court for final approval.
- 4.05 Absences from Board Meeting: Three (3) consecutive absences or five (5) absences during one (1) calendar year shall be considered an automatic resignation from the board. Every effort shall be made to notify Board Members in writing regarding the status of their absences; however, it shall be the sole duty of each Board Member to monitor their absence. The Board may approve an excused leave of absence or a leave of absence may be given for a specific length of time for good cause. All Board Members must be present for at least one-half (1/2) of the meetings to be counted as present. Attendance records and notifications as provided above will be the responsibility of the Secretary.
- 4.06 Vacancies: Commissioner's Court shall fill any vacancy.
- 4.07 Any interested candidate may request an application from the Department. All candidates are subject to a background check. Upon completion of a background check, candidates shall attend a minimum of one (1) board meeting and shall be

interviewed by the Board. Upon a vote of approval by a majority of the Board, the candidate shall be presented to the Commissioners' Court for formal approval.

- 4.08 **Advisory/Ex-Officio Members:** The Board may have an advisory committee consisting of former board members, as well as state and county officials. A former member of the Board who has served at least one (1) term shall be considered an Ex-Officio member. Advisory/Ex-Officio Members shall have no voting privileges and hold no office. Advisory/Ex-Officio Members may be asked to serve in any capacity where needed. Advisory/Ex-Officio Members are not subject to the absence policy as active board members.
- 4.09 **Board Training:** Within the first three (3) months of appointment, Board Members shall attend a training program provided by the Department and the Board. The three-month time limit may be extended upon recommendation of the Board only in the event of the inability on the part of the Department and the Board to schedule the training session, and not the inability of the Board Member to attend.

#### **Article V Officers**

- 5.01 The Board shall elect the officers at the September Board meeting of each year. A Chair, Vice-Chairperson, Secretary, and Treasurer shall be elected.
- 5.02 **Nominations:** At the regular Board meeting in August of each year, a Nominating Committee shall be chosen to present a slate for the offices to be filled. No officer shall be eligible to serve more than two (2) consecutive terms in the same office. There shall be no campaigning whatsoever for any office position.
- 5.03 **Elections:** The officers shall be elected by the Board at the September Meeting from the slate presented by the Nominating Committee for a term of one year, or until his or her successor is elected. The term of each officer shall begin October 1 of each year and shall expire on September 30.
- 5.04 **Duties of Chair:** The Chair shall be the chief executive officer of the Board; he or she shall preside over all meetings of the Board and Executive Committee, and shall be a member ex-officio of all committees except the Nominating Committee. The Chair shall, with approval of the Board, create other committees not otherwise provided for and shall assign duties. The Chair shall sign all correspondence and official documents authorized by the Board. The Chair shall be available to confer with personnel at the Department on any and all phases of the program and shall report significant issues to the Board.

- 5.05 Duties of Vice-Chair: The Vice-Chair shall assist the Chair and shall assume the duties of the Chair in his or her absence.
- 5.06 Duties of Secretary: The Secretary shall be the recording officer of the Board and shall perform correspondence and all duties pertaining to the office, as well as additional duties as delegated by the Board.
- 5.07 Duties of Treasurer: The Treasurer shall account for all donated funds made available or raised by the Board. The Treasurer and Department staff shall generate an annual budget and perform all duties pertaining to the office, as well as any additional duties as delegated by the Board. The Treasurer shall make reports to the Board monthly.
- 5.08 In the event an officer position becomes available due to resignation or other unforeseen circumstances, a special election to replace that office shall be conducted within 90 days of the vacancy and in accordance with the provisions of this Article.

#### **Article VI Removal**

Any officer may be removed from office by a two-thirds vote of the members present and voting at any meeting of the Board provided that notice of the proposed removal has been presented to each member at least fourteen days prior to the date of the meeting.

#### **Article VII Meetings**

- 7:01 Regular Meetings: The Board shall hold its regular meetings monthly a minimum of eleven (11) times a year on such date as may be determined by the Board, with the time and place of the meeting determined by the Board. All meetings will be posted as required by the Texas Open Meeting Act.
- 7.02 Notice: The Chair shall give written notice of each regular meeting at least three (3) days in advance of a meeting. Lack of notice of a regular meeting shall not excuse a member from attending such meeting if such regular meeting is to be upon a day and at a time previously designated. The Secretary shall assist the Chair in preparing and delivering notices of the meetings. Email notifications of meetings shall be an acceptable form of notice.

