

# THE CHILDREN AND YOUTH COORDINATING COUNCIL

## BY-LAWS

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### ARTICLE I -- Purpose

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#### Mission

The mission of the Children and Youth Coordinating Council (hereinafter referred to as "CYCC") is to oversee the efficient administration of taxpayer funds through the provision of grant opportunities to local communities for effective prevention and intervention services for Georgia's youth and families as well as provide for the interaction, communication, and coordination of all components of the children's service systems of the state and to provide assistance in establishing state-wide goals and standards in the system.

Pursuant to §223(a)(3) of the Federal Juvenile Justice and Delinquency Prevention Act ("JJDP Act") of 2002, and O.C.G.A. 49-5-130:135, CYCC will perform the functions, and have the duties and responsibilities, set forth in the JJDP Act, and shall consist of members appointed by the Governor consistent with the requirements of the JJDP Act.

The purpose of the council shall be:

1. To facilitate the coordination of all children's service system in the state of Georgia;
2. To carry out the mandates of O.C.G.A. 49-5-130, and the Juvenile Justice Delinquency Prevention (JJDP) Act of 2002, as amended;
3. To act as the supervisory board for the preparation and administration of the State Plan for Juvenile Justice and Delinquency Prevention as outlined in JJDP Act of 2002, as amended;
4. To reduce the number of Children committed by the courts to institutions operated by the Department of Human Resources and the Department of Children and Youth Services or other state agencies.

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*ARTICLE II –Function and Authority*

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The functions of the council, subject to pertinent federal and state legislation, are to oversee the administration of the federal Juvenile Justice Grant Program and the state Children and Youth Grant Program as outlined in the JJDP Act and O.C.G.A. 49-5-130; to foster better and improved coordination and communication between appropriate public and private agencies, citizen groups, and other state advisory groups concerning strategies and approaches to improving the juvenile justice system, improving services to children and youth, and preventing juvenile delinquency; and to advise the Governor and the Legislature on the following:

1. To cooperate with and secure cooperation of every department, agency or instrumentality in the state government or its political subdivisions to provide service to children and youth and their families.
  
2. To prepare, publish and disseminate fundamental child related information of a descriptive and analytical nature to all components of the children's service system of this state, including, but not limited to, the juvenile justice system.
  
3. To serve as a state-wide clearing house for child related information and research.
  
4. To develop legislative proposals and executive policy proposals reflective of the priorities of the entire child related systems of this state, including, but not limited to, juvenile justice systems;
  
5. To serve in an advisory capacity to the Governor on issues impacting the children's service systems of this state;
  
6. To coordinate high visibility child related research projects and studies with a state-wide impact;
  
7. To provide for the interaction, communication and coordination of all components of children's service systems of the state and to provide assistance in establishing state-wide goals and standard in the system;
  
8. To provide for the effective coordination and communication between providers of children and youth services, including pediatrics, health, mental health, business and industry, and all components of the social services, education and educational services;
  
9. To encourage and facilitate the establishment of local commissions or coalitions on children and youth, and to facilitate the involvement of communities in providing services for their children and youth;
  
10. To administer federal assistance funds, including, but not limited to, funds under the Juvenile Justice and Delinquency Prevention Act;
  
11. To review and develop an integrated state plan for services provided to children and

youth in this state through state programs;

12. To provide technical assistance and consultation to members of the council and local governments particularly those involved in providing services to their children and youth;

13. To facilitate elimination of unnecessary or duplicative efforts, programs and services.

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*ARTICLE III –Composition and Organization*

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A. Membership

Members of the Council are appointed by the Governor as required by federal law in accordance with the provisions delineated in §31.103 of 28 CFR, Part 31 of the Formula Grants Regulation published in the Federal Register, December 10, 1996, which incorporate the requirements of §223(a)(3) of the Juvenile Justice and Delinquency Prevention Act of 2002, as amended.

B. Composition; appointment of members.

1. The Council consists of 23 persons who have training, experience, or special knowledge concerning the prevention and treatment of child abuse and neglect, emotional disability, foster care, teenage pregnancy, juvenile delinquency, law enforcement, pediatrics, health care, drug treatment and rehabilitation, primary education, or the administration of juvenile justice;
2. At least one member of the council shall reside in each congressional district in this state;
3. Twenty-one members, including the chairman, shall be appointed by the Governor, one member shall be appointed by the President of the Senate, and one shall be appointed by the Speaker of the House of Representatives;
4. A majority of members (including the chairman) shall not be full-time employees of the Federal, State, or local government;
5. At least one-fifth of whose members shall be under the age of 24 at the time of appointment.

