

BY-LAWS STATE REFUGEE COUNCIL ON REFUGEE ASSISTANCE AND SERVICES

ARTICLE ONE: NAME

The name of this Council is the California State Advisory Council on Refugee Assistance and Services, which may also be known as the State Advisory Council (SAC).

ARTICLE TWO: PURPOSE

The purpose of the SAC shall be to advise the California Department of Social Services (CDSS) on issues both specific and general as they relate to refugee resettlement. These issues shall include, but are not limited to, income assistance, health services, employment services, and acculturation services for California's resettled refugees. Also, the Council is to represent service agencies, community groups, and others by providing input and recommendations to the CDSS. Membership on the SAC and all business of the SAC shall consider the following definitions:

- "Diversity" is the willful variety of different characteristics that make one individual or group different from another, whether race, ethnicity, gender, age, national origin, religion, disability, sexual orientation, socioeconomic status, education, marital status, language, and/or physical appearance.
- "Equity" is the fair treatment, access, opportunity, and advancement for all those who can add singular value to the SAC, and help it identify and eliminate barriers that have prevented the full participation of some groups.
- "Inclusivity" is the act of creating environments in which any individual or group can be and feel welcomed, respected, supported, and valued to fully participate, which requires the SAC to be more intentional with respect to the variety of member voices.

ARTICLE THREE: MEMBERSHIP

Membership of the SAC shall consist of eighteen (18) individual seats with a criteria selection considering ethnic representation, expertise, constituency, geographical location, and association representation. Membership shall be defined by two categories, organization/agency members, and public members and may be representatives of the following associations:

- Organization members shall be appointed from the following public and private agencies pending CDSS approval:
 - The Governor's Office - one member.
 - The County Welfare Directors Association - two members (One member shall hold assignment as a County Refugee Coordinator).
 - The Department of Public Health - one member.

- The Refugee Programs Bureau - one member (This member shall be chosen from the community-at-large and shall not be an employee of the Department).
- The Local Refugee Health Program Coordinators - one member.
- The State Refugee Forum - one member.
- The Resettlement Agencies - one member.
- Public members may be drawn from Ethnic Community-Based Organizations, Resettlement Agencies, Service Providers, and other involved service communities such as education, mental health, or as determined needed by the Department and the private sector. Ten (10) such public members shall be selected. Advice regarding under-represented communities or geographical areas to be considered in making public member appointments shall be provided the Department by the SAC.
- Ethnic Community-Based Organizations (ECBOs) are community-based organizations, comprised primarily of refugees, for the specific purpose of providing assistance to other refugees. ECBOs provide services such as English language training, youth development, employment counseling, social adjustment services, cultural preservation and information, and referral services, and address unique cultural needs of that community. These organizations provide a vital link to avenues of assistance for refugees.

Section 1: Appointing Authority and Membership

A. Authority.

The members shall serve at the pleasure of the Director of CDSS as described by the Refugee Act of 1980.

B. Process for membership.

1. Purpose of the process. The process for membership for any open public position on the SAC not otherwise nominated by public organizations or appointed by the Governor, shall comprise the following steps to ensure a) an open and transparent nomination and voting process; b) a full and honest vetting of candidates by SAC members; and c) the best qualified candidates elected to assume open positions. In accordance with State and Federal law, the SAC is prohibited from discriminating on the basis of race, color, national origin, sex, age, religion, political beliefs or disability.

2. Announcement of open positions. Within two weeks of learning of an open public position, the Director of CDSS or his or her designee (hereinafter referred to as "CDSS") will announce the opening in a post on the CDSS website that should describe a) the title and type of position open; b) the qualifications for the position which shall reflect ethnic representation, expertise, constituency, geographical location, and association representation; c) the obligations of the person elected to the position; d) the date nominations will open; e) a link to the nomination form and instructions for nominating members, including a request for references and an up-to-date resume; f) a link to supporting documents, including the current SAC by-laws and current SAC fact sheet; g) the process by which nominations will be vetted, including the person and email address to whom nominations should be submitted; and h) the date nominations will close. For public seats, CDSS shall also send an email to statewide stakeholders that replicates the website announcement. For organizational seats, CDSS shall send an email to the organization's head or his or her designee that replicates the website announcement.

