

STATE CHILD ABUSE AND NEGLECT PREVENTION BOARD
ADMINISTRATIVE CODECHAPTER 185-X-1
ORGANIZATION

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185-X-1-.01 Name And Authority.

The Child Abuse and Neglect Prevention Act, Code of Ala. 1975, §§ 26-16-1, et seq., sets forth the authority for the creation and promulgation of this autonomous state agency to be known hereafter as the State Child Abuse and Neglect Prevention Board.

Author: Mark N. Chambless

Statutory Authority: Code of Ala. 1975, §§ 26-16-1, et seq.

History: **Emergency rule** filed August 5, 1985. **Permanent rule** filed August 5, 1985.

185-X-1-.02 Purpose Of The Board.

The Child Abuse and Neglect Prevention Act, Code of Ala. 1975, §§ 26-16-1, et seq., creates the Child Abuse and Neglect Prevention Board (hereinafter referred to as the Board) which shall exercise those duties and responsibilities as set forth in Code of Ala. 1975, §§ 26-16-1, et seq., and in these administrative rules and regulations for the purpose of preventing child abuse and neglect throughout the State of Alabama.

Author: Mark N. Chambless

Statutory Authority: Code of Ala. 1975, § 26-16-4.

History: **Emergency rule** filed August 5, 1985. **Permanent rule** filed August 5, 1985.

185-X-1-.03 Composition Of The Board.

(1) The Board shall be composed of fourteen members:

(a) The Commissioner of the State Department of Human Resources, State Mental Health Officer, State Health Officer, State Superintendent of Education and the Director of Department of Public Safety, or their designees.

(b) Nine public members appointed by the Governor, one from each of the seven congressional districts into which the state is divided for the purpose of electing representatives in the U.S. Congress, and two from the state at large. As a group, the public members shall demonstrate knowledge in the area of child abuse and neglect prevention; shall be representative of the demographic composition of this state; and, to the extent practicable, shall be representative of all of the following categories: organized labor, the business community, the religious community, the legal community, professional providers of child abuse and neglect prevention services, and volunteers in child abuse and neglect prevention services.

(2) The term of each public member shall be three (3) years, except that of the public members first appointed, three shall serve three years, three for two years, and three for one year. The Governor shall designate the term which each of the members first appointed shall serve when he makes such appointments. A public member shall not serve more than two consecutive terms whether partial or full. A vacancy shall be filled for the balance of the unexpired term in the same manner as the original appointment.

Author: Mark N. Chambless

Statutory Authority: Code of Ala. 1975, § 26-16-4.

History: **Emergency rule** filed August 5, 1985. **Permanent rule** filed August 5, 1985. **Amended:** Filed December 18, 1992.

185-X-1-.04 Officers Of The Board.

(1) The Governor shall designate a chairperson of the Board from among the public members, which chairperson shall serve in that position at the pleasure of the Governor.

(2) The State Board may elect other officers but shall elect a vice-chairperson and a secretary.

(3) A vacancy occurring in the office of the chairperson shall be filled by the vice-chairperson until such time as the Governor designates a new chairperson.

(4) A vacancy occurring in the office of the vice-chairperson or secretary shall be filled by the Board at the first meeting held after the vacancy occurs.

(5) The duties of the officers shall be as follows:

(a) The chairperson shall preside at meetings of the Board, appoint members to serve on committees as may be created and serve as ex officio member of all committees. The chairperson shall assist with the preparation of the agenda for the meetings of the Board.

(b) The vice-chairperson shall preside in the absence of the chairperson and shall assume the duties of the chairperson when necessary.

(c) The secretary shall be responsible for the minutes of the meetings and shall assume other duties at the direction of the chairperson.

Author: Mark N. Chambless

Statutory Authority: Code of Ala. 1975, § 26-16-4(c).

History: **Emergency rule** filed August 5, 1985. **Permanent rule** filed August 5, 1985.

185-X-1-.05 Meeting Of The Board.

(1) A minimum of two regular public meetings shall be held each year.

(2) Special meetings may be called at the request of the chairperson or upon the written request of three members of the Board to the chairperson. All members of the Board shall receive notice of special meetings at least three days in advance and such notice shall designate the purpose or purposes of the meeting.

(3) All regular meetings of the Board shall be open and public and held in full compliance with Code of Ala. 1975, § 13A-14-2.

(4) A majority of the members of the Board, including at least one officer, shall constitute a quorum at any meeting.

(5) A majority vote of those members present and voting constituting a quorum is needed for official action. There shall be no voting by proxy. Alternates for any member, excluding designees authorized by Rule 185-X-1-.03(1)(a), shall not be allowed.

(6) One meeting shall be designated as the annual meeting for the election of officers, and for the review of bylaws.

