

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA # *A-2

Urgent Routine

AGENDA DATE August 24, 2010

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Amend the Bylaws of the Stanislaus Child Development Local Planning Council

STAFF RECOMMENDATIONS:

1. Amend the bylaws of the Stanislaus Child Development Local Planning Council.
2. Authorize the Chairman of the Board to sign the amendment to the bylaws of the Stanislaus Child Development Local Planning Council

Contact person: Heather Haubrich, Child Care Planning Coordinator

Telephone: 209 238-1804

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2010-516

On motion of Supervisor O'Brien Seconded by Supervisor Chiesa

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, DeMartini, and Vice-Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: Chairman Grover

Abstaining: Supervisor: None

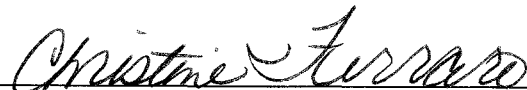
1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

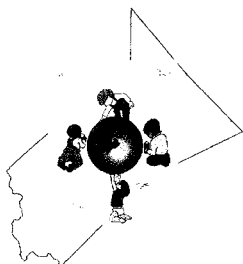
MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. BD-68-9

Stanislaus Child Development Local Planning Council



Connecting the Dots...

- Assess
- Advise
- Communicate
- Facilitate

...to the World of
Quality Child Care

Officers:
Craig Gundlach,
Chairperson

Francine DiCiano,
Vice-Chairperson

Members:
Barbarita Cuellar
Caroline Dias
Jennifer Henk
Janette Jameson
Nathan Johnston- Chiszar
Kirsten Jasek-Rysdahl
Keenon Krick
Fawn Oliver
Debbie Parr Noblitt
Kristie Peterson
Rebecca Robinson
Keri Rodgers
Anita Rodriguez
Maria Rosales

Heather Haubrich
Child Care Planning
Coordinator

Leilani Garcia, Liaison
Stanislaus County
Superintendent of
Schools

August 16, 2010

TO: Christine Ferraro Tallman, Clerk of the Board
FROM: Heather Haubrich, LPC Coordinator
SUBJECT: Local Planning Council Bylaws Revision

Christine,

The Stanislaus Child Development Local Planning Council has revised their bylaws and the full council has approved the revisions. A summary of the major changes is attached. The final step in the process of changing the Council's bylaws includes obtaining the approval of the Board of Supervisors and the Superintendent of Schools.

The Council is requesting to place their revised bylaws on the agenda of the Board of Supervisor's next meeting for their review and approval. Approval from the Board of Supervisors is recommended. Once signatures have been obtained from both appointing bodies, a copy with all required signatures will be sent to you and forwarded to the California Department of Education, Child Development Division.

If you have questions or concerns regarding this matter, please do not hesitate to contact me at (209) 238-1804 or hhaubrich@stancoe.org.

Sincerely,

Heather Haubrich, Child Care Planning Coordinator
Stanislaus Child Development Local Planning Council
Stanislaus County Office of Education, Child/Family Services Division

Enclosure



1100 H Street
Modesto, CA 95354
Phone: (209) 238-1804
FAX: (209) 238-4218
E-Mail: hhaubrich@stancoe.org
Coordinator: Heather Haubrich

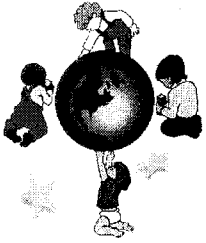


BOARD OF SUPERVISORS
2010 AUG 18 A 11:19

Overview of SCDLPC Bylaws Revision

- Removed the structure of standing committees.
- Added the ability to create Task Forces as needed to address individual issues or activities of the Council. Once issue or activity is completed, the Task Force will be automatically absolved.
- Included rules and clarification on voting practices. Incorporated verbiage that each member (or their designated representative) has one vote. Chairperson does not vote on issues or activities of the Council unless there is a need for a tie-breaker vote. If the Council is tied on an issue or activity, the Chairperson's vote will be the determining factor.

Signature copy



Stanislaus Child Development Local Planning Council

BYLAWS

- ARTICLE I - NAME

The name of this body shall be the Stanislaus Child Development Local Planning Council. Whenever the term “SCDLPC” is used in these bylaws, it shall mean Stanislaus Child Development Local Planning Council. Whenever the term “Department” is used in these bylaws it shall mean the State (California) Department of Education (CDE). Whenever the term child care is used in these bylaws it shall mean all licensed child care and development services and license-exempt, including but not limited to private for-profit programs, nonprofit programs, and publicly funded programs, for all children up to and including 13 years of age, including children with special needs and children from all linguistic and cultural backgrounds.

- ARTICLE II - AUTHORITY

The Stanislaus Child Development Local Planning Council has been established by the Stanislaus County Board of Supervisors and the Stanislaus County Superintendent of Schools in accordance with amended California Education Code Section 8499 et. Seq., - Section 8499.3 et. Seq., 8499.5 et. Seq., and 8499.7.

- ARTICLE III - PURPOSE

The purpose of the “SCDLPC: as stated in the enabling legislation (AB 1542) is to “provide a forum for the identification of local priorities for child care and the development of policies to meet the needs identified within those priorities.”

