

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

Preamble

Subject to the provisions of:

- A. Chapter 5 (Community Services Boards) of Title 37.2 (Behavioral Health and Developmental Services) of the Code of Virginia, as amended, and,
- B. 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,
- C. 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

- A. Mental Health, Developmental Disabilities, and Substance Use Disorder Services – In conformity with the provisions of Va. Code § 37.2-500, 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 disorder services.
- B. 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, 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.

Article III: Powers and Duties

- A. Mental Health, Developmental Disabilities, and Substance Use Disorder Services – In order to implement the purpose, set forth in Article II hereof, pursuant to the requirements of Va. Code § 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 board, the board shall:

1. 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 bodies of the political subdivisions that established it as to its findings.
2. Pursuant to Va. Code § 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 disorder services for its approval prior to submission of the performance contract to the Virginia Department of Behavioral Health and Developmental Disability Services (“Department”).
3. Within amounts appropriated therefore, provide such services as may be authorized under such performance contract.
4. In accordance with its approved performance contract, enter into contracts with other providers for the delivery of services or operation of facilities.
5. Make policies concerning the delivery of services or operation of facilities under its direction or supervision, subject to applicable standards, policies or regulations promulgated by the State Board of Behavioral Health and Developmental Services (“State Board”).
6. Participate with local government in the appointment and annual performance evaluation of an executive director of community mental health, developmental disabilities, and substance use disorder services, according to minimum qualifications established by the Department, and prescribe their 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.
7. 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 bodies pursuant to subdivision 2 of this subsection and Va. Code § 37.2-508 and shall be used only for community mental health, developmental disabilities, and substance use disorder purposes. The board shall institute a reimbursement system to maximize the collection of fees from persons receiving services under its jurisdiction or supervision consistent with the provisions of Va. Code § 37.2-511 and from responsible third-party payors. The board shall not attempt to bill or collect fees for time spent participating in involuntary commitment hearings pursuant to Va. Code § 37.2-814.
8. Accept or refuse gifts, donations, bequests or grants of money or property from any source and utilize the same as authorized by the governing bodies of the political subdivisions that established it.
9. Seek and accept funds through federal grants. In accepting such grants, the board shall not bind the governing bodies of the political subdivision that established it

to any expenditures or conditions of acceptance without the prior approval of such governing bodies.

10. 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 bodies of the political subdivisions that established it.
11. 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 Virginia 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.
12. 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 disorder services pursuant to Va. Code § 37.2-315.
13. Take all necessary and appropriate actions to optimize the involvement and participation of consumers and family members of consumers in policy formulation and services planning, delivery, and evaluation.
14. 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. The dispute mechanism 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 board.
15. Notwithstanding the provisions of Va. Code § 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.
16. Carry out other duties and responsibilities as assigned by the governing body of each political subdivision that established it.

Article IV: Members and Terms of Office

- A. In accordance with Va. Code § 37.2-502 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 Va. Code § 37.2-501, 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.

- B. 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.
- C. Members are expected to regularly attend all meetings. The board Chair may notify the Clerk to the Board of Supervisors if any board member misses three consecutive board meetings as well as meetings of the standing committee to which the board member has been appointed 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 the Virginia Code.
- D. 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 through the Committee Chair.
- E. 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 board.

Article V: Officers and Their Duties

A. 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 B, C, and D of Article VI.

B. 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 disorder 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 Department; and keep the Board of Supervisors, City Councils, and the Department's Commissioner advised and fully informed as to the activities and programs of the board.

C. Vice Chair

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

D. Immediate Past Chair

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

E. 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

A. 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.

B. 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.

C. 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. The filling of a vacancy in office for the unexpired portion of a term will not prevent an officer from serving the two consecutive terms in the same office as proved in (B) above.

D. 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

A. 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 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.

B. Standing Committees

Standing Committees shall be the Compliance Committee, the Service Delivery

Oversight Committee, and the Fiscal Oversight Committee.

Purpose of the Compliance Committee is to provide oversight and direction to the CSB Compliance Program. Its members are the members of the Executive Committee and Legal Counsel. The Compliance Committee chair will be the current CSB Board Chair or designee.

Purpose of the Service Delivery Oversight and the Fiscal Oversight Committees 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 these Standing Committee shall elect from among the members a Chair or Co-Chairs for a one-year term. The Chair or Co-Chairs may be re-elected to an additional one-year term by the members.

C. 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 from among their members a Chair or Co-Chairs for a one-year term. The Chair or Co-Chairs may be reelected to an additional one-year term by the members.

D. 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 are deemed important to the Standing or Ad Hoc Committee. The Standing or Ad Hoc Committee may nominate associated organizations and agencies 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

A. Regular

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

B. Special

Special meetings may be called by the board 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.

C. VFOIA

All meetings shall be open to the public except as provided under the Virginia Freedom of

Information Act, Va. Code § 2.23700 *et seq.*, as amended (“VFOIA”). Pursuant to Va. Code § 2.23701, “meeting” or “meetings” means the meetings including work sessions, when sitting physically, or through electronic communications means as permitted by the VFOIA, as a body or entity, or as an informal assemblage of (i) as many as three members or (ii) a quorum, if less than three, of the constituent membership, wherever held, with or without minutes being taken, whether or not votes are cast, of any public body.

D. Quorum and Voting

A quorum is necessary for a vote. A majority of the membership of the board shall constitute a quorum. In making any recommendation, adopting any plan, or approving any proposal, action shall be taken by a majority vote of board members present and voting. Upon the request of any member, the vote of each member on any issue shall be recorded in the minutes. All votes of the board shall be taken during public meetings, and no vote shall be taken by secret or written ballot or proxy.

Article IX: Parliamentary Procedures

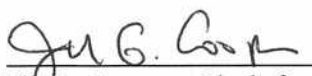
Robert’s Rules of Order Newly Revised, latest edition shall govern the board in all cases to which they are applicable and in which they are not inconsistent with these bylaws.

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 
CSB Board Chair

February 23, 2021
Date


Jill G. Cooper, Clerk for the Board of Supervisors

February 23, 2021
Date