



Contra Costa County Local Planning Council for Child Care and Development (LPC) Bylaws

ARTICLE I

Name

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

ARTICLE II

Authority

The LPC was formed on March 24, 1998, by the Contra Costa County Board of Supervisors and the Contra Costa County Superintendent of Schools. This was done in accordance with the state law established by Assembly Bill 1542 that required the formation of county level child care planning councils.

ARTICLE III

Statement of Purpose

The LPC complies with California CalWORKs legislation AB1542 (Ed code Sections 8499.3 and 8499.5) and serves as a forum to address the child care needs of all families and all child care programs, both subsidized and non-subsidized in Contra Costa County.

LPC Purpose and Duties:

The LPC's primary responsibilities are:

Advise the County Board of Supervisors and County Superintendent of Schools on child care program and policy development issues:

- a)** Develop priorities for child care funding from the California Department of Education, Child Development Division (CDD) when appropriate and requested.
- b)** Develop a comprehensive countywide plan for child care, and;

To comply with California law, the Council shall fulfill the following duties:

- 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:

ARTICLE III

Statement of Purpose

continued

- 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 CDD and California Department of Social Services (CDSS)
 - d.** The needs for child care for children who have been abused or neglected or are at risk of abuse or neglect as determined by CPS.
 - e.** The number of children receiving public assistance
 - f.** Family income among families with pre-school 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 age of children needing services
 - l.** Any other factors 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 the countywide child development plan. 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, the State/Local Children and Families (Proposition 10) Commission, 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/eligibility lists.
- 8.** Coordinate part-day programs, including State Preschool and Head Start, with other child care to provide full-day child care, as appropriate.
- 9.** Submit the results of the needs assessment and the local priorities identified by the Council to the County Board of Supervisors (CBS) and County Superintendent of Schools (CSS) for approval before submitting them to CDD.
- 10.** Review and comment on proposals submitted to the CDE that concern child care to be provided within Contra Costa County.

ARTICLE III

Statement of Purpose

continued

- 11.** Identify at least one, but no more than two, members of the Council to serve as part of the CDE team that reviews and scores proposals for child care services funded through the CDE. Council representatives shall not review and score proposals from Contra Costa County.
- 12.** Develop and implement a training plan to provide increased efficiency, productivity, and facilitation of Council meetings
- 13.** Provide consultation to CDE and CDSS regarding the development of a single application and intake form for all federal and state subsidized child care and development programs.

ARTICLE IV

Membership

Membership consists of 25 active members, as amended by the LPC on September 24, 2002, and appointed jointly by the Contra Costa County Board of Supervisors and the Contra Costa County Superintendent of Schools as mandated by Assembly Bill 1542 legislation. Members appointed by the County Board of Supervisors and the County Superintendent of Schools shall be responsible for making decisions in regards to LPC functions and activities as stipulated in the Education Code Section 8499.3 and 8499.5. LPC members also have voting rights concerning LPC business and policy development and recommendations.

In order to ensure compliance with State of California Regulations (Education Code Sections 8499.3 and 8499.5) every effort must be made to ensure that the membership of the LPC is diverse and that it is representative of the ethnic, racial, and geographic composition of Contra Costa County population. In the effort to promote inclusiveness of the diverse population in Contra Costa County, the LPC will invite participation in the work of Council Working Committees from the general public and members of appropriate professions. Members of the public participating in committee work do not have voting or decision making rights.

Membership is open to all Contra Costa County residents or persons employed in Contra Costa County who wish to participate and that also meet membership requirements under Article V - Terms of Membership.

ARTICLE V

Terms of Membership

The initial term for LPC members shall be drawn by lot for one, two or three years. All following terms shall be for three years. Replacements shall be appointed by the Board of Supervisors and the Contra Costa County Superintendent of Schools to complete un-

ARTICLE V

Terms of Membership

continued

expired terms. As required by California law, LPC membership is as follows: Twenty percent of the membership shall be consumers. Twenty percent of the membership shall be child care providers, reflective of the range of child care providers in the county. Twenty percent of the membership shall be public agency representatives. Twenty percent of the membership shall be community representatives (who shall not be child care providers or agencies that contract with the Department of Education to provide child care and development services). The remaining 20 percent shall be appointed at the discretion of the appointing agencies.