In order to accomplish this general mission, legislation mandates that the following items be accomplished:

1. Elect a Chair and select a staff.
2. 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.

3. No member of a Local Planning Council shall participate in a vote if he or she has a proprietary interest in the outcome of the matter being voted upon.
4. By May 30 of each year, upon approval by the County Board of Supervisors and the County Superintendent of Schools, each Local Planning Council shall submit to the Department the local priorities it has identified that reflect all child care needs in the county. To accomplish this, each Local Planning council shall do all of the following:
 - a) Conduct an assessment of child care needs in the county no less than once every five years. The Department shall define and prescribe data elements to be included in the needs assessment and shall specify the format for the data reporting. The needs assessment shall also include all factors deemed appropriate by the Local Planning Council in order to obtain an accurate picture of the comprehensive child care needs in the county. The factors include, but are not limited to, 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 State Department of Social Services.
 - 4) The need for child care for children determined by the child protective services agency to be neglected, abused, or exploited, or at risk of being neglected, abused, or exploited.
 - 5) The number of children in families receiving public assistance, including food stamps, housing support, and Medi-Cal, and assistance from the Healthy Families Program and the Temporary Assistance to Needy Families (TANF) program.
 - 6) Family income among families with preschool or school age children.
 - 7) The number of children in migrant agricultural families who move from place to place for work or who are currently dependent for their income on agricultural employment in accordance with subdivision (a) of, and paragraphs (1) and (2) of subdivision (b) of, Section 8231.
 - 8) The number of children who have been determined by a regional center to require services pursuant to an individualized family service plan, or by a local education agency to require services pursuant to an individualized education program or an individualized family service plan.
 - 9) The number of children in the county by primary language pursuant to the Department's language survey.
 - 10) Special needs based on geographic consideration, including rural areas.

11) The number of children needing child care services by age cohort.

- b) Document information gathered during the needs assessment which shall include, but not be limited to, data on supply, demand, cost and market rates for each category of child care.
- c) 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.
- d) Prepare a comprehensive countywide child care plan designed to mobilize public and private resources to address identified needs.
- e) Conduct a periodic review of child care programs funded by the Department and the Department of Social Services to determine if identified priorities are being met.
- f) Collaborate with subsidized and non-subsidized child care providers, County Welfare Departments, human service agencies, regional centers, job training programs, employers, integrated child and family service councils, local and state Children and Families Commissions, parent organizations, Early Start family resource centers, family empowerment centers on disability, and local child care resource and referral programs, and other interested parties to foster partnerships designed to meet local child care needs.
- g) Design a system to consolidate local child care waiting lists, if a centralized eligibility list is not already in existence.
- h) Coordinate part-day programs, including state preschool and Head Start, with other child care and development services to provide full-day child care.
- i) 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 of Schools for approval before submitting them to the Department.
- j) Identify at least one, but no more than two, to serve as part of the Department Team that reviews and scores proposals for the provision of services funded through contracts with the Department. Local Planning Council representatives shall not review and score proposals from the geographic area covered by their own Local Planning Council. The Department shall notify each Local Planning Council whenever this opportunity is available.

**- ARTICLE IV -
MEMBERSHIP**

Section 1 – Composition

- A. The SCDLPC will comprise sixteen (16) members with one (1) vote each.
- B. Voting membership on the Council shall include representatives from the following categories and/or be as specified in the most current legislation: (If legislative change occurs in these categories and appointed members are still eligible to serve on this Council, all efforts will be made to help ensure that appointed members, regardless of change, will be able to serve the remainder of their appointed terms).
- **Child Care Providers:** 20% minimum. A Child Care Provider is a person who provides child care services or represents persons who provide child care services.
 - **Community Representatives:** 20% minimum. A Community Representative is 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.
 - **Consumers:** 20% minimum. A Consumer is a parent or person who receives, or who has received with the past 36 months, child care services.
 - **Public Agencies:** 20% minimum. A Public Agency representative is a person who represents a city, county, city and county, or local education agency.
 - **Discretionary:** 20% minimum. A Discretionary member is determined by the appointing bodies. The determination must fall within one of the four above-listed categories.
- 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 SCDLPC Members

The Stanislaus Child Development Local Planning Council members are jointly appointed by the Stanislaus County Board of Supervisors and the Stanislaus County Superintendent of Schools.

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. It is the policy of the Board of Supervisors that members are appointed for a maximum of two terms and any additional terms would be at the discretion of the Board of Supervisors and Superintendent of Schools.

Section 4 – Attendance at Meetings

- A. Members are expected to attend all meetings of the SCDLPC. To maintain a seat on the Council, a minimum of 75% attendance is required. A member who is unable to attend and/or send a representative to attend will notify the SCDLPC Coordinator immediately.
- B. SCDLPC members may provide, in writing at the beginning of each fiscal year, the names of up to two other individuals to represent them when they cannot attend a regular SCDLPC meeting. The representative(s) shall be from the same representational category of the Council member and have all rights accorded to a regular Council member. Attendance of the officially designated representative(s) cannot exceed fifty percent (50%) of regular SCDLPC meetings.
- C. If an appointed member of the Council is unable to find their own representative(s) to attend a meeting in his/her place, the member will contact Council staff and request assistance in finding an appropriate representative.
- D. If an appointed member has a permanent representative that is also unable to attend a meeting in his/her place, the member will notify Council staff and request assistance in finding an appropriate representative.
- E. Council members or their representatives should inform the SCDLPC Coordinator of their absence at least 24 hours prior to a meeting. However, in an emergency situation, the Council member or their representative can notify SCDLPC Coordinator the morning of the meeting.