C. Tenure; vacancies.

1. The term of a member is 4 years;
2. At the end of a term, a member continues to serve until a successor is

appointed;

3. All appointments to the Council shall become effective upon gubernatorial appointment. In the event of death, resignation, disqualification, or removal for any reason of any member of the council, the vacancy shall be filled in the same manner as the original appointment and the successor shall serve for the unexpired term.
4. A member, who is appointed after a term has begun, shall serve only for the remainder of the four year term and continue until a successor is appointed and qualifies.

D. Compensation

Members of the council shall serve without compensation, except that each member who is not a state officer or state employee shall receive the same expense allowance per day as that received by a member of the General Assembly for each day such member is in attendance at a meeting of such council, plus either reimbursement for actual transportation costs while traveling by public carrier or the same mileage allowance for use of a personal car in connection with such attendance as members of the General Assembly receive.

E. Voting Rights

All appointed members of this Council shall have equal voting rights on all matters brought before the Council. Proxy votes are limited to votes on specific issues and shall be given to the Chair prior to the meeting.

F. Removal from Office

If a member misses more than 2 scheduled meeting per year, without just cause, the Chair of the Council shall contact the absent member and make determination of justifiable cause for absences. Upon such determination of cause, the Chair, if deemed necessary, will send written notice of such absences and ask that the member arrange to attend the next Council meeting or consider tending their resignation to the Governor.

G. Public Office

Membership on the council does not constitute public office and no member shall be disqualified from holding public office by reason of his membership on the council.

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*ARTICLE IV -- Officers*

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A. Chair

1. Appointment. The Chair is appointed by the Governor from among the membership of the Board.
2. Duties. The Chair shall have the following duties:
  - A. Preside at all meetings of the Council and conduct said meetings in an orderly and impartial manner so as to permit a free and full discussion by the membership of such matters as may be before them.
  - B. Have the same voting rights as any regular member.
  - C. Establish and appoint any committee (ies) as may be deemed necessary by him/her, or the Council.
  - D. Select, and so designate, the Chairman of each standing committee and/or ad hoc committee.
  - E. Designate special advisory members who are not regular members of the Council to work with Standing or Ad Hoc Committees for the purpose of providing information for the use of the Council.
  - F. Serve as an ex-officio member of all committees.
  - G. Serve as Chairman of the Executive Committee.
  - H. Act as the Council's liaison and spokesman to the Governor and the General Assembly.
  - I. Plan and set the agenda for all regular and special meetings of the Council.

B. Vice-Chair

1. Selection. The vice-chair shall be a Council member elected by a simple majority vote. The Vice Chair shall be elected by this Council for a period of one (1) year, from October 1 of each year through September 30 of the following year, and may succeed him/herself. The vice-chair shall take office upon election.
2. Duties. The vice-chair shall have the following duties:
  - a. Perform all duties of the Chair in the absence of the Chair or in the event of the inability of the Chair to act.
  - b. Have the same voting rights as any other member.

- c. Perform such other duties as the Chair or this Council may delegate to him/her.

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*ARTICLE V -- Meetings*

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A. Regular Meetings

This Council shall meet at least quarterly. Special meetings may be called by the Chair when deemed necessary and in the best interest of the Council.

B. Special Meetings

The Chair may call special meetings at any time deemed necessary. If a special meeting is requested by a majority of the Juvenile Council members presently serving, the Chair shall call a special meeting.

C. Telephone Meetings

The Chair is authorized to convene special meetings of the Council via telephone conference call, in accordance with all other provisions of these articles.

D. Notice of Meetings

1. Members Notice: Written notice of all regular and special meetings of the Council, or committees, shall be mailed to all members at least five (5) days prior to the date of such meeting(s). The time and place of meetings shall be designated by the Chairman in his/her call.

2. Public Notice: All Council meetings shall be open to the public. Notice of the meeting date, time and place shall be made public at least five (5) days prior to the date of such meeting.

E. Agenda

The Chair shall prescribe the agenda for all Council meetings. There shall be an agenda for each meeting, listing the items, and where appropriate, staff analysis and recommendations on the issues to be considered. Nothing shall come before this Council that is not on the agenda except by affirmative vote of two-thirds (2/3) of the full membership of the Council. When such a non-agenda matter is placed before this Council, or committee, in this manner, the matter may be acted upon at that meeting.

