

CHILDREN AND FAMILY COUNCIL FOR PREVENTION PROGRAMS

Children's Trust Fund

Juvenile Justice

Delinquency Prevention

Children and Family Council for Prevention Programs By Laws

Adopted: December 17, 1987

Amended: September 1, 2000

Article I – Authorization

The Children and Family Council for Prevention Programs (*CFCPP*) was named in May 1986, by amendments to 33 V.S.A., Chapter 16 as “The successor to and continuation of the Delinquency Prevention Coordinating Council” (*DPCC*). The *CFCPP* was given “all of the rights and responsibilities...and...all records, documents and funds of or appropriated to the” *DPCC*. (*33 V.S.A., Chapter 16, Transitional Provisions, 1986*).

The 1986 Legislature authorized the *CFCPP* to “plan, implement, and encourage primary prevention programs” in communities by administering a Children’s Trust Fund with the Secretary of the Agency of Human Services. (*33 V.S.A., Chapter 16, Section 1057(a) and (b)*).

The 1983 Legislature had authorized the earlier *DPCC* to “assist state agencies and the departments in the development, improvement and coordination of primary prevention programs and activities at the state and local levels.” (*Act 79 – 33 V.S.A., Chapter 16, and Section 1053 (a)*).

The *DPCC* was also established by Executive Order #66 (*effective 4/82*) to supervise Vermont’s participation in the Juvenile Justice and Delinquency Prevention (*JJDP*) Formula Grants Program of the federal Department of Justice. The *JJDP* Formula Grants Program is authorized by the federal *JJDP* Act of 1974, as amended (*P.L.98-473*).

Article II – Purpose

The purpose of the CFCPP is to ensure that the purposes of the children’s Trust Fund, Act 79, and the JJDP Formula Grants Program are fulfilled and that Vermont complies fully with the mandates of the authorizing legislation.

The Children’s Trust Fund provides “funds for community-based primary prevention programs that have been shown to be effective for juvenile.” (33 V.S.A., Chapter 16, Section 1056 (a)).

Act 79 “provides for the use of state resources in ways that will strengthen the commitment of local communities to altering conditions which contribute to delinquency or other problems behaviors, so that the burden of state-funded treatment and crisis-oriented services programs will be reduce.” (33 V.S.A. Section 1054 (a)).

The JJDP Formula Grants Program assists states and units of local government or combinations thereof “in planning, establishing, operating, coordinating and evaluating projects directly or through grants and contracts with public and private agencies for the development of more effective education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile delinquency and programs to improve the juvenile justice system.” (Section 221).

Article III – Mandates

The CFCPP must, with the Secretary of the AHS, “solicit proposals for grant awards from public and private persons and agencies...monitor expenditures by grantees, and evaluate the effectiveness of the programs, (33 V.S.A., Chapter 16, Section 1057 (b) and (d)).

The CFCPP must “develop a state primary prevention plan that coordinates and consolidates the primary prevention planning efforts of (various) state agencies and departments...and evaluate and prepare recommendations on the prevention polices and programs developed and implemented” by the state agencies and departments in accordance with the plan. (33 V.S.A. Sections 1053(a) (2) and (3)).

The CFCPP must also ensure that Vermont complies with *Section 223 (a)* of the JJDP Act (*re: State Plans*).

Article IV – Membership

The CFCPP “shall consist of 21 members who shall be appointed by the governor with the advice and consent of the senate for three-year terms. In the appointment of the member, consideration shall be given to the selections of persons who will adequately represent the interest of the beneficiaries of the primary prevention programs” financed by the Children’s Trust Fund. (33 V.S.A., Chapter 16, Section 1052 (a)).

CFCPP membership conforms to the requirements of the JJDP Formula Grant Program (*Section 223 (a) re: State Plans*).

“In the event a vacancy occurs on the council, the vacancy shall be filled in the same manner” as the original appointment. “The term of a person appointed to fill a vacancy shall terminate on the date on which the original appointment would have terminated if the vacancy had not occurred.” (33 V.S.A. *Section 1052 (d)*).

A member who is absent for three consecutive meetings may be asked by the Chair whether he or she wishes to continue to participate in the work of the CFCPP.

Article V – Officers

The CFCPP “shall elect a chairperson, vice-chairperson and clerk from its members who shall serve for one year, or until their successors are elected.” (33 V.S.A. *Section 1052 (b)*).

Annual elections will be held in October.

The duties of the Chair are to:

- ◆ By January 1 of each year, inform the Governor, the House and Senate Health and Welfare and Appropriations Committees, and the federal Department of Justice about CFCPP activities and effectiveness.
- ◆ Preside at CFCPP meetings.
- ◆ Ensure that CFCPP business is transacted in accordance with these bylaws and in a timely manner.
- ◆ Coordinate the communication of official CFCPP decisions/recommendations.

