

# Bylaws

## Article I Name

The Council shall be designated the Santa Cruz County Child Care Planning Council, referred to hereafter as the "Council".

## Article II Authority

The Santa Cruz County Child Care Planning Council was formed by the Santa Cruz County Board of Supervisors and the County Superintendent of Schools in accordance with state law.

## Article III Purpose

The Council complies with California CalWorks legislation AB 1542 (Ed Code Sections 8499.3 and 8499.5) and serves as a forum to address the child care needs of all families and in all child care programs, both subsidized and non- subsidized, in Santa Cruz County.

The Council's major responsibilities are to: 1) recommend priorities for child care funding from the California Department of Education, Child Development Division (CDD) when appropriate and requested; and 2) advise the County Board of Supervisors and County Superintendent of Schools on child care program and policy issues.

## Article IV Function (California State Education Code)

To fulfill its responsibilities, the Council shall:

1. Conduct an assessment of child care needs at least once every five years. The needs assessment shall take into consideration all of the following:
  - a. The needs of families eligible for subsidized child care.
  - b. The needs of families not eligible for subsidized child care.
  - c. The waiting lists for programs funded by the Child Development Division (CDD) and California Department of Social Services (DCSS).
  - d. The needs for child care for children who have been abused or neglected or are at risk of abuse or neglect.
  - e. The number of children receiving public assistance.
  - f. Family income among families with preschool or school-age children.
  - g. The number of children of migrant workers.
  - h. The number of children with special needs.
  - i. The number of children from identifiable linguistic and cultural backgrounds.
  - j. Special needs based on geographic considerations including rural areas.
  - k. The ages of children needing services.
  - l. Any other factor deemed appropriate by the Council.
2. Document information gathered during the needs assessment, which shall include but need not be limited to: data on supply, demand, cost, and market rates for each category of child care in the County.
3. Encourage public input in the development of funding priorities. Opportunities for public input shall include at least one public hearing during which members of the public can comment on the proposed priorities.

4. Prepare a comprehensive County-wide child care plan designed to mobilize public and private resources to address identified needs.
5. Conduct a periodic review of child care programs funded by the CDD and CDSS to determine if identified priorities are being met.
6. Collaborate with subsidized and non-subsidized child care providers. County welfare and human service departments, 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.
7. Design a system to consolidate local child care waiting lists.
8. Coordinate part-day programs, including State Preschool and Head Start, with other child care to provide full-day child care.
9. Submit the results of the needs assessment and the local priorities identified to the County Board of Supervisors and County Superintendent of schools for approval before submitting them to CDD.
10. Review and comment on proposals submitted to the CDD that concern child care to be provided within Santa Cruz County. These comments shall in no way be binding on the CDD in determination of programs to be funded.
11. Identify at least one, but no more than two, members to serve as part of the CDD team that reviews and scores proposals for child care service funded through the CDD. Council representatives shall not review and score proposals from Santa Cruz County.
12. Develop and implement a training plan to provide increased efficiency, productivity, and facilitation of Council meetings.
13. Provide consultation to CDD and CDSS regarding the development of a single application and intake form for all federal and state subsidized child care and development programs.

#### **Article V Function (additional)**

The Council shall include school-age recreation programs in all planning and implementation activities including needs assessments and master plans.

#### **Article VI Membership**

A. Composition and Appointing Authority The Council shall be composed of a maximum of 30 members, with the following composition as defined by law: 20% consumers of child care - parents or persons who receive, or who have received within the past 36 months, child care services. Three seats will be appointed by the Board of Supervisors. Three seats will be appointed by the Superintendent of Schools. 20% child care providers - persons who provide child care services or represent persons who provide child care services, reflective of the range of child care providers in the county. Three seats will be appointed by the Board of Supervisors. Three seats will be appointed by the Superintendent of Schools. 20% public agency representatives - persons who represent a city, county, or local education agency. Three seats will be appointed by the Board of Supervisors. Three seats will be appointed by the Superintendent of Schools. 20% community representatives - persons who represent 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 are not child care providers and do not represent an agency that contracts with the California Department of Education to provide child care and development services. Three seats will be appointed by the Board of Supervisors. Three seats will be appointed by the Superintendent of Schools. 20% at-large representatives at the discretion of the appointing authority. Three seats will be appointed by the Board of Supervisors. Three seats will be appointed by the Superintendent of Schools.

B. Term Council members shall serve four-year terms. Members shall be appointed by the Board of Supervisors or the Superintendent of Schools. Terms are renewable at the request of the Council and with the approval of the Board of Supervisors or the Superintendent of Schools.

