

**CONSTITUTION AND BY-LAWS  
OF THE  
BERKELEY COMMUNITY MENTAL HEALTH CENTER  
BOARD OF DIRECTORS**

**ARTICLE I - NAME**

The name of this Board shall be the Berkeley Community Mental Health Center Board of Directors.

**ARTICLE II - MISSION STATEMENT**

The mission of the Board of Directors is to promote the Berkeley Community Mental Health Center through the development, approval and evaluation of long term plans, to provide the foundation for teamwork in the accomplishment of these goals and objectives and to offer ongoing partnership to the Center in providing quality treatment and services to consumers, families and their diverse communities to improve the quality of their lives.

**ARTICLE III - PURPOSE**

Section 1. The purpose of this Board is to ensure that quality care and treatment is provided by the Center to the catchment area, pursuant of the Community Mental Health Services Act, 1962, South Carolina Code of Laws, as amended.

Section 2. Pursuant to said statute, this Board shall:

- (a) Be the monitoring agency for the Berkeley Community Mental Health Center programs.
- (b) Assist in employing an Executive Director to carry out the Berkeley Community Mental Health Center programs. Such personnel shall meet the job specifications in accordance with the Department of Mental Health and State guidelines.
- (c) Approve policies governing the Center's operation.
- (d) Review and evaluate the Berkeley Community Mental Health Center services provided.
- (e) Delegate the responsibility for the Berkeley Community Mental Health Center's daily operation in the area of program planning and evaluation, fiscal management, personnel management, and the development of working agreements with other service providers and judicial agencies to the Executive Director who will report to the Board at least monthly.
- (f) Review the strategic plan and budget of the Mental Health Center programs and make recommendations thereon.

- (g) Any contradiction of State laws found in these by-laws will be superseded by the State law.

#### **ARTICLE IV - MEMBERSHIP**

- Section 1. This Board shall consist of not more than fifteen (15) nor less than seven (7) members. County Council members shall select candidates and submit nominations to the Office of the Governor. Appointments will be made by the Governor of the State of South Carolina. There shall be at least two at-large members. The Board membership shall consist of at least one physician.
- Section 2. The term of each member shall be four (4) years and until his successor is appointed.
- Section 3. Members are expected to notify the Board Chairperson or the Executive Director if unable to attend a meeting. Neglect of duty shall be deemed as having missed three (3) meetings in a 12 month period without notification. When either of the above circumstances prevail, the chairperson shall require the secretary to send a letter to the Board member concerning an interest in continuing to serve on the Board. Failure to respond in writing to the Chairman of the Board prior to the next regularly scheduled meeting will indicate disinterest in continuing to serve.
- Section 4. If a member requests a waiver of attendance requirement, the Board has the authority to act upon this request. However, even if the attendance requirement is waived, all Board members are still expected to participate in Center Board business and to provide service to the Board as the duty of office may require.
- Section 5. Vacancies shall be filled for unexpired terms in the same manner as for original appointments.
- Section 6. Any Board member may be recommended for removal by a vote of two-thirds (2/3) of the appointed members after being given a written statement of charges and an opportunity to be heard on them.

#### **ARTICLE V - OFFICERS**

- Section 1. The officers of the Board shall be a chairman, a vice-chairman, and a secretary.
- Section 2. The chairman shall preside at all meetings and shall have general knowledge of the activities and operation of the Center.
- Section 3. The vice chairman, in the absence of the chairman, shall act as presiding officer, or in the event of vacancy in the office of the chairman, he shall assume the duties of the chairman until the Board elects a new chairman.

- Section 4. The secretary of the Board, in coordination with designated Center administrative staff, shall ensure Board correspondence, records, and minutes are processed in an accurate and timely manner.
- Section 5. Officers will be elected annually by the Board at the June meeting. They shall serve for a period of one year and until their respective successors shall qualify.
- Section 6. Any Board officer may be removed by a vote of two-thirds (2/3) of the appointed members.

## **ARTICLE VI - MEETINGS**

- Section 1. The Board shall hold and document at least nine (9) meetings each year. Special meetings may be called by the chairman, or upon petition of any three (3) members of the Board. All Board meetings will be in accordance with a notice and record keeping requirements of the Freedom of Information Act (FOIA).

## **ARTICLE VII - VOTING OF THE BOARD**

- Section 1. A majority of the appointed members shall constitute a quorum.

## **ARTICLE VIII - BOARD COMMITTEES**

- Section 1. The Board may create such standing committees as are required, for the adequate functioning of the organization. The Chairman shall serve as ex-officio member of all committees. All appointments shall be subject to the approval of the Board. All committee meetings will be in accordance with a notice and record keeping requirements of the Freedom of Information Act (FOIA).
- Section 2. The Chairman shall appoint special committees as required.

## **ARTICLE IX - INTERNAL REVIEW SYSTEM**

- Section 1. The Berkeley Community Mental Health Center shall establish an internal system of review and evaluation of adverse and unusual incidents and situations possibly adversely impacting patient care. Reference is made to the Berkeley Community Mental Health Center policy, Quality of Care Review Boards (S057).

## **ARTICLE X - AMENDMENTS**

These By-laws may be amended by a majority vote of the Board, provided that the proposed amendments shall have been read at the previous meeting of the Board, or provided that it has been mailed to each member at least thirty (30) days before action is taken.

## **ARTICLE XI - ROBERTS' RULES OF ORDER**

In all cases not embraced by this Constitution or By-laws adopted pursuant thereto, the Board shall be governed by Roberts' Rules of Order.

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Chairman, BCMHC Board of Directors

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Date

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Secretary, BCMHC Board of Directors

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Date

Revised June 1992

Revised March 1997

Revised July 1997

Revised October 1998

Revised August 2000

Revised October 2001

Revised September 2003 (first reading 8/14/03; second reading 9/1//03)

Revised May 2004 (first reading 4/8/04; second reading 5/13/04)

Revised February 2007 (first reading 1/11/07; second reading 2/8/07)