



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: December 10, 2013

Subject: Family and Children's Trust Committee (FACT) Policies and Procedures

RECOMMENDATION(S):

APPROVE the revised Policies and Procedures of the Family and Children's Trust Committee, to accurately reflect the seats on the committee, as recommended by the Employment and Human Services Department Director

FISCAL IMPACT:

None

BACKGROUND:

Employment and Human Services, on behalf of the Family and Children's Trust (FACT) Committee, is requesting amendment of the FACT Policies and Procedures. The amendment will add Policies and Procedures, Subsection H to Article II, Section 1 to reflect a School Representative category position to accurately reflect the current FACT membership roster. This board order is in compliance with the current FACT Policies and Procedures, Article IX. The FACT Committee members approved the Policies and Procedures amendment November 4, 2013.

CONSEQUENCE OF NEGATIVE ACTION:

Policies and Procedures will not accurately reflect the FACT Committee composition.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **12/10/2013** ☒ APPROVED AS
RECOMMENDED

☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: December 10, 2013

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Elaine Burres, 313-1717

cc:

ATTACHMENTS

FACT Policies and Procedures final

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POLICIES AND PROCEDURES

FAMILY AND CHILDREN'S TRUST COMMITTEE (FACT) CONTRA COSTA COUNTY

ARTICLE I:	Name, Purpose, Origin
ARTICLE II:	Membership
ARTICLE III:	Officers
ARTICLE IV:	Committees
ARTICLE V:	Role and Relationship of Contra Costa Employment and Human Services Department and the FACT Committee
ARTICLE VI:	Meetings
ARTICLE VII:	Established Procedures
ARTICLE VIII:	Conflict of Interest Guidelines
ARTICLE IX:	Amendments to Policies and Procedures

ARTICLE I

NAME, PURPOSE, ORIGIN

Section 1 NAME

The name of this committee shall be the Family and Children's Trust Committee (FACT).

Section 2 PURPOSE

The purpose of this Committee is to establish priorities and make funding

recommendations to the Board of Supervisors on the allocation of specific funds for the prevention/amelioration of child abuse and neglect, and the promotion of positive family functioning. These funds include: The Child Abuse Prevention, Intervention, and Treatment funds (CAPIT) funds, (AB 1733), Birth Certificate funds (AB2994), the Family and Children's Trust funds, the Community-Based Child Abuse Prevention funds (CBCAP), the Child Care Affordability funds, and other funds as may be subsequently directed by the Board of Supervisors.

The FACT Committee also provides information and data to the Employment and Human Services Department on the effectiveness of current and proposed programs for families and children and on recent or pending legislation that would potentially impact family and children's services programs, clients, or funding mechanisms.

Section 3 ORIGIN OF COMMITTEE

On April 6, 1985 the Contra Costa County Board of Supervisors established the Family and Children's Trust Committee (FACT) to make funding recommendations to the Board of Supervisors on allocation of the CAPIT Funds (AB1733), Birth Certificate Funds (AB2994), and the Family and Children's Trust Fund monies. Previously, there were three Committees providing recommendations to the Board of Supervisors for the use of these funds. The Board also directed the FACT Committee to make funding recommendations on the Child Care Affordability funds and the Community-Based Child Abuse Prevention funds (CBCAP) at a later date.

In 2005, the Board of Supervisors directed that the Family and Children's Services Advisory Committee (FACSAC) be merged with FACT as the federal mandate for FACSAC had ceased to exist and many of the functions of the committee had been assumed by other programs within the Employment and Human Services Department or other county entities.

All decision making authority is retained by the Board of Supervisors. The Board of Supervisors and/or the Family and Human Services Committee (FHS) are the appointing authorities to FACT.

ARTICLE II

MEMBERSHIP

Section 1 **MEMBERSHIP CATEGORIES**

The membership of the FACT Committee shall consist of:

1. Up to a total of five (5) sector representatives from the following Committees/Groups
 - a. Mental Health Commission
 - b. Local Planning Council
 - c. First 5 Commission
 - d. Child Abuse Prevention Council (ex officio)
 - e. Faith-Based Community
 - f. Substance Abuse Advisory Committee or Council
 - g. Early Childhood Education/Child Development (group or individual)
2. One representative from each of the five Supervisorial Districts. Supervisors will recruit and appoint their own representative or, if requested, staff to FACT will provide recruitment assistance.
3. Up to five At-Large members shall be recruited from representative community groups including, but not limited to, the following:
 - a. Service clubs
 - b. Faith-based organizations
 - c. Civic organizations
 - d. Ethnic and cultural clubs/groups
 - e. Chambers of Commerce
 - f. Parent/Teacher Associations/other educational entities

All At-Large members shall be recruited to bring expertise in child care, out-of-home placement, homelessness, alcohol/substance abuse treatment, family systems or family preservation, child abuse/neglect services, parent education, multi-ethnic systems or programs and/or program planning, analysis, and evaluation.

