BYLAWS

-ARTICLE I-
NAME

The name of this body shall be the Stanislaus Child Care and Development Planning Council.
Whenever the term “SCCDPC" is used in these bylaws, it shall mean Stanislaus Child Care and Development Planning Council.

-ARTICLE II-
AUTHORITY

The authority for the formation and operation of the Stanislaus Child Care and Development Planning Council is Assembly Bill 1542. AB1542 (Chapter 270, Statutes 1997) establishes a Local Child Care and Development Planning Council in each county. Sections of the Education Code 8499.3 - 8499.7 establish recommended membership and responsibilities for Local Planning and Development Councils. The legislation mandates that the County Superintendent of Schools and the County Board of Supervisors work collectively to appoint members to ensure broad representation for input into child care and development planning. Membership is made up of 20% consumers, 20% providers, 20% public agencies, 20% community representatives, and 20% at the discretion of the appointing agencies. All applicants eligible for vacancies in the appropriate categories will be recommended to the Stanislaus County Board of Supervisors, and the Stanislaus County Superintendent of Schools for appointment. (See Article III & IV)

-ARTICLE III-
PURPOSE

The mission of this organization shall be to provide leadership in supporting the development and availability of quality child care for children in Stanislaus County.

Section 1 The purpose of this organization shall be to provide a forum for the identification of local priorities of families for child care and the development of policies to address and meet the needs identified within those priorities. The SCCDPC shall comply with all the provisions of the mandates in Education Codes 8499.3-8499.7, which are located in the Assembly Bill 1542. It is also the intent of the SCCDPC to comply with applicable procedures and policies of their fiscal agent and legal entity once the policies and procedures have been established and made available to them.

The mandates of AB 1542 and California Department of Education Child Development Division Management Bulletins include:

A. Elect officers and select staff.

B. Conduct an assessment of child care needs in the county no less than once every five years. The needs assessment shall take into consideration all of the following:

   1. The needs of families eligible for subsidized child care.
   2. The needs of families not eligible for subsidized child care.
   3. The waiting lists for programs funded by the department and the California Department of Social Services.
   4. The needs for child care for children who have been abused or neglected or are at risk of abuse or neglect.
   5. The number of children receiving public assistance.
   6. Family income among families with preschool or school age children.
   7. The number of children of migrant workers.
   8. The number of children with special needs.
   9. The number of children from all identifiable linguistic and cultural backgrounds.

10. Special needs based on geographic considerations, including rural areas.
11. The age of children needing services.
12. Any other factors deemed appropriate by the local planning council.

C. Document information gathered during the needs assessment which shall include, but not limited to, data on supply, demand, cost and market rates for each category of child care in Stanislaus County.

D. Encourage public input in the development of countywide child care priorities. Opportunities for public input shall include at least one public hearing during which members of the public may comment on the proposed priorities.

E. Prepare a comprehensive countywide child care plan designed to mobilize public and private resources to address identified needs.

F. Conduct a periodic review of child care programs funded by the California Department of Education and the Department of Social Services to determine if identified priorities are being met.

G. Collaborate with subsidized and non-subsidized child care providers, county welfare departments and human service agencies, job training programs, employers, integrated child and family service councils, parent organizations and other interested parties to foster partnerships designed to meet local child care needs.

H. Design a system to consolidate local child care waiting lists.

I. Coordinate part-day programs, including state preschool and Head Start, with other child care to provide full-day child care.

J. Submit the results of the needs assessment and the local priorities identified by the local planning council to the board of supervisors and the county superintendent for approval before submitting them to the California Department of Education.

K. Review and comment on proposals submitted to the California Department of Education that concern child care to be provided within the geographic area covered by the local planning council. These comments shall in no way be binding on the California Department of Education in the determination of programs to be funded.

L. Identify at least one, but no more than two persons from the local planning council, one selected by the board of supervisors and one selected by the county superintendent if two persons are identified, or one person selected by both appointing agencies, to serve as part of the Department of Education team that reviews and scores proposals for the provision of services funded through contracts with the California Department of Education. Local planning council representatives shall not review and score proposals from the geographic area covered by their own local planning council.

M. Develop and implement a training plan to provide increased efficiency, productivity, and facilitation of local planning council meetings. This may include developing a training manual, hiring facilitators, and identifying strategies to meet the objectives of the council.

