

**Bylaws
of the
Fairfax-Falls Church Community Services Board**

Preamble

Subject to the provisions of:

- (1) Chapter 5 (Community Services Boards) of Title 37.2 (Behavioral Health and Developmental Services) of the Code of Virginia, as amended, and Chapter 53 (Early Intervention Service System) of Title 2.2 (Administration of Government) as amended, and,
- (2) Joint Resolution adopted by the Board of Supervisors of Fairfax County on April 23, 1969, and by the Councils of the Cities of Fairfax and Falls Church on May 28, 1969, as amended, and,
- (3) Other applicable laws and regulations.

The following bylaws apply to, and govern the administration of, the Fairfax-Falls Church Community Services Board.

Article I: Name

As provided by action of the Board of Supervisors of Fairfax County and the Councils of the Cities of Fairfax and Falls Church on August 1, 1978, the name of this board is the FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD, hereinafter referred to as the “BOARD”.

Article II: Purpose

- (1) Mental Health, Developmental Disabilities and Substance Use Disorders Services – In conformity with the provisions of Section 37.2-500 of the Code of Virginia, this board is established as an administrative policy board whose general purpose shall be to ensure and oversee the establishment and operation of local mental health, developmental disabilities, and substance use disorders programs.

The core of services provided shall include emergency services and, subject to the availability of funds appropriated for them, case management services. The core of services may include a comprehensive system of inpatient, outpatient, day support, residential, prevention, early intervention, and other appropriate mental health, developmental disabilities, and substance use disorder services necessary to provide individualized services and supports to persons with mental illnesses, developmental disabilities, or substance use disorders.

- (2) Early Intervention Services – In conformity with the provisions of §2.2-5304.1 of the Code of Virginia, as the local lead agency for Early Intervention Services, this board shall establish and administer a local system of early intervention services in compliance with Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1431 et seq.) and all relevant state policies and procedures.

The core of programs to be provided shall include (§2.2-5300) services provided through Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1431 et seq.), as amended, designed to meet the developmental needs of each child and the needs of the family related to enhancing the child's development and provided to children from birth to age three who have a 25 percent developmental delay in one or more areas of development, atypical development, or a diagnosed physical or mental condition that has a high probability of resulting in a developmental delay.

Article III: Powers and Duties

- (1) Mental Health, Developmental Disabilities and Substance Use Disorders Services – In order to implement the purpose, set forth in Article II hereof, and pursuant to the requirements of Section 37.2-504 and in accordance with the actions taken by the Board of Supervisors of Fairfax County and the Councils of the cities of Fairfax and Falls Church to establish the board as an Administrative Policy Type board, of the Code of Virginia, the board shall:
- a. Review and evaluate all existing and proposed public community mental health, developmental disabilities and substance use disorder services and facilities available to serve the community and such private services and facilities as receive funds through it and advise the local governing body or bodies of the political subdivision or subdivisions that established it as to its findings.
 - b. Pursuant to Section 37.2-508, submit to the governing body of each political subdivision that established it, an annual performance contract for community mental health, developmental disabilities and substance use disorders services for its approval prior to submission of the contract to the Department.
 - c. Within amounts appropriated therefore, provide such services as may be authorized under such performance contract.
 - d. In accordance with its approved performance contract, enter into contracts with other providers for the rendition or operation of services or facilities.
 - e. Make policies concerning the rendition or operation of services and facilities under its direction or supervision, subject to applicable standards, policies or regulations promulgated by the State Board.
 - f. Participate with local government in the appointment and annual performance evaluation of an executive director of community mental health, developmental disabilities and substance use disorders services, according to minimum qualifications established by the Department, and prescribe his duties. The

compensation of the executive director shall be fixed by local government in consultation with the board within the amounts made available by appropriation therefore.

- g. Prescribe a reasonable schedule for fees for services provided by personnel or facilities under the jurisdiction or supervision of the board and establish procedures for the collection of the same. All fees collected shall be included in the performance contract submitted to the local governing body or bodies pursuant to subdivision 2 of this subsection and Section 37.2-508 and shall be used only for community mental health, developmental disabilities and substance use disorders purposes. Every administrative policy board shall institute a reimbursement system to maximize the collection of fees from persons receiving services under their jurisdiction or supervision consistent with the provisions of Section 37.2-511 and from responsible third-party payors. Administrative policy boards shall not attempt to bill or collect fees for time spent participating in involuntary commitment hearings pursuant to Section 37.2-814.
- h. Accept or refuse gifts, donations, bequests or grants of money or property from any source and utilize the same as authorized by the governing body or bodies of the political subdivision or subdivisions that established it.
- i. Seek and accept funds through federal grants. In accepting such grants, the administrative policy community services boards shall not bind the governing body or bodies of the political subdivision or subdivisions that established it to any expenditures or conditions of acceptance without the prior approval of such governing body or bodies.
- j. Have authority, notwithstanding any provision of law to the contrary, to disburse funds appropriated to it in accordance with such regulations as may be established by the governing body or bodies of the political subdivision or subdivisions that established it.
- k. Develop joint annual written agreements, consistent with policies and procedures established by the State Board, with local school divisions; health departments; boards of social services; housing agencies, where they exist; courts; sheriffs; area agencies on aging; and regional Department for Aging and Rehabilitative Services offices. The agreements shall specify what services will be provided to consumers. All participating agencies shall develop and implement the agreements and shall review the agreements annually.
- l. Develop and submit to the local governing body of each political subdivision that established it and to the Department the necessary information for the preparation of the Comprehensive State Plan for mental health, developmental disabilities and substance use disorders services pursuant to Section 37.2-315.
- m. Take all necessary and appropriate actions to maximize the involvement and participation of consumers and family members of consumers in policy formulation and services planning, delivery, and evaluation.