Section 5 – Termination of Membership

- A. Membership will be terminated when a written resignation is received.
- B. When a member misses three (3) consecutive meetings without sending an approved representative or notifying the SCDLPC Coordinator, the SCDLPC Coordinator will inquire about attendance and their desire to continue as a SCDLPC member.
- C. If a member has been notified and misses the next consecutive meeting without a representative or notification, their name will be sent to the Superintendent of Schools and the Board of Supervisors to determine if they choose to remove the appointed member.
- D. A Council member will not be removed from their appointed position on the Stanislaus Child Development Local Planning Council until their name has been formally approved by the Superintendent of Schools and the Board of Supervisors, with the exception of a Council member's voluntary resignation.

- ARTICLE V -
EXECUTIVE OFFICERS

Section 1 – Officers

The officers of the SCDLPC shall consist of: one (1) Chairperson and one (1) Vice-Chairperson, and three (3) council members elected by the council. The officers are members of the Executive Committee.

Each member of the Executive Committee must chair a Task Force, which will be created as needed.

Section 2 – Term of Office

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

If a special election is held during the operational year, the elected person will serve out the remainder of that term in addition to their full two (2) year term of office.

Section 3 – Method of Selection

- A. The out-going Chairperson will appoint a Nominating Task Force for the election of new officers at the February meeting.
- Duties of the Nomination Task Force shall include (but not be limited to) the following:
 - a) Review existing bylaws, so the Task Force knows how to proceed.
 - b) Set up either a phone or personal meeting to discuss who is coming off the Council and who the potential candidates might be.
 - c) Make a list of potential candidates.
 - d) Contact the candidate(s) to confirm acceptance of the nomination.
 - e) Based on nomination results, prepare a ballot with applicable information.
 - f) During the election meeting, announce the names of the nominees, and ask the Council if they would like to nominate someone from the floor (prior permission to nominate that person from the floor should have been obtained from the person being nominated).
 - g) Conduct the election according to SCDLPC Bylaws and report the results.
 - In the event a Nomination Task Force is unable to be appointed, the duties of this committee will default to the Executive Committee.

- B. Elections for officers will be held at the April meeting. Nominations may be made from the floor.
- C. In the event that new officers can not be selected as in A or B 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 (only referred to election process)

In the event that an officer is deemed unable to fulfill their duties, a special election will be held to complete the current officer's term. The special election may be held at the next regular Council meeting, or during a special or emergency meeting.

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 SCDLPC and the Executive Committee.
 - 2) To call special and/or emergency meetings.
 - 3) To appoint the members of the SCDLPC to task forces.
 - 4) To serve as an ex-officio officer of all task forces.
 - 5) To work with Council staff and the Executive Committee of the SCDLPC to prepare an agenda for each regular Council and Executive meeting.
 - 6) To ensure that members of the public have an opportunity to speak on agenda items at the appropriate time. The Chairperson may limit public comment to 5 minutes per individual and/or 30 minutes per item if so desired.
 - 7) To represent the SCDLPC at appropriate functions and events.
 - 8) Work with the SCDLPC staff and the Council's fiscal agent (SCOE) to recommend budget proposals, review budget revisions, as well as examine and submit expenditure reports as needed.
 - 9) To perform all other duties necessary or incidental to the office and the effective functioning of the SCDLPC.
- B. The duties of the Vice-Chairperson shall be to perform the duties of the Chairperson in his/her absence or inability to act as Chairperson; and further, to participate on the Executive Committee.
- C. The duties and responsibilities of the elected officers of the Executive Committee shall be to serve as members of the Executive Committee, to call special and/or emergency Task Force meetings, and to submit reports to the SCDLPC on current and proposed activities.

Section 6 – Office Vacancies

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

**- ARTICLE VI -
MEETINGS**

Section 1 – Frequency and Time of SCDLPC 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 SCDLPC staff. A minimum of one (1) meeting will be held each quarter. Meeting dates shall be specified in the Council's Annual Planning Calendar.

Section 2 – SCDLPC Special and/or Emergency Meetings

Special and/or emergency meetings may be called by the Chairperson, Vice-Chairperson and/or the SCDLPC Coordinator.

Section 3 – SCDLPC Executive Committee Meetings

- A. The Executive Committee meetings shall be convened by the SCDLPC Chairperson a minimum of once each quarter at a time and place mutually agreed upon by the Executive Committee members and SCDLPC staff.
- B. Scheduled meetings will be conducted by the Executive Chairperson/Vice-Executive Chairperson.
- C. Scheduling Conflicts:
 - 1) In the event of scheduling conflicts, an Executive Committee member or SCDLPC Coordinator may decide to request the following:
 - Ask other Executive Committee members and staff to consider rescheduling the meeting at an alternative time agreed upon by those involved.
 - To conduct the meeting via E-mail and/or other correspondence.
 - To send a replacement, but only after the first two options have been exhausted (see below for details):
 - a. In the event that any member of the Executive committee is unable to attend a scheduled Executive Meeting and does not wish to reschedule the meeting, or to conduct the meeting via alternative correspondence, they shall be encouraged to find a replacement.
 - b. The replacement must be appointed to the Council under the same representational category as the Executive member (Consumer, Public Agency, etc.)
 - c. It is the responsibility of the absent Executive Committee member to properly prepare their replacement for the intended meeting. Examples may include: instructions on voting, comments to add during discussion of various topic, items to be added on the Council agenda, etc.

- d. Support, as directed from the Executive Committee member, will be provided by Council Staff.
- 2) Documentation of all meetings will continue to occur, and will be reflected in written minutes.