N. Provide consultation to the California Department of Education and the California Department of Social Services regarding the development of a single application and intake form for all federal and state subsidized child care and development services.

-ARTICLE IV-
DEFINITIONS

These definitions are in accordance with AB 1542 Chapter 270 (2.3.-Local Planning Councils)

8499. For the purposes of this chapter, the following definitions shall apply:

(a) "Block Grant" means the block grant contained in the Title VI of the Child Care and Development Fund, as established by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193).

(b) "Child Care" means all licensed child care and development services and license-exempt child care, including, but not limited to, private-for-profit programs, nonprofit programs and publicly funded programs, for all children up to and including thirteen (13) years of age, including children with special needs and children from all linguistic and cultural backgrounds.

(c) "Child Care Provider" means a person who provides child care services or represents persons who provide child care services.

According to the SCCDPC the following are some general examples of different types of Child Care Providers:

- Family Child Care
- School District
- Community Based Non-Subsidized
- Community Based Subsidized
- Resource and Referral
- Child Care Payment Program (AP)
- Head Start

(d) "Community Representative" means a person who represents an agency or business that provides private funding for child care services, or who advocates for child care services through participation in civic or community-based organizations but is not a child care provider and does not represent an agency that contracts with the State Department of Education to provide child care and development services.

According to the SCCDPC the following are some general examples of different types of Community Representatives:

- Businesses and Chamber of Commerce
- Healthy Start
- League of Women Voters
- United Way
- Foundations
- Labor Organizations
- Service Organizations (Kiwanis, Rotary Club)
- Ethnic Organizations (Urban League, Asian Cultural Center)
- Faith Based Organizations
- Interested Citizens

(e) "Consumer" means a parent or person who receives, or who has received within the past thirty-six (36) months, child care services.

(f) "Department" means the California Department of Education.

(g) "Local Planning Council" means a local child care and development planning council as described in AB 1542.

(h) "Public Agency Representative" means a person who represents a city, county, city and county, or local education agency.

According to the SCCDPC the following are some general examples of different types of Public Agency Representative:

- County Social Service Agency and/or County Health Agency
- City Government

- Community Development Agency (County Planning)
- County Office of Education
- Parks and Recreation
- Colleges and Universities
- Community Care Licensing

-ARTICLE V-
MEMBERSHIP

Section 1 Composition

A. The SCCDPC will be comprised of twenty-six (26) members with one (1) vote each.

B. Voting membership on the council should include representatives from the following: (as specified in legislation)

Child Care Providers:	20% minimum
Consumers:	20% minimum
Public Agencies:	20% minimum
Community Representatives:	20% minimum

Remaining 20% at the Discretion of the Appointing Agencies

C. Non-voting members will be designated as Associate Representatives and may serve on various committees, provide input, be notified of all meetings, and receive agendas and minutes.

Section 2 Selection of SCCDPC Members

Thirteen (13) members are appointed by Stanislaus County Board of Supervisors and thirteen (13) members are appointed by the Stanislaus County Superintendent of Schools / or jointly appointed by both parties.
Members shall be appointed using the following procedure/criteria:

A. Membership shall be open to any member in the community through advertisement/announcements/or recruitment by appointing agencies, Council members, and sponsoring agencies.

B. Applications for membership shall be submitted to the SCCDPC Coordinator on a continual basis.

C. Applications for membership that are eligible for vacancies in the appropriate representation are to be submitted by the SCCDPC Coordinator and then recommended to the Stanislaus County Superintendent of Schools and the Stanislaus County Board of Supervisors for final approval and appointments.

The Executive Committee shall maintain a list of approved members to be added when vacancies occur.

Section 3 Terms of Membership

Terms of membership are as approved by the Stanislaus County Superintendent of Schools and the Stanislaus County Board of Supervisors and are currently three year terms of membership.

Section 4 Termination of Membership

A. A member shall no longer be a member if he or she resigns or is absent without representation from three (3) regular consecutive meetings or a total of 5 regular meeting are missed in a one year period (July, 1 – June, 30).

B. A member who is absent, or without representation, from three (3) consecutive regular meetings or a total of 5 regular meeting are missed in a one year period (July, 1 – June, 30) shall be deemed to have automatically resigned from the SCCDPC. In such an event, the member's status will be noted at the next regularly scheduled meeting and recorded in the SCCDPC's minutes. The Chairperson shall, without further direction from the member, apprise the Stanislaus County Superintendent of Schools and the Stanislaus County Board of Supervisors or their designees of the member's resignation and request the appointment of a replacement from the list of approved candidates that is maintained by the Executive Committee.

