

**MECKLENBURG COUNTY
JUVENILE CRIME PREVENTION COUNCIL**

BYLAWS

Section I. Name

The name of this body shall be the Mecklenburg County Juvenile Crime Prevention Council (JCPC).

Section II. Purpose

The Juvenile Crime Prevention Council (JCPC) is the planning body appointed by the Mecklenburg Board of County Commissioners (BOCC), in partnership with the state, and charged by the North Carolina General Assembly to plan, organize, and evaluate locally based programs designed to prevent and mitigate juvenile delinquency in Mecklenburg County. (N.C.G.S. § 143B-845).

Section III. Duties

As provided by NC law, the duties of the JCPC shall include, but are not limited to the following: (N.C.G.S. § 143B-851)

A. On an annual basis:

1. Review the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs, focusing in particular on assessing the needs of juveniles in Mecklenburg County who are at risk or who have been associated with gangs or gang activity and local resources that are established to address those needs;
2. Develop and advertise a request for proposal (RFP) process for allocation of funds originating through the Division of Juvenile Justice of the North Carolina Department of Public Safety (the "Division"); and
3. Submit for approval a written plan of action for the expenditure of juvenile sanction and prevention funds to the BOCC.

B. On an on-going basis:

1. Ensure that appropriate intermediate dispositional options are available and prioritize funding for dispositions of intermediate and community-level sanctions for court-adjudicated juveniles under minimum standards adopted by the Division;
2. Assess the needs of juveniles in the community, evaluate the adequacy of resources available to meet those needs, and develop or propose ways to address unmet needs;
3. Evaluate the performance of juvenile services and programs in the community;
4. Evaluate each funded program as a condition of continued funding;
5. Increase public awareness of the causes of delinquency and strategies to reduce delinquency;
6. Develop strategies to intervene and appropriately respond to and treat the needs of juveniles at risk of delinquency through appropriate risk assessment instruments;
7. Provide funds for services for treatment, counseling, or rehabilitation for juveniles and their families. These services may include court-ordered parenting responsibility classes.
8. Plan for the establishment of a permanent funding stream for delinquency prevention services; and
9. Develop strategies to intervene and appropriately respond to the needs of juveniles who have been associated with gang activity or who are at risk of becoming associated with gang activity.

In order to accomplish these duties, except for the chairperson, each member of the JCPC shall serve on at least one Standing Committee (as described in Section VI. B.).

C. Funding Policy

1. The JCPC shall adopt a funding policy to define the Council's process under Section III. A. 2 and 3, above, for reviewing and prioritizing applications in order to:
 - a. Ensure that the planning process is the foundation for funding decisions;
 - b. Address the risk assessment and prioritize needed services as identified in the planning process; and
 - c. Establish a procedure for notifying applicants of award status during the approval process.
2. The policy shall, at a minimum, include:
 - a. The process by which the RFP is developed and publicized each year;
 - b. General parameters for the establishment and publication of the timeline for submission of applications;

- c. Guidelines for screening applications and establishing minimum criteria for determining which programs may present their proposals to the full JCPC; and
- d. A general description of any scoring process that shall be followed by the Funding Committee, including procedures for record retention of tools utilized to arrive at recommendations.

D. Budget Revisions

1. In accordance with policies and procedures established by the Division, the JCPC must approve a funded-agency budget revision when the proposed change requires a Program Agreement revision.
2. In accordance with Division policies and procedures, Program Agreement revisions approved by the JCPC must also be approved by the BOCC or other authorized County official(s) before being submitted to the Division for approval.