3. Nomination period. Nominations will be taken by CDSS for a period of thirty days beginning the date on which nominations open. Should no nominations be received during the thirty-day period, CDSS may repost the nomination announcement, with new opening and closing dates, until a sufficient number of nominations are received.

4. Limits on nominations. No more than four nominations for each open position will be accepted. Accepted nominations will be the first four nominations received by CDSS as determined by the date and time stamp on submitted nominations. CDSS shall promptly inform accepted nominees that their nominations will have been accepted and nominees whose nominations were received after the second nomination that their nominations have not been accepted.

5. Vetting of nomination forms. Completed nomination forms, including references and an up-to-date resume, shall be submitted to CDSS by the deadline indicated in the announcement. Upon receiving nominations, CDSS shall vet the nomination form for completeness and check each nominee's references. Incomplete nomination forms will be returned to nominees and not considered. Once four nominations have been received and successfully vetted, CDSS shall post a notice on its website that the nomination period is closed.

C. Voting on new members

1. Nomination packets. Once qualified nomination forms have been vetted to CDSS's satisfaction, it shall prepare nomination packets for members' review that comprise nominees' nomination forms, resumes and any other relevant documents. Upon those packets' preparation, CDSS shall provide by email notice to the Chair that indicates the packets are complete and ready for distribution to members and a request for the Chair to identify a date for a Candidate Qualification Discussion (CQD) in which members may discuss nominees' qualifications in closed session.
2. Candidate Qualification Discussion. The Chair will identify a date prior to next regularly scheduled SAC meeting and provide that date to CDSS. Upon receipt of the date, CDSS will send to members calendar invitations for the CQD along with nomination packets and information related to CQD logistics, including a telephone conference line number and password, if needed. The CQD will be facilitated by the Chair with participation restricted to voting members only. No decisions will be taken at the CQD; its purpose remains to discuss nominees' qualifications only in a manner consistent with the SAC's obligations under [the Brown Act or other authority, as yet to be determined].
3. Voting. Voting on nominees shall occur at the regularly scheduled SAC or special session meetings called by the Chair, in a manner consistent with all other member voting, as described in Section 6 of the SAC By-Laws.

D. Effective date of appointing authority and membership

The requirements governing the SAC's authority and membership are effective retroactive to the date of the last open position on the SAC and will govern nominations currently under consideration and all future nominations.

Section 2: Compensation and Expenses

Council members are to serve without compensation, but shall be reimbursed in accordance with state rules for any actual and necessary travel or other expenses incurred in connection with the performance of their duties.

Section 3: Quorum

Fifty percent of the membership, plus one member shall constitute a quorum for the performance of any duty or the exercise of any power of the Council. The presence of the Chair shall count in the determination of a quorum.

Section 4: Dismissal for Nonattendance

Pursuant to Welfare and Institutions Code, Section 10703, members who fail to attend three consecutive regularly scheduled meetings, or less than one half the meetings in a 12-month period, shall be deemed to have resigned from the Council, but the Council may, for good cause, permit excused absences.

Section 5: Resignation

Any member desiring to resign from the Council shall submit a resignation, in writing, to the Chair and to the Chief of the Refugee Programs Bureau (RPB). The replacement of the member shall be made in accordance with Section 7 of the by-laws.

Section 6: Voting

All attending members are eligible to vote on all motions put before the Council. However, the Chair shall only vote to resolve a tie vote. A member, having abstained, may not reverse that decision in the case of a tie vote. Individuals representing appointed members may participate fully in discussion and deliberation, and may put motions for consideration by the Council on the floor, but may not vote in the ensuing decision.

