



OPERATIONS MANUAL

**FOR
COUNTY CHILD WELFARE BOARDS,
REGIONAL COUNCILS AND
THE TEXAS COUNCIL
OF CHILD WELFARE BOARDS**

GENERAL INFORMATION.....	5
PROGRAM DESCRIPTION	5
VISION AND MISSION.....	5
HISTORY	5
ORGANIZATIONAL STRUCTURE.....	6
LOCAL CHILD WELFARE BOARDS	6
<i>Child Welfare Board Responsibilities</i>	6
<i>Membership</i>	7
<i>Participation of Non-members</i>	8
<i>Organizational Requirements</i>	8
<i>Standing Rules</i>	8
<i>Job Descriptions of Officers</i>	9
<i>Committees</i>	10
<i>Dual Status as a Nonprofit Entity</i>	10
<i>Registered Agent with Secretary of State</i>	11
REGIONAL COUNCILS	11
<i>Membership Roster</i>	11
TEXAS COUNCIL	11
<i>TCCWB Bylaws</i>	12
<i>Membership</i>	12
<i>Job Descriptions of Officers</i>	13
<i>Committees</i>	14
<i>Nominating and Electing Officers</i>	15
<i>Strategic Plan</i>	15
MEMBER ROLES AND RESPONSIBILITIES	15
MEETING ATTENDANCE	15
VOLUNTEER REGISTRATION	15
<i>Annual Background Checks</i>	15
<i>DFPS Computer Network Access</i>	16
<i>Clearance for Transporting Clients</i>	16
DUAL MEMBERSHIP	16
RESPONSE TO PUBLIC INQUIRIES	16
COORDINATION WITH DFPS STAFF	17
CONFIDENTIALITY	17
OPEN GOVERNMENT TRAINING	18
SPECIFIC RESPONSIBILITIES OF CWB MEMBERS	18
SPECIFIC RESPONSIBILITIES OF REGIONAL COUNCIL DELEGATES	18
SPECIFIC RESPONSIBILITIES OF TCCWB DELEGATES	19
MEETINGS.....	19
CWB MEETINGS.....	19
<i>Frequency</i>	19
<i>Agenda</i>	19
<i>Minutes</i>	20
<i>Closed Meetings</i>	20
REGIONAL COUNCIL MEETINGS	20
TCCWB MEETINGS.....	20
<i>Frequency</i>	20
<i>Agenda</i>	21
<i>Attendance</i>	21
<i>Voting</i>	21

Minutes.....	21
TRAINING.....	21
NEW MEMBER TRAINING.....	21
ONGOING TRAINING	22
DONATED FUNDS, GOODS, AND SERVICES	22
HOLIDAY AND OTHER GIFT DRIVES	22
PARTIES FOR CHILDREN.....	22
GIFT CARDS.....	22
EMERGENCY RESOURCE ROOMS	23
<i>Initiating an Emergency Resource Room</i>	23
<i>Inventory Systems</i>	23
EXPENSES AND FINANCES.....	23
CWB FINANCES	23
<i>Accounting for Nonprofit Status</i>	23
<i>Funding Sources</i>	23
<i>Jury Fee Donations</i>	24
<i>Title IV-E Funds</i>	24
<i>Use of CWB Funds</i>	24
<i>Reimbursement of Member Expenses</i>	25
TCCWB TREASURER’S MANUAL.....	25
<i>Bank Accounts</i>	25
<i>Reimbursement of TCCWB Member Expenses</i>	25
<i>Reimbursement of Employee Expenses</i>	27
<i>Employee Payroll</i>	27
<i>Registered Agent with Secretary of State</i>	28
<i>Donations</i>	28
<i>Financial Reports</i>	28
PAID PERSONNEL	29
JOB DESCRIPTION	29
PERSONNEL POLICIES	30
<i>Formal Organization and Structure</i>	30
<i>Equal Employment Opportunity</i>	30
<i>Employment Status</i>	30
<i>Classification of Employees</i>	30
<i>Evaluation</i>	31
<i>Benefits</i>	31
<i>Time Reporting and Overtime</i>	32
<i>Payroll and Expenses</i>	32
<i>Payroll Deductions</i>	32
<i>Attendance</i>	33
<i>Conflict of Interest</i>	33
<i>Related Party</i>	33
<i>Nepotism</i>	33
<i>Substance Abuse</i>	34
<i>Discipline</i>	34
<i>Termination of Employment</i>	35
REPORTING AND RECORDS MANAGEMENT	35
REPORTING	35
<i>County-Level Reports</i>	35
<i>State-Level Reports</i>	35
<i>DFPS Automated Volunteer Tracking System</i>	36

RECORDS MANAGEMENT.....	36
<i>Confidential Information</i>	36
<i>Records Retention</i>	36
APPENDICES.....	37
APPENDIX I: SAMPLE CONTRACT.....	38
APPENDIX II: SAMPLE CHILD WELFARE BOARD MEETING NOTICE.....	41
APPENDIX III: CHILD WELFARE BOARD/REGIONAL COUNCIL ROSTER	42
APPENDIX IV: TCCWB BYLAWS	43

General Information

Program Description

The Texas Council of Child Welfare Boards (TCCWB) is dedicated to educating the public on child abuse prevention and working towards ensuring that all children live in a nurturing and safe environment. The 501(c)(3) nonprofit organization is led by a board of directors representing 11 regional councils and over 200 local child welfare boards (CWBs).

Through coordinated training, communication, and advocacy, TCCWB seeks to strengthen the efforts of more than 2000 volunteers appointed by county commissioners courts to work in cooperation with state agency staff who deliver the Child Protective Services program at the grass-roots level. County boards contribute 20-30 million dollars annually to meet children's needs that cannot be met by the limited state funding of the Texas Department of Family and Protective Services (DFPS). Members advocate at the local, state, and national level for children who have no voice.

TCCWB works with DFPS and others to develop resources, programs, and strategies to enhance services to vulnerable children and families. Leaders from the regional councils come together three to four times yearly with DFPS staff for educational programs and to share information and strategies to provide for the safety and well being of children. Financial support is provided by DFPS, private donations, grants, and fundraising activities.

Vision and Mission

The mission of TCCWB is to support a statewide network of volunteers concerned with the welfare of children, especially those who are abused and neglected.

The vision of TCCWB is to lead a cohesive network of child welfare boards supporting services to vulnerable children and families and promoting prevention of child abuse and neglect so that all children live in a loving, nurturing, and safe environment.

TCCWB officers and members advocate for children through:

- encouraging legislation to provide services to abused and neglected children and to prevent child abuse;
- working with child protective services (CPS) staff on programs that meet children's needs;
- networking with other agencies and organizations to provide the best care for abused and neglected children; and
- working to prevent abuse and neglect through public awareness and joint cooperation.

Each local CWB develops its own mission statement and annual goals.

History

Child protective laws and services have roots in English Common Law beginning with the Orphan's Court of Medieval England. The Apprenticeship Law was passed in 1848 followed by

the Juvenile Dependency and Neglect Act enacted in 1907. In response to the Great Depression, Texas created the Division of Child Welfare Services under the State Board of Control in 1931. This law allowed county commissioners courts to appoint boards of seven to 15 persons to coordinate community services for the protection of children. The boards often provided services themselves with consultation and supervision from a small group of professional staff.

In the following decades federal, state, and county participation in services to abused and neglected children increased. In 1965 Texas authorized the Department of Public Welfare in response to the Social Security Act's requirements for federal funds, and the state legislature appropriated funds for foster care services in 1979. Today CPS is a state-administered program under the Health and Human Services Commission's Department of Family and Protective Services; however, counties also provide some level of funding for foster children's needs through the development of child welfare boards.

Regional councils originated in 1976. The 11 regional councils are networks of local CWBs grouped in geographical areas that receive funds through DFPS contracts, grants, and donations for education and training, child abuse prevention, advocacy, and other activities. They advise CWBs, raise funds for scholarships for high school graduates exiting foster care, and engage in other activities to support services for abused and neglected children.

An organizational meeting was held in Austin in 1977 for the Texas Council of Child Welfare Boards (TCCWB) and the statewide organization began operating in 1978. TCCWB obtained nonprofit 5102(c)(3) status September 1, 1983.

Organizational Structure

Local Child Welfare Boards

The Texas Family Code, §264.005, provides for the appointment of county residents to a child welfare board (CWB) by the county commissioners court. With the approval of DFPS, two or more counties may establish a joint CWB. The CWB is an entity of DFPS for the purposes of providing coordinated state and local public welfare services for children and their families, and coordinating the use of federal, state, and local funds for those services. Since CWB members are appointed by the commissioners court, CWBs are also an extension of that entity.

Child Welfare Board Responsibilities

The CWB works with DFPS and commissioners court in carrying out the following duties: *(From CPS Handbook, Appendix 1132.2(c).)*

- Negotiating and acting as a liaison between the protective services unit and the county commissioners court to secure adequate local funding for program components such as:
 - Foster care funds for children not eligible for state and federal foster care funds
 - Clothing and transportation needs for foster children
 - Medical care and examinations not covered by Medicaid
 - Psychiatric and psychological evaluations and treatment not covered by Medicaid
 - Office space, utilities, office equipment, and upkeep
 - Funding for staffing

- Other needed services within the financial capability of the county such as homemaker services and day care;
- Advising DFPS staff about local policies, related to the expenditure of county funds;
- Authorizing expenditure of county funds for appropriated purposes;
- Reviewing expenditures of protective services units to ensure that county money is spent for appropriated purposes; accounting methods are adequate for the county, DFPS, and federal funders; and total care reimbursement for a child is spent for the child;
- Conducting needs assessment for the children in the county;
- Formulating with DFPS staff a plan to develop community resources to meet identified needs;
- Interpreting child protective services and needs to the community;
- Explaining to DFPS staff conditions in the community and community attitudes about DFPS policy, services, and priorities;
- Coordinating operations and developing local agreements, as needed, with other community agencies serving children, such as juvenile probation, MHMR, school boards, hospital boards, family service and child guidance agencies, and child caring and child placing agencies;
- Reviewing the quality of services being rendered by the protective services units;
- In conjunction with DFPS staff, formulating goals and objectives for the CWB and evaluating progress in achieving these goals and objectives;
- Ensuring confidentiality of information concerning children and families according to applicable federal and state rules, laws, and regulations;
- Prescribing bylaws (to be approved by the commissioners court) that do not conflict with the terms of the contract between the county and DFPS and applicable state laws; and
- Reporting at least annually to the county commissioners court on the status of the county's children, the status of the board's activities and achievements and budgetary needs.

CWBs are established through a contract between a county commissioners court and DFPS. See Appendix for a sample contract.