(7) Proceedings of the Board shall be governed by Robert's Rules of Order, Newly Revised, except as otherwise specified in the bylaws or statutes governing the Board.

(8) The executive director with the advice and consent of the chairperson shall prepare an agenda for the regular scheduled Board meeting.

(9) The proposed agenda for the regular scheduled meeting shall be mailed to each member at least ten calendar days prior to the meeting. Any member who wishes to have a special item on the agenda for a Board meeting shall notify the chairperson at least fourteen days prior to the scheduled meeting. The agenda for each scheduled meeting of the Board shall include a designated time for public comments, comments by the Board members or other business.

(10) The secretary under the direction and supervision of the executive director shall keep minutes of all meetings of the Board. The minutes of the Board meetings shall reflect the date, time, place, members present, members absent, any decisions made at a meeting open to the public and the purpose or purposes for which a closed session is held. The minutes shall include all roll call votes taken at the meeting.

(11) Proposed minutes shall be available for public inspection and shall be mailed to each Board member not more than eight business days after the meeting to which the minutes refer. Approved minutes shall be available for public inspection not later than five business days after the meeting at which the minutes are approved by the Board.

Author: Mark N. Chambless

Statutory Authority: Code of Ala. 1975, § 26-16-5.

History: **Emergency rule** filed August 5, 1985. **Permanent rule** filed August 5, 1985. **Amended:** Filed December 18, 1992.

185-X-1-.06 Powers And Duties Of The Board.

(1) Adopt and revise rules and regulations necessary to carry out the Child Abuse and Neglect Prevention Act.

(2) Set the salary of the executive director.

(3) Approve the number of staff members.

(4) Conduct meetings in accordance with Code of Ala. 1975, § 26-16-5(a), and those other requirements set forth in Rule 185-X-1-.05.

(5) Develop and adopt a plan for the distribution of funds from the trust fund.

(6) Develop and publicize criteria for the application for and receipt of trust fund money.

(7) Review, approve and monitor the expenditure of trust fund money.

(8) Provide for the coordination and exchange of information on the establishment and maintenance of local councils and prevention programs.

(9) Provide statewide education and public informational seminars for the purpose of developing public awareness regarding the problems of child abuse and neglect.

(10) To encourage professional persons and groups to recognize and deal with problems of child abuse and neglect.

(11) To make information on child abuse and neglect available to the public, organizations and agencies which deal with problems of child abuse and neglect.

(12) To encourage the development of community prevention programs.

(13) To establish a procedure for the annual, internal evaluation of the functions, responsibilities and performance of the State Board.

(14) Accept federal funds, state funds, gifts, grants and all other monies donated upon the terms and conditions set forth in Code of Ala. 1975, §§ 26-16-30, et seq.

(15) Perform such other duties, not inconsistent with law, as required by this Act.

Author:

Statutory Authority: Code of Ala. 1975, §§ 26-16-1, et seq.

History: Mark N. Chambless Statutory Authority: Code of Ala. 1975, §§ 26-16-1, et seq. **Emergency rule** filed August 5, 1985.

Permanent rule filed August 5, 1985.

185-X-1-.07 Committees.

(1) The Board shall have the right to form committees to carry out its functions and duties and shall have the following permanent standing committees:

(a) Public Relations;

(b) Program;

(c) Personnel;

(d) Legislative, Study/Bylaws, and Alabama Administrative Procedure Act;

(e) Finance.

(2) The chairperson of the Board shall appoint members to serve on the committees and shall also designate from among the committee members a chairperson for that committee.

Author: Mark N. Chambless

Statutory Authority: Code of Ala. 1975, §§ 26-16-5, 26-16-6.

History: **Emergency rule** filed August 5, 1985. **Permanent rule** filed August 5, 1985.

185-X-1-.08 Personnel.

(1) The Board shall submit to the Governor a list of individuals recommended to fill the position of executive director.

(2) The executive director's salary shall be set by the Board but said salary shall not exceed seventy-five percent of the amount set as the standard compensation for cabinet level officials of the state. The executive director shall not be a member of the State Classified Civil Service.

(3) The Board shall set the number of staff members to be hired by the executive director and shall formulate a job description for each staff member.

(4) Administrative costs and the actual and necessary operating expenses of the Board and the trust fund shall be kept at a minimum in furtherance of the primary purpose of the trust fund which is to disburse money to fund private, nonprofit or public organizations in the development and operation of a child abuse and neglect prevention program.

Author: Mark N. Chambless

Statutory Authority: Code of Ala. 1975, §§ 26-16-3, 26-16-6(2), 26-16-9.

History: **Emergency rule** filed August 5, 1985. **Permanent rule** filed August 5, 1985.