Section 5 Attendance at Meetings

Members are expected to attend all regular meetings of the SCCDPC. A member who is unable to attend or send a representative to attend will notify the SCCDPC Coordinator.

A member may ask for a temporary leave of absence. In this case, the member shall notify the Chairperson and SCCDPC Coordinator in writing. A member may request a leave for up to three (3) months. When a member is to be gone for more than three (3) regular consecutive meetings, or has missed a total of 5 regular meeting in a one year period (July, 1 – June, 30) it shall be up to the Chairperson to notify the appointing agencies of the vacancy. A member who has left the Council may then reapply and can be appointed when a vacancy occurs.

SCCDPC members may provide, in writing at the beginning of each fiscal year, the name(s) of up to two other individuals to represent them when they cannot attend a regular SCCDPC meeting. That representative shall be from the same representational category of the Council member and have all rights accorded to a regular Council member.

-ARTICLE VI-
OFFICERS/EXECUTIVE COMMITTEE

Section 1 Officers

The officers of the SCCDPC shall consist of: one (1) Chairperson, one (1) Vice-Chairperson, and one (1) Finance Committee Chairperson. The officers are members of the Executive Committee.

Each committee, work group, and/or task force shall elect a Chairperson who will automatically become a member of the Executive Committee.

Section 2 Term of Office

The terms of office are two (2) years beginning at the July meeting. An officer shall serve no more than two consecutive terms. (For extreme situations see Article VI, Section 3 Letter D)

Section 3 Method of Selection

A. The out-going Chairperson will appoint a Nominating Committee for the election of new officers at least one month prior to the last regular SCCDPC meeting each fiscal year.

B. Nominations for Chairperson, Vice-Chairperson, and Finance Committee Chairperson will be presented at the last regular meeting of the fiscal year. Nominations may be made from the floor.

C. Election of officers shall be held on the last regularly scheduled SCCDPC meeting of each fiscal year.

D. In the event that new officers can not be selected in A, B, or C above, the Chairperson shall be empowered to continue to serve in that capacity until such a time as selection for the next fiscal year can be completed.

Section 4 Removal of Officer

The Officers may be removed from office and relieved of duties in accordance with the election process found in Section 7 of Article VII.

Section 5 Duties and Responsibilities of Officers

A. The duties and responsibilities of the Chairperson shall be:

1. To preside at all regular meetings of the SCCDPC and the Executive Committee.
2. To call special meetings.
3. To appoint the members of SCCDPC to committees, work groups and task forces.
4. To serve as an ex-officio officer of all committees.
5. To work with the staff and Executive Committee of the SCCDPC to prepare an agenda for each regular meeting.
6. To ensure that members of the public have an opportunity to speak on agenda items at the appropriate time.
7. To represent the SCCDPC at appropriate functions and events.
8. The Chairperson may limit public comment to 5 minutes per individual and /or 30 minutes per item if so desired.
9. The Chairperson in partnership with the Vice-Chairperson and SCOE (current fiscal agent and legal entity) shall: recruit, select, direct and participate in the evaluation process of SCCDPC staff.
10. To perform all other duties necessary or incidental to the office and effective functioning of the SCCDPC.

B. The duties of the Vice-Chairperson shall be to perform the duties of the Chairperson in his/her absence or inability to act or as assigned by the Chairperson. The Vice-Chairperson in partnership with the Chairperson and SCOE (current fiscal agent and legal entity) shall: recruit, select, direct and participate in the evaluation process of SCCDPC staff. Further to participate on the Executive Committee.

C. The duties of the Finance Committee Chairperson is to work with the SCCDPC staff, Finance Committee, and fiscal agent (SCOE) to recommend budgets and budget revisions, review and submit expenditure reports, and participate on the Executive Committee. Further to perform the duties of the Chairperson if the Chairperson and Vice-Chairperson are absent or unable to act temporarily.

D. The duties and responsibilities of the Committee Chairpersons shall be to serve as members of the Executive Committee, to call special meetings, and submit reports to the full SCCDPC on activities.

Section 6 Vacancies

Upon resignation or removal of an Officer, an election for the vacant office shall be conducted at the next regularly scheduled SCCDPC meeting.