A detailed description of DFPS, CWB, and county responsibilities can be found in the DFPS Child Protective Services Handbook, Appendix 1132.2(c), accessible at <http://www.dfps.state.tx.us/Handbooks/>.

Membership

The commissioners court and DFPS determine the size of the board and the qualifications of members. Texas Family Code, §264.995(a), requires that a CWB be comprised of no less than seven and no more than 15 members and that members be county residents. Members are appointed by the county commissioners court and serve rotating three-year terms. At the commissioners court discretion, a CWB may make recommendations of potential board candidates. A member may be removed by the court for just cause at any time. Members serve without compensation but may be reimbursed for expenses incurred in the fulfillment of their duties.

Membership Roster

Each CWB designates a member to maintain a roster of current members. At anytime a change in membership or contact information is identified, the designated member updates the Board/Council Roster Form (in Appendix) and sends copies to:

- DFPS Community Initiative Specialist for the region,
- President of the regional council,
- Mailing list coordinator for TCCWB, and
- TCCWB executive director.

Participation of Non-members

Individuals who are not CWB members may assist with planning, preparation, and implementation of CWB-sponsored activities. Non-members who have contact with children in care or confidential case information must comply with the requirements for DFPS volunteer registration and background checks.

Organizational Requirements

An active and effective CWB possesses a clear sense of purpose and a strong organizational framework. Members are well-informed and able to commit the time required for CWB meetings and activities. Each CWB should have:

- A mission statement,
- An annual goal setting meeting,
- Bylaws approved by the commissioners court,
- An annual budget,
- A current roster of members,
- Job descriptions for officers, members, and committees, and
- Timely orientation for new members.

Standing Rules

In addition to bylaws, a CWB may adopt standing rules. Unlike bylaws, which are constant from meeting to meeting and generally relate to parliamentary procedure, standing rules can be suspended for a particular meeting and relate to the administration of an organization rather than to parliamentary procedure. Standing rules are adopted as any ordinary motion, by a majority vote at any business meeting without previous notice. They can be amended or rescinded by a two-thirds vote without previous notice or by a majority vote with previous notice. They can be temporarily suspended by a majority vote for the duration of any meeting, but go back into effect at the close of the meeting.

Examples of standing rules that a CWB may adopt include, but are not limited to, policies for the following activities:

- Clothing allowances for foster children
- Monthly personal allowances for foster children
- Christmas allowances and gifts for foster children
- Graduation gifts for foster children
- Education assistance grants for foster children
- Camp scholarships

- Funeral expenses for foster children
- Vacation pay for foster parents
- Kinship care assistance payments
- Greeting cards for foster children and foster parents
- Service plaques for CWB members

Job Descriptions of Officers

Texas Family Code, §264.005, mandates that each CWB have a presiding officer. Other officers are designated in the CWB bylaws.

Chair/President

The chair/president oversees the CWB affairs and ensures the effectiveness of the CWB in completing its responsibilities. Duties include:

- Developing meeting agendas,
- Presiding over all CWB meetings,
- Appointing all committee chairs and any needed special committees and liaisons,
- Determining the need for executive committee meetings and presiding over those meetings,
- Coordinating work and communications between committees,
- Serving as CWB spokesperson and representative to the county, DFPS, and community,
- Presenting the annual report, budget, and goals to the commissioners court, and
- Providing leadership to the board.

Vice-chair/Vice-president

The vice-chair/vice-president assists the chair/president as needed. Duties include:

- In the absence of the chair/president, performing all duties pertaining to such office,
- Performing other duties as designated by the chair/president and/or bylaws, and
- According to the bylaws, serving as the chair/president elect.

Secretary

The secretary is the recording officer for CWB business. Duties include:

- Retaining an attendance record for each CWB meeting,
- Recording the minutes for each CWB meeting,
- Completing CWB correspondence and other duties as designated by the chair/president, and
- Reporting CWB volunteer activities and hours to other interested parties, including the county commissioners, Texas Council of Child Welfare Boards, and DFPS.

Treasurer

The treasurer manages CWB financial responsibilities. Duties include:

- Reporting to CWB the status of all funds and assets,
- Tracking and disbursing funds according to CWB policy and procedures,
- Maintains CWB financial records and providing reports,
- Recording/tracking donations and providing reports, and
- Preparing for and assisting with any audits.

Parliamentarian

The parliamentarian advises the CWB as to correct parliamentary procedure.

Committees

Each CWB decides what standing committees are needed to meet its needs. CWB bylaws identify and govern standing committees. Committees are chaired by CWB members and may include non-board members as volunteers. Examples of committees include, but are not limited to, the following:

- **Executive/organizational** – This committee is comprised of board officers and/or committee chairs. The committee may oversee overall board operations; ensure compliance with applicable federal, state, and county laws, county expectations, and the requirements in the county’s contract with DFPS; identify potential board candidates according to county and board needs; ensure new board member orientation and board development; handle decisions between regular meetings with full report at subsequent full board meetings; and monitor and assess the board’s performance and effectiveness in fulfilling its goals and duties.
- **Awareness** - This committee may plan and oversee the board’s outreach activities for child abuse prevention awareness campaigns and accurate public perception of the CPS role; promote the board’s special events and prevention awareness campaigns through available media and community outlets; and work with the DFPS public information office to coordinate awareness messages.
- **Service** – This committee may develop and oversee the board’s sponsored service projects; identify and enlist potential community resources and collaborations to support its projects; and gather and report the board’s volunteer activities and service hours to the board secretary.
- **Resource Development/Events** – This committee may plan and coordinate the board’s special events; identify, plan, and coordinate the board’s fundraising events to meet identified objectives; stay current on applicable DFPS regulations and policies; keep board members informed of local, state, and national issues concerning children; and keep legislators informed, as directed by the board, regarding issues impacting children and families.

Dual Status as a Nonprofit Entity

A CWB may choose to create a separate nonprofit 501(c)(3) board to be eligible for certain donations and grants. If so, the CWB must act as two separate entities. The meetings for each entity must be held separately but may be held back-to-back. For example, the CWB meets to conduct county business as a governmental entity, closes that meeting, and then reopens a meeting for the nonprofit entity to discuss business related to such items as privately donated funds, grants, fundraising efforts, and expenditures of these funds. The CWB keeps separate minutes and separate financial records for each entity.

A CWB operating as a nonprofit 501(c)(3) entity must stay apprised of Texas Secretary of State and Internal Revenue Service reporting requirements.

Registered Agent with Secretary of State

CWBs that opt to become incorporated nonprofit entities must submit paperwork to the Secretary of State (SOS), Statutory Filings Division, to establish a registered office and a registered agent. To submit or change information, an incorporated entity completes SOS Form 401, available at the SOS Web site <http://www.sos.state.tx.us/corp/forms.shtml>.

Additionally, Article 1396-9.01 of the Texas Nonprofit Corporation Act authorizes the SOS to require nonprofit corporations to file a report not more than once every four years. Failure to complete SOS Form 802 in a timely manner and file it with SOS may result in involuntary dissolution of the nonprofit corporation.

An unincorporated nonprofit association is not required to have a registered agent, but may complete SOS Form 707 to appoint an agent authorized to receive service of process on behalf of the nonprofit association.

Regional Councils

Regional councils, comprised of leaders selected by local CWBs, operate according to region's needs and fulfill objectives outlined in cost-reimbursement contracts with DFPS. Regional councils serve as an informational conduit between county boards and the Texas Council of Child Welfare Boards. Members often partner with CPS staff in training activities, foster/adopt recruitment efforts, promotion of child abuse prevention, and support of youth in transition programs. Regional council members are engaged in advocacy at the local, state, and national levels.

Regional councils elect officers and appoint committees as needed. Each regional council elects two to three members to represent the council on the Texas Council of Child Welfare Boards.

Membership Roster

Each regional council designates a member to maintain a roster of current members. At anytime a change in membership or contact information is identified, the designated member updates the Board/Council Roster Form and sends copies to:

- DFPS Community Initiatives Specialist for region,
- Mailing list coordinator for TCCWB, and
- TCCWB executive director.

Texas Council

The Texas Council of Child Welfare Boards consists of 27 voting members and four non-voting members-at-large. Council officers are president, vice-president, secretary, treasurer, and parliamentarian. These officers, the immediate past president, up to two members-at-large, and chairs of the standing committees constitute the Executive Committee of the TCCWB and may act for TCCWB between business meetings.

TCCWB Bylaws

TCCWB is governed by bylaws. (See Appendix for a copy of current bylaws). Any TCCWB member may submit proposed amendments to the bylaws at any regular TCCWB meeting. The executive committee (acting as a bylaws committee) has the option of amending bylaws by:

- submitting an amendment for vote at a regular meeting of the membership provided that the proposed amendment was given at the preceding regular meeting or mailed to the general membership and postmarked at least 10 days prior to the meeting or
- a binding referendum mailed to the general membership.

Proposed amendments must have a two-thirds majority to pass. Additionally if a vote is taken by a binding referendum, at least 18 ballots must be returned.

The executive committee has the authority to recommend to TCCWB that the bylaws be temporarily suspended. Such temporary suspension must be instance-specific and be approved by a two-thirds vote of TCCWB members present.

Membership

The TCCWB is composed of 27 voting members designated by regional councils. At the time of designation, a representative must be a member or ex-officio member of a CWB. Alternatives may be appointed and, in the absence of the designated representatives, may attend meetings and vote.

Regional councils appoint TCCWB representatives as specified below:

- Region 1 – three representatives
- Region 2 – two representatives
- Region 3 – three representatives, at least one of which represents a metropolitan area
- Region 4 – two representatives
- Region 5 – two representatives
- Region 6 – three representatives, at least one of which represents a metropolitan area
- Region 7 – three representatives, at least one of which represents a metropolitan area
- Region 8 – three representatives, at least one of which represents a metropolitan area
- Region 9 – two representatives
- Region 10 – two representatives, at least one of which represents a metropolitan area
- Region 11 – two representatives

As vacancies occur, the regional council appoints another representative to fill the unexpired term. Any member may be removed for just cause, as determined by the executive committee and approved by a two-thirds vote of TCCWB members present. Absence from two consecutive TCCWB meetings without prior notice to the TCCWB secretary and without attendance by that member's alternate is cause for review by the executive committee.

The executive committee may appoint up to four former TCCWB members as nonvoting members-at-large to a one-year term to coincide with the fiscal year. To the extent possible, the executive committee appoints members-at-large prior to the first meeting of the fiscal year. One member-at-large must be from Region 1. One member-at-large is the immediate past president

unless the immediate past president is already an elected regional representative, or refuses or is unable to serve, in which case the executive committee may appoint another person to fill this member-at-large position.