Section IV. Composition of the Juvenile Crime Prevention Council

A. Number and Composition

The JCPC shall consist of not more than 26 members appointed by the BOCC and should include, if possible, the following, as provided by (N.C.G.S. § 143B-846):

1. The local school superintendent, or that person's designee;
2. A chief of police in the county;
3. The local sheriff, or that person's designee;
4. The district attorney, or that person's designee;
5. The chief court counselor, or that person's designee;
6. The director of the area mental health, developmental disabilities, and substance abuse authority, or that person's designee;
7. The director of the county department of social services, or consolidated human services agency, or that person's designee;
8. The county manager, or that person's designee;
9. A substance abuse professional;
10. A member of the faith community;
11. A county commissioner;
12. Two persons under the age of 18 years, one of whom is a member of the State Youth Council;
13. A juvenile defense attorney;
14. The chief district court judge, or a judge designated by the chief district court judge;
15. A member of the business community;

16. The local health director, or that person's designee;
17. A representative from the United Way or other nonprofit agency;
18. A representative of a local parks and recreation program; and
19. Up to seven members of the public to be appointed by the board of commissioners of a county.

JCPC membership may be modified as necessary to ensure that the members reflect the racial and socioeconomic diversity of the community and to minimize potential conflicts of interest by members.

B. Terms

Each member shall serve for a term of two years and members may be recommended by the Nominating Committee for reappointment by the BOCC. (N.C.G.S. § 143B-845 & 847) Terms shall commence on July 1 of each year.

C. Attendance Requirements

Members must remain in good standing by meeting attendance standards as established by BOCC policy, "Procedures for Advisory Board Appointments."

D. Vacancies and Removal

Appointments to fill vacancies shall be for the remainder of a former member's term. Members shall be removed for malfeasance or nonfeasance (including failure to follow attendance standards) as determined by the BOCC. (N.C.G.S. § 143B-848)

Section V. Meetings of the Juvenile Crime Prevention Council

The JCPC is a public body. All meetings shall be open to the public. All business of the JCPC must be transacted at a properly noticed meeting. (N.C.G.S. § 143-318.9 - 318.18)

A. Regular Meetings

The JCPC shall hold meetings at least bi-monthly, unless otherwise approved by the JCPC. Notice of regular meetings shall be made by publication of an annual meeting calendar on the county website, according to procedures established by the County Manager. Notice of any changes in the meeting schedule shall be given according to procedures established by the County Manager. (N.C.G.S. § 143B – 849)

B. Special Meetings

1. The Chairperson or a majority of the JCPC members may call a special meeting at any time, provided each member of the JCPC receives notice of the time and location of the meeting and the items to be discussed at least 48 hours before the special meeting.
2. Only the items of business contained in the special meeting notice may be transacted at a special meeting.

Notice of special meetings shall be publicized on the county website, according to procedures established by the County Manager, and announced via email to all funded programs.

C. Quorum

A majority of the current Board members shall constitute a quorum. No official business may be transacted unless a quorum is present.
(N.C.G.S. § 143B-849)

D. Participation at Meetings

Members must be physically present at a JCPC meeting in order to be counted in attendance or to vote. Members may not vote by proxy. Members may be counted in attendance and participate in committee meetings by telephone or other audio-visual means.

E. Agenda

A proposed agenda shall be prepared for all meetings and each member shall receive a copy of the proposed agenda by the close of the business day preceding the meeting. When possible, supporting materials shall be included with the proposed agenda. Items may be placed on the proposed agenda by any member of the JCPC. Items for the proposed agenda must be received by the Chairperson at least five business days before the meeting. The proposed agenda for a particular JCPC meeting shall be available for public inspection prior to the meeting. The first item of business at each meeting shall be the adoption of the agenda. After the agenda is adopted, items may be added only by a majority vote of those present at the meeting. The Chairperson shall establish the order of business on the agenda.

F. Public Address to the JCPC

Any individual or group who wishes to address the JCPC shall make a request to the Chairperson to be included on the proposed agenda, in accordance with

Section E., above. Such requests shall be granted at the discretion of the Chairperson, who may establish appropriate time limits.

