

COMMONWEALTH OF VIRGINIA
STATE BOARD OF SOCIAL SERVICES
BYLAWS

ARTICLE I

Name and Location – The name of this Board shall be the State Board of Social Services, hereinafter referred to as the “State Board.” The principal office of the State Board shall be located in Richmond, Virginia. Meetings of the State Board may be held at other places within the Commonwealth of Virginia, as may be scheduled by the State Board. (Article III)

ARTICLE II

Board Composition and Term of Office – The State Board shall consist of nine (9) members, one (1) of which shall be a health care professional pursuant to the *Code of Virginia*, appointed by the Governor, and shall include a member from each of the welfare regions of the State established by the Commissioner of the Department of Social Services. The term of office shall be for four (4) years. No member shall be eligible to serve more than two (2) successive full terms. Each member of the State Board shall take the usual oath of office before entering upon the discharge of his/her duties.

Orientation – All new members appointed to the State Board shall receive an orientation that includes information about the roles and responsibilities of the Board (See Appendix A); the committee structure and bylaws of State Board; roles and responsibilities of the Department of Social Services, hereinafter referred to as the Department; Title 63.2 of the *Code of Virginia*, which governs the operations of the Board and Department; the Virginia Freedom of Information Act and the State and Local Government Conflict of Interest Act.

Officers – In April of each year, the State Board Chair shall appoint an ad hoc Nominating Committee of three members. In June of each year, the Nominating Committee will offer its slate of candidates and the State Board shall elect from its membership three (3) officers: chair, vice-chair, and secretary. The term of each office shall be one (1) year (July 1 through 30 June). A member may succeed himself/herself in the same office but for no more than 2 consecutive terms.

Duties of Officers – The chair shall preside over all meetings of the State Board, shall preside over all hearings conducted by the State Board and shall perform other duties as may be prescribed by the State Board. In the absence of the chair, the vice-chair shall preside. The secretary shall certify the minutes and the other official documents for the State Board and in the absence of both the chair and vice-chair shall assume their functions.

Committees – The State Board may utilize a committee system for the purpose of work sessions and technical considerations. No final action can be taken by a committee unless it is authorized by the State Board. If committees are utilized, they shall be appointed by the chair at the first meeting following his/her election. The chairs and membership of the committees shall serve at the pleasure of the chair. Committees may include, but not be limited to: Child Welfare

and Self-Sufficiency. If committees are utilized each member shall be assigned to at least one (1) committee. The chair of the committee will determine the meeting schedule of the committee and must report any activity of the committee to the full State Board at its next scheduled meeting. For purposes of continuity, the chair of the State Board may serve as chair of one (1) committee. The Department shall provide staff support as needed. A quorum for the conduct of committee business shall be two (2) members of the State Board. A committee may subdivide itself for gathering information.

Advisory Groups – The State Board may, from time-to-time, seek the advice of individuals other than members of the State Board on issues of concern to the State Board and may form a group of such individuals for such purpose. Any member of the State Board, a standing committee, or the Commissioner of the Department may request that such advice be sought or that such a group be formed. Selection of individuals to serve in such capacity shall be made by the State Board of Social Services with the advice of the Commissioner of the Department.

Each individual asked to serve shall receive the following instructions:

1. The length of time each member is asked to serve;
2. The work assignment as well as the extent and limitations of the responsibilities of such individual and/or group;
3. The resources which the State Board and the Department will provide;
4. The time frame for reports to the State Board; and
5. The responsibilities for the release of information.

Since the State Board possesses legal powers that cannot be delegated or surrendered, all recommendations for action by such individual or group must be submitted to the State Board for a decision. The State Board shall have sole power to terminate the service of any such individual or group so established.

ARTICLE III

Meetings – A meeting of the State Board occurs when as many as three (3) members sit as a body or as an informal assemblage, wherever held, whether or not minutes are taken, whether or not votes are cast, when public business is discussed or transacted.

Schedule of Regular Meetings – In October of each year the State Board shall adopt its meeting schedule for the next calendar year. Ordinarily, these regular meetings shall be held as follows: two day meetings shall be held on the third Thursday and the preceding Wednesday of the month while one day meetings shall be held on the Wednesday preceding the third Thursday. These meetings may be held in the various welfare regions of the state as well as at the principal office, as may be decided by the State Board. Specific meeting sites shall be identified at least two (2) months prior to that meeting. Meetings shall not be held on major religious holy days.

Special Meetings – Special meetings of the State Board may be called by the chair or by any three (3) members of the State Board on seven (7) days' notice given to each member of the State Board. Meetings may be held with less than seven (7) days' notice if all members of the State Board are present or if those not present waive notice thereof before the meeting.

Work Session – The State Board may hold work sessions preceding, or following regular or special meetings. A work session agenda with time and place specified shall be included with the agenda for the regular or special meeting.