The president may appoint liaisons to other organizations as necessary with ratification by TCCWB.

Job Descriptions of Officers

President

The president is the chief executive officer of TCCWB. Duties include:

- presiding at all meetings,
- taking the initiative in presenting for consideration by TCCWB such policies, actions, and procedures as deemed necessary,
- appointing all committee chairs,
- appointing special committees and board liaisons as needed,
- appointing a Nominating Committee as defined in the bylaws, and
- serving as an ex-officio member of all committees except the Nominating Committee.

Vice-President

Duties of the vice-president include:

- Assisting the president,
- Performing other duties as designated by the president, and
- In the absence of the president, performing all duties pertaining to the office of president.

Secretary

The secretary is the recording officer of TCCWB. Duties include:

- Preparing meeting packet for each meeting, to include meeting notice letter with hotel reservation information, current membership roster, reimbursement form, regional/county report form, minutes from previous meeting, agenda for current meeting, and any special notices or other information needed for conducting TCCWB business,
- Preparing meeting agenda for each general meeting and each executive committee meeting,
- Conducting a roll call at the beginning of each meeting before any votes are called,
- Retaining an attendance record for each region including the determination made by the executive committee for absent members,
- Keeping and preparing minutes of each general meeting and each executive committee meeting, and
- Conducting correspondence and performing other duties as designated by the president.

Treasurer

The treasurer is the custodian of all TCCWB funds. Duties include:

- Reporting on the financial status of TCCWB upon request,
- Opening bank accounts as needed,
- Keeping bank signature card current as officers change,

- Reviewing all reimbursement forms,
- Making bank deposits,
- Disbursing funds by checks signed by the treasurer or president,
- Reconciling bank statements each month,
- Maintaining all financial records of TCCWB and passing these on to the successor treasurer, and
- Maintaining a standard operating procedures manual.

Parliamentarian

The parliamentarian serves TCCWB as an advisor of correct parliamentary procedure.

Committees

TCCWB has three standing committees: education, advocacy, and awards. The president establishes special committees as needed and makes appointments to the committees.

Committee chairs are appointed by the president and serve from September 1 until August 31 of the following year, coinciding with the fiscal year of TCCWB. At their first meeting of each fiscal year, committees identify goals for the year and submit those to the TCCWB secretary. Committees provide written reports on activities and progress towards identified goals at each TCCWB meeting.

Education

The education committee keeps members informed on how to educate the community on problems of child abuse and neglect, conducts training sessions for new council members, and maintains a board training/resource manual. Committee members also stay alert for media items to share with the TCCWB membership. This committee has one subcommittee, Information Technology. The Information Technology subcommittee is charged with oversight for the Web site, newsletter, and mailing lists.

Advocacy

The advocacy committee studies issues which affect services to abused and neglected children, children at risk, and their families. They inform regional and county child welfare boards and the community at large on these issues. They advocate for adequate resources and policies to provide services for abused and neglected children and recommend legislative issues for support by the TCCWB. They research and analyze problems and questions and prioritize items for the TCCWB agenda. This committee has two subcommittees:

- Urban Issues studies problems specific to urban areas, for example, Austin, Dallas, Ft. Worth, El Paso, Houston, and San Antonio,
- Rural Issues studies problems specific for the rural areas.

Awards

The awards committee plans the annual awards event that spotlights the volunteers, legislators, staff, foster parents and media personnel of the year who have championed CPS issues.

Nominating and Electing Officers

The election of TCCWB officers occurs during the final regular meeting of the each fiscal year. Prior the meeting, the president appoints a Nominating Committee of five TCCWB members, at least three of whom cannot be officers. The Nominating Committee submits a slate of one name for each officer. Nominations may also be entertained from the floor.

Any candidate for president must have served on TCCWB for a minimum of one year prior to nomination for office. All office candidates must be TCCWB members elected by regional councils. Officers may succeed themselves.

Officers are elected by a majority vote of TCCWB members present. They serve a one-year term that begins at the close of the annual meeting at which they are elected and continues until their successors have been elected and qualified or until they are removed by action of TCCWB. If a vacancy occurs, the executive committee appoints a successor by majority vote, subject to ratification by a majority of TCCWB members present.

Strategic Plan

The TCCWB executive committee reviews and updates the TCCWB strategic plan annually. The plan sets the goals of TCCWB for the coming five years and specifies approaches and strategies that must be implemented to reach each goal. The president presents the plan to the general membership at the first meeting of the new fiscal year for discussion and approval.

Member Roles and Responsibilities

Unless otherwise specified, the member roles and responsibilities listed in this section apply to members of local CWBs, regional councils, and the TCCWB.

Meeting Attendance

Members are expected to attend general membership and assigned committee meetings.

TCCWB members absent from two consecutive TCCWB meetings without prior notice to the TCCWB secretary and without attendance by that member's alternate are subject to review by the executive committee and may be removed from TCCWB.

Volunteer Registration

Each member completes the following forms as a part of the DFPS volunteer registration process:

- Form 250, DFPS Volunteer Application,
- Form 250b, Background Check Authorization Form, and
- Form 251, Volunteer Confidentiality Agreement.

Copies of the forms are available through the local CPS office.

Annual Background Checks

CWB members are authorized by the Texas Family Code, §264.005, to receive confidential client information. Members who elect to act only in the capacity described in the Code are not

required to have a background check; however, most CWBs take on additional projects and activities outside the scope of statutory authority. For this reason, it is recommended that potential members authorize a background check prior to appointment by the commissioners court.

Members who have any contact with children and families receiving services from DFPS must have a criminal background check and DFPS Central Registry Check performed annually. The DFPS Community Initiatives Specialist (CIS) provides Form 250b, Background Check Authorization Form, to members for them to complete and return. The CIS then submits the forms for processing and notifies members if a match is found. Members who refuse to complete Form 205b or who have positive match are prohibited by Government Code, §411.114, from having any contact with children and families receiving services.

CWB members are removed from contact with children and families when there are pending or confirmed allegations that they committed abuse, neglect, or exploitation against a child, an adult with disabilities, or an elderly person or a crime involving an offense against the family, public indecency, or the Texas Controlled Substance Act. Members should voluntarily report allegations and findings to the commissioners court that appointed them.

DFPS Computer Network Access

In limited situations and for specialized activities, a member may require DFPS computer network access. A member must be a registered DFPS volunteer and have a criminal background check and a DFPS history check completed before being given access. Members may only access information on a “need-to-know basis.” Members must not access information regarding cases to which they do not have a specific assignment-related need.

Clearance for Transporting Clients

Prior to transporting a CPS client for shopping or other activities, a member must complete Form 250c in addition to the forms listed above. This form authorizes a review of the member’s driving record. It is obtained from and returned to the DFPS Community Initiatives Specialist.

Dual Membership

Members may serve on the board of other community nonprofit organizations, including local Greater Texas Community Partners boards. An officer of a CWB may also serve as an officer of another community nonprofit organization as long as the responsibilities associated with the officers do not present a conflict of interest.

Local Government Code §171.009 allows local public officials to service on boards of nonprofit organizations as long as no remuneration is received.

Response to Public Inquiries

Members who receive inquiries regarding CPS cases refer the individual to the local CPS supervisor or program director and explain that members are not involved in casework decisions. Members must not promise involvement or intervention in a CPS case.

Coordination with DFPS Staff

CWBs regularly interact with DFPS staff in providing services to children and families. In doing so, members must be aware of DFPS policies governing their staff. The following activities are prohibited for DFPS staff:

- Writing grants;
- Entering or reconciling inventory for emergency resource rooms;
- Bookkeeping for emergency resource rooms or CWB accounts;
- Maintaining membership lists;
- Serving as the nonprofit CWB's registered agent;
- Serving on a CWB other than in an ex officio/liaison capacity; and
- Conducting fundraising.

DFPS staff may describe client needs and speak to the impact of requested resources in conjunction with CWB fundraising activities; however, they cannot request or encourage donations.

DFPS staff have no obligation to inform CWB members when they are investigating cases in the county or to provide case-related information except as needed for the board to discuss, consider, or act regarding a case situation.

While CWB members may attend case-related meetings upon the invitation of CPS staff and offer input based upon their knowledge of community resources, CWB members have no authority to make or intervene in CPS casework decisions. They are not to represent themselves as child protective services staff or to speak on behalf of child protective services.

Confidentiality

A member may receive information that is confidential under Human Resources Code, §40.005, or Family Code, §261.201, when acting in the member's official capacity. Disclosed information may relate to the identity of a reporter of alleged abuse or neglect, a recipient of DFPS service, or an investigation by DFPS. The board/council and individual members are responsible for implementing safeguards to ensure confidentiality is maintained. Confidential information must not be discussed with persons who are not board/council members, county officials acting in their official capacity, or DFPS staff. CWB members should not discuss case information outside of the CWB meeting. It is a criminal offense to reveal the confidential information to any unauthorized person or entity. Each member must sign a confidentiality agreement as a part of the volunteer application.

Specific case information may not be requested by a member or shared with other authorized persons unless it is needed in order for the board/council to discuss, consider, or act regarding the case situation. Only first names and last name initials are requested and shared, except in exceptional circumstances. Relative names and addresses may be shared with the written consent of the relative but only for the purposes of financial reimbursements and/or board assistance.

Members may be provided facility and foster parent names and addresses for the purpose of correspondence including, but not limited to, notification of meetings and events, foster parent appreciation, and financial reimbursement.

Open Government Training

Members are expected to know and comply with the requirements of the Open Meetings Act, Government Code §551. State law requires members, as appointed officials, to receive training on the Open Meetings Act and the Public Information Act within 90 days from the date of appointment. This training is available at the Office of Attorney General (OAG) Web site: http://www.oag.state.tx.us/opinopen/og_training.shtml. Members may also request a free DVD of the training videos by contacting the OAG at 1-800-252-8011. At the conclusion of the training, members must print a course completion certificate and file a copy with the county clerk.

Specific Responsibilities of CWB Members

Responsibilities of individual CWB members include:

- Attending all board meetings and assigned committee meetings;
- Reviewing the agenda and supporting materials prior to board and committee meetings;
- Serving on committees or task forces and offering to take on special assignments;
- Staying informed about the board's mission, policies, and services, and about the CPS program, staff, and child abuse and neglect issues;
- Informing the community about the child welfare program;
- Helping to develop, recommend, and present the annual budget to the commissioners court;
- Enhancing processes and decisions in support of child welfare services and opportunities for CPS staff recognition;
- Adhering to conflict of interest and confidentiality policies;
- Assisting with building an informed and supportive constituency;
- Recruiting, training, and developing new CWB members;
- Serving as a liaison to other resources for abused and neglected children in the community; and
- Facilitating the solution of child welfare-related problems in the community.