G. Minutes

The Secretary shall ensure that accurate minutes of all meetings of the JCPC are kept in perpetuity. Attendance shall be included in the minutes. Minutes shall be maintained according to procedures established by the County Manager and shall be available for public inspection after they are approved by the JCPC.

H. Procedure

The JCPC shall abide by the current version of *Robert's Rules of Order* for procedural matters, unless otherwise determined by a majority of the JCPC. Should there be a disagreement regarding a procedural matter, the Chairperson shall consult with the Division consultant. No member of the JCPC may act as Parliamentarian.

I. Voting

Except where a conflict of interest exists, each council member is entitled to one vote on any issue properly before the JCPC. The Chairperson is permitted to vote only when his/her vote will affect the result.

Section VI. Officers

A. Officers of the JCPC

The officers of the JCPC shall consist of a Chairperson, Vice-Chairperson, and Secretary. The officers of the JCPC shall be elected or reappointed by majority vote of the membership of the JCPC to one-year terms at the May or June meeting. (N.C.G.S. § 143B-846)

B. Term

Officers elected at the May or June meeting assume their offices effective on July 1. Officers may not serve more than three consecutive full terms in the same office.

C. Member Vacancies and Removal from Office

BOCC appointments to fill member vacancies shall be for the remainder of the former member's term. Any officer elected or appointed by the JCPC may be removed by majority vote of the members. If an officer is removed or

resigns, the JCPC will elect a replacement to fill the remainder of the term at the next meeting, or as soon as practicable. (N.C.G.S. § 143B-848)

D. Duties of the Chairperson

The Chairperson shall preside at all meetings of the JCPC, serve as Chair of the Executive Committee, appoint members of all committees and perform such other duties as may be prescribed by the JCPC. The Chairperson shall establish and distribute the proposed agenda and determine the order of business at each meeting. The Chairperson shall also ensure that conflicts of interest are appropriately addressed and shall appoint the members of all Standing and Ad Hoc Committees. The Chairperson shall not serve as the chair of any Standing or other committee established by the JCPC.

E. Duties of the Vice-Chairperson

In the absence of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson. The Vice-Chairperson shall perform other duties as assigned by the Chairperson. The Vice-Chairperson shall perform the duties of the Secretary in the absence of the Secretary.

F. Duties of the Secretary

The Secretary shall ensure that accurate minutes are recorded and maintained according to procedures established by the County Manager and shall perform other duties as prescribed by the JCPC.

Section VII. Committees

Notice of all committee meetings shall be made according to procedures outlined in Section V. A. and Section V. B.

A. Executive Committee

1. **Duties:** The Executive Committee may act and exercise all of the authority of the JCPC (except for funding decisions) to the extent such action may be necessary.
2. **Composition:** The Executive Committee shall consist of the officers of the JCPC as well as the Chairpersons of the four Standing Committees (as described in Section VII. B.) and others as may be designated by the Chairperson.
3. **Minutes:** The Executive Committee shall keep minutes of its proceedings and provide them to the JCPC.

B. Standing Committees

Each member of the JCPC except for the Chairperson shall serve on at least one Standing Committee. Appointments to the Standing Committees and designation of committee chairs are made by the Chairperson of the JCPC, with strong consideration given to each member's preference. The Chairperson may reassign JCPC members to Standing Committees as is necessary. The Chair of each Standing Committee shall assure that minutes of committee proceedings and attendance are kept and report their proceedings to the JCPC. In order for a Standing Committee to take action, a quorum of the Standing Committee's membership must be present.

1. Nominating Committee

The Nominating Committee is responsible for identifying and recommending candidates to fill vacancies on the JCPC and for coordinating the election of officers. The Nominating Committee will report to the JCPC impending term expirations and reappointments at the May meeting. At least three members of the JCPC will be assigned to the Nominating Committee.

2. Risk and Needs Assessment Committee

The Risk and Needs Assessment Committee is responsible for reviewing data on juvenile delinquency in Mecklenburg County, for identifying unmet program and service needs, and for recommending funding priorities to the JCPC. At least three members of the JCPC will be assigned to the Risk and Needs Assessment Committee.

