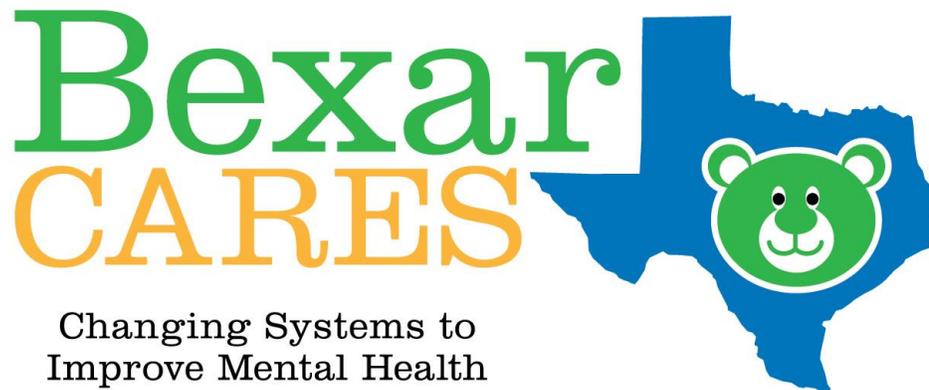


Bexar CARES Governance Council Bylaws

May 18, 2017



Changing Systems to
Improve Mental Health

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ARTICLE 1

BEXAR CARES GOVERNANCE COUNCIL

Section 1.1 Name, Area of Service, Fiscal Year

- A. The name of this unincorporated organization shall be the Bexar CARES Governance Council (“Governance Council” or “Council”). It shall be constituted as set out in Attachment VI (Page 19, Advisory Body) to the Interlocal Agreement between the City of San Antonio (“City”) and The Center for Health Care Services (“Contractor”) pursuant to City Ordinance No. 2016-09-29-0750 dated September 29, 2016.
- B. Bexar CARES Acronym: Coordinated Access to Resources Equals Success (originating with Bexar Cares Coordinating Council 2009).
- C. The Council service area is Bexar County, Texas for Fiscal Years October 2015, 2016 and 2017.
- D. The Council upholds and supports the Vision and Mission of Bexar CARES, and System of Care Core Values and Guiding Principles set out in Section 1.2, 1.3 and 1.4 below.

Section 1.2 Vision and Mission of Bexar CARES

- A. **Vision Statement:** All children and youth with complex needs and their families can choose from a full array of services accessible through one door.
- B. **Mission Statement:** Bexar CARES weaves together system and service partnerships to create a blanket of support that helps children, youth and families achieve success.

Section 1.3 System of Care Core Values

- A. Family Driven and youth guided, with the strengths and needs of the child, youth and family determining the types and mix of services and supports provided.
- B. Community based, with the focus of services as well as system management resting within a supportive, adaptive infrastructure of structures, processes, and relationships at the community level.
- C. Culturally and linguistically competent, with agencies, programs, organizations, and services that reflect the cultural, racial, ethnic, and linguistic differences of the populations they serve to facilitate access to and utilization of appropriate services and supports and to eliminate disparities in care.

Section 1.4 System of Care Guiding Principles

- A. Ensure availability and access to a broad, flexible array of effective, community-based services and supports for children, youth and their families that address their emotional, social, educational, and physical needs, including traditional and nontraditional services as well as natural and informal supports.
- B. Provide individualized services in accordance with the unique potentials and needs of each child, youth and family, guided by a strengths-based, wraparound service planning process and an individualized service plan developed in true partnership with the child and family.
- C. Ensure that services and supports include evidence-informed and promising practices, as well as interventions supported by practice-based evidence, to ensure the effectiveness of services and improve outcomes for children and their families.
- D. Deliver services and supports within the least restrictive, most normative environments and use approaches that are family-driven, youth guided and clinically appropriate.
- E. Ensure that families, other caregivers, and youth are full partners in all aspects of the planning and delivery of their own services and in the policies and procedures that govern care for all children and youth in their community and county.
- F. Ensure that services are integrated at the system level, with linkages between child-serving agencies and programs across administrative, policy and funding boundaries and mechanisms for system-level management, coordination, and integrated care management.
- G. Provide care management or similar mechanisms at the practice level to ensure that multiple services are delivered in a coordinated youth and family informed and therapeutic manner that children and their families can move through the system of services in accordance with their changing needs.
- H. Provide developmentally appropriate mental health services and supports that promote optimal social-emotional outcomes for young children and their families in their homes and community settings.
- I. Provide developmentally appropriate services and supports that facilitate the transition of children to adolescent and then to adult services as needed.
- J. Incorporate or link with mental health promotion, prevention, and early identification and intervention in order to improve long-term outcomes, including mechanisms to identify problems at an earlier stage and mental health promotion and prevention activities directed at all children and adolescents and their families.
- K. Incorporate continuous accountability and quality improvement mechanisms to track, monitor, and manage the achievement of system of care goals; fidelity to the system of care

philosophy; and quality, effectiveness and outcomes at the child and family level, system level and practice level.

