

# SACRAMENTO COUNTY LOCAL CHILD CARE AND DEVELOPMENT PLANNING COUNCIL

## By-Laws

Adopted September 9, 1998  
Amended January 13, 1999  
Amended January 10, 2001  
Amended March 13, 2002  
Amended May 8, 2002  
Amended February 11, 2004  
Amended August 25, 2004  
Amended January 11, 2006  
Amended October 17, 2007  
Amended September 10, 2009

### Article I - Name

The Council shall be designated the Sacramento County Local Child Care and Development Planning Council, referred to hereafter as the "Council."

### Article II - Authority

The Local Child Care Planning Council was previously authorized on April 30, 1991 by the Sacramento County Board of Supervisors and on May 20, 1991 by the Sacramento County Board of Education. The Sacramento County Child Care and Development Planning Council was authorized on December 2, 1997 by the Sacramento County Board of Education and on December 3, 1997 by the Sacramento County Board of Supervisors. This was done in accordance with state law established by AB 1542 that mandated the formation of Local Child Care and Development Planning Councils.

### Article III - Purpose

The purpose of the Council is as follows:

- ◆ To provide a forum for the planning of child care services that meet the diverse needs of families in Sacramento County;
- ◆ To promote public participation in the planning process;
- ◆ To advocate for the needs of the families in Sacramento County with respect to child care;
- ◆ To advise the Sacramento County Board of Supervisors and the Sacramento County Board of Education with respect to the child care needs of the families in Sacramento County;
- ◆ To serve as a forum for discussion of community child care issues.

### Article IV – Goals

The goals of the Council are as follows:

- ◆ To provide a non-judgmental forum or arena where representatives from all types of child care services feel comfortable to express and participate in planning of child care services;
- ◆ To serve as the clearinghouse for information about child care services, issues and public policy;
- ◆ To establish and periodically update local priorities for the maintenance, expansion and improvement of child care services for children and families eligible under State guidelines;
- ◆ To prepare a comprehensive, county-wide child care plan in accordance with state guidelines and to update and report annually on the results of this planning process;
- ◆ To review and evaluate legislation affecting child care, to collect and evaluate data regarding local supply, demand, cost and market rates of child care services, and to consider community concerns and issues that affect local child care services;
- ◆ To create linkages with educational institutions, government agencies, business or corporate interests.

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## **Article V - Structure and Composition of the Council**

The County Board of Supervisors and the County Board of Education shall each appoint 10 members as defined below. In making appointments the appointing Board shall select persons from varying backgrounds who have demonstrated abilities, expertise and experience with child care.

The Council shall be comprised as follows:

- ◆ 4 members shall be child care providers reflective of the range of child care providers in Sacramento County. The Board of Supervisors shall be responsible for 2 appointments. The Board of Education shall be responsible for 2 appointments.
- ◆ 4 members shall be consumers. The Board of Supervisors shall be responsible for 2 appointments. The Board of Education shall be responsible for 2 appointments.
- ◆ 4 members shall be public agency representatives. The Board of Supervisors shall be responsible for 2 appointments. The Board of Education shall be responsible for 2 appointments.
- ◆ 4 members shall be community representatives, who shall not be child care providers or agencies that contract with the State Department of Education to provide child care and development services. The Board of Supervisors shall be responsible for 2 appointments. The Board of Education shall be responsible for 2 appointments.
- ◆ 4 members shall be appointed at the discretion of the appointing Boards. The Board of Supervisors shall be responsible for 2 appointments. The Board of Education shall be responsible for 2 appointments.

## **Article VI - Terms of Membership**

The terms of each member are for a two-year appointment.

Vacancies:

The status of a member shall be reviewed by the Executive Committee when a member:

- resigns;
- attends less than 75% of Council meetings held in a year;
- attends less than 75% of committee meetings of which they are a member;
- neither resides nor is employed in Sacramento County;
- dies.

The attendance year of the Council shall be from July 1 to June 30, inclusive.

Where a member, prior to the expiration of his/her term, resigns or ceases to be eligible for Council membership the appropriate Board will appoint the vacancy. The term for the incoming member will be to fill the vacancy for the remainder of the original term. To remain eligible for membership the appointee must reside or be employed in the County of Sacramento, remain eligible under the category of appointment and meet the attendance requirements as set forth in Article XIII of these bylaws.

## **Article VII - Officers**

Officers elected by the Council shall be Chair and Vice-Chair. Election of officers shall take place at the first meeting after the start of the new appointment term. Officers are elected to serve a two-year term. If the Chair resigns from the Council mid-term, the Vice-Chair will assume the position of the Chair until the term is completed. The Chair will also appoint one of the committee chairs to assume the position of the Vice-Chair until the term is completed. If the Vice-Chair resigns from the Council mid-term, the Chair will appoint one of the committee chairs to assume the Vice-Chair position until the term is completed.

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## Article VIII - Duties of Officers

The Chair:

- ◆ Shall call and preside over all meetings of the Council;
- ◆ Shall plan the agenda in cooperation with the staff of the Council;
- ◆ Shall appoint committees as necessary;
- ◆ Shall represent the Council or designate a representative at public functions;
- ◆ Shall take an annual report of activities of the Council to the Board of Supervisors and the Board of Education.

The Vice-Chair:

- ◆ Shall assume the responsibilities of the chair in the absence of the chair;
- ◆ Shall render assistance to the chair as requested.

