

**SANTA CLARA COUNTY
CHILD ABUSE COUNCIL**

BYLAWS

June, 2006

SANTA CLARA COUNTY CHILD ABUSE COUNCIL BYLAWS

ARTICLE I - NAME

The name of this organization shall be the Santa Clara County Child Abuse Council, hereinafter known as the "Council". The Council is *an independent organization within county government as defined in Welfare and Institutions Code section 18983.5.*

ARTICLE II - PURPOSES AND OBJECTIVES

A. The Mission of the Council is to actively develop, support, and coordinate community efforts to prevent child abuse and heal its effects.

B. The Council will establish yearly priorities at an annual retreat that will establish its purposes for the year and be used as a guide for the committees in setting their objectives.

ARTICLE III – MEMBERSHIP

Section I - Voting Members

A. There shall be twenty-three (23) voting members of the Council. The members shall be selected based on the following criteria:

1. Primary consideration is based on the contents of the application and references.
 2. A member shall provide insight into the issues of treatment of, prevention of, and education about child abuse.
 3. A member needs experience and background in the child abuse field and should be involved actively in the community.
 4. The Council is committed to a balance of membership based on:
 - gender
 - ethnic communities
 - geographic/supervisory district
 5. Membership is allocated based on the maintenance of a reasonable balance of representation within the following categories:
 - community at large
 - justice agencies
 - public agencies
 - private agencies
- Such balance shall include a minimum of (4) community at large, (4) justice agencies, (5) public agencies, (6) private agencies.
6. There shall be no more than one (1) voting member representing any one (1) constituency group, organization, agency, or county department.

7. A member must show involvement in and support from the organizations, agencies, and constituencies they represent and be willing to be a liaison between them and the Council.

B. Voting members shall be entitled to receive agendas, minutes, and all other materials related to the Council, may vote at meetings of the Council, may hold office and may serve as Chairpersons of Council committees.

C. The Council shall make recommendation(s) for membership on the Council to the Board of Supervisors in accordance with its policies and procedures (attached to these bylaws as Exhibit 1 and incorporated herein). *Voting members are appointed by the Santa Clara County Board of Supervisors and must be residents of Santa Clara County.*

D. Voting members who change their employment have thirty (30) days from the termination of their employment to inform the Council chair and the Membership Committee chair, in writing, of their change of status and submit an updated application for membership. The Membership Committee will review their membership role on the Council to ensure the categorical continuity and balanced representation on the Council in accordance with existing Bylaws and Policies and Procedures.

Section II - Requirements and Responsibilities of Voting Members

A. All voting members must:

1. Have a direct interest in, and commitment to the improvement of child abuse prevention and intervention services in the community.
2. Demonstrate a knowledge of child abuse prevention and intervention services in the County and an interest in, and commitment to, the improvement of those services.
3. Attend Council meetings.
4. Participate actively on at least one (1) committee.
5. Whenever possible, serve as a conduit for information to and from the constituency they represent.
6. Share responsibility for the leadership of the Council and its committees.

Section III- Resignations

A resignation from a Council member shall be in writing and filed with the appointing Supervisor and the Clerk of the Board with a courtesy copy to the Membership Committee.

Section IV -Terms and Oath of Office

A. Voting Members of the Council shall serve a four (4) year term commencing on July 1 and ending on June 30 or upon date of appointment to complete an existing term.

B. Before any Council member enters into the duties of this office, the Council member shall take an oath or affirmation set forth in Article XX, Section 3 of the California Constitution. A

certified copy of the oath shall be filed in the office of the County Clerk.

C. Voting members of the Council may not serve for more than two (2) consecutive full terms as a voting member. However, voting members may continue after two full consecutive terms until the vacancy is filled by the Board of Supervisors.

Section V - Community Advisory Members

A. Anyone with an interest in, and commitment to, improving child abuse prevention and intervention services in the County may apply to be a community advisory member of the Council.

B. Community advisory members are entitled to receive agendas, minutes, and other materials related to the Council and may participate in the meetings and all activities of the Council. Community advisory members are required to serve on at least one (1) committee and attend Council meetings.

C. Community advisory members may not vote or hold office, but may serve as the Chairperson of a committee.

D. Membership is accepted and approved by voting members of the Council.

Section VI - Emeritus Membership

A. A person is eligible for an Emeritus membership if he or she has been an active participant as either a Voting and/or Community Advisory member of the Council and its committees for at least eight (8) years. Two (2) of those years must be immediately preceding his or her request for Emeritus status.

B. Emeritus Members may receive mailings from the Council at the discretion of the Clerk of the Board based on the Clerk's budget and may participate in all meetings, including special meetings, workshops, and the annual retreat.