Section 7: Term of Appointment

Organizational members shall be appointed by the CDSS as follows:

- Governor's Office member – Appointed member shall serve on the SAC at the discretion of the Governor's Office.
- County Welfare Directors Association member – Appointed member shall serve a three-year term commencing January 1 of the year of expiration. Member may be appointed to serve subsequent terms by the organization that originally appointed them.
- County Refugee Coordinator member – Appointed member shall serve a three-year term commencing October 1 of the year of expiration. Member may be appointed to serve subsequent terms by consensus of the County Refugee Coordinators.
- The Department of Public Health Services member – Appointed member shall serve on the SAC at the discretion of the Department of Public Health Services.

- The Refugee Programs Bureau member – Appointed member shall serve a three-year term commencing from the month following the date of appointment. Appointed member shall be eligible to serve a second term at the discretion of the CDSS.
- Local Refugee Health Program Coordinator member – Appointed member shall serve a three-year term commencing October 1 of the year of expiration. Member may be appointed to serve subsequent terms by consensus of the Local Refugee Health Program Coordinators.
- The State Refugee Forum member – Appointed member shall be the Chair or designee of the State Refugee Forum.
- The Resettlement Agencies member – Chair Appointed member shall be selected by the Resettlement Agencies in California to serve a three-year term commencing the date of appointment.

Members appointed to replace a departing or resigned member shall be appointed to serve the remainder of the original term, but shall be eligible for reappointment at the expiration of that term.

Public members shall be appointed to three (3) year terms by the CDSS upon recommendation of the SAC. Such terms will run from the month following the date of appointment. Public members are also eligible for re-nomination to only a second term by the CDSS. Members appointed to replace departed or resigned members shall be appointed to full three-year terms in their own right. No public member shall also hold an appointed position on the SAC concurrently.

ARTICLE FOUR: OFFICERS

The Chair and Vice-Chair of the Council shall be chosen by the Council, each for a two-year term.

A recording Secretary shall be appointed by the Chief of the RPB and shall be a member of the RPB staff with duties outlined as follows:

- A. Recording minutes for each SAC meeting,
- B. Updating and maintaining SAC files,
- C. Notifying members of the date, time, and location of each meeting,
- D. Providing transportation and airline arrangements for each member,
- E. Checking and processing Travel Expense Claims for each member.

Section 1: Duties of Chair

- A. Preside over all meetings,
- B. Prepare the monthly agenda,
- C. Call special meetings as necessary,
- D. Sign correspondence on behalf of the Council,
- E. If designated by the Council, will represent the Council at special meetings, events or occasions.

Section 2: Duties of Vice-Chair

- A. Shall perform, in the absence of the Chair, all duties of the Chair,
- B. Assist the Chair in preparing the monthly agenda.

Section 3: Election of Officers

- 1. Election of officers shall be held at the first meeting of each new Federal Fiscal Year (FFY) (October 1).
- 2. Nominations for each office shall be taken from the floor at the last meeting of the FFY and published in the minutes.
- 3. If there is more than one candidate for office, voting shall be made by ballot. The nominee receiving the most votes shall be elected to office.

ARTICLE FIVE: MEETINGS

The SAC shall schedule regular meetings at such times as may be determined by resolution of SAC subject to review and possible revision by the Department for reasons of fiscal limitations or schedule conflict. The Council may hold its meetings at various locations throughout the State.

All members will be notified of meetings in advance of the meeting date.

A quorum being achieved; all motions shall be approved by a majority of members in attendance.

ARTICLE SIX: SUBCOMMITTEES/TASK FORCES

Special subcommittees or task forces shall be appointed by the Chair as the need arises. The subcommittee or task force may act only with the permission of SAC. Subcommittee and task force members shall be reimbursed for any actual and necessary expenses incurred in connection with the performance of their duties.

ARTICLE SEVEN: PARLIAMENTARY AUTHORITY

Rules contained in the Robert's Rules of Order, revised edition, shall govern the activities of the SAC and its special subcommittees or task forces, where applicable.

ARTICLE EIGHT: AMENDMENT OF BY-LAWS

These By-Laws can be amended as necessary by a two-thirds (2/3) vote of the SAC members, provided that the amendment has been submitted at the regular meeting. Technical scheduling and organization name changes shall be made by the recording secretary.