Section 4 – Public Participation

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

Section 5 – Agendas

A. Creating Agendas

- 1) The Council membership, identified community members, identified associate representatives, and Council staff will work together as a team to create agendas for applicable Council meetings. It is the responsibility of these individuals (excluding Council staff) to comply with the most recent version of Council Procedure 100 to ensure that this task is done accordingly (see Appendix A for details).
- 2) SCDLPC Coordinator will assume the responsibility of creating applicable agendas for meetings in the event that by the deadline indicated in the most recent version of Council Procedure 100/Appendix A, no Request for Placing Items on the Agenda Forms have been received.
- 3) Agendas are subject to final consent/approval on the day of the meeting. Preparation of agendas will accommodate for unforeseen business that may arise during a meeting. Individuals will have the right to present ideas to the Council under the “New Business” section.

B. Posting and Requirements

- 1) Regular Meetings – Notice of time, place, and agenda will be posted a minimum of 72 hours prior to the time of the regular SCDLPC meeting.
- 2) Special Meetings – Notice of time, place, and agenda will be posted a minimum of 24 hours prior to the time of the SCDLPC special meeting.
- 3) Emergency Meetings – In case of an emergency, the SCDLPC may call a meeting with members using a variety of methods in order to secure a quorum: regular face-to-face meeting, 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 SCDLPC meeting.

Section 6 – Elections and the Decision-Making Process

A. Quorum Requirements

A quorum for the transaction of official business and elections shall consist of a minimum of fifty-percent (50%) plus one (1) of the current appointed members or their designees. Members or representatives officially designated by the members must be present to vote at all SCDLPC regular, special, or emergency meetings.

B. Voting

- 1). Each Council member shall be entitled to vote on each motion submitted with the exception of the Chairperson who will not have voting privileges except to break a tie.
- 2). In the absence of the Council member, their designated representative will exercise all the rights and voting privileges accorded to the Council member.
- 3). A majority vote must be obtained from the Council members present at the meeting for an action item to be approved by the Council.

C. Election Ballots

Votes by secret ballot are not permitted due to compliance with possible conflict-of-interest matters. Ballots will contain the following information:

- 1) Names of candidates accepting prior nominations for a Council office.
- 2) An area for names of candidates accepting nominations for a Council office from the floor.
- 3) The date of the election.
- 4) A specified area for an applicable signature.
- 5) Relevant facts, so that a well informed decision can be made.
- 6) Instructions concerning how to mark the form/ballot, as well as submission requirements.

D. Elections

- 1) All elections shall be conducted at a regular SCDLPC meeting.
- 2) Candidates receiving the highest number of votes of the Council Members present will be the candidate elected for the position.

Section 7 – Conduct of SCDLPC Meetings

The meetings of the SCDLPC shall be conducted in accordance with Adopted Bylaws (most recent revised edition) and the Brown Act. If these bylaws have not established a provision for specific situation, reference will be made to the most current edition of the Council's selected Rules of Order.

Section 8 – Conflict of Interest & Statement of Economic Interest (Form 700)

A. Conflict of Interest

- 1) SCDLPC members and/or official 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 SCDLPC members 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 or take action on an item.
- 2) September of even-numbered years, the Council will review their Conflict of Interest Code.
 - If change is **unnecessary**, Council staff will prepare and submit to the Stanislaus County Board of Supervisors (by October 1st of that same year) a written statement indicating no changes are required.
 - If a change is **necessary**, Council staff will prepare and submit to the Stanislaus County Board of Supervisors (by October 1st of that same year) an amended code for their review. Prior to being adopted, this item will need to be approved by the Stanislaus County Board of Supervisors.

B. Statement of Economic Interest (Form 700)

SCDLPC members, in accordance with Government code section 87200, will comply with reporting requirements.

- Upon 30 days after assuming an appointed position on the Council, members will complete an Initial Statement of Economic Interest (Form 700), and submit the document to Council staff for processing (submission to Stanislaus County Board of Supervisors).
- Annually by March 1st, Council members will update/revise their Form 700. By April 1st of that same year, Council staff will process the revised Form 700s.
- Upon 30 days after leaving an appointed position on the Council, members will complete a Leaving Office Statement of Economic Interest, and submit the document to Council staff for processing.
- Amendments to a Form 700 can be filed at any time – there is no deadline. More than one amendment may also be submitted.

- ARTICLE VII -
COMMITTEES & TASK FORCES

A. Types of Committees

1) Standing Committee

- The Executive Committee is the only standing committee.
- The Executive committee shall be comprised of the Chairperson, Vice-Chairperson, three (3) council members elected by the council, and the Council Coordinator.

2) Task Force

- Task Forces will be created as deemed appropriate by the Council to work on specific tasks or projects.
- Task Forces will be made up of, at minimum, two self appointed Council members. If the minimum number of Task Force members is not obtained, the Chairperson may elect to appoint Council members to the Task Force.
- Task Forces will meet as needed and will report their progress and activity to the full Council at a frequency specified in the Council annual planning calendar.
- Task Forces will be automatically absolved when their activity or project has been completed.