In fulfilling these duties, CWB members must work closely with county officials and DFPS staff.

Specific Responsibilities of Regional Council Delegates

Each CWB elects delegates as their representatives to the regional council. Duties of regional council delegates include:

- Reporting the local CWB activities and concerns to the regional council,
- Relaying information obtained at regional council meetings back to the CWB,
- Educating oneself and the CWB on child abuse and neglect and resources available for prevention, intervention, and treatment,
- Regularly attending regional council meetings, and
- Actively participating in the regional council's committees and activities.

Specific Responsibilities of TCCWB Delegates

Each regional council elects delegates to TCCWB. Duties of TCCWB delegates include:

- Regularly attending TCCWB council meetings and assigned committee meetings;
- Reviewing the agenda and supporting materials prior to council and committee meetings;
- Reporting local CWB and regional activities, ideas, and concerns at each TCCWB meeting by submitting the County/Regional Report Information Form;
- Relaying information obtained at state council meetings back to the regional council;
- Educating oneself and the regional council on child abuse and neglect and resources available for prevention, intervention, and treatment;
- Participating in either the Urban or Rural Issues Committee to study problems and solutions specific to those areas;
- Serving on at least one committee other than the Urban or Rural Issues Committee and actively participating in committee meetings and activities;
- Helping to formulate goals and objectives for TCCWB and evaluating progress in achieving these goals and objectives;
- Notifying TCCWB secretary and mailing list coordinator of changes to contact information;
- Keeping TCCWB executive director informed of major regional events so that they can be posted on Web site events calendar; and
- Submitting appropriate documentation for expense reimbursement to the treasurer within one week of council meeting dates.

Meetings

CWB Meetings

CWB meetings must be conducted according to the Open Meetings Act, Government Code, §551. Any gathering that involves a majority of members discussing or transacting public business is subject to the open meeting requirements in this statute. Telephone calls, conference calls, videoconferences, and email may also be subject to the open meetings requirements. Members are subject to civil remedies and criminal penalties for violation of the open meeting requirements and action taken in non-compliance can be voided.

The Texas Family Code, §264.005(g), allows CWBs to conduct closed meetings to discuss or consider a confidential matter, but no official action may be taken during that time.

Frequency

Most CWBs have fixed meeting dates and usually meet monthly. CWB members must receive adequate notice of meetings.

Agenda

Agendas and basic background material are sent to the full board membership at least a week before the meeting. To comply with the Open Meetings Act, the time, date, location, and subject matter of a meeting must be posted in a location accessible to the public at least 72 hours prior to the meeting time. Generally, the county clerk posts the notice on a bulletin board convenient to the public at the county courthouse. Check with the county clerk for local county procedure.

Minutes

The Open Meetings Act requires that minutes or tape recordings be kept of all meetings. The minutes must include the subject of discussion and the outcome of any vote, order, decision, or other action taken.

Minutes of business conducted in open meetings are considered public records. Separate minutes or tape recordings are required for meetings closed for confidentiality reasons and business conducted as a nonprofit 501(c)(3) entity.

Closed Meetings

CWB meetings are generally open to the public, but a CWB may conduct a closed meeting under Government Code, §551.101, to discuss, consider, or act on a matter that is confidential under Human Resources Code, §40.005, or Family Code, §261.201. Information relating to the identity of a reporter of alleged abuse or neglect, a recipient of DFPS service, or an investigation DFPS conducts in performing its duties and responsibilities may not be disclosed in an open meeting. When conducting a closed meeting, the CWB must first convene an open meeting and identify the statutory authority that allows them to go into a closed meeting.

Confidential information may sometimes need to be shared during a CWB meeting in order that members can make an informed decision regarding expenditures. If confidential information is to be shared during a meeting, the following steps are taken:

1. The board announces it is going into a closed session and invites guests and non-voting members to step out of the room.
2. The board receives the confidential information needed to take action.
3. After the information is given, the board goes back into open session to vote on a motion regarding the situation.
4. The board words the motion in such a way as to not breach confidentiality.

The full name of a child or family served by DFPS is not to be used in CWB documents that are subject to the Open Meetings Act or in documents that may be viewed by others who do not have the legal right to view the confidential information. See Records Management for more information on how client names are recorded in CWB records.

Regional Council Meetings

Most regional councils meet at least quarterly at times and locations determined by the regional council officers. CWBs should make every effort to have at least one representative in attendance at regional council meetings to provide information on local CWB activities and report information discussed at the meeting back to their CWB.

TCCWB Meetings

Frequency

TCCWB holds a minimum of three regular meetings of the general membership each year and additional meetings as needed and determined by the president or executive committee.

The annual meeting and election of officers is the final regular meeting of the year. If funds are available, a summer planning meeting is held. The outgoing executive committee, new executive officers, and new standing committee chairs, if appointed, attend the summer planning meeting.

Agenda

Agenda items must be submitted to the president at least 14 days prior to a general membership meeting. Upon the direction of the president, the secretary prepares the meeting agenda and sends to TCCWB members prior to the meeting.

Attendance

At least one voting representative from a minimum of six different regions constitutes a quorum of TCCWB. Members of CWB and regional councils and the general public may attend meetings, but only persons attending meetings as voting members or members-at-large are entitled to reimbursement for travel expenses by TCCWB.

Representatives of other agencies serving children may be invited to attend meetings and/or present at meetings. If space is limited, voting members, members-at-large, and invited guests are given priority seating.

Voting

A TCCWB designated representative or alternate must be present to vote. Each designated representative or alternate has one vote. The secretary keeps a roster listing the names of members entitled to vote. After the roll call, the secretary announces to TCCWB the number of voting members present. If a voting member must leave prior to meeting adjournment, the member notifies the secretary upon leaving as to whether his voting position is being vacated or an alternate will be voting in his absence. If votes are taken after a member leaves the meeting, the secretary announces the change in the number of voting members present.

Minutes

The secretary records the minutes for each general meeting and each executive committee meeting and presents them for approval at the following meeting.

Training

New Member Training

CWB chairs are responsible to ensuring the each new CWB member receives:

- A copy of the Child Welfare Board Resource Manual,
- Minutes from the past few CWB meetings,
- Form 250, Volunteer Registration Form; Form 250b, Background Check Authorization Form; and Form 251, Volunteer Confidentiality Agreement, to be completed and returned to the DFPS Community Initiatives Specialist,
- A copy of local CWB bylaws,
- A current local CWB membership list,
- A copy of the CWB contract with the county, and

- A list of CPS staff members working with the CWB and their telephone numbers.

The board's CPS staff liaison may arrange for duplication of these materials.

Additionally, state law requires new members to receive training on the Open Meetings Act and the Public Information Act within 90 days from the date of appointment. This training is available at the Office of Attorney General (OAG) Web site:

http://www.oag.state.tx.us/opinopen/og_training.shtml. Members may also request a free DVD of the training videos by contacting the OAG at 1-800-252-8011. At the conclusion of the training, members must print a course completion certificate and file a copy with the county clerk.

In addition, each board is encouraged to provide new member orientation that includes:

- An overview of CPS,
- Instruction on CWB procedures and member responsibilities, and
- Connection with an experienced CWB member to serve as a mentor.

A DFPS Community Initiative Specialist (CIS) may assist with new member training upon request of the CWB chair and with approval by the CIS's supervisor.

Ongoing Training

Local CWBs are encouraged to arrange for ongoing training for members. The board's CPS staff liaison or the regional Community Initiatives Specialist can assist with obtaining training to provide further understanding of CPS.

Donated Funds, Goods, and Services

CWBs must adhere to DFPS guidelines when providing resources and support for the children and families they serve. The following guidelines are designed to ensure that members involved in organized activities and initiatives take precautions to provide for DFPS client safety. For additional information or clarification, check with the regional Community Initiatives Specialist.

Holiday and Other Gift Drives

Gift wrapping should be left open on one end so that CWB members and/or DFPS staff can check contents to ensure that no inappropriate items or communications have been included.

Parties for Children

Activities should avoid unnecessary risk for children's safety. Additionally, all participants of group events planned specifically for DFPS clients must authorize and pass a DFPS background check.

Gift Cards

Awaiting policy clarification from DFPS.

Emergency Resource Rooms

Many emergency resource rooms are managed by groups affiliated with Greater Texas Community Partners (GTCP). As such, they must abide by both the requirements of DFPS and GTCP. See the GTCP Web site at <http://www.gtcp.org/> for contact information about their programs.

For those CWBs that operate emergency resource rooms that are not affiliated with GTCP, the following DFPS requirements apply.

Initiating an Emergency Resource Room

The DFPS Community Initiatives Specialist must be involved in setting up a new emergency resource room. Memorandums of Understanding are encouraged between the CWB and DFPS to advance understanding of applicable policies and procedures and clarify roles and responsibilities.

Inventory Systems

Emergency resource rooms must have an inventory system in place that tracks:

- What came in (items/donations received and when);
- Where it came from (identity of donor);
- Where it went (client identifier);
- Who removed it (caseworker's name); and
- What's left in the room (physical inventory at least annually).

Inventory systems can range from simple manual records to complex computer-based versions. The DFPS Community Initiatives Specialist and the Office of Volunteer and Community Engagement can assist in choosing a suitable system upon request.

Expenses and Finances

CWB Finances

Accounting for Nonprofit Status

A CWB may choose to create a separate nonprofit 501(c)(3) board to become eligible for donations and grants. Money raised by a separate incorporated entity must be kept separate from money provided by the county to support CPS children. The CWB must maintain separate ledger sheets and accounts. While counties may contract with nonprofit organizations, they are prohibited from making donations to those entities.

Funding Sources

A CWB may receive funding from several sources:

- County general fund,
- County jury donations,
- County Title IV-E match revenue,
- Municipal funds,
- School district funds,

- CWB fundraisers and donations, and
- Corporation and foundation grants.

County general funds are provided, at the county's discretion, for the care of children in DFPS conservatorship who are ineligible for Title IV-E foster care, state-paid foster care, or Medicaid and for medical care not covered by Medicaid.

Jury Fee Donations

A CWB may be eligible to receive a donation of jury fees from the county. Government Code, §61.003(A), provides that each prospective juror reporting for jury service shall be provided a form letter that, when signed by prospective juror, directs the county treasurer to donate all of the prospective juror's reimbursement for jury service to:

- the compensation to victims of crime fund under Subchapter B, Chapter 56, Code of Criminal Procedure,
- the child welfare board of the county appointed under Family Code, §264.005,
- any program selected by the commissioners court that is operated by a public or private nonprofit organization and that provides shelter and services to victims of family violence. or
- any other program approved by the commissioners court of the county.