- L. Protect the rights of children and families and promote effective advocacy efforts that are culturally and linguistically appropriate.
- M. Provide services and supports without regard to race, religion, national origin, gender, gender expression, sexual orientation, physical disability, socio-economic status, geography, language, immigration status, or other characteristics, and ensure that services are sensitive, culturally appropriate, and responsive to these differences.

ARTICLE 2

GOVERNANCE COUNCIL PURPOSE AND RESPONSIBILITIES

Section 2.1 Purpose

Bexar CARES Governance Council is the name of the governing body, hereinafter referred to as the Council. The purpose of the Council shall be to oversee and ensure effective implementation of the vision and mission of Bexar CARES and System of Care Core Values and Guiding Principles.

Section 2.2 Council Responsibilities

The responsibilities of the Council shall include but are not limited to:

- A. Ensuring appropriate representation of membership as required in the by-laws;
- B. Providing leadership to promote the Bexar CARES vision and mission into local, county and state government human service agencies and community service organizations;
- C. Develop a Community Plan for System of Care enhancement by identifying goals and prioritizing tasks to advance aspects of the local system of care (“SOC”); identify measures necessary to support and sustain a local SOC; and ensure that appropriate training is provided to the Council members, agency representatives, county staff and the greater community;
- D. The Council embraces the values of family and youth driven care and will model this value to the greater Bexar County community. The Council will ensure that no meeting is held without participation of family and or youth representation;
- E. Ensure that orientation is provided to all incoming and/or potential Council members prior to their participation as a formal board member;
- F. Perform any other duties as appropriate in accordance with Article 3.

ARTICLE 3
MEMBERSHIP

Section 3.1 Membership and Participation

- A. Bexar CARES governance structure consists of several levels of involvement including Stakeholders Participation, Governance Council Membership, Executive Committee Membership, and Family Network.

- B. At the Stakeholders Participation level, participants will be invited to quarterly System of Care Stakeholders meetings. While no one will be excluded from participating, it is important that the full continuum of care -- from promotion to interventions and supports -- has adequate and effective representation.

System Categories will include the following, with specific agencies being invited as appropriate:

- 1. Local County and State Government
 - 2. Law Enforcement
 - 3. Public and Private Education Systems
 - 4. Family and Youth Run Organizations to include fathers, grandparents, LGBTQ and others
 - 5. Behavioral Health and Primary Care Medical and Health Care Entities
 - 6. Child Welfare
 - 7. Juvenile Justice
 - 8. Children’s Courts
 - 9. Child-Serving Agencies
 - 10. Advocacy Groups or Agencies
 - 11. Funders
 - 12. Military
 - 13. Business and Corporate
 - 14. Faith Community
-
- C. The Governance Council membership will be comprised of individuals who are community leaders from the Stakeholders participation with the goal to be reflective of the community in terms of race, culture, ethnicity, gender, and inclusiveness of youth and families with lived experience.
 - a. There shall be a minimum of two youth and/or family representatives on the Governing Board.

 - b. Youth under 18 will need parental/Legal Authorized Representative consent to participate as a Council member.

Section 3.2 Appointment/Election of Members and Alternates

Members and Alternates shall be appointed or elected as follows:

- A. Organizations shall each appoint one Member and one Alternate, each of whom has the authority to make decisions committing the organization, including financial and resource commitments.
- B. Each organization will assist with identifying youth and family members from their organization or community to be on the Council.

Section 3.3 Responsibilities of Members

Members are required to ensure representation from their agency:

- A. Serve on at least one committee;
- B. Participate in training as required by the Council;
- C. Uphold the vision and mission of Bexar CARES;
- D. Attend at least 75% of Governance Council meetings per year in person or on line; three consecutive absences shall result in automatic removal, unless otherwise excused by the Council; and
- E. Prepare for meetings by reviewing agendas, minutes and other distributed meeting materials in order to facilitate the business of the Council.

Section 3.4 Terms of Service

Membership will be held in two year increments for each identified member. Agency and professional members will identify a replacement member prior to the end of their membership term.