B. Operations

- 1) Items that have been approved by the Council may create a Task Force to discuss, investigate, and carry out action(s) necessary to complete the activity or project.
- 2) Prior to Task Force members moving forward with specific actions which are anticipated to have a **significant impact concerning fiscal expenditures**, a representative will be required to present their recommendations to the Council as a whole. At that time, approval will either be granted as presented, granted contingent upon said revisions, or denied.
- 3) Prior to Task Force members moving forward with specific actions which are anticipated to have a **significant impact on the community at large**, a representative will be required to present their recommendation to the Council as a whole. At that time, approval will either be granted as presented, granted contingent upon said revisions, or denied.
- 4) In an effort to keep the Council functioning at an efficient pace, special/emergency meetings may be called and conducted according to the provisions within these bylaws.

- ARTICLE VIII -
ADOPTION AND AMENDMENT


Changes in legislative mandates will override select provisions within these bylaws. Upon knowledge of such changes, efforts to make applicable revisions will begin.

The bylaws may be amended by a majority vote of a quorum of the Council provided that 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). 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. Intended amendments to appendix items require only Council approval for revisions.

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

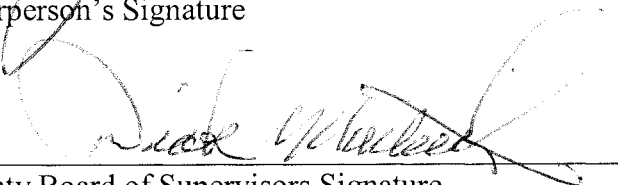
This Council retains the privilege to suspend provisions that significantly impede their ability to function effectively. Generally, a majority vote will be required if a provision is to be suspended during a meeting, and a two-thirds vote (with previous notice) will be required to change it.

Date Approved by SCDLPC: April 15, 2010



Chairperson's Signature

8-2-10
Date



County Board of Supervisors Signature

8-2-10
Date

Tom Changnon

County Superintendent of Schools Signature

7-15-10
Date

Adopted/Approved: 10/28/1998

First Amendment: Article IV, Section 3, Section 5/Approved: 09/02/1999

Second Amendment: Article I-XI Approved: 06/07/2001

Third Amendment: Article II-XI Approved: 08/09/2001

Fourth Amendment: Article III-VI Approved: 08/28/2001

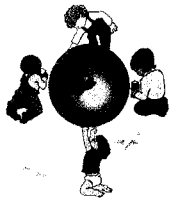
Fifth Amendment: Article IV-VIII Approved: 06/12/2003

Sixth Amendment: Article I -VIII Approved: 02/15/2005

Seventh Amendment: Article IV-VIII Approved: 04/13/2006

Eighth Amendment: Article IV-VII Approved: _____

Copy of bylaws showing changes



Stanislaus Child Development Local Planning Council

BYLAWS

- ARTICLE I - NAME

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In order to accomplish this general mission, legislation mandates that the following items be accomplished:

1. Elect a Chair and select a staff.
2. 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.

3. No member of a Local Planning Council shall participate in a vote if he or she has a proprietary interest in the outcome of the matter being voted upon.
4. By May 30 of each year, upon approval by the County Board of Supervisors and the County Superintendent of Schools, each Local Planning Council shall submit to the Department the local priorities it has identified that reflect all child care needs in the county. To accomplish this, each Local Planning council shall do all of the following:
 - a) Conduct an assessment of child care needs in the county no less than once every five years. The Department shall define and prescribe data elements to be included in the needs assessment and shall specify the format for the data reporting. The needs assessment shall also include all factors deemed appropriate by the Local Planning Council in order to obtain an accurate picture of the comprehensive child care needs in the county. The factors include, but are not limited to, 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 State Department of Social Services.
 - 4) The need for child care for children determined by the child protective services agency to be neglected, abused, or exploited, or at risk of being neglected, abused, or exploited.
 - 5) The number of children in families receiving public assistance, including food stamps, housing support, and Medi-Cal, and assistance from the Healthy Families Program and the Temporary Assistance to Needy Families (TANF) program.
 - 6) Family income among families with preschool or school age children.
 - 7) The number of children in migrant agricultural families who move from place to place for work or who are currently dependent for their income on agricultural employment in accordance with subdivision (a) of, and paragraphs (1) and (2) of subdivision (b) of, Section 8231.
 - 8) The number of children who have been determined by a regional center to require services pursuant to an individualized family service plan, or by a local education agency to require services pursuant to an individualized education program or an individualized family service plan.
 - 9) The number of children in the county by primary language pursuant to the Department's language survey.
 - 10) Special needs based on geographic consideration, including rural areas.

- 11) The number of children needing child care services by age cohort.
- b) Document information gathered during the needs assessment which shall include, but not be limited to, data on supply, demand, cost and market rates for each category of child care.
 - c) 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.
 - d) Prepare a comprehensive countywide child care plan designed to mobilize public and private resources to address identified needs.
 - e) Conduct a periodic review of child care programs funded by the Department and the Department of Social Services to determine if identified priorities are being met.
 - f) Collaborate with subsidized and non-subsidized child care providers, County Welfare Departments, human service agencies, regional centers, job training programs, employers, integrated child and family service councils, local and state Children and Families Commissions, parent organizations, Early Start family resource centers, family empowerment centers on disability, and local child care resource and referral programs, and other interested parties to foster partnerships designed to meet local child care needs.
 - g) Design a system to consolidate local child care waiting lists, if a centralized eligibility list is not already in existence.
 - h) Coordinate part-day programs, including state preschool and Head Start, with other child care and development services to provide full-day child care.
 - i) 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 of Schools for approval before submitting them to the Department.
 - j) Identify at least one, but no more than two, to serve as part of the Department Team that reviews and scores proposals for the provision of services funded through contracts with the Department. Local Planning Council representatives shall not review and score proposals from the geographic area covered by their own Local Planning Council. The Department shall notify each Local Planning Council whenever this opportunity is available.