C. Emeritus members may not vote, or hold office, but may serve as a sole Chairperson of a committee.

Section VII - Quorum and Voting Requirements

A. A majority consists of twelve (12) voting members, which constitutes a quorum for the transaction of business, and no act of the Council is valid unless at least twelve (12) of the members concur.

B. Each voting member shall be entitled to one vote. All voting must be in person at an appropriately noticed meeting. The names of the members will be filed with the Deputy Clerk of the Board.

C. Items which qualify as an emergency, in accordance with the Ralph M. Brown Act, can be added to the agenda at the meeting by a two-thirds (2/3) vote.

ARTICLE IV - MEETINGS

Section I - Open and Public

All meetings of the Santa Clara County Child Abuse Council shall be open and public, and conducted in accordance with the Brown Act and Roberts Rules of Order.

Section II Regular Meetings

There will be nine regularly-scheduled business meetings and one Retreat per year conducted in accordance with the Brown Act.

ARTICLE V - FISCAL POLICIES – ANNUAL BUDGET

Committees will prepare their budget for approval by the Executive Committee at the May meeting. Council budget will be approved by the Council at the June meeting and forwarded to the Board of Supervisors for approval as required by law. Council budget will be incorporated into the Council work plan.

ARTICLE VI - OFFICERS

Section I - Definition

There shall be a Chairperson, a Vice Chairperson for Administration, a Vice Chairperson for Program, and a Treasurer of the Council. All Officers shall be elected from the voting membership of the Council. The Clerk of the Board shall serve as the Secretary to the Council but shall not be a member of the Council.

Section II - Powers and Duties of Officers

A. Chairperson

1. Shall preside at all meetings of the Council.
2. Shall set the agenda for Council meetings.
3. To act as Chair of the Executive Committee and set the agenda for Executive Committee meetings;
4. To call special meetings of the Council as necessary, subject to Brown Act requirements;
5. To cancel meetings as necessary;
6. Shall facilitate the purposes of the Council by having such powers and duties as may be prescribed from time to time by majority vote of the membership.
7. To communicate with the Board of Supervisors on behalf of the Council;
8. To fill vacancies among the officers and committee chairpersons by appointment. In the case of officer vacancies, the Chairperson will consult with the Nominating Committee in finding a replacement;
9. To oversee administrative functions of the Council, with the aid of the Executive Committee;
10. May delegate a reasonable portion of his or her duties to the Vice Chairpersons.

B. Vice-Chairperson for Administration

1. To chair Council and Executive Committee meetings in the absence of the Chairperson;
2. To assume the duties of the Chairperson if that position becomes vacant during the second half of the year (vacancy in first half of the year will be filled according to the regular election process);
3. To assist the Chairperson as liaison with the Board of Supervisors as requested;
4. To function as an Executive Committee member;
5. To assume other responsibilities the Chairperson may delegate.
6. To oversee periodic revisions and compliance of Council By-Laws and Policies & Procedures
7. To assume the duties of Treasurer, including review and approval of invoices in the Treasurer's absence.

C. Vice-Chairperson for Program

1. To perform the duties of Chairperson in the absence of both the Chairperson and the Administrative Vice Chairperson;
2. To function as a member of the Executive Committee;
3. To act as liaison between the Executive Committee and the various activities of the committees;
4. To assume responsibility for the program portions of the Council meetings, as directed by the Executive Committee;
5. To assume other responsibilities the Chairperson may delegate.
6. To communicate with *committee* chairpersons *to ensure* the committees are discharging their responsibilities;

D. Treasurer

1. To be responsible for the budgeting process of the Council and committees (see Exhibit 1, Policies and Procedures, Section III, Financial Procedures);
2. To approve all invoices and to designate from which fund each invoice should be paid;
3. To oversee Council/committee expenditures in conjunction with the Contracts Administrator;
4. To present amended budgets when the Council allocates funds after a budget has been approved;
5. To make a report to the Council during each business meeting which will include funds expended since the last report, the amount of funds encumbered, and the balance the Council has left.
6. To advise committees on financial procedures and service agreements as needed;
7. To serve as a member of the Executive Committee;
8. To consult with the Executive Committee in preparing the recommended Council budget for the year.

Section III - Nomination and Elections

A. Nominations

1. The Executive Committee shall form a Nominations Committee of at least three (3) members in January of each year.

2. The Nominations Committee will serve from January to June to nominate Council officers.
3. The committee shall transmit its nominations to each member of the Council not less than 10 days prior to the last meeting of the fiscal year. Nominations may be made from the floor.
4. The Nominations Committee may not nominate any of its members for any office, although they may be nominated from the floor.