C. Resignation Any member may resign by giving written notice to the Council.

D. Vacancies The Council Chairperson shall notify the County Board of Supervisors or the Superintendent of Schools when a position from the appropriate appointing authority becomes vacant. When a vacancy occurs during the term of offices of a Councilmember, a successor shall fill the vacancy for the remainder of the term of the previous appointee. The council and either the Board of Supervisors or the Superintendent of Schools shall give public notice of vacancies for 2 weeks prior to filling such vacancies. A list of persons interested in being nominated to the Council shall be kept as a pool for future appointments.

E. Attendance The position of any member who fails without sufficient excuse to be in attendance at three (3) consecutive regular meetings shall be deemed vacant and referred to the County Board of Supervisors and the Superintendent of Schools with a request from the Council for a replacement. The sufficiency of any excuse for failure to attend such meeting(s) shall be determined by the Executive Committee of the Council.

## **Article VII Structure**

### **A. Officers**

A Council chairperson will be elected every year by Council members at the first regularly scheduled meeting of each year. The chairperson must have a minimum of one year active participation in the Council preceding election to the chair. The chairperson shall serve a term of one year and may serve consecutive terms. The chairperson shall preside over all regular meetings and may call special meetings if necessary. Other possible responsibilities include annual reports to the Board of Supervisors and the Superintendent of Schools, representing the Council at public functions and appointing committee chairs.

A Council First Vice-chairperson shall be elected every year at the first regularly scheduled meeting of the year. The First Vice-chairperson shall serve a term of one year and may serve consecutive terms. The First Vice-chairperson shall assume the responsibilities of the chairperson in her/his absence and any duties assigned by the chair.

A Council Second Vice-chairperson shall be elected every year at the first regularly scheduled meeting of each year. The Second Vice-chairperson shall serve a term of one year and may serve consecutive terms. The Second Vice-chairperson shall assume the responsibilities of the chairperson in the absence of the Chair and the First Vice-chairperson and any duties assigned by the chair.

### **B. Committees**

The Executive Committee shall consist of the Council Chairperson, First and Second Vice-chairpersons. The Executive Committee is delegated the power to act for the Council between meetings. Such actions shall be reviewed at the next Council meeting. This Committee cooperates with the chairperson in the nomination of members to fill vacancies and Committee chairs subject to the approval of the Council. A majority of the Executive Committee shall constitute a quorum of the Executive Committee.

The Council shall establish additional committees on either a permanent (standing) or temporary (ad hoc) basis to address child care and / or school age recreation program issues and concerns. The scope and purpose of these committees shall be reviewed at least annually by the Executive Committee and recommendations for continuation or elimination made to the Council. The Chairperson shall be an ex-officio member of all committees. Committees shall meet at the call of the committee chairperson. All committees with the exception of the Executive Committee may also include persons not on the Council. A chairperson shall be selected for each committee from the membership of the Council. Chairpersons for standing committees shall be selected at the beginning of each year. Council members shall actively serve on at least one committee.

### C. Meetings

Regular meetings shall be convened monthly or every other month at the discretion of the Council. Meeting dates, location and time will be established at the beginning of each year and may be changed as needed. Notice of meetings shall be sent at least one week prior to the meeting date.

Special meetings may be called by the Council chairperson at any time.

#### 1. Quorum

A quorum shall be established for official business with the attendance of more than one-half of the appointed members.

#### 2. Notice and Public Participation

All meetings of the Council shall be open and accessible to the general public in accordance with the Ralph M. Brown Act, government Code Sec. 54950. Meetings will be held in compliance with the Americans with Disabilities Act (ADA). At least seventy-two (72) hours prior to each regular meeting, an agenda for the regular meeting shall be mailed to each Council member, and to each representative of the news media and to each other person who has submitted a written request to the Council for notification of meetings, and shall be posted at least seventy-two (72) hours prior to the regular meeting at a location that is freely accessible to the public. The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting. No action or discussion shall be undertaken on any item not appearing on the posted agenda except that members of the Council may briefly respond to statements made or questions posed by persons exercising their public testimony rights or ask a question for clarification, refer the matter to staff or to other resources for factual information, or request staff to report back at a subsequent meeting concerning any matter. Notwithstanding the foregoing, action may be taken on an item of business not appearing on the posted agenda upon a determination by two-thirds vote of the membership of the Council or if less than two-thirds of the members are present, by unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the Council subsequent to the agenda being posted.