ARTICLE VI

Meetings

The LPC shall hold six (6) meetings at the regularly designated time and place. Meetings will be held in January, March, May, July, September, and November. The LPC Chair may change the meeting date at the discretion of the members and in consideration of official holidays that may impact member participation.

All meetings shall comply with the Contra Costa County Better Governance Ordinance and the Brown Act.

ARTICLE VII

Attendance

In order to have a quorum to conduct business, all members of the LPC shall be present at the appointed hour for each meeting of the LPC. No person may accrue more than two (2) unexcused absences in a fiscal year. The absentee must notify the LPC Coordinator or the LPC Secretary in advance of the meeting. Granting an excused absence is at the discretion of the Chair of the LPC. Excused absences include personal illness, jury duty, attending business on behalf of the LPC, work related business or due to a hardship deemed acceptable by the Executive Committee - illness of immediate family member, personal emergency.

Those accruing three (3) unexcused absences will be notified their appointment is terminated.

ARTICLE VIII

Resignation

Any member may resign by giving written notice to the LPC Chair or Coordinator. The Chair shall report such resignation to the Council.

ARTICLE IX

Vacancies

The Coordinator of the LPC shall notify (on behalf of the Chair) the Board of Supervisors and the County Superintendent of Schools when a position becomes vacant. A notice of vacancy will be publicized pursuant to the "Maddy Local Appointive List Act of 1975".

Subject to the consent of the Board of Supervisors and the County Superintendent of Schools, members of the LPC may assist with the solicitation and/or review of nominations received and may make recommendations to the Board of Supervisors and County Superintendent of Schools, who will then make the appointment. A list of persons interested in being nominated to the LPC shall be kept as a pool for future appointments.

ARTICLE X

Officers and Duties

The officers of the LPC shall consist of a Chair, a First Vice Chair and a Second Vice Chair. The initial officers were selected by majority vote from the membership present at the August 1998 meeting.

Subsequently, officers will be elected to a one-year term in May and shall hold office for one fiscal year. Voting shall take place at the May meeting. The officers shall take office at the July meeting.

An officer shall serve no more than three (3) consecutive terms in any one position.

Should the office of the Chair become vacant, due to the resignation or incapacity of the incumbent, the First Vice Chair shall temporarily assume the office. The Second Vice Chair shall fill the office of the First Vice Chair until the elected First Vice Chair returns. If the Chair or either Vice Chairs has resigned, a special nominating committee shall be appointed, which shall meet and present a slate of nominees to the LPC for the vacant office(s) at the next regular LPC meeting to fill the un-expired term of the vacated office(s). The vacancy(ies) shall be filled by majority vote.

It shall be the duty of the Chair to:

- 1.** Preside at all meetings of the Council.
- 2.** Call special meetings.
- 3.** Appoint the Chairperson(s) of Council committees and work groups.
- 4.** Serve as an ex-officio* officer of all committees.
** Persons who are members by virtue of some other office or position that they hold.*
- 5.** Work with the staff of the Council to prepare an agenda for each meeting
- 6.** See that members of the public have an opportunity to speak on agenda items at the appropriate time.

ARTICLE X

Officers and Duties

continued

- 7.** Represent the Council at appropriate functions and events.
- 8.** Perform all other duties necessary or incidental to the office.

It shall be the duty of the Vice Chairs to chair one committee, assist with the agenda, and assume the duties of the Chair in his or her temporary absence.