The county treasurer deposits donations made to a CWB in a fund established by the county to be used by the CWB in a manner authorized by the county commissioners court.

Title IV-E Funds

Title IV-E is a federal program that provides financial assistance to states for supplemental foster care maintenance, adoption assistance, administrative costs, training, and independent living services. In Texas, DFPS is the single state agency responsible for Title IV-E. While all counties with child welfare boards have contracts with DFPS to establish and maintain the board, counties may also establish financial contracts with DFPS that allow for the federal reimbursement of a percentage of eligible expenses for children in care (e.g., clothing, transportation, school supplies, and other personal items). The percentage reimbursable is dependent upon the eligibility of the child, the eligibility of the expenses, the Federal Financial Participation (FFP) based primarily on the state's per capita income, and the county population ratio of Title IV-E eligible children to total number of children in care. The remaining percentage of expenses is to be covered by the county using state and local funds. Certain training and administration expenses may also be eligible for Title IV-E reimbursement.

Title IV-E contracts are established with the counties, not with child welfare boards. If a child welfare board is interested in pursuing this potential source of funding, they should first contact the county commissioners' court and/or the county auditor's office. The county will need to be willing to follow certain procedures in order to bill for and receive reimbursement through this program. The DFPS Community Initiative Specialist for the region is also a source of information and technical assistance.

Use of CWB Funds

Each CWB is responsible for developing guidelines for the disbursement of funds to children and families. Examples of guidelines include, but are not limited to:

- Maximum amounts for clothing allowances, personal allowances, and gifts for foster children,
- Frequency of clothing allowances (for example, once a quarter or twice a year),
- Provision of receipts for expenditures, and
- Maximum amounts for kinship care assistance payments.

Reimbursement of Member Expenses

The CWB treasurer receives and processes reimbursement requests from CWB members for travel to meetings and for other allowable expenses. Members must provide receipts and claim only actual expenses. Reimbursement for lodging, meals, and mileage must not exceed the current state maximum reimbursement rates, although counties may set rates below the state maximum rates. See Texas Comptroller of Public Accounts Web site for current rates: <http://www.window.state.tx.us/comptrol/texastra.html>.

TCCWB Treasurer's Manual

Bank Accounts

At a minimum, both the president and treasurer must be on the signature card for all bank accounts; however only one signature is required to write checks. To open a bank account, the treasurer provides the bank:

- a copy of the minutes of the meeting that elected him, the president, and any other person that will be on the signature card,
- a copy of the TCCWB bylaws, and
- other information requested by the bank.

The treasurer informs the bank that TCCWB is a nonprofit 5019(c)(3) when opening an account.

The treasurer reconciles each bank statement each month and keeps the statements on file permanently. When a check has not cleared the bank within 90 days of mailing, the treasurer must determine the status of the check by contacting the entity it was paid to the order of.

Reimbursement of TCCWB Member Expenses

The treasurer receives and processes reimbursement requests from TCCWB members for travel to meetings and for other allowable expenses. The treasurer updates the form annually to reflect any changes in reimbursement rates for mileage and per diem.

Members wanting to donate all or part of their expenses back to TCCWB must claim the total amount of their expenses and document on the reimbursement form the amount that they want to donate back to TCCWB.

To claim reimbursement for expenses, a member:

- Submits the reimbursement form within a week of the meeting or other date expense was incurred,
- Specifies meeting date and type of meeting attended, if applicable,
- Provides original invoices or receipts for all expenses,

- Includes name, address, and telephone number on reimbursement form, and
- Signs the form verifying the accuracy of the claim.

Upon receipt of a reimbursement form, the treasurer:

- Carefully reviews each form, checking addition, receipts for all expenses, and compliance with per diem limit,
- Makes changes as needed on the reimbursement form and only requests the correct amount on Form 4116, Purchase Voucher, submitted to DFPS,
- Notifies the member if changes were made and the reason for and amount of the change,
- Holds reimbursement forms submitted more than one week following the meeting until all late forms are received or up to 30 days after the meeting date, and
- Submits a supplemental billing for late forms.

Upon receipt of funds from the Comptroller's Office, the treasurer promptly:

- Deposits the check in the bank account,
- Writes checks to members using corrected amounts,
- Verifies that the total amount on checks written is equal to funds received, and
- Mails reimbursement checks to members.

Restrictions for Reimbursements

Members are expected to submit reimbursement requests for travel expenses using the reimbursement form within one week of the meeting date. Requests received more than 30 days after the meeting date will be denied except with approval of the TCCWB executive committee.

Additional restrictions on reimbursable expenses are outlined below:

Lodging – The maximum reimbursement for lodging for TCCWB activities is \$75 plus tax per night. A member may not claim reimbursement for in-room movies, telephone calls, or other personal items. TCCWB reimburses expenses for only one night for lodging related to two-day business meetings unless travel originates from a different time zone or is previously authorized by the executive committee. Executive committee members who do not live within an hour's drive time may claim expenses for an additional night when attending an executive committee meeting the morning of a general membership meeting. When a block of rooms is reserved for a meeting at a designated hotel, the member must make reservations in advance at that hotel to receive the special rates contracted by TCCWB. Members are encouraged to share rooms whenever possible to reduce expenses. A member indicates on the reimbursement form when sharing a room.

Meals – Reimbursement for meals is limited to the actual cost of food plus tax, excluding liquor and gratuities, and must be in connection with an overnight stay. The maximum reimbursement amount is \$25 per day.

Airfare – TCCWB only reimburses for actual travel expenses. Unused airline tickets, change fees, and travel agency fees are not allowable expenses and must not be included in the reimbursement request. Members must arrange travel in advance whenever possible to take advantage of savings offered by airlines.

Mileage – Members must coordinate travel with others when driving whenever possible. For example, if two members can share a vehicle at less expense than two airline tickets, driving is the preferred option. When sharing a vehicle, only one member submits the request for mileage reimbursement, but indicates on the reimbursement form the names of others sharing the vehicle. Mileage reimbursement is .28 cents per mile and is based upon the official state mileage between cities. See the Texas Comptroller of Public Accounts Web site for the official state mileage: <http://www.window.state.tx.us/comptrol/texastra.html>.

Other Expenses – Members authorized to make purchases for TCCWB submit original invoices and receipts for supplies, postage, printing, and other allowable business expenses to be reimbursed for those expenses.

Reimbursement of Employee Expenses

Employees report allowable expenses on an expense report form, submitted with the payroll report by the fifth of the month following the month expenses were incurred. Employees may claim travel, meals, and mileage expenses at the current state maximum reimbursement rates. Otherwise, employees follow the same procedures and restrictions for claiming expenses as TCCWB members.

Employee Payroll

When an employee is hired by TCCWB, the treasurer requests that the employee complete a W-4 Form showing full name, Social Security Number, filing status, and number of dependents. The treasurer uses this information to determine withholding taxes from the paycheck. See detailed instructions in the Withholding section below. Paychecks cannot be processed until the W-4 Form is completed and signed by the employee.

By the fifth of the month, each employee submits to the treasurer a payroll report for the previous month, listing by date, hours worked, tasks completed, and travel time and mileage.

Upon receipt of the payroll and expense reports, the treasurer completes a Form 4116, Purchase Voucher, to request reimbursement from DFPS. Upon receipt of funds from the Comptroller's Office, the treasurer promptly deposits the check in the bank account, writes checks, and mails them to employees.

Withholding

The treasurer completes the following steps for withholding employment tax, Social Security, and Medicare premiums for an employee's salary:

- Calculate the withholding amount by either using a computer program or referring to Circular E, Employer's Tax Guide, available from the Internal Revenue Service (IRS) and updated each January. Circular E also provides step-by-step instructions for making deductions and an ordering form for forms needed at the end of the payroll year (December 31).
- At the end of each month, complete Form 8109, Federal Tax Deposit Coupon, found in the Federal Tax Deposit Coupon Book. Complete the form in pencil.

- Enter the deposit amount in the space at the top of the form. The deposit amount should be the withholding amount and double the Social Security and Medicare amounts.
- On the right side of the coupon, mark the box “941” and the appropriate box for the quarter.
- Fill out the deposit form stub to keep for TCCWB records.
- Make a check payable to the bank for the deposit amount.
- Take the check and coupon to the bank.
- Receive a receipt for the amount deposited. Keep the receipt with the Federal Tax Deposit Coupon Book until time for the quarterly report to IRS.
- Each quarter, upon receipt of Form 941, complete the form using the deposit receipts from each month in the quarter.
- At the end of the year, make a final report to IRS and complete Form W-2 for each employee.

Internal Revenue Service

TCCWB became a nonprofit 501(c)(3) organization in 1993 and is exempt from federal income tax; however, TCCWB must report all donations and expenses to IRS by the 15th of the fifth month after the close of the fiscal year on Form 990-EZ, Short Form Return of Organization Exempt from Income Tax.

Registered Agent with Secretary of State

The Secretary of State (SOS), Statutory Filings Division, requires TCCWB and incorporated regional councils and CWBs to have a registered office and a registered agent in order to receive service of process. To submit or change information, an incorporated entity completes SOS Form 401, available at the SOS Web site <http://www.sos.state.tx.us/corp/forms.shtml>.

Additionally, Article 1396-9.01 of the Texas Nonprofit Corporation Act authorizes the SOS to require nonprofit corporations to file a report not more than once every four years. Failure to complete SOS Form 802 in a timely manner and file it with SOS may result in involuntary dissolution of the nonprofit corporation.

Donations

Upon receipt of a donation, the executive director sends a letter of acknowledgement to the donor, including the amount of the donation. If the donation is a memorial gift, the executive director also sends a letter of acknowledgement to the individual designated by the donor to receive notice of the memorial gift. Copies of the letters are retained in TCCWB files.

The executive director forwards all donations received to the treasurer for deposit. The treasurer keeps a record of the amount donated by each person as this information is required for completion of IRS Form 990.

Financial Reports

The treasurer is responsible for making financial reports as required and upon request. At a minimum, the treasurer provides a financial report at each TCCWB meeting. The treasurer must be able to explain any and all expenditures and provide documentation upon request. The

treasurer may be required to submit financial reports to outside funding sources on a monthly or quarterly basis.

Paid Personnel

TCCWB has one paid staff position, a full-time executive director. The executive director is responsible to TCWB and reports to the TCCWB president.

Job Description

Minimum Qualifications:

- Bachelor's degree or related experience.
- One year of administrative/management/supervisory experience.
- Experience in the following areas: public speaking, group meetings, writing skills, grant writing, resource development, public relations, volunteer management and board development.
- Good computer skills.
- Knowledge of child protective services.