Section 3.5 Removals

A. Change in Position

If the status of a Member is changed so that he/she no longer represents the Council Membership category for which he/she was originally appointed under Section 3.1 C of this Article, that Member shall immediately resign in accordance with Section 3.5 B of this Article and his/her seat shall be filled by the individual assuming representation of that Category.

B. Resignation

A Member may resign at any time by written notice delivered in person, sent by mail or emailed to the Council Chair and Vice Chair. Resignations shall be effective upon receipt, unless otherwise specified.

C. Cause

1. A Member may be removed by majority vote of the Council for just cause, including, but not limited to, failure to comply with Member Responsibilities under Section 3.3 B of this Article or violation of the Council Code of Ethics under Article 8.
2. The Council shall remove a Member only after the Member has been notified in writing and has been offered an opportunity to dispute the cause or request a waiver by a decision of the Council.

ARTICLE 4 COUNCIL DECISIONS

Section 4.1 Decision-Making

The Council shall make decisions by consensus of the present and authorized to vote. However, if no consensus is reached, then by majority vote (51%) of all Members present and voting, in accordance with Robert's Rules of Order, Simplified and Applied, 2d Edition.

Section 4.2 Abstention

Abstention from voting on an item is required of any Member associated with an entity that may receive commercial benefit from that item. The Member may choose to have her/his position for the decision recorded though uncounted. All are encouraged to join in discussion on all decisions.

Section 4.3 Electronic Voting by Remote Communications

Members may vote electronically.

A meeting of the members of the Bexar CARES Governance Council or work group designated by the Council may be held by means of a remote electronic communications system, including videoconferencing technology or the internet, only if:

- (1) each person entitled to participate in the meeting consents to the meeting being held by means of that system; and
- (2) the system provides access to the meeting in a manner or using a method by which each person participating in the meeting can communicate concurrently with each other participant.

ARTICLE 5

COUNCIL LEADERSHIP

Section 5.1 Executive Committee

The Executive Committee shall consist of at least two Council members appointed by the Council for oversight of business, including the Chair and Vice Chair or their designees. Executive Committee membership shall be weighted with a goal of 51% parent/youth/family representation.

Section 5.2 Chairs

- A. The Chair and Vice-Chair shall be responsible for the following:
 - 1. Preside at and facilitate Council meetings;
 - 2. Carry out any duties deemed appropriate by the Council.

Section 5.3 Chair-Elect

- A. The Vice Chair shall act on behalf of the Chair in his or her absence or inability to conduct business.
- B. The Council shall elect a Chair-Elect and a Vice Chair-Elect from its Members.
- C. Each year at the conclusion of the current Chair's term, the Chair-Elect shall assume the position of Chair; however, in extraordinary circumstances, the Council in its discretion may extend the term of the Chair.
- D. Each year at the conclusion of the current Vice-Chair's term, the Vice Chair-Elect shall assume the position of the Vice-Chair; however, in extraordinary circumstances, the Council in its discretion may extend the term of the Vice-Chair.

Section 5.4 Standing Work Group Leadership

The Work Group members shall elect the Co-Leaders of a Standing Work Group by consensus or majority vote.

Section 5.5 Terms of Service

- A. The term of service for each of the Chair and Vice-Chair is two years.
- B. An Executive Committee member may reapply for nomination to the same position upon completion of the prior term in that position.
- C. There are no term limits for Work Group Co-Leaders.

Section 5.6 Elections

- A. Nominations of Executive Committee members shall be made in July, unless otherwise deemed appropriate.
- B. Regular elections shall be held in August, unless otherwise deemed appropriate.

Section 5.7 Removal

The Council may remove an Executive Committee member from his/her position:

- A. Upon a finding of just cause, including but not limited to failure to execute the responsibilities of office or violation of the Council's Code of Ethics under Article 8;
- B. In accordance with due process as prescribed in Article 8;
- C. At a meeting in which a minimum of two-thirds of the Council is in attendance; and
- D. By consensus, except that if consensus is not reached after two attempts, by 75% of members present in a secret ballot.

Section 5.8 Vacancies

- A. A vacancy in the office of Chair or Vice-Chair of the Council shall be filled by the respective Chair-Elect.
- B. A vacancy in the office of the Chair-Elect of the Council shall be filled upon nomination and election of a successor by the Council.
- C. A vacancy in either Co-Leader of a Work Group shall be filled by election by the Work Group.

ARTICLE 6

SUPPORTING YOUTH AND FAMILY PARTICIPATON

Section 6.1 Respect the Value of Time

By compensating the time that youth and families dedicate to Council business and activities, the Council will recognize the value that participating youth and families bring and demonstrate respect for their contributions (Section 3.3 Responsibilities of Members).