- n. Institute, singly or in combination with other operating community services boards, administrative policy boards, local government departments with policy-advisory boards, or behavioral health authorities, a dispute resolution mechanism that is approved by the Department and enables consumers and family members of consumers to resolve concerns, issues, or disagreements about services without adversely affecting their access to or receipt of appropriate types and amounts of current or future services from the administrative policy board.
 - o. Notwithstanding the provisions of Section 37.2-400 or any regulations promulgated thereunder, release data and information about individual consumers to the Department so long as the Department implements procedures to protect the confidentiality of such information.
 - p. Carry out other duties and responsibilities as assigned by the governing body of each political subdivision that established it.
- (2) Early Intervention Services – In order to implement the purpose, set forth in Article II hereof, and pursuant to the requirements of Section 2.2-5304.1, the board shall:
- a. Establish and administer a local system of early intervention services in compliance with Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1431 et seq.) and all relevant state policies and procedures;
 - b. Implement consistent and uniform policies and procedures for public and private providers to determine parental liability and to charge fees for early intervention services pursuant to regulations, policies, and procedures adopted by the state lead agency in § 2.2-5304; and
 - c. Manage relevant state and federal early intervention funds allocated from the state lead agency for the local early intervention system, including contracting or otherwise arranging for services with local early intervention services providers.

Article IV: Members and Terms of Office

Section 1.

In accordance with Section 37.2-502 of the Code of Virginia as implemented by the Board of Supervisors of Fairfax County and the Councils of the cities of Fairfax and Falls Church, the board shall consist of sixteen members, thirteen of whom shall be appointed by the Board of Supervisors of Fairfax County, one of whom shall be designated by the Office of the Sheriff of Fairfax County; and one of whom shall be appointed by the Council of the City of Fairfax and one by the Council of the City of Falls Church. In accordance with Section 37.2-501 of the Code of Virginia one-third of the appointments shall be identified consumers or former consumers, or family members of consumers or family members of former consumers, at least one of whom shall be a consumer receiving services. The term of appointment is three years and a person may serve only three, consecutive full terms.

Section 2.

Vacancies shall be filled for unexpired terms in the same manner as original appointments. Persons appointed to fill a vacancy may serve three additional full terms.

Section 3.

Members are expected to regularly attend all meetings. The Chair will notify the Clerk to the Board of Supervisors if any board member misses three consecutive board meetings and this may serve as grounds for removal. Members may be removed from the board in accordance with the appointing authority policies and procedures governing removal from Boards, provided that such policies and procedures are consistent with the requirements of State Code.

Section 4.

Each member of the board shall serve on at least one Standing Committee. If a board member misses three consecutive committee meetings, the member may be recommended for removal from the committee by the committee and through the Committee Chair.

Section 5.

Each member of the board shall conduct himself or herself cordially and appropriately to members of other governmental or private entities, members of the public or CSB staff, when representing the Fairfax-Falls Church Community Services Board. Each member of the board shall agree to comply with the Code of Conduct issued by the full board.

Article V: Officers and Their Duties

Section 1: Officers

The officers of the Board shall consist of a Chair, immediate past Chair, Vice Chair, and a Secretary, each of whom shall have such powers and duties as generally pertain to such respective offices, as well as such powers and duties as from time to time may be conferred upon them by the board, and which shall specifically include, but not be limited to, the powers, duties and responsibilities set forth hereinafter in Sections 2, 3, and 4 of Article VI.

Section 2: Chair

The Chair shall preside at all meetings of the board; sign or cause to be signed the minutes when approved by the board and such other official documents required of him/her in the course of business of the board; appoint such committees as deemed necessary by the board for its operation and to serve as an *ex officio* member of all committees except the nominating committee; work closely with local public and private facilities, mental health, developmental disabilities and substance use disorders associations of Virginia, and other groups interested in mental health, developmental disabilities and substance use disorder issues; maintain liaison with the Board of Supervisors of Fairfax County and the Councils of the Cities of Fairfax and Falls Church and the State Department of Behavioral Health and Developmental Services; and keep the Board of Supervisors, City Councils, and the Commissioner advised and fully informed as to the activities and programs of the board.

Section 3: Vice Chair

In the absence of the Chair, the Vice Chair shall perform the duties of the Chair.

Section 4: Immediate Past Chair

In the absence of the Chair and the Vice Chair, the immediate past Chair shall perform the duties of the Chair.