Quorum – Five (5) members of the State Board shall constitute a quorum for conducting business, but less than a quorum may gather information, listen to testimony, etc.

Order of Business – At least 14 days prior to each regular meeting, the Chair and Vice-Chair of the State Board, with the advice of the Commissioner of the Department of Social Services, shall set the agenda for that meeting. No amendments shall be made to the agenda after it is set, without the consent of the Chair or Vice-Chair. If the Chair and Vice-Chair are unavailable, the Secretary has the authority to consent to changing the agenda. To the extent possible, meeting materials will be mailed to members the next business day following the setting of the agenda.

The order of business of regular meetings of the State Board of Social Services shall include a time to receive comment from the public and interested parties pursuant to the State Board's Public Participation Guidelines (22 VAC 40-12).

Conduct of Business - All meetings shall be conducted in accordance with the rules contained in Robert's Rules of Order Newly Revised, except as otherwise stated in the these bylaws.

Notice of Meetings and Public Hearings on Regulations -

- (1) Notice of the date, time and place of all regular Board and committee meetings shall be announced in advance by posting the notice electronically on the Commonwealth Calendar, as required by § 2.2-3707 of the *Code of Virginia* and by written notice to the State Board at least three days in advance of the meeting.
- (2) When the Board determines that a public hearing on a regulatory action is appropriate, notice of the hearing shall be posted in accordance with the requirements of State Board's Public Participation Guidelines, 22VAC40-12-100.

ARTICLE IV

Closed Meetings

1. In order to conduct the public's business effectively and protect the privacy of individual citizens, the Board recognizes that certain information must be kept confidential and that closed meetings, as defined § 2.2-3701 of the *Code of Virginia*, may on occasion be required in order to protect this confidential information.
2. All closed meetings shall be conducted in accordance with the *Virginia Freedom of Information Act* § 2.2-3700 et seq. of the *Code of Virginia*.
3. Minutes shall be kept of all closed meetings of the State Board. The minutes of closed meetings shall be confidential and shall be kept separately from the regular minutes of the State Board. Minutes of closed meetings shall not be disclosed without a vote of a majority of members of the State Board. Minutes of closed meetings shall be retained for five years.

4. Non-members may attend a closed meeting if a majority of members present at the meeting determines by voting prior to entering closed meeting that such persons are necessary or their presence will reasonably aid the State Board in its consideration of a topic which is a subject of the meeting. The Clerk to the State Board is exempt from this vote to take minutes.
5. All State Board members shall abide by all confidentiality provisions of the *Code of Virginia* and safeguard the confidentiality of records of the Department of Social Services as provided for in §§ 63.2-101 through 63.2-105 of the *Code of Virginia*.
6. All information discussed during a closed meeting and all records recorded in or compiled exclusively for use in a closed meeting shall not be released by any member of the State Board without the approval of a majority of the members of the State Board.

ARTICLE V

Powers and Duties – The State Board shall possess the powers, duties, and responsibilities as set forth in the *Code of Virginia*, the official compilation of the laws and statutes enacted by the Virginia General Assembly.

Individual members of the State Board shall represent official positions of the State Board only upon action of the State Board. When the State Board is requested to appear before the General Assembly, legislative committees, study committees, etc., the State Board is ordinarily represented by three (3) members who are nominated by the chair and, when practicable, confirmed by the State Board.

ARTICLE VI

Official Papers – All official records of the State Board shall be kept on file at the Department of Social Services and shall be open to inspection. All files, except minutes, will be maintained for five (5) years. All minutes of State Board meetings shall be permanently retained, with the exception of closed meeting minutes (retained for 5 years).

ARTICLE VII

Public Participation – Citizens may attend all State Board meetings, except closed meetings as defined by the Freedom of Information Act, and may record the proceedings in writing or by using a recording device. The State Board may make and enforce reasonable rules regarding the conduct of persons attending its meetings. It is the intent of the State Board to hold a public comment period during every regular meeting.

ARTICLE VIII

Review and Amendments to Bylaws – The State Board shall review and amend the bylaws as necessary. The State Board shall, at a minimum, review its bylaws every four years in the fall of the first year of the Governor's term. The Bylaws may be amended at any regular meeting of the State Board by an affirmative vote of a majority of the State Board members, provided that the proposed amendment was included in the notice of the meeting.

These bylaws are effective June 15, 1999

Revised October 15, 1986
Revised February 15, 1990
Revised March 22, 1999
Revised October 15, 1999
Revised June 14, 2000
Revised April 2002
Revised October 2003
Revised October 2004
Revised October 2009
Revised October 2011

These bylaws are effective on October 20, 2011, and until subsequently amended.

Robert C. Gardner, Jr.
Vice - Chair, State Board of Social Services

October 20, 2011
Date