The duties of the Vice-Chair are to fulfill the duties of the Chair as needed.

The duties of the Clerk are to review the public and financial records of the CFCPP. The CFCPP must make the minutes of its meetings available to the public. It must also supervise the receipt and disbursement of the Children’s Trust Fund and JJDP Formula Grant money in Vermont.

Article VI – Meetings

The CFCPP shall meet bi-monthly or more often as needed.

Meetings shall be held in accordance with Vermont’s Open Meeting Law. (1 V.S.A., *Chapter 5, Sections 311-314*).

“A majority of the members of the council shall constitute a quorum. The council shall act only by vote of a majority of its members present and voting at a meeting at which a quorum is in attendance.” (33 V.S.A. *Section 1052 (c)*).

Article VII – Committees

Committees will serve the function of collecting information and opinions for the CFCPP. Committees will advise the CFCPP in a timely way of needed decisions or actions based upon their routine and regular work.

There will be such standing committees as the CFCPP determines are needed and such special committees as the Chair determines are needed.

Each member of the CFCPP will serve on at least one standing committee. The Chair, Vice-Chair, and Clerk are ex-office members of the standing committee.

Chairs for the standing committees will be appointed by the Chair of the CFCPP from among committee members. Together with the officers of the CFCPP, they will form the Executive Committee. The Chair of the CFCPP will be the Chair of the Executive Committee. Former Chairs of the CFCPP/DPCC will remain on the Executive Committee during the remainder of their term on the CFCPP.

The Chairs of the CFCPP committees have the duties of: presiding at their committee meetings, ensuring that recommendations are prepared for the CFCPP, and speaking for their committee at CFCPP meetings. The committees will meet at the request of their Chair or membership or staff.

The Executive Committee will be responsible for the administration of the CFCPP, the Children’s Trust Fund, Act 79, and the JJDP Formula Grants Program. Administration includes review of the relationship between the CFCPP and the Agency of Human Services, to which the CFCPP is attached for administrative purposes.

The Executive Committee is given authority to issue grant awards of less than \$2000 when:

1. the funds are being awarded for a project which is consistent with the program area within which the funds are available; and
2. current subgrantees in that program area have been given consideration, as have needs in that program area previously identified by the CFCPP.

Article VIII – Conflict of Interest

Council members shall not take any action in any particular matter in which he or she has a conflict of interest (as defined in Executive Code of Ethics).

Conflict of interest means a significant pecuniary interest of an appointee or such an interest, known to the appointee, of a member of his or her immediate family or household or of a business associate, in the outcome on any particular matter pending before the appointee or his or her public body. ‘Conflict of interest’ does not include a pecuniary interest which is no greater than that of other persons generally affected by the outcome of the matter.

Council members shall follow the ‘Ethical Guides’ in the Executive Code of Ethics, and shall not take any action in any particular matter that would violate the ‘Ethical Guides’.

Ethical Guides

An appointee has an affirmative obligation to conduct the affairs of his or her office in such a manner as to instill public trust and confidence. Thus, an appointee shall take all reasonable steps to avoid any action or circumstances, whether or not specifically prohibited by this code, which might result in:

- (i) undermining his or her independence or impartiality or action;
- (ii) taking official action on the basis of unfair considerations, unrelated to the merits of the matter;
- (iii) giving preferential treatment to any private interest on the basis of unfair considerations, unrelated to the merits of the matter;
- (iv) using public office for the advancement of personal interest;
- (v) using public office to secure special privileges or exemptions; or
- (vi) affecting adversely the confidence of the public in the integrity of state government.

Any council member who is representing an agency that has submitted a grant, or has a conflict of interest regarding any application, or where the member's participation would result in a violation of the "Ethical Guides" shall not be allowed to make a presentation to or serve on the reviewing committee while that grant is being considered nor be allowed to participate or vote on any grant in that relevant program area at the full council meeting when that agency's grant comes up for a vote.

Before given annual grant applications to review, each council member will be given the opportunity to declare if they have a conflict of interest or their participation would result in a violation of the "Ethical Guides" and will not be sent the grant application to review.

Additionally, each council member will be asked to sign the following:

"I have reviewed the above programs applying for CFCPP dollars and have truthfully identified all programs with which I have a conflict of interest or where my participation would result in a violation of the "Ethical Guides". I also understand that all materials I read and discussions I'm involved in related to the CFCPP reviewing committee grant review process are confidential".

Article IX – Amendments

These bylaws shall be amended in the same manner as other CFCPP decisions are made.