Section 2 **REQUIREMENTS**

Each entity listed in Article II, Section 1 (A.) above which has a sector representative

on the FACT Committee will have first option to recommend a replacement for that individual should he/she leave for any reason. New appointments must be made within 90 days or the FACT Committee may select another organization, commission, or council from the list to appoint someone to fill the vacancy. FACT will request that said organization, commission, or council select a representative that:

1. Has knowledge of child abuse/child development or family functioning issues and programs, if possible;
2. Will commit self to attend all FACT meetings and read all materials; and
3. Will regularly seek input from, and report back to, the appointing body about the issues discussed and the decisions made by the FACT committee.

The five (5) At-Large members will be selected and replaced when needed from the community through a recruitment, application and interview process, by members of the FACT Committee and staff. The Committee will recommend individuals that have expertise in one of the designated areas in Article II, Section 1, and consider items (1.) and (2.) in Article II, Section 2.

Section 3 TERM of MEMBERSHIP

One term of Committee membership shall be two years. The FACT committee will develop a schedule whereby no more than fifty (50) percent of FACT members terminate membership in any one year. An ethnic, economic, and geographic balance among members shall be maintained as much as possible.

Section 4 ABSENCES

Absences:

1. *Excused* absences are those reported beforehand, if possible, and are due to emergency, illness, work schedule conflicts, or scheduled vacation. After three (3) such consecutive absences in one year, an evaluation will be made by the FACT Committee to determine if this should constitute a resignation from the Committee.
2. Three (3) unexcused consecutive absences in one year shall constitute a resignation from the Committee. Following the third unexcused absence, the Chairperson will contact the organization or individual in question and request a new representative.

Section 5 RESIGNATIONS

Voluntary resignation is accomplished by writing to the Chairperson. The resignation will be effective at the time unless otherwise specified.

Section 6 CONFLICT-FREE REQUIREMENTS

All FACT Committee members shall be conflict-free according to Contra Costa County's and the State Department of Social Service Conflict of Interest Guidelines (see Article VIII, Conflict of Interest Guidelines).

Section 7 LIABILITY

A member of the Committee shall not, solely because of such membership, be personally liable for any debts, obligations, or liabilities of the Committee.

Section 8 REVIEW OF APPOINTMENTS

All prospective At-Large appointments shall be sent to the Family and Human Services Committee (FHS) for review prior to appointment by the Board of Supervisors. The FACT Committee shall forward to FHS the resumes of qualified individuals.

ARTICLE III

OFFICERS

Section 1 OFFICERS

The officers of this Committee shall be a Chairperson and, if deemed necessary by the Committee, a Vice-Chairperson.

Section 2 DUTIES

The duties of the officer(s) shall be the usual duties of such officers as provided in Roberts Rules of Order. The Vice-Chairperson shall perform such other duties as may be assigned by the Chairperson.

Section 3 TERM OF OFFICE

The term of office shall be two years. Officers may be elected for one or more following terms in the same office.

Section 4 OFFICER ELECTIONS

1. Officers shall be elected by majority vote of the membership.
2. Vacancies occurring between elections shall be filled by election, in like manner, at the next meeting after the vacancy occurs.

ARTICLE IV

COMMITTEES

Section 1 COMMITTEES

The Chairperson shall appoint such Subcommittees as may be required for the furtherance of the purpose of the Committee.

Section 2 RESPONSIBILITIES

All FACT Committee members, save ex officio (non-voting) members if currently sitting, shall be responsible for preparing, reviewing, and rating all proposals resulting from the annual RFP process and recommending to the Employment and Human Services Director and the Board of Supervisors the award of family and children's services contracts, including the appropriate level of funding for such contracts, with non-profit community agencies pursuant to:

1. CAPIT (AB 1733) and Birth Certificate-funded (AB 2994) programs for child abuse prevention and early intervention services;
2. The Family and Children's Trust Funds, for leveraging with other community resources to maximize public benefit in family and children's service programs;
3. The federal CBCAP (Community-Based Child Abuse Prevention) funds;

4. The Child Care Affordability funds to improve, expand, and make child care more affordable and accessible to low-income families; and
5. Other funds as subsequently directed by the Board of Supervisors.

