



**Item:**

Establishing a Governance Committee to complete a comprehensive set of Board Policies

**Requested Action:**

The Trust is asked to establish a Governance Committee to complete the development of a comprehensive set of Board Policies.

**Background**

Currently, the CTAC has adopted both policies on an “as needed” basis. While this was appropriate and practical as the organization was in its initial stages, an accelerated funding schedule and impending changes to its interlocal agreement necessitates a more comprehensive approach to policy development.

This action would establish a Governance Committee to develop a comprehensive set of board policies. Among the activities the committee would perform in order to carry out its duties would be to:

- 1) Agree upon standard definitions of policies, procedures, and work activities. The committee’s actions would address the policy level.
- 2) Collect and inventory all existing internal and external mandates of the Trust. Internal mandates would include current policies and actions the CTAC has taken, Board priorities, a strategic plan, etc. External mandates would include federal, state, or local laws, regulations, or policies which impose restrictions on the Trust. (A sample is included Exhibit B).
- 3) Develop policies consistent with best practices and the intent of the Board. In discerning best practices, the CTAC may consider policies adopted by other, similar special districts, municipal governments, the State of Florida, OMB Circulars or other similar governing bodies and documents. The CTAC may also consult with the Council on Accreditation or other standards bodies for policy guidance. These names and organizations are provided as examples and not meant to be limiting.

The Executive Director would establish a schedule with a timetable for completing the work of the committee.

Policies to be reviewed and developed would include the following:

1. General Administration - review and develop
2. Budget – review
3. Financial Management - review
4. Investment Policy - review
5. Human Resources (including the employee handbook) – review
6. Procurement – review
7. Program Management - develop
  - a. Reporting
  - b. Monitoring
  - c. Allowable/Unallowable Expenditures
  - d. Compliance with state and Federal Laws
8. Internal Controls – develop
  - a. Ethics
  - b. Conflict of Interest
  - c. Audit
  - d. Fraud prevention
  - e. Whistleblower
9. Accounting – develop
10. External Reporting – develop
11. Risk Management – develop

The committee may add or subtract from the list as they deem necessary.

**Attachments**

Mandates (Sample)

**Programmatic Impact:**

To be determined

**Fiscal Impact:**

To be determined

**Recommendation:**

Staff recommends approval

## Mandates

Regulatory Agency	Mandate	Impact on the Organization
Department of Labor	1938 Fair Labor Standards Act (FLSA)	Governs wages and overtime compensation for employees in various agencies to include government.
Equal Employment Opportunity Commission	Title VII of the Civil Rights Act of 1964	As amended by the Equal Employment Opportunity Act of 1972 prohibits discrimination based on race, color, Religion, sex or national origin for most issues related to employment <sup>1</sup> .
Equal Employment Opportunity Commission	Equal Pay Act of 1963	Requires equal pay for men and women performing similar work. CTAC has both male and female employees.
Equal Employment Opportunity Commission	Age Discrimination in Employment Act of 1967	Covers all aspects of age discrimination in employment <sup>2</sup> .
Equal Employment Opportunity Commission	Title VI of the Civil Rights Act of 1964	Prohibits discrimination based on race, sex, national origin, color and disability, for programs receiving federal financial assistance.
The Department of Justice	The American with Disabilities Act	Addresses laws and provisions for staff with disabilities <sup>3</sup> .
Equal Employment Opportunity Commission	Civil Rights Act of 1991	Provides for right of trial by jury for discrimination cases under Title VII.
Department of Labor	Rehabilitation Act of 1973	Prohibits discrimination of people with disabilities by federal organizations and those that received federal funds.
Department of Labor	Family and Medical Leave Act (FMLA) of 1993	Laws governing extending leave to employees for their medical

<sup>1</sup> Applies to organizations with 15 or more employees

<sup>2</sup> Applies to organizations with 20 or more employees

<sup>3</sup> Applies to organizations with 15 or more employees

		issues and those of family members specified in the act <sup>4</sup> .
Department of Labor	Health Insurance Portability Act of 1996	Addresses portability of insurance for employees and confidentiality of medical information.
Department of Health	Patient Protection and Affordable Care Act	Requires that all employers with 50 or more full-time equivalent employees (FTE) provide health insurance to at least 95% of their full-time employees and dependents up to age 26, or pay a fee <sup>5</sup> .
Department of Education	Federal Education Records Privacy Act of 1993	Protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.
Department of Labor	Drug Free Workplace Act of 1988	Requires federal grantees to establish drug-free workplace policies.
Florida Legislature	F.S. 125.901 Children's services; independent special district; council; powers, duties, and functions; public records exemption	Provides for powers and duties of Children's Services Councils; prohibits funding schools.
Florida Legislature	F.S. 112 Public Officers and Employees	Establishes standards of ethics and conduct for public employees
Florida Legislature	F.S. 119 Public Records, Public Business, Miscellaneous Provisions	Establishes the state that all state, county, and municipal records are open for personal inspection and copying by any person.
Florida Legislature	F.S. 189 Uniform Special District Accountability	Establishes general provisions for the definition, creation, and operation of special districts.

<sup>4</sup> Applies to organizations with 50 or more employees

<sup>5</sup> Applies to organizations with 50 or more employees

Florida Legislature	F.S. 257.36 (5) Records and Information Management	Requires that the Children's Trust have a records management program
Alachua County Board of County Commissioners	Ordinance 18-08	Approved by the voters; established the Children's Trust; provides for powers and duties
Children's Trust of Alachua County	Bylaws	Governs how the Children's Trust conducts its business
Children's Trust of Alachua County	Board Policies	Governs staff on how to conduct business on behalf of the Children's Trust
Children's Trust of Alachua County	Employee Handbook	Governs employee relations for the Children's Trust
Children's Trust of Alachua County	Strategic Plan	Guides policy formation and implementation for the Trust

SAMPLE