**- ARTICLE IV -
MEMBERSHIP**

Section 1 – Composition

- A. The SCDLPC will comprise sixteen (16) members with one (1) vote each.
- B. Voting membership on the Council shall include representatives from the following categories and/or be as specified in the most current legislation: (If legislative change occurs in these categories and appointed members are still eligible to serve on this Council, all efforts will be made to help ensure that appointed members, regardless of change, will be able to serve the remainder of their appointed terms).
- **Child Care Providers:** 20% minimum. A Child Care Provider is a person who provides child care services or represents persons who provide child care services.
 - **Community Representatives:** 20% minimum. A Community Representative is 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.
 - **Consumers:** 20% minimum. A Consumer is a parent or person who receives, or who has received with the past 36 months, child care services.
 - **Public Agencies:** 20% minimum. A Public Agency representative is a person who represents a city, county, city and county, or local education agency.
 - **Discretionary:** 20% minimum. A Discretionary member is determined by the appointing bodies. The determination must fall within one of the four above-listed categories.
- 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 SCDLPC Members

The Stanislaus Child Development Local Planning Council members are jointly appointed by the Stanislaus County Board of Supervisors and the Stanislaus County Superintendent of Schools.

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. It is the policy of the Board of Supervisors that members are appointed for a maximum of two terms and any additional terms would be at the discretion of the Board of Supervisors and Superintendent of Schools.

Section 4 – Attendance at Meetings and Committee Sessions

- A. Members are expected to attend all meetings (including applicable committee meetings/sessions) of the SCDLPC. To maintain a seat on the Council, a minimum of 75% attendance is required. A member who is unable to attend and/or send a representative to attend will notify the SCDLPC Coordinator immediately.
- B. SCDLPC members may provide, in writing at the beginning of each fiscal year, the names of up to two other individuals to represent them when they cannot attend a regular SCDLPC meeting. The representative(s) shall be from the same representational category of the Council member and have all rights accorded to a regular Council member. Attendance of the officially designated representative(s) cannot exceed fifty percent (50%) of regular SCDLPC meetings.
- C. If an appointed member of the Council is unable to find their own representative(s) to attend a meeting in his/her place, the member will contact Council staff and request assistance in finding an appropriate representative.
- D. If an appointed member has a permanent representative that is also unable to attend a meeting in his/her place, the member will notify Council staff and request assistance in finding an appropriate representative.

E. Council members or their representatives should inform the SCDLPC Coordinator of their absence at least 24 hours prior to a meeting. However, in an emergency situation, the Council member or their representative can notify SCDLPC Coordinator the morning of the meeting.

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Section 5 – Termination of Membership

- A. Membership will be terminated when a written resignation is received.
- B. When a member misses three (3) consecutive meetings without sending an approved representative or notifying the SCDLPC Coordinator, a call from the SCDLPC Coordinator will be made to inquire about attendance and their desire to continue as a SCDLPC member.
- C. If a member has been notified and misses the next consecutive meeting without a representative or notification, their name will be sent to the Superintendent of Schools and the Board of Supervisors to determine if they choose to remove the appointed member.
- D. A Council member will not be removed from their appointed position on the SCDLPC until their name has been formally approved by the Superintendent of Schools and the Board of Supervisors, with the exception of a Council member’s voluntary resignation.

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- ARTICLE V -
EXECUTIVE OFFICERS

Section 1 – Officers

The officers of the SCDLPC shall consist of: one (1) Chairperson, one (1) Vice-Chairperson, and three (3) council members elected by the council. The officers are members of the Executive Committee.

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Each member of the Executive Committee must chair a Task Force, which will be created as needed.

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~~Each sub-committee, work group, and/or task force shall elect a Chairperson who will automatically become a member of the Executive Committee (see Attendance at Meetings and Sessions section for Committee Chair participation requirements).~~

Section 2 – Term of Office

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

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If a special election is held during the operational year, the elected person will serve out the remainder of that term in addition to their full two (2) year term of office.

Section 3 – Method of Selection

- A. The out-going Chairperson will appoint a Nominating ~~Committee~~ Task Force for the election of new officers at the February meeting.
 - Duties of the Nomination ~~Committee~~ Task Force shall include (but not be limited to) the following:
 - a) ~~Determine a Chair for this committee.~~
 - b) Review existing bylaws, so the ~~committee~~ Task Force knows how to proceed.
 - c) Set up either a phone or personal meeting to discuss who is coming off the Council and who the potential candidates might be.
 - d) Make a list of potential candidates.
 - e) Contact the candidate(s) to confirm acceptance of the nomination.
 - f) Based on nomination results, prepare a ballot with applicable information.
 - g) During the election meeting, announce the names of the nominees, and ask the Council if they would like to nominate someone from the floor (prior permission to nominate that person from the floor should have been obtained from the person being nominated).

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- h) Conduct the election according to SCDLPC Bylaws and report the results.
- In the event a Nomination ~~Committee~~ Task Force is unable to be appointed, the duties of this committee will default to the Executive Committee.

B. Elections for officers will be held at the April meeting. Nominations may be made from the floor.

C. In the event that new officers can not be selected as in A or B 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 (only referred to election process)

In the event that an officer is deemed unable to fulfill their duties, a special election will be held to complete the current officer’s term. The special election may be held at the next regular Council meeting, or during a special or emergency meeting.