-ARTICLE VII-
MEETINGS

Section 1 Frequency and Time of SCCDPC Regular Meetings

There shall be a minimum of four (4) regular meetings annually at an hour, day, and place as determined by the Council and SCCDPC staff. A minimum of one (1) meeting will be held each quarter.

Section 2 SCCDPC Special Meetings

Special/Emergency meetings may be called by the Chairperson, Vice-Chairperson and/or Committee Chairpersons.

Section 3 SCCDPC Executive Committee Meetings

The Executive Committee meetings shall be convened by the SCCDPC Chairperson a minimum of once each quarter at a time and place mutually agreed upon by the Executive Committee members and SCCDPC staff.

Section 4 Public Participation

All meetings of the SCCDPC and Subcommittees shall be open to the public and shall be advertised and conducted in accordance with the Brown Act.

Section 5 Agenda

A. Construction and Format

1. Council members, identified community members, and identified associate representatives wishing to put an item on the agenda must fill out the *Request for Placing Item(s) on Agenda Form* (SCCDPC 100) and forward to the SCCDPC staff by the fourth Wednesday of each month (See Appendix A- Procedures for Requesting to Place Items on the Agenda). All agenda items shall be reviewed by the Executive Committee and the SCCDPC Coordinator at their regularly scheduled Executive Committee meeting. Request for Placing Item(s) on the Agenda Form (SCCDPC 100) for the next regular SCCDPC meeting will be provided to all Council members, identified community members, and identified associate representatives in attendance at the close of each regular monthly SCCDPC meeting. There will be a specified return date noted on the form to allow the Executive Committee and the SCCDPC Coordinator to consider submitted items when planning the next regular SCCDPC meeting agenda.

2. The Minimal Focus Areas on for Regular Monthly SCCDPC Agenda Must Include:
   - Welcome/Introduction
   - Minutes from Previous Regular Monthly SCCDPC Meeting
   - Staff Reports
   - Committee Reports
   - Announcements
   - Adjournment

B. Distribution of Agenda

1. **Members**
   The agenda of each regular meeting of the SCCDPC shall be delivered to all members at least 72 hours before the time of the meeting. A copy of the minutes of the previous regular meeting will be delivered to all members no later than 24 hours before the time of the next regular SCCDPC meeting.

2. **Others**
   Identified community members, and identified associate representatives who provide a written request for regular meeting agendas will be provided agendas in the same manner and same time as per all Council members. *The Request to be Added to the SCCDPC Monthly Mailing List Form* (SCCDPC 101) must be completed by each proposed community member, and associate representative. The request form can be submitted to any one of the following: SCCDPC Chairperson, SCCDPC Vice-Chairperson or SCCDPC Staff (See Appendix B- Procedures for Requesting to be Added to Monthly Mailing List).

C. Adding Late Items to an Already Established Agenda During an Existing Regular Meeting

According to the Brown Act the following criteria must apply:

1. To add an item on the already existing agenda for a regular SCCDPC meeting it requires a two-thirds vote of members present (or if less than two-thirds of body present, a unanimous vote of those present).
2. There must be a need to take immediate action.
3. The need to take action came to the attention of the SCCDPC **after** the posting of the agenda.
4. If there is a true emergency.

Section 6 Posting Requirements

A. Regular Meetings-
Notice of time, place, and agenda will be posted a minimum of 72 hours prior to the time of the regular SCCDPC meeting.

B. Special Meetings-
Notice of time, place, and agenda will be posted a minimum of 24 hours prior to the time of the SCCDPC special meeting.

C. Emergency Meetings-
In case of an emergency, the SCCDPC may call a meeting with members using a variety of methods in order to secure a quorum, regular face-to-face, conference telephone call, electronic mail, etc. No posting of the meeting will be required for emergency meetings. However, written minutes of the meeting and the action will be included in the agenda package at the next regularly scheduled SCCDPC meeting.

Section 7 Elections/Decision Making Process

A. Quorum Requirements-
A quorum for the transaction of official business and elections shall consist of a minimum of seven (7) members present. Members or representatives officially designated by the members must be present to vote at all SCCDPC regular or special meetings.

B. Tie Votes-
Tie votes will be settled by a draw by lot.

C. Elections-
1. All elections shall be conducted at a regular SCCDPC meeting.
2. A majority vote of the quorum is required to determine the candidate selected as a result of all elections.