F. Rules

Except as otherwise provided, all meetings of this Council and its committees shall be conducted in accordance with Robert's Rules of Order.

F. Quorum

In order to legally transact business, a majority of the Council members presently serving must be present at the initial call of the roll at the commencement of any regular or special meeting and they shall constitute a quorum. The Chair, if a quorum is not present at the scheduled time of the meeting, may continue to call the roll for a time not to exceed one and one-half hours. If a quorum is not present at the end of this time period, the meeting shall be adjourned.

G. Passage of Motion

After a quorum is announced, a simple majority of those voting (defined as those who cast "yes", "no" or "abstention" votes) on a motion shall be sufficient for passage.

H. Electronic votes

The Chair is authorized to request a vote on action items that are presented in between meeting dates. The action item will be emailed and/or faxed to all members for consideration at least 10 days prior to the voting date. Electronic votes will only occur in emergency situations and will not be considered a usual business practice.

I. Conflict of Interest/Abstention

Where the motion before either a committee of the Council or the full council involves a direct conflict of interest or a vested interest for a council member, then that member shall refrain from voting on the motion. Such conflicts shall be deemed to occur whenever a council member is slated to receive personal financial benefit under a grant application, whenever they are either the head or the applicant or implementing agency, or whenever they serve on the board of directors of applying agency.

J. Participation in Meetings

Proxies to vote shall be permitted. A Council member does not have to be physically present for the debate or discussion of the issue to record her or his vote, nor be present in person to present a motion or motions. Members unable to attend a meeting may select a designee to attend and act in his or her place. Such proxy shall be communicated to the Chair in writing prior to the Council meeting except in the case of an emergency, whereupon oral communication shall be accepted. Members should attempt to select the same designee to attend meetings in order to preserve the Council continuity. In addition, members may forward their written communications, which will be distributed or read to the Council by the Chair. Council members should refrain from making the use of proxy a regular occurrence and the use of proxy shall not be counted as attendance of absent member.

K. Minutes of Proceedings

A record shall be kept of all actions of this Council and/or its committees. Such records shall describe the subject considered, the motion(s) made, a brief summary of discussion on the motion(s) and results of the vote on the motion(s). These minutes shall set forth the time and place of the meeting, the members present at the meeting and the action(s) taken at the meeting. The minutes shall be forwarded to and approved by the Chair prior to transmittal to the Council for approval. The approved minutes shall be public record, open to public inspection.

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*ARTICLE IV - Committees*

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A. Standing Committees

1. Executive Committee

a. Composition: There shall be a standing Executive Committee consisting of the following Council members: Chair, Vice-chair, Standing Committee Chairs, and 3 members of the Council appointed by the Chair.

b. Purpose: The purpose of the Executive Committee shall be to:

- 1) Recommend policies and procedures necessary to the operation of the Council including the plan for the coordination of juvenile justice programs in the state, and a plan for advising the Governor and the Legislature on matters relative to juvenile justice and delinquency prevention.

- 2) Review and make appropriate recommendations relating to reports from other committees and staff reports, and/or studies.
- 3) Take action on behalf of the Council in emergency situations. Such actions are to be ratified by the Council at its next regular or special meeting.
- 4) Develop, in conjunction with the Executive Director, an annual operating budget for submission to the General Assembly.
- 5) Hear all appeals on grant application rejections in accordance with the established appeals procedures.
- 6) Determine specific areas of concern and recommend the establishment of appropriate ad hoc committees, and/or task forces to study the issues.
- 7) Perform such other functions as may be designated by the Chairman.

2. Planning Committee:

a. Composition: There shall be a standing Planning Committee consisting of the following Council members: Chair, and 3 members of the Council appointed by the Chair.

b. Purpose: The purpose of the Planning Committee shall be to:

1. To develop program areas and establish funding levels for the Council's annual state plan for the expenditure of federal and state grant monies.
2. To periodically review, and where necessary, recommend modifications to Council policies and procedures.
3. To direct Council staff in the evaluation of local programs funded through the Council's grants program.