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 SCDLPC and the Executive Committee.
- 2) To call special and/or emergency meetings.
- 3) To appoint the members of the SCDLPC to ~~committees, work groups and task forces.~~
- 4) To serve as an ex-officio officer of all ~~committees~~ Task Forces.
- 5) To work with SCDLPC staff and the Executive Committee of the SCDLPC to prepare an agenda for each regular Council and Executive meeting.
- 6) To ensure that members of the public have an opportunity to speak on agenda items at the appropriate time. The Chairperson may limit public comment to 5 minutes per individual and/or 30 minutes per item if so desired.
- 7) To represent the SCDLPC at appropriate functions and events.
- 8) Work with the SCDLPC staff and the Council’s fiscal agent (SCOE) to recommend budget proposals, review budget revisions, as well as examine and submit expenditure reports as needed.
- 9) To perform all other duties necessary or incidental to the office and the effective functioning of the SCDLPC.

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B. The duties of the Vice-Chairperson shall be to perform the duties of the Chairperson in his/her absence or inability to act as Chairperson; and further, to participate on the Executive Committee.

C. The duties and responsibilities of ~~Committee Chairpersons~~ the elected officers of the Executive Committee shall be to serve as members of the Executive Committee, to call special and/or emergency ~~committee sessions~~ Task Force meetings, and to submit reports to the SCDLPC on current and proposed activities.

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Section 6 – Office Vacancies

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

**- ARTICLE VI -
MEETINGS**

Section 1 – Frequency and Time of SCDLPC 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 SCDLPC staff. A minimum of one (1) meeting will be held each quarter. Meeting dates shall be specified in the Council’s Annual Planning Calendar.

Section 2 – SCDLPC Special and/or Emergency Meetings/Committee Sessions

Special and/or emergency meetings may be called by the Chairperson, Vice-Chairperson and/or the SCDLPC Coordinator. ~~Special and/or emergency committee sessions may be called by the Committee Chairperson and/or Council Coordinator.~~

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Section 3 – SCDLPC Executive Committee Meetings

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

B. Scheduled meetings will be conducted by the Executive Chairperson/Vice-Executive Chairperson.

C. Scheduling Conflicts:

1) In the event of scheduling conflicts, and Executive Committee member or SCDLPC Coordinator may decide to request the following:

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▪ Ask other Executive Committee members and staff to consider rescheduling the meeting at an alternative time agreed upon by those involved.

▪ To conduct the meeting via E-mail and/or other correspondence.

▪ To send a replacement, but only after the first two options have been exhausted (see below for details):

a. In the event that any member of the Executive committee is unable to attend a scheduled Executive Meeting and does not wish to reschedule the meeting, or to conduct the meeting via alternative correspondence, they shall be encouraged to find a replacement.

- b. The replacement must be appointed to the Council under the same representational category as the Executive member (Consumer, Public Agency, etc.)
 - c. It is the responsibility of the absent Executive Committee member to properly prepare their replacement for the intended meeting. Examples may include: instructions on voting, comments to add during discussion of various topic, items to be added on the Council agenda, etc.
 - d. Support, as directed from the Executive Committee member, will be provided by Council Staff.
- 2) Documentation of all meetings will continue to occur, and will be reflected in written minutes.

Section 4 – Public Participation

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

Section 5 – Agendas

A. Creating Agendas

- 1) The Council membership, identified community members, identified associate representatives, and Council staff will work together as a team to create agendas for applicable Council meetings. It is the responsibility of these individuals (excluding Council staff) to comply with the most recent version of Council Procedure 100 to ensure that this task is done accordingly (see Appendix A for details).
- 2) SCDLPC Coordinator will assume the responsibility of creating applicable agendas for meetings in the event that by the deadline indicated in the most recent version of Council Procedure 100/Appendix A, no Request for Placing Items on the Agenda Forms have been received.
- 3) Agendas are subject to final consent/approval on the day of the meeting. Preparation of agendas will accommodate for unforeseen business that may arise during a meeting. Individuals will have the right to present ideas to the Council under the “New Business” section.

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B. Posting and Requirements

- 1) Regular Meetings – Notice of time, place, and agenda will be posted a minimum of 72 hours prior to the time of the regular SCDLPC meeting.
- 2) Special Meetings – Notice of time, place, and agenda will be posted a minimum of 24 hours prior to the time of the SCDLPC special meeting.

- 3) Emergency Meetings – In case of an emergency, the SCDLPC may call a meeting with members using a variety of methods in order to secure a quorum: regular face-to-face meeting, 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 SCDLPC meeting.

Section 6 – Elections and the Decision-Making Process

A. Quorum Requirements

A quorum for the transaction of official business and elections shall consist of a minimum of fifty-percent (50%) plus one (1) of the current appointed members or their designees. Members or representatives officially designated by the members must be present to vote at all SCDLPC regular, special, or emergency meetings.

B. Voting

- 1). Each Council member shall be entitled to vote on each motion submitted with the exception of the Chairperson who will not have voting privileges except to break a tie.
- 2). In the absence of the Council member, their designated representative will exercise all the rights and voting privileges accorded to the Council member.
- 3). A majority vote must be obtained from the Council members present at the meeting for an action item to be approved by the Council.

