



Texas Department of Family and Protective Services

The Texas Family and Protective Services Council

BYLAWS

I. NAME AND PURPOSE

- A. The name of this council is the Family and Protective Services Council (Council).
- B. The Council is a governor appointed advisory council to the Texas Department of Family and Protective Services (DFPS) established in statute in The Human Resources Code § 40.021.
- C. The purpose of the Council is to study and make recommendations to the DFPS Commissioner (Commissioner) regarding the management and operation of the department, including policies and rules governing the delivery of services to persons who are served by the department, the rights and duties of persons who are served or regulated by the department, and the consolidation of the provision of administrative support services.
- D. The Council's tasks include:
 1. Make recommendations to the Commissioner.
 2. Perform other tasks consistent with the Council's purpose that are requested by the Commissioner.

II. MEMBERSHIP

- A. The Council shall consist of nine members to be appointed by the Governor.
- B. Membership requirements:
 1. Members are appointed by the Governor.
 2. Members should attend and participate in meetings.
 3. Members should attend and participate in an orientation training prior to participating in a meeting, pursuant to Texas Human Resources Code §40.023. This training will include the following:
 - i. The legislation that created the department and the council.
 - ii. The programs operated by the department.
 - iii. The role and functions of the department and the council, including detailed information regarding the advisory responsibilities of the council.
 - iv. The role of the commission and the responsibilities of the commission in relation to the department.

- v. The rules of the department, with an emphasis on rules that relate to disciplinary and investigatory authority:
 - vi. The current budget for the department.
 - vii. The results of the most recent formal audit of the department.
 - viii. The requirements of the:
 - 1. Open meetings law, Chapter 551, Government Code.
 - 2. Public information law, Chapter 552, Government Code.
 - 3. Administrative procedure law, Chapter 2001, Government Code.
 - ix. The requirements of the conflict-of-interest laws and other laws relating to public officials.
 - x. Any applicable ethics policies adopted by the Commissioner or the Texas Ethics Commission.
4. Members of the Council serve for staggered six-year terms, with the terms of three members expiring February 1 of each odd-numbered year.
 5. A member may not serve more than two consecutive full terms as a Council member.

III. OFFICERS

A. The Council Chair is appointed by the Governor.

B. Duties of the chair:

1. Preside at Council meetings.
2. Set meeting agendas in consultation with DFPS staff.
 - i. The Chair will maintain a rolling agenda containing key items to be addressed at future Council meetings.
 - ii. The Chair will work closely with the Council liaison to draft an agenda for the upcoming meeting four weeks prior to the meeting date.
 - iii. Members may request that the Chair add an item to the agenda, either at a Council Meeting or in writing.
 - iv. The final agenda approved by the Chair and Commissioner will be posted appropriately to meet the Texas Open Meetings requirements.
3. Carry out other duties and activities necessary to fulfill the Council's purpose.

C. Duties of the Vice Chair:

1. Assume the duties of the Chair in the Chair's absence.
2. Carry out other duties as assigned or delegated by the Chair.
3. Carry out other duties and activities necessary to fulfill the Council's purpose.
4. The Vice Chair is elected by the Council at the first meeting after the start of the calendar year.
5. The Vice Chair serves a two-year term and may be re-elected to the same office the subsequent year. Persons may nominate themselves to be officers.
6. In the event of a vacancy for any reason, the Council will elect to fill the vacancy at the next scheduled meeting.
7. The Vice Chair may be removed from office by consensus of the Council.

IV. COUNCIL MEETINGS

- A. An annual schedule of regular quarterly meetings will be established and approved by the Council Chair and DFPS Commissioner. The Chair will coordinate the dates with the DFPS Commissioner.
- B. A majority of the members of the Council constitute a quorum for the transaction of business.
- C. If a quorum is not present, the Council may have a working meeting but may not adopt formal positions, recommendations or other motions.
- D. In compliance with Open Meetings Laws, the Council must include notice on its agenda if a formal action or recommendation may be taken at a meeting.
- E. Committee Decision Making
 - 1. The Council shall make decisions by consensus.
 - 2. Adopted Council positions or formal recommendations shall be documented in the minutes.

V. SUBCOMMITTEES AND WORKGROUPS

The Council may establish subcommittees and workgroups as needed.

VI. COUNCIL COMMUNICATIONS AND REPRESENTATION

- A. A Council member may not represent him or herself as speaking on behalf of the Council unless the member has been authorized to do so by the Council.
- B. Attendance records and minutes shall be kept by DFPS staff. Meeting minutes will be distributed to the Council after the Council meeting.

VII. CONFLICT OF INTERESTS

- A. A Committee member who has, or potentially has, any personal, professional or financial conflict of interest in the outcome of a proposed recommendation of the Council must:
 - 1. Disclose the interest to the Chair and/or Vice Chair prior to any action on the proposed recommendation.
 - 2. Recuse him or herself from any leadership role (Chair or Vice Chair) on the Council during the consensus vote.
 - 3. Refrain from consensus voting on the recommendation.

VIII. AMENDMENTS TO THE BYLAWS

- A. If any part of these bylaws are found to be contrary to DFPS policies or other applicable requirements or guiding documents, and therefore deemed void, the remainder shall continue in full force and effect.

B. These bylaws may be amended by consensus of the Council.

Adopted by the Family and Protective Services Council on February 14, 2020.