Section 5: Secretary

The Secretary shall sign all policies after they have been approved or amended by the board and perform such other duties as requested by the Chair of the Board. The Secretary also regularly reviews and updates the CSB Board Member Orientation Handbook. In the absence of the Chair, the Vice Chair, and the immediate past Chair, the Secretary shall perform the duties of the Chair.

Article VI: Officers' Nomination, Election, and Term of Office

Section 1: Nomination and Election

At its regular meeting in April of each year, the Board shall appoint three of its members to serve as a nominating committee. The committee shall submit the name of at least one nominee for each of the offices of Chair, Vice Chair, and Secretary at the June meeting of the board at which meeting the election of officers of the board shall be held. Nominations also may be made from the floor. Members of the nominating committee shall be eligible for nomination, but no member shall be nominated whose consent to serve has not first been obtained. A majority of those present and voting shall constitute an election.

Section 2: Term of Office

The term of office of all officers shall be for one year, beginning on July 1 following the election, or until their respective successors are elected, but any officer may be removed from office, either with or without cause, at any time by the affirmative vote of a majority of all the members of the board. No officer may serve more than two consecutive terms in the same office.

Section 3: Vacancies

A vacancy in any office arising from any cause may be filled for the unexpired portion of the term as authorized by the board.

Section 4: Absences

In the absence of the Chair, Vice Chair, Secretary and immediate past Chair from any meeting, the board shall select one of its members to act in such capacity during that meeting.

Article VII: Executive Committee, Standing Committees and Ad Hoc Committees

Section 1: Executive Committee

There shall be an Executive Committee of the board. The purpose of the Executive Committee shall be to draft the agenda for the next full board meeting and to administer, subject to the authority and approval of the Board, the required and necessary business of the board between regular meetings.

The Executive Committee shall consist of the Chair, past Chairs continuing to serve on the CSB Board, Vice Chair, Secretary, and the Chairs of Standing Committees. The Executive Director shall serve as an *ex officio*, non-voting member of the Executive Committee.

Section 2: Standing Committees

Standing Committees shall be the Behavioral Health Oversight Committee, the Compliance Committee, the Developmental Disabilities Committee, and the Fiscal Oversight Committee. Their purpose shall be to review and make recommendations to the full board regarding policies, plans, service delivery proposals, budgets, grants, and such other matters as are referred to them by the board or Executive Committee.

Members will be appointed by the Chair for a one-year appointment and may be reappointed to a Committee in subsequent years. The members of each Standing Committee shall elect one of the members as Chair for a one-year term. The Chair may be re-elected to an additional one-year term by the members.

Section 3: Ad Hoc Committees

Ad Hoc Committees may be established by the full board as needed. Those Committees may be established to address any issue for which the full board determines that the subject matter or issue cannot be adequately addressed by the Standing Committees. The members of each Ad Hoc Committee shall elect one of their members as Chair for a one-year term. The Chair may be reelected to an additional one-year term by the members.

Section 4: Associate Members for Standing and Ad Hoc Committees

Associate Members for Standing and Ad Hoc Committees are non-voting and may be appointed to each Standing or Ad Hoc Committee. Associate Members are individuals or representatives of organizations and agencies whose work and knowledge is deemed important to the Standing or Ad Hoc Committee. The Standing or Ad Hoc Committee may nominate representatives of the organizations and agencies they desire as Associate Members. These nominations shall be confirmed by a majority vote of the full board at the meeting at which they are nominated, unless, on motion of the board, the vote on confirmation is continued to a subsequent meeting of the full board. The term of each Associate Member shall be for one year from the date of their confirmation by the board. An Associate Member may be reappointed in subsequent or consecutive years to the Standing or Ad Hoc Committee on which they served. Vacancies may be filled at any time using this same process.

Article VIII: Meetings

Section 1: Regular

Regular meetings of the board shall be held each month, as scheduled by the board.

Section 2: Special

Special meetings may be called by the Chair or upon the request of two members of the board or the Executive Director. With agreement of the majority of board members, a special meeting may be convened. Public notice shall be given in accordance with the Virginia Freedom of Information Act.

Section 3: Quorum

In order to transact business which requires a vote of the board, a quorum must be present. A quorum is a majority of the members of the board.

Section 4: Voting

Every member, present in person at any validly constituted meeting, shall be entitled to one vote. A majority vote of those members present and voting shall be determinative of any issue.

Article IX: Parliamentary Procedures

Robert's Rules of Order Newly Revised, latest edition, shall govern the board in all cases to which they are applicable and in which they are not inconsistent with these bylaws.

Article X: Amendments

Recommendations to amend, alter or supplement these bylaws may be proposed at any regular meeting of the board. A two-thirds (2/3) vote of those present and voting is needed to send the recommended changes to the Board of Supervisors for their approval for the changes to be effective. Prior to any vote by the board, notice of the proposed changes must be given to each member of the board in writing no less than thirty days prior to the vote.

Approved: January 23, 2019
CSB Board Chair


Date