Section 8 Conduct of SCCDPC Meetings

The meetings of the SCCDPC shall be conducted in accordance with Roberts Rules of Order (Revised Edition) and the Brown Act.

Section 9 Conflict of Interest

SCCDPC member(s) and/or representative(s) selected by the members shall abstain from voting if they have a proprietary interest in the outcome of any matter, case, or issue being considered or voted upon by the organization. Any SCCDPC member(s) and/or representative(s) selected by the members shall also abstain from voting if they are affiliated in any way with an agency that will benefit from the results of a motion to take action on an item.

-ARTICLE VIII-
COMMITTEES

Section 1 Committees, Appointments and Operations

A. Standing Committees
The Executive Committee and Finance Committee are the only standing committees. The Executive Committee shall be comprised of the Chairperson, Vice-Chairperson, and other committee Chairpersons. The Finance Committee is appointed by the Chairperson and approved by the Council. The Finance Committee elects the committee Chairperson.

B. Ad Hoc Committees, Work Groups, and Task Forces

There shall be ad hoc committees, work groups, and/or task forces appointed by the Chairperson and approved by the Council. Each committee will elect a Chairperson.

-ARTICLE IX-
BUDGET AND ACCOUNTING

Section 1 Budget Development and Approval Process

The Finance Committee with input from all committees will develop the budget and submit to the Council for approval. All expenditures must be in accordance with Education Code Sections 8449.3-8449.7(See Article III) and comply with Stanislaus County Office of Education accounting regulations and procedures.

Section 2 Determination of Purpose of Expenditures

The committees will determine purpose of expenditures and the Council will approve or disapprove.
The SCCDPC Coordinator will then submit the approved expenditures to the proper entity (SCOE) for final approval and authorization.

Section 3 Accounting Procedures/Audits

The procedures and requirements of the fiscal agent, Stanislaus County Office of Education (SCOE), will be made available to the SCCDPC by SCOE, and followed by Council members and staff.

Section 4 Budget Revisions and Approval Process

The Finance Committee and the SCCDPC Coordinator will develop and submit the budget revisions to the Council for approval. The SCCDPC Coordinator will then submit the approved revisions to the proper entity (SCOE) for final approval and authorization.

-ARTICLE X-
EMPLOYMENT OF PERSONNEL

Section 1 Decision-Making Processes

The Council will make recommendations to Stanislaus County Office of Education (SCOE) for development of a new position.

Section 2 Development of Job Description

The Executive Committee will work with Stanislaus County Office of Education to develop relevant job descriptions.

Section 3 Employment Practices and Procedures

The policies and procedures of the fiscal agent will be made available to the SCCDPC by SCOE, and followed by Council members and staff.

Section 4 Supervisory Responsibilities

A. The fiscal agent and legal entity, Stanislaus County Office of Education (SCOE), will supervise staff to the Council.
B. The Chairperson and Vice-Chairperson of the Council in partnership with SCOE (current fiscal agent) shall: recruit, select, direct and participate in the evaluation process of SCCDPC staff.

-ARTICLE XI-

ADOPTION AND AMENDMENT

Section 1 Adoption

Bylaws must be approved by SCCDPC by a majority vote of the quorum after a first and second reading at two regular SCCDPC meetings. They will then be forwarded to the Stanislaus County Superintendent of Schools and the Stanislaus County Board of Supervisors with a recommendation for final approval. Upon subsequent approval by both appointing agencies the bylaws shall become immediately effective.

Section 2 Amendment

These bylaws are subject to amendment in accordance with Roberts Rules of Order. The bylaws may be amended by a majority vote of a quorum of the organization provided that fifteen (15) calendar days prior to the meeting, the full membership is notified of the language of such change(s) and of the time, date, and place of the intended voting on such change(s).

Subsequent to approval of an amendment, both appointing agencies must approve of the amendment. Upon their approval, the amendment shall become immediately effective.

Date Approved by SCCDPC: 06/07/01

Chairperson's Signature	Date
Vice-Chairperson's Signature	Date
County Board of Supervisors Signature	Date
County Superintendent of Schools Signature	Date

Adopted/Approved 10/28/98
First Amendment: Article IV, Section 3, Section 5/Approved 9/2/99
Second Amendment: Article I-XI 06/07/01