At least seventy-two (72) hours prior to each special meeting, an agenda for the special meeting shall be mailed to each Council member and to each representative of the news media and to each other person who has submitted a written request to the Council for notification of meetings; and shall be posted at least seventy-two (72) hours prior to the special meeting at a location that is freely accessible to members

of the public. No business other than that listed on the agenda shall be considered at a special meeting.

Public participation in Council meetings shall be allowed as follows:

a. An opportunity for members of the public to directly address the council on any item on the agenda of interest to the public shall be provided before or during the Council's consideration of the item.

b. In addition, the agenda will provide for community oral communications on items not on the agenda, which are within the subject matter jurisdiction of the Council at the beginning of each regular meeting agenda.

c. The chairperson of the Council may establish reasonable limits on the amount of time allotted to each speaker on a particular item, and the Council may establish reasonable limits on the total amount of time allotted for public testimony on a particular item or the total amount of time allotted for community oral communications. When further discussion is required, the Council may vote to allot time in the agenda of the following meeting.

The Executive Committee and all other committees shall comply with the Ralph M. Brown act requirements otherwise applicable to the Council in these by-laws, except for committees composed solely of less than a quorum of the members of the Council which are not standing committees of the Council with either a continuing subject matter jurisdiction or a meeting schedule fixed by resolution or other formal action of the Council.

### 3. Voting

Each member of the Council, including the chairperson, shall have one vote. For official business, a majority vote of the quorum is needed to pass a motion. No member of the Council shall participate in Council consideration of a matter if he or she has a conflict of interest.

### 4. Parliamentary authority

All proceedings of the Council and the committees shall be conducted according to the rules contained in the most recent edition of Robert's Rules of Order when these do not conflict with these by-laws.

### 5. Stipends:

Council members are non-paid volunteers and therefore no payment can be made for the loss of income while attending monthly Council meetings, committee meetings or special events. However, stipends for child care and substitute teachers may be available as follows:

The Child Care Planning Council will offer approved parent representatives (members appointed to the Council in category 1, defined as a parent or person who receives, or who has received within the past 36 months, child care services), a

stipend not to exceed \$25.00 to cover child care expenses incurred during the attendance of monthly Council meetings. The stipend is not available for committee meetings. If child care is offered on site at the time of the Council meeting, then no reimbursement will be given.

The Child Care Planning Council will offer a substitute reimbursement not to exceed \$25.00 for sole proprietors of child care services during the attendance of monthly Council meetings. The reimbursement is not offered for committee meetings.

During the annual retreat, reimbursement for childcare and substitute teachers shall not exceed \$100.00.

All requests for reimbursements must be submitted in writing to the Executive Committee of the Child Care Planning Council in advance of the meeting.

#### D. Administrative

The Council shall contract and / or hire staff to carry out the administrative functions of the Council based on funding availability. Staff will be responsible for the compilation and distribution of Council meeting notices, agendas, and minutes. Council records, meeting minutes, membership and attendance information shall be maintained to be accessible to the Council, Board of Supervisors, and the superintendent of schools. Members of the Council shall serve without compensation except for the reimbursement of approved actual and necessary travel costs, duplicating expenses, and other expenses required by the Council, providing funds are available for this purpose.

### **Article VIII Scope of Work**

#### A. Goals

The primary goals of the Council are to establish and periodically update local priorities for the maintenance, expansion, and improvement of child care and school age recreation services in Santa Cruz County, to prepare a comprehensive, county-wide child care and school age recreation program plan that includes all children in accordance with state guidelines, to review and evaluate legislation affecting child care, to assess child care and school age recreation needs in Santa Cruz County and incorporate these needs in the setting of priorities and development of a local plan, to maximize local, state, federal, and private resources for child care and school age recreation programs in Santa Cruz County and to serve as an advisory and planning body to the County Board of Supervisors, the Superintendent of Schools, and the County Children's Commission on child care and school age recreation issues. Specific work activities will vary depending upon current need and resources available to the Council.

#### B. Legislative Advocacy

Council positions on legislation must be approved by a majority vote of Council members

present at a scheduled Council meeting. If the Council wishes to request a County position on a legislative item, the request shall be submitted to the Board of Supervisors or the Superintendent of Schools. Positions taken by the Council regarding legislation that has not been approved by the Board of Supervisors shall indicate they do not represent official County policy. The Council may advise the public of its positions on legislation.

#### **Article IX Amendment of By-Laws**

These by-laws may be amended or repealed and new by-laws adopted by the vote of a majority of the members of the County Board of Supervisors and the Superintendent of Schools. Written notice of any proposed amendments must be sent to Council members at least fourteen (14) days prior to the meeting at which the proposed amendments will be voted upon.

View the [section of Ed Code](#) related to the Child Care Planning Council.