4. Monitor the requirements of federal and State law regarding the removal of juveniles from adult jails and police lockups, the de-institutionalization of status offenders and the separation of juveniles from adults while in police custody.
5. Participate in the development and review of the State's 3-year comprehensive plan for juvenile justice and delinquency prevention
6. Identify the causes of and strategies for overcoming the overrepresentation of minorities in the juvenile justice system and other systems of care including child welfare;
7. To plan other activities identified as priorities by the Council.

B. Other Committees

The Executive Committee or Chair may authorize the formation of ad hoc committees and task forces. The Executive Committee or the Council may define the duties and responsibilities not defined in other sections of the Council bylaws. Individuals who are not Juvenile Council members may serve as members of such committees or task forces, and the voting rights of such members will be determined by the Council or the Executive Committee when such committees or task forces are formed. The Chair of the Council shall appoint the Chairs of such committees and task forces.

C. Authority of Committees

1. Executive Committee

- a. The Executive Committee may act for the Council in matters requiring final decisions or recommendations when both the following criteria are met:
  - 1) The minutes of the meeting will show that the action of the committee is necessary within time periods, which would not enable a full Council meeting.
  - 2) Expedited actions are in the best interest of the state and juvenile justice.
- b. The Committee may act on behalf of the Council on prior motion by the Juvenile Council. Such motion must define the scope of authority granted by the Council.
- c. When the committee acts on behalf the Council, the members of the Council must receive notice within ten calendar days of such action.

2. Other Committees

- a. Standing committees, special committees and task forces established pursuant to these bylaws may act on behalf of the Juvenile Council on prior motion by the Juvenile Council. Such motion must define the scope of authority granted by the Juvenile Council.
- b. When such committees and task forces act on behalf of the Juvenile Council, the members of the Juvenile Council must receive notice within ten calendar days of such action.

D. Selection and Terms

Members of committees shall be selected by the Chair of each committee for one-year terms. Any Council member desiring to serve on any special or ad hoc committee or taskforce will be appointed by the Chair of the committee, provided such member requests membership on the committee within 10 days of the formation of such committee. Any Council member desiring to serve on any standing committee will be appointed by the Chair of the Council to serve with those selected by the Chair of the committee provided such member submit written request to Chair within 30 days of each fiscal year.

E. Committee Chairpersons

1. *Requirements:* The Chairs of all committees shall be members of the Council.
2. *Term:* The term of a Chair for standing committees shall be one year. Committee and Chairs may be re-appointed.
3. *Selection:* The Chair of the Council shall appoint the Chair of all standing committees at the first Juvenile Council meeting following appointments of new Council members by the Governor, subject to the approval of the Council.
4. *Duties:* The Chair of a committee shall have the following duties and responsibilities.
  - a. The Chair shall prepare a one-year committee action plan to address committee goals and strategic planning within ten days of taking office. All committee action plans must be approved by the Council Chair.
  - b. The Chair shall call meetings of the committee and shall direct its work.
  - c. The Chair shall prepare a written report of the committee's work at the end of his/her term to regard the committee one-year strategic plan.

- d. The Chair shall appoint the members of the committee
- e. The Chair shall give reasonable notice of all meetings to members of the committees and staff and to the Council members.
- f. The Chair shall give a report and update of the committee's work at each Council meeting and upon the request of the Chair of the Council.

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*ARTICLE V -- Appeals*

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A. Internal Appeals

- 1. Council members who wish to appeal the actions of any standing or special committee may do so by motion to the Executive Committee. The Executive Committee will establish procedures to resolve the appeal, which are acceptable to the appellant.
- 2. Council members who wish to appeal the actions of the Executive Committee or the Council may do so by motion.

B. External Appeals

- 1. A Council decision may be appealed by an affected party at a subsequent meeting. A written notice of appeal must be sent to the Chair and to the staff within thirty days after the affected party is notified of a Council decision. The appeal will not be heard if such notice of written appeal is not filed within this time frame.
- 2. The Executive Committee of the Council will provide for discussion of timely appeals at its earliest convenient occasion. The Council will rule on appeals by simple majority vote with a quorum present and will forward its decision to the full council.

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*ARTICLE VI – Amendment of Bylaws*

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The Bylaws may be amended by an affirmative vote of two-thirds (2/3) of the majority of the full membership of the Council.

A Bylaws change shall be presented for consideration at a regular meeting of the Council but shall not be voted upon until the next regular meeting.

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*ARTICLE VII – Parliamentary Authority*

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Robert's Rules of Order Newly Revised shall be the parliamentary authority for all matters of procedure not specifically covered by the bylaws.