ARTICLE V

ROLE AND RELATIONSHIP OF CONTRA COSTA EMPLOYMENT AND HUMAN SERVICES DEPARTMENT WITH THE FACT COMMITTEE

Section 1 ROLES

The Board of Supervisors delegated to the Employment and Human Services Department the responsibility to administer certain State and County funds disbursed by Board orders based on the recommendations of this FACT Committee. This task involves meeting State and County requirements related to AB 1733 (CAPIT funds), AB 2994 (Birth Certificate funds), the Ann Adler Family and Children's Trust Funds, the federal Community- Based Child Abuse Prevention funds (CBCAP), and the Child Care Affordability Funds. The Board of Supervisors also directed the Employment and Human Services Department to provide staff support to the FACT Committee.

Section 2

Staff support to the FACT Committee includes:

- (a) Providing clerical support, e.g., prepare and distribute committee's agendas, prepare minutes of all meetings, notify members of meetings, draft correspondence, etc., for the Chairperson's approval, prepare and send written materials at the Chairperson's direction, and maintain a current membership roster. (See Article VII, Section 6);
- (b) Implementing the instructions of the Chairperson relative to public hearings or other tasks as assigned;
- (c) Advising the Committee about political or contractual ramifications of any decision being considered by this Committee or its members; and
- (d) Reporting to the Committee regularly about contract timelines, monitoring procedures and any problems with contracts or contractors, distributing all contract service plans and budgets and all written reports required from

contractors or by the State.

Section 3

Staff support to the FACT Committee does not include:

- (a) acting unilaterally at any time relative to FACT Committee business or issues;
- (b) voting on the funding priorities, the RFP process, funding decisions, or any other motion before the Committee.

ARTICLE VI MEETINGS

Section 1

All meetings of the FACT Committee shall be governed by the Brown Act (Government Code section 54950, et seq.) and Better Government Ordinance.

Section 2

The Committee shall meet at least monthly and as often as needed during the RFP allocation period.

Section 3

Meetings shall be held at a regularly scheduled date and time of the month as established by the Committee in order to better accommodate attendance by Committee members and the public. Notice of the meeting shall be posted in a prominent place.

Section 4

A quorum is defined as fifty percent plus one (50%+1) of authorized seats. No voting shall take place without a quorum present. Unless otherwise required by these policies, a majority of the total membership is required to pass any proposed action of the FACT committee.

Section 5

Special meetings of this Committee may be called by the Chairperson, Vice-Chairperson, or any three members in concert. Special meetings can be held following four-work days' notice to all members if a quorum is present at the designated date and time.

ARTICLE VII

ESTABLISHED PROCEDURES

Section 1

Every two years the FACT Committee shall establish a minimum of two specific priority areas for allocating available FACT funds based on information/data from a County self-assessment or equivalent, public hearing or other needs assessment mechanism, a review of additional surveys/reports from other groups, and/or interviews with key child abuse/neglect professionals.

Section 2

- (1) The FACT Committee will adhere to the following decision-making process for the allocation of CAPIT (AB1733), Birth Certificate (AB2994) and Community-Based Child Abuse Prevention funds. These monies derive from the State Department of Social Services and any requirements of that Department will be adhered to, in addition to the following procedures:
 - a. These monies are for child abuse and neglect prevention and early intervention services, which meet the needs of children at high-risk, especially those aged 0 - 14, operated by private non-profit organizations.
 - b. Every two years a needs assessment process, including community member and professional surveys (web-based and in-person), community and professional discussions/meetings and review/analysis of other current studies and information, will be used to establish a minimum of two priority areas for funding of services.
 - c. The Employment and Human Services Department will implement a competitive RFP/RFI process for the allocation of funds.

- d. The FACT Committee will review, rate, and recommend approval of contracts to the Board of Supervisors following the guidelines outlined in the current RFP.
- e. Monies contributed to the Family and Children's Trust fund will be allocated to public/private non-profit agencies which provide services that meet the needs of families and children in Contra Costa County. These funds will generally be combined with the State funds described in (a), above, and will be allocated via the same process, but they may, at the FACT Committee's discretion, be used to support small programs whose goals are slightly broader than those of the aforementioned state program.