3. Monitoring Committee

The Monitoring committee is responsible for evaluating each funded program annually for program performance and the degree to which the program operation is consistent with the program agreement. As part of the assessment process, the Monitoring Committee will assure that periodic onsite inspections of funded programs are conducted. At least five members of the JCPC will be assigned to the Monitoring Committee.

4. Funding Committee

The Funding Committee is responsible for reviewing all Requests for Proposals (RFPs) and Program Agreements and making recommendations for funding to the full Council. At least five members of the JCPC will be assigned to the Funding Committee.

C. Additional Committees

The JCPC may by resolution create Additional Committees, which will have functions and responsibilities as provided in such resolution. The Chairperson shall appoint the membership of any Additional Committees. No Additional Committees will have fewer than three members. Other guidelines for Standing Committees shall apply to any Additional Committees created by the

JCPC, unless otherwise indicated in the resolution establishing the committee.

D. Ad Hoc Committees

The JCPC may create Ad Hoc Committees as necessary to explore short-term issues or conduct special projects that are outside the purview of another committee. The guidelines for Standing Committees will apply to any Ad Hoc Committee.

E. Prohibitions

1. No committee or committee member, alone, shall be empowered to make funding determinations.
2. No JCPC member may serve on more than two Standing Committees and one Additional or Ad Hoc Committee.

Section VIII. Miscellaneous Provisions

- A. Confidentiality must be maintained. No juvenile receiving services from the Department may be identified during a meeting.
- B. No JCPC member (other than the Chairperson or Vice-Chairperson) is authorized to represent the JCPC without prior authorization from the JCPC.
- C. No member of the JCPC shall receive compensation for service, but may receive a per diem in such amount as may be established by the BOCC. (N.C.G.S. § 143B-850)
- D. Annually, the JCPC shall adopt the Conflict of Interest form (“Conflict of Interest Disclosure Form for JCPCs,” *Form DJJDP13 001b*, hereinafter “the Form”) provided by the Division. Each JCPC member must execute the Form, disclosing in writing the existence, nature and extent of any potential or actual conflict of interest. Should a conflict arise or become known after the Form has been executed, the member shall immediately disclose the conflict in writing to the JCPC Chairperson, the County Finance Officer, and the County Manager. No JCPC member who is paid with local JCPC grant funds or who directly supervises a JCPC funded program shall be eligible to vote in funding decisions for that particular program. No JCPC member who is paid with local JCPC grant funds or who directly supervises a JCPC funded program may serve on the monitoring site visit for that program. (N.C.G.S. § 14-234)
- E. These bylaws may be amended or repealed and new bylaws may be adopted by the affirmative vote of a majority of the current Council members at any regular or special meeting of the JCPC. Any proposed changes to bylaws (including repeal or adoption of new bylaws) must be brought before the JCPC at least one

meeting prior to the meeting in which the vote will be taken.

F. All correspondence and communications of the JCPC are public records and are therefore subject to the North Carolina Public Records Act. (Chapter 132 of the North Carolina General Statutes)

G. Appeals of Local Funding Decisions

1. Any agency that wishes to dispute a decision of the JCPC regarding funding under the RFP shall submit a written appeal to the Chair of the JCPC within five (5) business days of the date of the JCPC decision.
2. The appeal, at a minimum, shall state the basis of the appeal, what statutes, or Division, BOCC and/or JCPC policies or procedures are alleged to have been violated, and what action is requested. The appeal must include supporting documentation for the Council to adequately consider the appeal.
3. The full JCPC will hear and rule on the appeal at the next scheduled regular JCPC meeting.
4. Should the JCPC deny the appeal, the disputing agency may appeal to the County Manager, then to the BOCC, and thereafter to the Division, in that order. Appeals to the Division shall be made through the Area Consultant for Mecklenburg County.