- 7.03 **Special Meetings:** Notice of special meetings shall be given in such reasonable manner as may be determined by the Chairman.
- 7.04 **Attendance:** See Article 4.05 above.
- 7.05 **Quorum:** A simple majority of the Board Members will constitute a quorum.
- 7.06 **Conduct of Board Meetings;** The Chair shall be authorized to limit discussion with respect to any agenda item to ten (10) minutes, unless a majority of the Board determines otherwise. Votes shall be by voice or raised hands, except that any member may call for a vote by written ballot, in which event, voting shall be by this method. Discussion at Board meetings will be limited to the posted agenda in accordance with the Texas Open Meeting Act.
- 7.07 **Visitors** may be allowed to speak if they notify the Secretary of the Board of their desire to be allowed to speak, provided the comments are pertinent to the agenda. Visitor speakers shall be allowed five minutes in which to make their comments; however, the Board may by majority vote broaden the visitor's time to speak. Visitors may allow their time to another speaker with the permission of the Board.
- 7.08 **Written Materials:** Written materials distributed to Board members shall be made available to the visitors to the extent that there are copies available. No materials used in closed session shall be distributed to anyone but Board members or, upon request, to any commissioner or the County Judge.

## **Article VIII Committees**

- 8.01 The Chair of the Board shall appoint all committee chairpersons. In the event that the Chair or Committee Chair shall deem it desirable, he or she may select members of their committee from among interested and suitable persons in the community who are not members of the Board; provided, however, that such persons shall not serve until approved by the Board. All committee members are subject to a background check.
- 8.02 **The Executive Committee:** There shall be an Executive Committee, composed of the Chair, Vice-Chair, Secretary and Treasurer, which shall have the powers of the Board between meetings. Such action of the Executive Committee shall be submitted to the Board for review at the meeting following such action.

- 8.03 The Nominating Committee: The Nominating Committee shall consist of at least three (3) members of the Board. The Nominating Committee shall present in September a slate of officers for the coming year. Upon a resignation of an officer, the Nominating Committee may present names of candidates to fill the officer's term.
- 8.04 Other Committees: The Chair may appoint committees as needed. The Chair of each committee shall be a member or ex-officio member of the Board and shall serve as long as deemed necessary by the Chairperson.

### **Article IX Finances**

- 9.01 The annual budget shall be prepared by the Treasurer and staff assigned, following guidelines presented by Commissioner's Court and based on the needs of the Board. The budget will be submitted to Commissioner's Court via the Budget and Finance Office before April 30th preceding the beginning of the new fiscal year. The budget shall follow the County's fiscal year which is October 1 - September 30.
- 9.02 Donated funds shall be forwarded to County Treasurer and deposited in separate account maintained by Court for exclusive use of the Board.
- 9.03 Donated funds shall be used for special needs and services not covered by county moneys. Expenditures must be sustainable in an audit and benefit the children in the care of the Department, directly or indirectly.
- 9.04 A proposed expenditure may be tabled for a ruling by County Auditor and or County Attorney as to its validity under the law and guidelines of county and state. A proposed expenditure may be tabled no longer than one (1) month or until subsequent board meeting at which time, upon approval of the County Auditor or County Attorney, the Board shall resume discussions and vote upon item.

**Article X  
Amendments**

These Bylaws may be amended by a two-thirds vote of the members present and voting at any meeting of the Board provided that the proposed amendment has been presented to each member at least fourteen (14) days prior to the date of the meeting. Any amendment approved by the Board shall be subject to the approval of the Commissioner's Court.

**Article XI  
Records Retention**

Records shall be maintained in accordance with the 'Retention Schedule for Records Common to All Local Governments' as directed by the Texas State Library and Archives Commission.

THE FOREGOING BYLAWS were adopted by a majority vote at a duly convened regular meeting of the Fort Bend County Child Welfare Board, in Fort Bend County on September 16, 2016, to witness which we the undersigned certify below.

  
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Chair, Jerusha C. Bartay

ATTESTED BY:

  
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Janet Pearson, Secretary