ARTICLE XI

Executive Committee

An Executive Committee shall consist of all officers (the Planning Council Chair, First Vice Chair and Second Vice Chair), and all Working Committee Chairs. The LPC Coordinator shall also be a member of the Executive Committee. If the LPC Chair or any of the Vice Chair deems it necessary to act on a matter before the next regularly scheduled Council board meeting, the Executive Committee shall have the authority to conduct the business of the LPC. The LPC Chair may request the Executive Committee to take action. Such Executive Committee actions shall be subject to the review and ratification of the majority of LPC members present at the next regularly scheduled Council meeting.

The duties of the Executive Committee are to provide leadership, monitor fiscal solvency, accountability and policy recommendations to the Council, and to perform other duties as specified in these bylaws. The Executive Committee shall review the scope of work and purpose of committees and workgroups at least annually and shall make recommendations to the Council Chair regarding their continuation or elimination. Committees shall meet at the call of the Committee Chair.

Executive Committee members present and participating in any publicly noticed Executive Committee meeting, but no less than three (3), shall constitute its quorum.

ARTICLE XII

Committees

Committees or Work Groups shall be designated on a fiscal year by the Chair to conduct research and formulate recommendations on specific focus areas. The LPC shall have working committees, ad hoc committees or sub-committee/work groups to address special issues or requirements of the LPC. Working Committees will be defined by the

ARTICLE XII

Committees

continued

Chair at the July LPC board meeting. Members will sign up for at least one committee per fiscal year as stipulated in the LPC member responsibility form.

Working Committees shall meet at least quarterly and will follow The Brown Act requirements regarding the posting of meeting location, time and agenda. Ad hoc committees will be convened as needed. In accordance with The Brown Act, all meetings must abide by the non-discriminatory facilities regulations (Chapter V, § 54953.2 and §54961); meetings may not be conducted in a facility that excludes persons on the basis of race, religion, color, national origin, ancestry or sex or that is inaccessible to disabled persons or where members of the public may not be present without making a payment or purchase.

Working Committees, Ad hoc Committees and Work Groups will be time limited and invite the involvement of members of appropriate professions and the general public. A Chair will be elected for and by each Committee and appointed by the Planning Council Chair. The Chair of each Committee is also a member of the Executive Committee.

ARTICLE XIII

Nominating Committee

The outgoing Chair will appoint a Nominating Committee at the January meeting to provide adequate time for the Nominating Committee to meet and select nominees to put forth for Chair and Vice Chairs.

A Nominating Committee shall meet, solicit and select nominees for the Chair and the Vice Chair positions. The Nominating Committee will present a slate to the LPC prior to voting at the May meeting. Additional nominations may be presented from the floor at that time.

ARTICLE XIV

Quorum

A quorum for the transaction of official business shall consist of a majority of the currently appointed LPC members.

ARTICLE XV

Reimbursement Costs

LPC members shall serve without compensation; except for the reimbursement of approved actual and necessary and reasonable travel and child care costs, providing funds are available. Receipts for expenditures shall accompany all bills.

ARTICLE XVI

Voting

Each member must be present to vote. No proxies shall be accepted. Germane correspondence from an excused absent member may be read and considered a part of discussion.

ARTICLE XVII

Conflict of Interest

No member of the LPC shall participate in a vote if he or she has a proprietary interest in the outcome. Prior to discussion of any item, proprietary interest shall be disclosed. All members will be subject to state and federal laws pertaining to conflict of interest.

ARTICLE XVIII

Parliamentarian Authority

The rules contained in the current edition of "Roberts Rules of Order - Newly Revised" shall govern the LPC in all cases to which they are applicable and in which they are not inconsistent with these Bylaws or the Contra Costa Better Governance Ordinance or the Brown Act.

ARTICLE XIX

Amendment of Bylaws

These Bylaws may be amended or repealed, and new Bylaws adopted at any regular meeting. Notification of such action shall be communicated to the County Board of Supervisors and the County Superintendent of Schools.

Proposed Bylaws, amendments or Bylaws to be repealed must be given in writing to the LPC members one week prior to the meeting where the vote will be taken.

A vote of two thirds (2/3) of the members present at that meeting shall change or amend these Bylaws.