B. Elections

1. Election of officers shall be held as soon as practical following the first day of July of every year. If no candidate for office obtains over fifty percent (50%) of the vote, a run-off between the top two candidates shall be held immediately following the vote count.
2. The term of office shall be one (1) year, commencing immediately after the completion of the election until the election of new officers.

Section IV - Resignations

Any officer may resign by filing written resignation with the Executive Committee.

Section V - Recall

The Chairperson, Vice Chairperson for Administration, Vice Chairperson for Program, and/or Treasurer shall be considered for recall from office upon written petition of twenty-five percent (25%) of the members. Consideration of this petition will be placed on the agenda of the next meeting. Recall requires a fifty-one percent (51%) vote. Grounds for recall may include excessive absences and/or malfeasance in Council duties.

Section VI - Vacancies

Upon a vacancy of an officer position before the natural expiration of an officer's term nominations shall be accepted at the meeting in which the vacancy is announced, and the Executive Committee shall oversee the election process. A vote shall be taken at the next business meeting and the election shall proceed as under Section IIIB.

If the office of Chairperson is vacated after December 1 of any year, then the Vice-Chairperson for Administration shall fill out the remaining months of the term. In this event, a new Vice-Chairperson for Administration shall be elected by majority vote at the following meeting. In the event of a vacancy of both the Chairperson and the Vice-Chairperson for Administration, the Vice-Chairperson for Program shall become the Chair and both a new Vice-Chairperson for Administration and a new Vice-Chairperson for Program shall be elected by majority vote at the following meeting.

ARTICLE VII – COMMITTEES

Section I – Standing Administrative Committees

A. Executive Committee

1. There shall be an Executive Committee, consisting of the Chairperson, Vice Chairperson for Administration, Vice-Chairperson for Program, Treasurer

a designated representative from each committee. Members can represent more than one committee. The Chairperson of the Council shall facilitate meetings of the Executive Committee.

2. The purpose of the Committee shall be to advise and assist the membership in attaining the purpose and objectives set forth in Article II of these Bylaws.

3. The Executive Committee may perform all administrative duties necessary for the efficient operations of the Council as a whole.

B. Allocations Committee

1. To review and make recommendations to the Board of Supervisors concerning funding allocation pursuant to Welfare and Institutions Code section 18965 et. Seq., the Children's Trust Funds or any other available funds.

2. Written policies and procedures for the appointment of members and conduct of business of the Committee shall be approved by the Council.

3. No one may be a member of the Allocations Committee if he/she is affiliated with any agency or organization having any current or projected financial interest, either direct or indirect in the actions taken by the Allocations Committee. "Financial Interest", as used above, is defined as a reasonable expectation that monies recommended by the actions of the Allocations Committee could be awarded directly to the member's agency or indirectly to the member's agency through its affiliation with another organization that may receive funding as a result of an Allocations Committee recommendation. This membership requirement is intended to avoid real or perceived conflicts of interest in an Allocations Committee matter. If a question arises regarding whether a member has an affiliation with a particular agency, the issue will be resolved by County Counsel.

C. Membership Committee

1. To recruit and orient applicants and review applications for voting and community advisory membership to the Council.

2. To recommend to the Council candidates for community advisory membership on the Council and candidates for recommendation to the Board of Supervisors for appointment as voting members of the Council.

3. To recommend the policies and procedures concerning the application process and the roles and responsibilities of members.

4. To monitor member participation and make recommendations for termination of inactive members.

D. Nominations Committee

To perform the functions as outlined under Article VI, Section III, Sub Section A, Nominations.

Section II – Operational Committees

A. Any member may suggest the creation of a committee when it appears necessary, and such committee may be established upon majority approval of the Council.

B. Operational committees shall be defined as on-going committees.

- C. Any operational committee may be disbanded upon affirmative majority vote of the Council.
- D. Current existing operational committees are outlined in the Council's Policies and Procedures.

Section III -Task Forces

- A. Any member may suggest the creation of a task force when it seems appropriate.
- B. A task force is defined as a time limited group with a designated purpose.
- C. A task force may be established by a majority vote of the Council.
- D. A task force may be approved as a standing or operational committee by a majority vote of the Council and may be subject to the Brown Act.

ARTICLE VIII - AMENDMENTS

These Bylaws may be amended by concurrence of a quorum as defined in Article III, Section VII of the By-laws. This vote shall occur at any regular or called meeting. Written notice of the amendment will be submitted to each Council member seven (7) days prior to the meeting. The proposed amendment shall be forwarded to the Board of Supervisors for approval.

Bylaws, Santa Clara County Child Abuse Council
Approved by the Board of Supervisors.