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C. Election Ballots

Votes by secret ballot are not permitted due to compliance with possible conflict-of-interest matters. Ballots will contain the following information:

- 1) Names of candidates accepting prior nominations for a Council office.
- 2) An area for names of candidates accepting nominations for a Council office from the floor.
- 3) The date of the election.
- 4) A specified area for an applicable signature.
- 5) Relevant facts, so that a well informed decision can be made.
- 6) Instructions concerning how to mark the form/ballot, as well as submission requirements.

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D. Elections

- 1) All elections shall be conducted at a regular SCDLPC meeting.

- 2) Candidates receiving the highest number of votes of the Council Members present is required to determine will be the candidate elected for the position.

Section 7 – Conduct of SCDLPC Meetings

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In case of a tie, the names will be drawn from a hat.

The meetings of the SCDLPC shall be conducted in accordance with Adopted Bylaws (most recent revised edition) and the Brown Act. If these bylaws have not established a provision for specific situation, reference will be made to the most current edition of the Council's selected Rules of Order.

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Section 8 – Conflict of Interest & Statement of Economic Interest (Form 700)

A. Conflict of Interest

- 1) SCDLPC members and/or official 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 SCDLPC members 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 or take action on an item.
- 2) September of even-numbered years, the Council will review their Conflict of Interest Code.
 - If change is **unnecessary**, Council staff will prepare and submit to the Stanislaus County Board of Supervisors (by October 1st of that same year) a written statement indicating no changes are required.
 - If a change is **necessary**, Council staff will prepare and submit to the Stanislaus County Board of Supervisors (by October 1st of that same year) an amended code for their review. Prior to being adopted, this item will need to be approved by the Stanislaus County Board of Supervisors.

B. Statement of Economic Interest (Form 700)

SCDLPC members, in accordance with Government code section 87200, will comply with reporting requirements.

- Upon 30 days after assuming an appointed position on the Council, members will complete an Initial Statement of Economic Interest (Form 700), and submit the document to Council staff for processing (submission to Stanislaus County Board of Supervisors).
- Annually by March 1st, Council members will update/revise their Form 700. By April 1st of that same year, Council staff will process the revised Form 700s.
- Upon 30 days after leaving an appointed position on the Council, members will complete a Leaving Office Statement of Economic Interest, and submit the document to Council staff for processing.

- Amendments to a Form 700 can be filed at any time – there is no deadline. More than one amendment may also be submitted.

**- ARTICLE VII -
COMMITTEES & TASK FORCES**

A. Types of Committees

1) Standing Committee

- The Executive Committee is the only standing committee.
- The Executive committee shall be comprised of the Chairperson, Vice-Chairperson, three (3) council members elected by the council, ~~other ad hoc committee, work groups, and/or task force Chairpersons;~~ and the Council Coordinator.

2) 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 individual Council members. Each committee will elect a Chairperson, who will also serve as a member of the Executive Committee.~~

3) Task Force

- Task Forces will be created as deemed appropriate by the Council to work on specific tasks or projects.
- Task Forces will be made up of, at minimum, two self appointed Council members. If the minimum number of Task Force members is not obtained, the Chairperson may elect to appoint Council members to the Task Force.
- Task Forces will meet as needed and will report their progress and activity to the full Council at a frequency specified in the Council annual planning calendar.
- Task Forces will be automatically absolved when their activity or project has been completed.

B. Operations

- ~~Items that have been approved, by the Council may create a committees-Task Force to discuss, investigate, and carry out action(s) necessary to complete the activity or project.~~
- Prior to ~~committee~~ Task Force members moving forward with specific actions which are anticipated to have a **significant impact concerning fiscal expenditures**, a ~~committee~~ representative will be required to present their recommendations to the Council as a whole. At that time, approval will either be granted as presented, granted contingent upon said revisions, or denied.

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- 3) Prior to ~~committee~~ Task Force members moving forward with specific actions which are anticipated to have a **significant impact on the community at large**, a ~~committee~~ representative will be required to present their recommendation to the Council as a whole. At that time, approval will either be granted as presented, granted contingent upon said revisions, or denied.
- 4) In an effort to keep the Council functioning at an efficient pace, special/emergency meetings may be called and conducted according to the provisions within these bylaws.

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**- ARTICLE VIII -
ADOPTION AND AMENDMENT**

Changes in legislative mandates will override select provisions within these bylaws. Upon knowledge of such changes, efforts to make applicable revisions will begin.

The bylaws may be amended by a majority vote of a quorum of the Council provided that 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). 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. Intended amendments to appendix items require only Council approval for revisions.

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

This Council retains the privilege to suspend provisions that significantly impede their ability to function effectively. Generally, a majority vote will be required if a provision is to be suspended during a meeting, and a two-thirds vote (with previous notice) will be required to change it.

Date Approved by SCDLPC: _____

Chairperson's Signature

Date

County Board of Supervisors Signature

Date

County Superintendent of Schools Signature

Date

Adopted/Approved: 10/28/1998

First Amendment: Article IV, Section 3, Section 5/Approved: 09/02/1999

Second Amendment: Article I-XI Approved: 06/07/2001

Third Amendment: Article II-XI Approved: 08/09/2001

Fourth Amendment: Article III-VI Approved: 08/28/2001

Fifth Amendment: Article IV-VIII Approved: 06/12/2003

Sixth Amendment: Article I -VIII Approved: 02/15/2005

Seventh Amendment: Article IV-VIII Approved: 04/13/2006

Eighth Amendment: Article IV-VII Approved: _____