- A. Hourly rate for BCGC activities \$12.50
- B. Mileage rate .55
- C. Per diem rate set by the I.R.S. for out of town travel

ARTICLE 7

COUNCIL MEETINGS

Section 7.1 Minimum Meetings

The Council shall determine the frequency of regular Council Meetings, except that there shall be a minimum of four meetings a year.

Section 7.2 Special Meetings

A. A Special Meeting of the Council may be called by:

1. The Chair of the Council; or
2. Five Council Members upon written notice to the Chair of the Council.

Section 7.3 Emergency Meetings

A. An emergency meeting of the Council may be called in accordance with Section 7.2 (A).

ARTICLE 8

ETHICS, STANDARDS OF CONDUCT, GRIEVANCES

Section 8.1 Ethical Principles and Standards of Conduct

The Governing Board's ethical principles and standards of conduct, identifies and describe processes for management and resolution of ethical issues. (See APPENDIX 1)

ARTICLE 9

RECORDKEEPING

Section 9.1 Documents

The official Document of the Council consists of these Bylaws.

Section 9.2 Records

The official Records of the Council shall consist of the minutes of the Council and the minutes of the Executive Council.

Section 9.3 Preparation and Maintenance

It shall be the responsibility of the Project Director to ensure that the documents and records are generated and maintained.

ARTICLE 10 REPORTING

Section 10.1 Reporting

The Project Director shall ensure that reports are submitted to regulatory agencies as required.

ARTICLE 11 BYLAWS ADOPTION, AMENDMENTS, REVISIONS AND REPEAL

Section 11.1 Vote

These Bylaws may be adopted, amended, revised or repealed either by consensus or by a two-thirds vote of Members present at a Council Meeting.

Section 11.2 Notice

Notice of all proposed amendments, revisions or repeal shall be emailed, mailed or hand-delivered to each Council Member.

Section 11.3 Effective

These Bylaws and subsequent amendments, revisions or repeals shall be effective immediately upon approval by the Council.

ARTICLE 12 DEFINITIONS

Section 12.1 Definitions

The following definitions apply for purposes of these bylaws.

A. Advocacy means the act or process of supporting or promoting a cause or proposal.

- B. Alternate means a person who is appointed or elected in accordance with Section 3.2 of Article 3 to represent a Member when that Member is absent and who has the authority to make decisions committing the Member, including financial and resource commitments.
- C. Cultural and Linguistic Competence means the integration, language usage and application of knowledge and information about the social environment of individuals and groups of people into every aspect and level of SOC.
- D. Family-Driven means that families have a primary decision making role in the care of their own children as well as the policies and procedures governing care for all children in their community, state, tribe, territory and nation. This includes:
1. Choosing supports, services, and providers;
 2. Setting goals;
 3. Designing and implementing programs;
 4. Monitoring outcomes;
 5. Partnering in funding decisions; and
 6. Determining the effectiveness of all efforts to promote the mental health and well being of children and youth.
- E. Family Member means an individual who is or has been a primary caregiver for a child, youth, or adolescent with a serious emotional disturbance (SED). Extended family members may provide the primary caregiver with a significant level of support. Families who have children, youth, and adolescents with a SED are organized in a wide variety of configurations, regardless of social or economic status. Families can include biological parents and their partners, adoptive parents and their partners, foster parents and their partners, grandparents and their partners, siblings and their partners, kinship caregivers, friends, and others as defined by the family
- F. Fiscal Year means October 1 through September 30.
- G. Member means a person who is appointed or elected in accordance with Section 3.2 of Article 3 to represent a Membership Category.
- H. Proxy means an individual or organization, other than the Council member or Alternate who is authorized to vote or take other action on the Governing Board Member's or Alternate's behalf.
- I. Serious Emotional Disturbance (SED) is generally defined as diagnosable mental disorders that cause extreme functional impairment and which interfere with the individual's ability to function in school, their family, and/or within their community (Stroul, 2002).

- J. Served Family Member means a Family Member, as defined in Section 12.1 of this Article, whose family is currently being served by child serving agencies or who has been served by a child serving agency.
- K. System of Care means a coordinated network of community-based services and supports that are organized to meet the challenges of children and youth with serious mental health needs and their families.
- L. Work Group means a task-oriented subcommittee comprised of stakeholders at large and/or Members reporting to the Governance Council.
- M. Youth means an individual age 14 to 21 with SED and a history with public/private mental health agency involvement.
- N. Youth Move means the group of youths formed as a Council to discuss and address their areas of concern, and, through the elected Youth Representatives, has a voice on the Governing Board and Executive Council.
- O. Youth-Guided means that youths are active partners (at all levels of planning) from their individualized plan of care through the planning for the Council.
- P. Youth Representative means either of the two youth elected by the Youth Advisory Counsel to serve on the Governance Council, one of whom may also serve on the Executive Committee.