Areas of Responsibility:

- Writes grants when appropriate and as directed by TCCWB to fund a portion of the salary for the position of executive director.
- Assists with resource development activities, projects, and special events as directed by TCCWB.
- Plans and coordinates an annual conference with content information appropriate for CWB members, child advocates, and CPS staff.
- Provides leadership to assist TCCWB in meeting goals and requirements of contractual agreements between TCCWB and DFPS.
- Maintains inventory of property owned by TCCWB and assists with budgeting and financial reports as needed.
- Prepares an online newsletter and assists with TCCWB Web site updates as needed

Goals and objectives of the contracts between DFPS and TCCWB are summarized as follows:

- Enhance the activities of Texas child welfare organizations that can be used as a model nationally to promote public and private partnerships that benefit children.
- Assist local and regional child welfare boards to more effectively carry out their activities for the benefit of abused and neglected children and their families.
- Develop and implement a statewide inventory to tabulate and analyze resources available for children and families.
- Develop a plan to improve resources available to address child abuse.
- Increase funding through grants, donations and resource development to ensure the continuation of the TCCWB.
- Provide leadership in planning and coordination of an annual statewide conference for child welfare board members and CPS staff.
- Develop a comprehensive TCCWB and local CWB operations and policy manual.
- Coordinate three TCCWB full board meetings and at least one TCCWB executive committee meeting.

Personnel Policies

The TCCWB employment policies are not contractual in nature and may be unilaterally rescinded or revised by TCCWB at any time. All employees must be provided with a copy of the personnel policies and be required to read, sign, and abide by them. Employees must be notified whenever there has been a significant modification of or addition to any of the policies.

Formal Organization and Structure

TCCWB is a 501(c)(3) organization. The board of directors is the policy-making body and operates according to a set of bylaws that authorize the development and define the work of committees. The board of directors is responsible for employing an executive director. The executive director reports directly to the president of the organization. Additional employees are responsible to the executive director who serves as liaison to the board of directors.

Equal Employment Opportunity

TCCWB is committed to the principles of equal employment opportunity. All employment decisions, including, without limitation, decisions regarding recruitment, selection, hiring, compensation, benefits, training, advancement, discipline, discharge, and other terms, conditions, and privileges of employment, are based on individual qualifications, without regard to race, color, religion, national origin, sex (including pregnancy), age, disability, or any other status protected by law.

TCCWB will make reasonable accommodations, including modification of policies and procedures in appropriate cases, for qualified individuals with disabilities if it can do so without undue cost or hardship to TCCWB.

It is also TCCWB policy that any form of discrimination or harassment on the basis of race, color, religion, national origin, sex (including pregnancy), age, disability, or any other status protected by law, will not be tolerated in the workplace.

Employment Status

Employment with TCCWB is terminable **at will**, meaning that the employment relationship can be terminated by either the employee or TCCWB at any time, with or without notice and with or without cause.

Classification of Employees

Full time: Employees who work 40 hours per week.

Part time: Employees who work less than 40 hours per week.

Exempt: Employees who work in positions deemed under federal laws and regulations as exempt from requirements governing overtime and compensatory pay.

Non-exempt: Employees whose positions are deemed under federal laws and regulations to be subject to minimum wage requirements, including the requirement that employees be compensated at overtime rates when they work more than 40 hours in a workweek.

Benefit: Employees who work at least 20 hours per week on a regular basis. Benefit employees are eligible for benefits that include paid holidays, vacation and sick leave.

Non-benefit: Employees who work less than 20 hours per week or who work on a temporary basis. Non-benefit employees are not eligible for benefits that include paid holidays, vacation and sick leave.

Evaluation

Each year an employee participates in a formal evaluation with his or her immediate supervisor. The evaluation explores the strengths and weaknesses of the employee, sets goals, and includes any constructive criticism given the employee. The evaluation must be signed by both parties and placed in the employee's personnel file. Failure to satisfactorily improve performance is grounds for disciplinary action up to and including termination of employment.

Benefits

Benefit employees earn paid holidays, vacation and sick leave based on actual hours they work. For example, an employee who works 20 hours per week will earn half the amount of paid holidays, vacation and sick leave that an employee earns who works 40 hours per week.

Holidays

TCCWB observes the following days as paid holidays:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day and the day before or after

In the event that a paid holiday falls on a Saturday or Sunday, the day before or after will be observed.

Vacation

Full time employees earn eight hours of paid vacation per month; part time employees who work at least 20 hours per week earn a pro rata amount (for example, a part time employee who works only 20 hours per week earns four hours of paid vacation per month).

Sick Leave

Full time employees earn eight hours of paid sick leave per month; part time employees who work at least 20 hours per week earn a pro rata amount (for example, a part time employee who works only 20 hours per week earns four hours of paid sick leave per month).

Employees are permitted to use accrued sick leave for personal illness or to care for an immediate family member. Immediate family members include an employee's spouse, child, mother, father, sister, brother, and grandparents.

Employees are permitted to use up to three days of accrued sick leave to attend the funeral of an immediate family member.

When a period of sick leave exceeds three days, a doctor's certificate verifying medical treatment was secured is required as a condition for returning to work. When accrued sick leave has been exhausted, continued absence may be charged against accumulated vacation.

Malingering or other abuses of sick leave privileges will result in disciplinary action, up to and including termination of employment.

Court Leave (Jury Duty, Appearance as Witness, etc.)

When an employee is summoned for jury service or subpoenaed to appear as a witness, TCCWB normally continues the employee's regular pay while the employee serves as a juror or subpoenaed witness. However, TCCWB has the discretion not to provide such pay continuation benefits if, in TCCWB sole opinion, the actual or possible length of time the employee will be required to serve as a juror or witness makes it impractical or inadvisable to do so. However, deductions will not be made from the salaries of employees whose jury or witness service lasts less than one full workweek.

In the event an employee appears as a witness or attends court proceedings at the request of TCCWB, such time will be considered hours worked.

Military Leave

An employee's eligibility for leave for military service and reemployment afterwards are governed by state and federal law.

Time Reporting and Overtime

Reporting

All employees must accurately report the amount of time they work for TCCWB on monthly time sheets submitted to the treasurer. Failure to do so may delay payment for that month. Deliberately falsifying a time sheet is grounds for disciplinary action up to and including termination from employment.

Overtime

The management level position of executive director is exempt from the payment of overtime.

Payroll and Expenses

Employees are paid by check on a monthly basis and are reimbursed for authorized expenses according to the policies for State of Texas employees. Employees using personal vehicles for TCCWB business are reimbursed at the current mileage rate authorized by the State and must keep track of starting and ending mileage and reason for travel. Request for reimbursement shall be submitted to the treasurer along with original receipts.

Payroll Deductions

Federal Income Tax Withholding, Social Security and Medicare taxes are deducted from employees' pay as required by federal law. Additionally, court-ordered payments for child

support or delinquent Internal Revenue Service taxes will be withheld from affected employees' pay.

Attendance

Regular attendance is required of all employees. Excessive absences interfere with the performance of an employee's job duties and may result in disciplinary action up to and including discharge.

Conflict of Interest

Employees shall not engage in any activities which create a conflict of interest between their assigned TCCWB functions and any other interest or obligation. Employees shall not let any outside employment interfere with the performance of TCCWB duties. An employee may not participate in a decision if it presents a conflict of interest.

An employee shall comply with the provisions of state and federal law governing the acceptance of gifts and gratuities. In addition, TCCWB employees must avoid the appearance of favoritism in all of their dealings on behalf of TCCWB. All employees are expected to act with integrity and good judgment and to recognize that the acceptance of personal gifts from those doing business or seeking to do business with TCCWB, even when lawful, may give rise to legitimate concerns about favoritism depending on the circumstances. If a TCCWB employee has any question regarding the propriety of a gift, disclosure of the gift or proposed gift should be made to his or her immediate supervisor for a determination of the proper course of action.

Related Party

Because TCCWB contracts with DFPS, employees of TCCWB must disclose their recent employment by DFPS and/or the names of close relatives who are currently or were recently employed by DFPS.

Goods or services shall not be purchased from an employee or near relative (spouse, child, parent, brother, sister, grandparent, grandchild, aunt, uncle, niece, nephew, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, step-parent or step-child) of the employee unless there is a specific determination that the goods or services are not available elsewhere.

Proposals from independent consultants shall include the name and position of any TCCWB employee who holds a position of director, officer, partner, trustee, manager, or employee in the consultant organization. Selection of the independent consultant shall be made only on the basis of qualifications, resources, experience, needs of TCCWB, and cost.

Failure of an employee to abide by these conflict of interest restrictions may result in disciplinary action up to and including termination of employment.

Nepotism

No TCCWB employee may hire or supervise anyone to whom he or she is related by blood or marriage as follows: spouse, child, parent, brother, sister, grandparent, grandchild, aunt, uncle, niece, nephew, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-

in-law, stepparent or stepchild. This prohibition also applies to circumstances in which persons in a supervisor-supervisee relationship subsequently become related by virtue of a marriage.

Substance Abuse

It is the policy of TCCWB to maintain a drug-free workplace. Compliance with this policy is a condition of initial and continued employment with TCCWB. TCCWB prohibits the manufacture, distribution, dispensation, possession, concealment, use, sale, or transfer of alcohol, inhalants, drugs, or controlled substances, and the possession of drug-related paraphernalia or literature promoting the use of illegal drugs, while at work, on TCCWB premises (including parking lots) or on TCCWB business. TCCWB also prohibits the presence of any person on TCCWB premises (including parking lots) or while on TCCWB business while under the influence of alcohol, inhalants, drugs, or controlled substances. "Under the influence" with respect to drugs, inhalants, or controlled substances, means having any detectable level in the person's body, regardless of when or where it may have been consumed. Disciplinary action, up to and including discharge, will be taken against any employee who violates this policy.

Over-the-counter medications and prescription drugs prescribed by licensed medical practitioners for the person using or possessing them are generally not prohibited by this policy, provided they were lawfully obtained and are not consumed at a frequency or quantity greater than the dosage prescribed or otherwise recommended on the medication's label. However, any employee taking any prescription or over-the-counter drug or medication, regardless of whether it was lawfully obtained and properly consumed, which drug or medication is known or advertised as possibly affecting or impairing judgment, coordination, or other senses, or which may adversely affect ability to perform work in a safe and productive manner, must notify his or her supervisor prior to starting work or entering TCCWB premises. The supervisor, in consultation with appropriate medical personnel when necessary, will decide if the employee may remain at work. Information regarding the employee's use of medication and any other information provided by appropriate medical personnel will be kept strictly confidential.