Section 3

The general timeline for the work of the Committee in an RFP funding year is as follows:

- September: Committee officer terms begin; agencies are notified of public hearings/interviews/other needs assessment activities.
- October: Begin contractor site-visits; continue needs assessment.
- Nov.-Dec: Identify overall county needs and establish funding priorities.
- Jan.-Feb. FACT Committee, staff and Contracts Unit prepares RFP/RFI for distribution; RFP/RFI released mid-February.
- March: Proposals due; begin second round of site-visits.
- April: Committee members rate and review proposals.
- May: Rating and Review meeting (open) held; following two week appeal period, funding recommendations forwarded to Employment and Human Services Director and Board of Supervisors for final approval.
- June: Contracts and Grants Unit of the Employment and Human Services Department prepares and submits contract documents to selected agencies.
- July: Review of overall RFP process to identify required modifications; tax insert approved.
- August: No FACT meeting

In addition to this RFP-focused timeline, other pertinent activities, including program review meetings and meetings with community members occur throughout the year. Public information activities and coordination/collaboration discussions with related programs/agencies serve as a mechanism to inform and educate the community about the issues and problems facing low-income families and children. A legislative report is provided quarterly by the Director of the Child Abuse Prevention Council (sitting on the FACT Committee as an ex-officio member).

This general timeline will serve as the basis for developing the FACT Committee's annual work plan by October 15 of each year.

Section 4

The County Employment and Human Services Department will establish a work plan with the State regarding CAPIT (AB 1733) and Community-Based Child Abuse Prevention Funds (CBCAP), to be reviewed by the committee.

The County Employment and Human Services Department will not establish a work plan with the State regarding funds raised through Birth Certificates (AB2993) or other funds within the purview of this Committee without prior review of such plan by the Committee as such decisions directly impact the FACT Committee's work plan and timelines.

Section 5

The County liaison from the Office of Child Abuse Prevention (OCAP) will be invited to meet with The FACT membership at least annually in order to maintain communication and a current understanding of OCAP's expectations.

Section 6

Employment and Human Services staff to the FACT Committee shall maintain a roster of attendance, including excused and unexcused absences (as defined herein) and will notify the Chairperson when any member has two consecutive unexcused absences.

If the FACT Committee decides on a course of action, staff to the Committee will follow through on that decision as soon as possible. Staff will raise any issues or problems he/she sees with a course of action while it is still under discussion. The Committee and Employment and Human Services staff will work together to ensure that all issues and potential problems are addressed before decisions are made. Should

a problem arise for Employment and Human Services staff while executing a Committee decision, the

Chairperson will be contacted as soon as possible. That problem or item will then be placed on the next agenda so members can be kept informed of the outcome of their decisions.

Section 7

Staff to this Committee and EHSD Contracts and Grants Unit staff who deal with the State Office of Child Abuse Prevention, or contractors allocated monies via Committee recommendations, will submit directly to the Chairperson all original source documents received pertaining to CAPIT, Birth Certificate, CBCAP, or Trust Fund monies, as well as other relevant documents under the purview of the committee.

Section 8

Members entitled to vote shall not be permitted to vote or act by proxy.

ARTICLE VIII

CONFLICT OF INTEREST GUIDELINES

Section 1

All members of the FACT Committee shall be conflict-free according to Contra Costa County's and the State Department of Social Services' Conflict of Interest Guidelines.

To be conflict-free, FACT membership shall not include anyone who:

1. Is a board member or an employee of an agency receiving monies recommended by FACT.
2. Is a board member or an employee of an agency applying for FACT funding.
3. Has been a board member or an employee of an agency during a 12

month period measured either from the dated he or she resigned from an agency which received FACT funds at any time during the preceding year or after the end of the fiscal year in which that agency received any FACT funds.

Section 2

Contract monitoring is not to be conducted by any member of FACT who has a conflict of interest in that the member, or the member's spouse or business partner, is a board member or an employee of the contract agency he or she is monitoring.

ARTICLE IX

AMENDMENT OF POLICIES AND PROCEDURES

Section 1

These Policies and Procedures may be amended once the following actions have occurred:

1. The proposed amendment has been introduced in writing by one or more FACT members at a meeting with a quorum present; and
2. The amendment has been discussed by the membership in at least one regular meeting prior the regularly scheduled meeting at which a vote is taken; and
3. Any suggested changes in wording have been accepted by the one or more FACT members who originally introduced the amendment; and
4. A 2/3 vote of the total membership approves the amendment either by a count of hands or by written ballot as determined by a majority of the members present on a case-by-case basis, and:
5. The amendment(s) is approved by the Board of Supervisors.