APPENDIX 1

Bexar CARES Governance Council

ETHICAL PRINCIPLES AND STANDARDS OF CONDUCT

PREAMBLE

The Council, staff and volunteers are committed to its mission of designing and implementing a system of effective support and care that is youth-guided and family-driven to children who are experiencing serious emotional and behavioral problems. In furtherance of this mission, the Council, staff and volunteers shall subscribe to a level of conduct that demonstrates unfailing honesty, deference for the dignity and individuality of human beings and a commitment to professional and compassionate services.

GENERAL PRINCIPLES

The Council, staff and volunteers shall commit to the following principles:

Principle A: Respect

Respect and consider the right of the public to have access to appropriate mental health care and supports. Council members shall protect each child and family's civil and legal rights.

Principle B: Best Interest of the Child

Each decision made concerning a child's case must be made with concern for the individual child's and family's needs, abilities, and personal strengths.

Principle C: Conflict of Interest

Be aware of the potential conflicts that may impair the exercise of fair and impartial judgment that directly affects a child, family member or the integrity of the developing system of care.

Principle D: Professional Standards

Exercise the best professional judgment and subscribe to the highest standards applicable to members' respective profession.

Principle E: Cooperation

Respect the fundamental responsibilities and elements of the juvenile, educational, and human services systems and cultivate a strong working relationship with each segment.

Principle F: Fidelity and Responsibility

Protect and maintain the integrity of confidential and privileged information. Members shall abide by all local, state and federal laws and uphold constitutional principles.

ETHICAL STANDARDS

The Council, staff and volunteers shall not commit any of the following transgressions:

Standard A: Discrimination

Discriminate against any employee, prospective employee, child, childcare provider or parent on the basis of age, race, sex, creed, disability, national origin, sexual orientation or gender identity.

Standard B: Inappropriate Relationships

Establish or maintain any inappropriate relationship with any youth or family member involved in the developing system of care. Examples include acceptance of any of the following: a bribe or gift, offer of employment or professional gain, a personal service performed by any youth or family member without remuneration, or any relationship that could be considered as exploitive, neglectful, sexual or abusive. If a member feels that an offer of employment is of benefit to the child or family, that situation must be brought to the attention of the Work Group responsible for Membership for approval.

Standard C: Political Partisanship

Promoting any activity related to the election or promotion of a particular candidate while serving in their official Council capacity beyond educating or informing elected officials and their staffs. This includes activities with any partisan political purpose including making appointments, attending candidate promotions or supporting dismissals in furtherance of any partisan political interest.

Standard D: Colleague Relations

Make declarations critical of colleagues or their organizations unless these critiques serve a constructive purpose and contribute to the improvement of developing system of care. Members must promote mutual respect among colleagues regardless of rank, position or volunteer status in order to improve System of Care service quality mechanisms.

Standard E: Conflict of Interest

Allowing personal interest or bias to impair objective professional decision-making or use any privileged or confidential information for any purpose beyond that needed to operate within the Council.

RESOLVING ETHICAL ISSUES

The Council, staff and volunteers shall report without reservation any illegal or unethical behavior that could affect a child, family member, the integrity of the Council or its mission.

Step 1: Notice and Informal Resolution

Any member of Council who witnesses or is aware of such behaviors shall immediately notify his or her immediate supervisor, the Clinical Director, or Chair of the Work Group responsible for Membership. The person who receives the report shall submit an informal result within seventy-two (72) hours to the reporter and the Executive Committee members. If the reporter is not satisfied with the informal result, the reporter shall notify the Council Chair and Vice Chair in writing within ten (10) business days from the date of receipt of the informal result.

Step 2: Additional Notice Requirements

The notice and informal resolution mentioned in Step 1 does not absolve any duty to report exploitation, abuse or neglect to law enforcement or any other entity that must be notified of such conduct under the law. In addition, it does not absolve the reporter from any steps that he or she must take to correct or report conduct committed by members which is unethical within their respective professions.

Step 3: Formal Resolution

Any reports of unethical conduct not addressed informally shall be referred to the Work Group responsible for Membership and if not resolved there, then shall be heard before a quorum of the Council in session for a formal resolution, when appropriate. The findings and conclusions of the Council shall formally resolve any allegation of unethical conduct.