Currently, TCCWB does not have a drug or alcohol testing program for employees. However, TCCWB reserves the right to implement a testing program and to require employees to submit to testing as a condition of continued employment.

Discipline

All employees are expected to perform their duties diligently and to conduct themselves professionally and courteously at all times. Failure to observe the expected standards of performance and behavior and/or violations of policies will result in appropriate disciplinary action. What discipline is appropriate will depend upon the circumstances and may include such things as oral warning, written reprimand, suspension, probation, demotion, or termination of employment. Records of disciplinary action will be placed in an employee's personnel file.

Disciplinary action will be recommended by the employee's immediate supervisor. Although it is generally the policy of TCCWB to warn and counsel employees prior to considering termination of employment, there may arise circumstances where the employee's conduct is such that immediate discharge is warranted. Employment with TCCWB is **at will** and can be

terminated by either TCCWB or the employee at any time with or without notice and with or without cause.

Termination of Employment

Resignation

Employees who resign from TCCWB should give at least two weeks written notice. The letter of resignation should state fully the reason(s) for leaving and should be turned in to the employee's supervisor. Resigning employees will be given their final paychecks no later than the next regularly scheduled payday. All applicable mandatory deductions will be made from the employee's last paycheck. The employee will be paid for vacation hours accrued, but unused. No accrued sick leave will be paid upon termination of employment.

Involuntary Termination of Employment

Employment with TCCWB is **at will** and may be terminated by TCCWB at any time with or without cause and with or without notice. Employees will be paid for all work performed through the effective date of the termination of their employment no later than the sixth day after they are discharged. All applicable mandatory deductions will be made from the employee's last paycheck.

Reporting and Records Management

Reporting

County-Level Reports

CWBs must provide an annual report to the county commissioners court. At a minimum the report must contain:

- Status of the county's children,
- Status of the CWBs activities and achievements, and
- Budgetary needs.

State-Level Reports

TCCWB provides reports as required by contracting and funding entities.

Local Assistance Survey

TCCWB compiles a statewide annual report reflecting the total value of local support for the CPS program. CWBs are asked to report on the following:

- Contributions by source, for example, county general fund, jury donations, county Title IV-E match revenue, municipal funds, school district funds, and CWB fundraisers;
- Number and type of locally-funded DFPS or county employees supporting the CPS program;
- Amount and type of local expenditures for staff support, for example, training, travel, office space, office equipment, and security;
- Amount and type of local expenditures for the needs of children and families served by CPS, for example, substitute care, kinship care, adoption assistance, medical care, child care, clothing, school and extracurricular fees, travel, gifts, and care packages;

- In-kind value of donated goods and services; and
- Number of volunteers and hours of service.

Copies of the compiled report are provided to CPS management staff.

DFPS Automated Volunteer Tracking System

DFPS uses an automated system to track volunteer hours. CWBs, regional councils, and TCCWB should ensure that their hours are reported in a timely manner. In some areas, the DFPS Community Initiative Specialist enters the information for CWBs. In other areas, a CWB member assumes that responsibility. Chairs are responsible for ensuring that hours are reported in the DFPS automated tracking system.

Records Management

Confidential Information

Financial reports, ledgers, Title IV-E forms, DFPS move logs, and correspondence must never include the last name of children and families receiving services. These documents use the first name and last initial only. If more than one child has the same first name and last initial, the middle initial is also used.

Records Retention

The following records retention schedule is applicable to records of local CWBs, regional councils, and TCCWB (Source: *American Bar Association Journal*, June 1994). The Texas State Library and Archives Commission also publishes detailed records retention schedules on their Web site at <http://www.tsl.state.tx.us/>

Type of Record	Retention Period
Business Correspondence	3 years
Accounts Payable and Disbursement Records	Fiscal year end + 3 years
Accounts Receivable Records	Fiscal year end + 3 years
Bank Statements and Reconciliations	9 years
Cancelled Checks for Standard Transactions	7 years
Cancelled Checks for Key Payments (for example, taxes, property purchases, special contracts)	Permanent
Contracts and Leases	Permanent
Invoices	7 years
Audit Records	Permanent
Agendas for Open Meetings	Permanent
Agendas for Closed Meetings	2 years
Minutes of Open Meetings (or audiotapes in lieu of minutes)	Permanent
Minutes of Closed Meetings (or audiotapes in lieu of minutes)	2 years
Notes or audiotapes of meetings for which minutes are prepared	90 days after approval of minutes
Tax Returns	Permanent

APPENDICES

Appendix I: Sample Contract

- I. The Texas Department of Family and Protective Services, hereinafter referred to as the Department, and the Commissioners' Court of **XXXX** County, hereinafter referred to as the County, agree to enter this contract to establish and maintain a child welfare board to administer a county wide, jointly financed, state administered and regionally operated child welfare program to meet the needs of children in the county who are in need of protective services. If the child welfare board was previously established, then this contract is to maintain it.

This contract is entered into under the authority of §40.058 of the Human Resources Code and is not an agreement under Ch. 771 of the Government Code.

II. The County agrees:

- A. To establish and maintain a Child Welfare Board, hereinafter referred to as the Board, as set out by statute in the Texas Family Code §264.005.
- B. That the Board will consist of not less than seven nor more than fifteen persons appointed by the County Commissioners' Court. Each member will serve a three-year term on a rotating basis. Initially, the appointees will be designated to serve the following terms: 1/3 of the members appointed to three-year terms; 1/3 of the members to a two-year term; and 1/3 of the members to a one-year term. In successive years, from two to five new members will be appointed. Members shall serve at the pleasure of the Commissioners' Court. Members serve without compensation.
- C. To remove or suspend any member who is alleged to have committed an offense of abuse, neglect, or exploitation or an offense against the person, an offense against the family, or an offense involving public indecency under the Texas Penal code; or an offense under the Texas Controlled Substances Act. If it is determined that the member has not committed such offenses, the member may be reinstated; however, the County shall notify the Department of its intent to do so ten (10) working days prior to the reinstatement. The Contractor or Subcontractor must provide the Department with further information concerning the reasons for the reinstatement upon the request of the Department.
- D. To provide funding at the County's discretion for the care of any child in need of protective placement who is under the conservatorship of the Department, and who is ineligible for Title IV-E foster care or state-paid foster care and/or Medicaid.
- E. To provide funding at the County's discretion for medical care not covered by Title XIX (Medicaid) and for children not Medicaid eligible.

III.The Board required under Article II, Section A, of this contract shall have and exercise such lawful authority, duties and responsibilities as conferred upon it by statute, the

Department and the County. The Department and the County agree that the Board will have the following duties:

- A. Assist the Department in identifying and meeting the needs of the children in the county who are covered under this contract.
- B. Explain the child welfare program and needs to the community and explain to Department staff the community's conditions and attitudes on policy, services, and priorities.
- C. Serve in an advisory capacity to the county in the development of local policy to meet the needs of the children in the County covered under this contract.
- D. Ensure the confidentiality of records and other information relating to children and families according to applicable federal and state law, rules and regulations. This provision does not limit the Department's right of access to client case records or other information relating to clients served under this contract, except to the extent that the Department acts outside of applicable state or federal law, rules or regulations applicable to such record or information.
- E. Prescribe such bylaws, not inconsistent with the terms of this contract and applicable state laws, as may be necessary or desirable to insure the efficient operation of the Board. Such bylaws shall be approved by written order of the Commissioners' Court.

IV. The Department agrees:

- A. To seek Title XIX Medicaid coverage within the amount, duration, and scope of the Medicaid program as defined by the state agency responsible for administration of these funds, for any child eligible for AFDC-foster care or state-paid foster care and who is eligible for Medicaid benefits.
- B. To receive and expend children's personal funds (SSI, SSA, child support, etc.), in accordance with the needs of each child and state and federal laws and regulations, for children in the Department conservatorship.

V. The Parties mutually agree:

- A. That this mutually undertaken child welfare program must meet state licensing and/or certification standards for child-caring and child-placing activities as a condition to continuation of this contract.
- B. To comply with Title VI of the Civil Rights Act of 1964 (Public Law 88- 352), Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112), The Americans with Disabilities Act of 1990 (Public Law 101-336), and all amendments to each, and all requirements imposed by the regulations issued pursuant to these acts. In addition, the County agrees to comply with Title 40, Chapter 738, of the Texas Administrative Code. These provide in part that no persons in the United States shall, on the grounds of race,

color, national origin, sex, age, disability, political beliefs or religion be excluded from participation in, or denied, any aid, care, service or other benefits provided by federal and/or state funding, or otherwise be subjected to discrimination. The County agrees to comply with Texas Health and Safety Code Section 85.113 (relating to work place and confidentiality guidelines regarding AIDS and H IV).

- C. That there shall be an annual review of this contract conducted to consider any appropriate changes.
- D. That the term of this contract shall be for a period beginning on the effective date of this contract and it shall terminate at such time as the federal, state, or county governments cease to participate in the program, by mutual consent of all parties hereto, or upon breach of the contract by one of the parties hereto. If mutual consent cannot be attained, either party to this contract may consider it canceled by giving thirty (30) days notice in writing to the other party, and this contract shall thereupon be canceled upon the expiration of such thirty (30) day period. It is further agreed and understood that in the event the federal or state laws or other requirements should be amended or judicially interpreted so as to render fulfillment of this contract on the part of either party unfeasible or impossible or if the Department and the County should be unable to agree upon modifying amendments which would be needed to enable substantial continuation of the program as a result of such amendments or judicial interpretations, then, and in that event, the Department and the County shall be discharged from further obligation created under the terms of this contract, except for the equitable settlement of the respective accrued interests or obligations incurred up to the date of termination.
- E. That this contract shall constitute the entire agreement of the County and the Department, and supersedes any other agreement(s), contract(s), or amendment(s) whether formal or informal, which have been previously entered into by and between the County and the Department relating to the services covered under this contract.

For the faithful performance of the terms of this contract, the parties hereto, in their capacities as stated, affix their signatures and bind themselves effective the _____ day of _____, _____.

Texas Department of Family
and Protective Services

Signature: _____

Printed Name: _____

Regional Director, Region _____

Date: _____

Contractor: _____
(County)

Signature: _____

Printed Name: _____

Title: County Judge

Date: _____

Appendix II: Sample Child Welfare Board Meeting Notice

The _____ County Child Welfare Board will hold a regular meeting on the ____ day of _____, 200__, at _____ o'clock ____m. in the _____ Room of the _____, in _____, Texas.