## Article IX – Conflict of Interest

Section 1.01 A Council member is deemed to have a conflict of interest when he/she, or a relative or business associate, has one or more of the following relationships existing with a program or competing program under consideration:

- (a) Ownership of financial interest;
- (b) Director, trustee or officer;
- (c) Employee; and/or
- (d) Provider of goods or services, including contracts with Sacramento County departments or other related County agencies, material or other substantial interest which may inhibit objective decision.

In addition to specific relationships to a program under consideration, members may find themselves in conflict when discussing other matters.

Section 1.02 Members shall give an initial written disclosure to the full Council of any personal, professional and agency ties which pose a conflict of interest and thereafter, annually.

Members having a conflict of interest that occurs or is discovered subsequent to submission of any such written disclosure shall immediately amend their disclosure in writing to the full Council.

Said written disclosures mentioned here and above shall be distributed to each member of the Council by the Council staff.

Section 1.03 Members having a conflict of interest on a specific issue before the Council shall disclose the conflict before discussion of the issue in question, shall not participate in the discussion of that issue or agenda item, shall abstain from voting on said issue, and shall physically remove themselves from the room while the discussion and vote occurs.

Section 1.04 Minutes of the Council meetings shall include any disclosure of a conflict-of-interest and abstentions from voting due to a conflict of interest on said issue or any specific issue.

Section 1.05 Any member having a conflict of interest relating to any funding or grant resources which are administered, managed, reviewed, the subject of recommendation by, or otherwise within the purview of Council business, may not serve on a Committee ministering to such financial resources, not participate in any Council committee discussion of such funding or grant resources, proposals or recommendations.

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## Section 1.06 Statements of Economic Interests: Time of Filing

All designated appointees of this Council shall file statements within 30 days after the effective date of this bylaw.

Section 1.07 Assuming Office Statements. All persons assuming designated positions after the effective date of this bylaw shall file statements within 30 days after assuming the designated position.

Section 1.08 Annual Statements. All members of the Council shall file statements no later than April 1.

Section 1.09 Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving their position.

Section 1.10 Statements for Persons Who Resign 30 Days After Appointment. Persons who resign within 30 days of initial appointment are not deemed to have assumed the appointment provided they did not make or participate in the making of, or use their position to influence any decision and did not receive or become entitled to receive any form of payment as a result of their appointment. Such persons shall not file either an assuming or leaving office statement.

## **Article X - Committees and Procedures**

The Council shall establish committees on either a permanent or temporary basis, to address child care issues and concerns. Committees may also include persons not on the Council. A chairperson shall be selected for each committee from the membership of the Council. Chairpersons of each committee shall be selected at the beginning of each calendar year. Council members shall actively serve on at least one committee. Committees will meet a minimum of once per quarter.

When there are no regularly scheduled meetings and there are time sensitive issues, the Executive Committee will have authority to act on behalf of the full LPC to advise and inform the appointing bodies and their representatives on child care related issues that are consistent with LPC bylaws and the LPC Child Care Plan strategy.

## **Article XI- Voting Procedures**

Each Council member has one vote.

A quorum shall be required for the transaction of business. A majority of the current Council membership shall constitute a quorum.

A majority of the Council members present at the meeting at which a vote is taken is required to carry a motion.

Except for elections, voting by a show of hands is acceptable unless a Council member requests a roll call vote be taken.

A member cannot vote on service priority issues in which the potential exists for her/his agency or organization to directly benefit, in the form of funds received, because of the vote. Additionally a member must declare a conflict of interest prior to any discussion of an issue.

Records shall be kept of action and roll call votes.

## **Article XII - Meetings**

Regular Council meetings shall be held at a minimum once per quarter of the fiscal year commencing in July. Committees shall meet at least once quarterly. Meeting dates shall be set at the annual organizational meeting of each year.

Written notice of the meeting shall be sent via the mail at least one week prior to the meeting date.

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All meetings shall be open to the public and held in accordance with the Ralph M. Brown Act, Government Code Sec. 54950.

Meetings will be governed by rules adopted by the Council at each annual organizational meeting held each year.

An interim schedule of meetings and rules governing those meetings shall be adopted at such time a newly constituted Council is enacted prior to the organizational meeting.

### **Article XIII- Attendance**

Members must attend at least 75% of all Council meetings. Members must also attend 75% of all committee meetings of which they are a member. Attendance is based upon a fiscal year (July 1 – June 30). Approved absences include: work related issues, medical leave and family emergencies. Failure to attend meetings or notify the Council Coordinator of an approved absence may result in the Executive Committee declaring the position open for appointment. The Executive Committee will then notify the appropriate Board to appoint a new member to fill the remaining term of the said member.

### **Article XIV- Staffing**

Under AB 1542 Chapter 270 Section 8499.5 the Council is authorized to select a staff, which is hereby defined as a vendor. The vendor shall be evaluated in January of each year. The vendor selected by the Council must be independent from the Sacramento County Board of Supervisors and the Sacramento County Board of Education.

The Council will develop, review, and approve a budget and a work plan each year. An annual budget and quarterly reports from the vendor shall be presented at the annual organizational meeting held each year.

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

These by-laws may be amended or repealed and new by-laws adopted by a two-thirds vote of the members at any regular or special meeting, subject to quorum and subject to the amendment being submitted in writing at the previous regular meeting.