AGENDA

1. Call to Order
2. Establishment of Quorum
3. Public Comment/Information from the Community
4. Approval of Minutes of the _____ meeting
5. Committee Reports
6. Officer Reports
7. Child Protective Services Report [closed session] (*See note below*)
 - a. Child Protective Services Report on Conservatorship Children and Disposition of _____ County Cases
[return to open session]
Action required, if necessary, following closed session
 - b. CPS funding requests
8. Unfinished Business (tabled items)
9. New Business
 - a. Next Board Meeting – _____, _____, 200__
10. Adjourn

I, the undersigned, do hereby certify the above notice of meeting is a true and correct copy of said notice, and that said notice will be posted on the courthouse door of _____ County, _____, Texas at ____ p.m. on the ____ day of _____, 20__ and said notice remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Board Chair

Note: This body is subject to the Texas Open Meetings Act, however, the Board may at appropriate times convene in executive or closed sessions pursuant of Texas Human Resources Code 40.005 (relating to reports, investigations, and services relating to alleged or suspected child abuse or neglect); or Texas Government Code 551.071 (consultations with attorney), 551.072 (real property exception), 551.073 (perspective gift exception), 551.074 (personnel matters), 551.075 (conference with employee), 551.076 (security personnel device exception), or 551.078 (medical exception).

Appendix IV: TCCWB Bylaws

TEXAS COUNCIL OF CHILD WELFARE BOARDS

ARTICLE I

Name

The name of this organization shall be the Texas Council of Child Welfare Boards.

ARTICLE II

Purpose

Section 1. This organization is organized exclusively for the Charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code. The charitable and educational purposes shall be directed to the abused and neglected children of the state of Texas and to the general public for the prevention of abuse and neglect of children.

Section 2. Notwithstanding any other provision of these articles, the association shall not carry on any other activities not permitted to be carried on (a) by an association exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue Law) or (b) by an association whose contributions are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue Law).

Section 3. Upon dissolution of this association, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code (or corresponding section of any future tax code), or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the association is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE III

Membership

Section 1. Each Regional Council shall designate its Regional Representatives to the Texas Council. The representatives shall be, at the time of designation, a member or ex-officio member of a county board. Alternatives may be appointed and, in the absence of the designated representatives, may attend meetings and vote.

Section 2. As the term is used herein, "Regional Council" shall also mean the chief administrative officer of the region in those areas where there are no Regional Councils. The representatives shall be, at the time of designation, active members of a county board. These representatives shall be voting members of the Texas Council. When a Regional Council forms, each representative shall continue to represent the newly formed Regional Council until his term has been completed on the Texas Council.

Section 3. Regional Representation shall be:

Region 1	3	
Region 2	2	
Region 3	3	-at least one (1) of whom should be a metropolitan representative
Region 4	2	
Region 5	2	
Region 6	3	-at least one (1) of whom should be a metropolitan representative
Region 7	3	-at least one (1) of whom should be a metropolitan representative
Region 8	3	-at least one (1) of whom should be a metropolitan representative
Region 9	2	
Region 10	2	-at least one (1) of whom should be a metropolitan representative
Region 11	2	

TOTAL 27 VOTING MEMBERS

Section 4. Any member designated a representative may be removed for just cause, as determined by the Executive Committee and approved by a two-thirds (2/3) vote of the Council members present. Absence from two consecutive board meetings without prior notice to the Council Secretary and without attendance by that member's alternate shall be cause for review by the Executive Committee.

Section 5. As vacancies occur, the Regional Council shall designate another representative to fill the unexpired term.

Section 6. A person having just completed a term of office as President, shall remain for one (1) year as a nonvoting member-at-large of the Council unless he is an elected regional representative.

Section 7. There may be up to four (4) former council members appointed to a one-year term to coincide with the fiscal year as nonvoting members-at-large. Members-at-large shall, to the extent possible, be appointed by the Executive Committee prior to the first meeting of the fiscal year .One (1) member-at-large shall be from Region 1. One (1) member-at-large shall be the immediate Past President unless the immediate Past President refuses or is unable to serve, in which case the Executive Committee may appoint another person to fill this member-at-large position.

Section 8. Liaisons to other organizations shall be appointed by the President, with ratification by the Council, as deemed necessary.

ARTICLE IV

Officers

Section 1. The Executive Officers of the Council shall be a President, a Vice President, a Secretary, a Treasurer, and a Parliamentarian.

Section 2. Officers enumerated in this article shall perform the duties prescribed in these bylaws and by the parliamentary authority adopted by the Council.

ARTICLE V

Duties of Officers

Section 1. The President shall be the chief executive officer of the Council, shall preside at all meetings, shall take the initiative in presenting for consideration by the Council such policies, actions, and procedures as deemed necessary, shall appoint all committee chairpersons, shall appoint special committees and board liaisons as needed, shall appoint a Nominating Committee as defined in Article VII, Section 2, shall be an ex-officio member of all committees except the Nominating Committee, and shall perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Council.

Section 2. The Vice-President shall assist the President, shall perform other duties as designated by the President, in the absence of the President shall perform all duties pertaining to such office, and shall perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Council.

Section 3. The Secretary shall be the recording officer of the Council, shall conduct a roll call at the beginning of each meeting before any questions are called, shall retain an attendance record for each region including the determination made by the Executive Committee for absent members, shall conduct such correspondence and perform other duties as designated by the President, and shall perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Council.

Section 4. The Treasurer shall be the custodian of all Council funds, shall be ready at all times to report on the financial status of the Council, shall disburse funds by check to be signed by the Treasurer or President, shall keep all financial records of the Council and pass these on to his successor in office, shall maintain a standard operating procedures manual, and shall perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Council.

Section 5. The Parliamentarian shall serve the Council as an advisor of correct parliamentary procedure, and shall perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Council.

Section 6. Nominations: The Nominating Committee as described in Article VII, Section 2 shall submit a state of one name for each officer. Nominations shall also be entertained from the floor.

Section 7. Any candidate for President must have served on the Council for a minimum of one (1) year prior to nomination for office.

Section 8. Election and Term of Office: Officers enumerated in this article shall be elected by majority vote of the Council members present to serve for one (1) annual term. The term of office shall begin at the close of the Annual Meeting at which they are elected and shall continue with all privileges of office until their successor has been elected and qualified or until they are removed by action of the council. Officers may succeed themselves. Officers shall be limited to those members who are duly elected by Regional Councils.

Section 9. Executive Committee: The officers enumerated in this article plus the immediate Past President, up to two (2) members-at-large appointed by the Executive Officers, and chairpersons of standing committees shall constitute the Executive Committee of the Council, and shall, in the event of necessity or emergency, act for the Council.

Section 10. Vacancies: In the event a vacancy in office occurs, said vacancy shall be filled by majority vote of the Executive Committee, subject to ratification by a majority of the Council members present.

ARTICLE VI

Voting

Section 1. The designated representative or the alternate must be present to vote.

Section 2. Each designated representative or alternate shall have one (1) vote. A roster listing the names of members entitled to vote shall be kept by the Secretary. After the roll call, the Secretary shall announce to the Council the total number of voting members present. If a voting member must leave a meeting prior to adjournment, he shall report to the Secretary upon leaving and explain if his voting position is being vacated or if an alternate from his Regional Council will be voting in his absence. If other votes are taken after a member leaves the meeting, the Secretary shall announce the change in the number of voting members present.

ARTICLE VII

Meetings

Section 1. There shall be a minimum of three (3) regular meetings of the general membership of the Council each year and such additional meetings as needed to be determined by the President or Executive Committee, upon timely notification to the general membership.

Section 2. The Annual Meeting and the election of officers shall be the final regular meeting of each year. Committee chairpersons shall take office on September 1 and shall serve until August 31, coinciding with the fiscal year of the Council. A Nominating Committee, consisting of five (5) members of the Council (at least three (3) of whom shall not be officers), shall submit a slate of one name for each office. Nominations shall also be entertained from the floor.

Section 3. At least one (1) voting representative from a minimum of six (6) different regions shall constitute a quorum of the Council. The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall govern the Council in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Council may adopt.

Section 4. Agenda items shall be submitted to the President at least fourteen (14) days prior to a general membership meeting.

Section 5. Members of county and regional boards and the general public may attend meetings, but only those persons attending meetings as voting members or members-at-large who comply with the Expense Reimbursement Guidelines adopted by the Council are entitled to reimbursement for expenses by the Texas Council.

Section 6. If funds are available, a summer Planning Meeting shall be held. This meeting shall be attended by the outgoing Executive Committee, new Executive Officers, and new standing committee chairpersons, provided the names of the new regional representatives are available for the standing committee chairpersons to be appointed prior to the Planning Meeting.

ARTICLE VIII

Committees

Section 1. The Standing Committees of the Council shall be, but not limited to, the following: Education, Advocacy, and Awards. The subcommittees of the Advocacy Committee shall be the Urban Issues and the Rural Issues Committees. A subcommittee of the Education Committee shall be known as the Information Technology (IT) Committee and will be charged with the Web site, newsletter, and mail list.

Section 2. The duties of the Standing Committees vary from year to year due to additional agenda items during a legislative year, goals outlined by the Executive Committees at the summer Planning Meeting, and other duties that may be designated by the President.

ARTICLE IX

Amendments

Section 1. Any representative may submit proposed amendments to the bylaws at any regular meeting of the Council.

Section 2. The Executive Committee (acting as a Bylaws Committee), shall have the option of submitting amendments to the bylaws for vote either at a regular meeting of the membership, or by a binding referendum to the general membership, under the procedures provided herein.

Section 3. These bylaws may be amended by a vote of two-thirds (2/3) of the members present, at any regular meeting; provided, notice of such proposed amendment shall have been given at the preceding regular meeting of the Council or such proposed amendment mailed to the general membership and postmarked at least ten (10) days prior to the next regular meeting of the Council.

Section 4. These bylaws may be amended by a binding referendum mailed to the general membership, and upon two-thirds (2/3) vote of the ballots cast; provided, at least eighteen (18) ballots are cast on the proposition submitted. Procedures governing the referendum shall be determined by the Executive Committee.

Section 5. The Executive Committee shall also have the authority to recommend to the Council that the bylaws be temporarily suspended. Such temporary suspension must be instance specific and be approved by a two-thirds (2/3) vote of the council members present.

Section 6. Officers serving at the time of adoption of these bylaws shall continue to serve until the next Annual Meeting.

The foregoing bylaws were adopted by a two-thirds (2/3) vote at a duly convened regular meeting of the Texas Council of Child Welfare Boards, in Austin, Travis County, Texas on September 30, 2005, to witness which we, the undersigned certify below.

Sandra Penn, President
David Woodberry, Vice President
Patsy Baggett, Treasurer
Sandra Moore-Duarte, Parliamentarian

ATTEST:
Janet Parker, Secretary

Amended 1/22/1999
Amended 4/26/2002
Amended 9/30/2005