

ALAMEDA COUNTY ~~EARLY CARE AND EDUCATION CHILD CARE~~ PLANNING COUNCIL  
BYLAWS

~~Approved-Submitted for Approval~~ by Planning Council Steering Committee ~~Approval May 21,~~  
~~2010~~ September 18, 2015  
Submitted for Approval to the Board of Supervisors and County Superintendent of Schools  
~~August-September, 2010~~ 2015  
Previous revisions made in 2003, 2004, 2005, ~~and~~ 2008

ARTICLE I

**STATEMENT OF PURPOSE**

The ~~Early Care and Education Child Care~~ Planning Council 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 in **all** child care programs, both subsidized and nonsubsidized, in Alameda County.

The Council's major responsibilities are the following (assuming adequate levels of funding and staffing): 1) provide a forum for the recommendation of local priorities for child care funding and the development of policies to meet the needs identified within those priorities when appropriate and requested; and 2) advise the County Board of Supervisors (CBS) and County Superintendent of Schools (CSS) on child care program and policy issues.

**FUNCTIONS**

In compliance with California law, the Council shall:

1. By May 30 of each year, upon approval by the County Board of Supervisors and the County Superintendent of Schools, shall submit to the California Department of Education (CDE) the local priorities it has identified that reflect all child care needs in the County. To accomplish this, the Planning Council shall do the following:
2. Conduct an assessment of child care needs at least once every five years. CDE shall prescribe and define 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 Planning Council in order to obtain an accurate picture of the comprehensive child care needs in the County. The factors shall include, but not be limited to, 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 CDE and California Department of Social Services (CDSS)
  - d. 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
  - e. The number of children in families receiving public assistance, including food stamps, housing support, and MediCal, and assistance from the Healthy Families Program and the Temporary Assistance to Needy Families (TANF) program
  - f. Family income of families with infant, pre-school or school-age children

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- g. The number of children who have been determined by the Regional Center of the East Bay or 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
  - h. Breakdown of the number of children by primary language pursuant to CDE's language survey and the number of children by identifiable cultural backgrounds
  - i. Special needs based on geographic considerations, including rural areas
  - j. The number of children needing child care services by age cohort.
  - k. Growth needs
  - l. Funding sources
  - m. Any other factor deemed appropriate by the Council.
3. Document information gathered during the needs assessment that 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.
  4. 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.
  5. Prepare a comprehensive County-wide child care plan designed to mobilize public and private resources to address identified needs.
  6. Conduct a periodic review of child care programs funded by the CDE, CDSS and associated federal funding sources to determine if identified priorities are being met, including funding, staffing and quality issues.
  7. Collaborate with subsidized and nonsubsidized child care providers, County welfare and human service agencies, job training programs, employers, integrated child and family service councils, the local and state children and families commissions, parent organizations, Early Start family resource centers, local child care resource and referral programs and other interested parties to foster partnerships designed to meet local child care needs.
  8. Design a system to consolidate local child care waiting lists.
  9. Facilitate the coordination of part-day programs, including State Preschool and Head Start, with other child care and development services to provide full-day child care.
  10. Submit the results of the needs assessment and the identified local priorities to the County Board of Supervisors (CBS) and County Superintendent of Schools (CSS) for approval before submitting them to CDD.
  11. Review and comment on policies and procedures submitted to the CDD that concern child care to be provided within Alameda County. These comments shall in no way be binding on the CDD in determination of programs to be funded.

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12. 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 services funded through the CDD. Council representative shall not review and score proposals from Alameda County.
13. Develop and implement a training plan to provide increased efficiency, productivity, and facilitation of Council meetings.

### ARTICLE II

#### COMPOSITION OF THE COUNCIL

To comply with mandates of AB 1542 and to maintain an inclusive participation from the diverse communities in Alameda County, the Council has a **General Membership** and an appointed **Steering Committee**.

**General Membership** is open to all Alameda County residents and persons employed in Alameda County who are supportive of, and work for, the betterment of child care in Alameda County. General membership is indicated by attendance at Planning Council meetings, Council committee participation, or support of Planning Council activities through volunteer work or contributions of goods or services. General members do not vote on business or policy items. They participate in recruiting and selecting nominees for the Steering Committee, and directing the focus of Planning Council activities.

**Steering Committee** members are appointed by the County Board of Supervisors and/or County Superintendent of Schools and exercise decision-making responsibility for Planning Council functions as described in AB 1542, as well as hold voting rights on all Council business and policy recommendations. The Steering Committee is composed of ~~35-25~~ members, from the categories listed below. In addition, two ex-officio members, one appointed by the Superintendent of Schools and the second appointed by the Board of Supervisors, will serve on the Steering Committee in a non-voting capacity. **Every effort is made to ensure that membership reflects the racial, ethnic, and geographic population of the County. Every effort is made to ensure that categories include representation from groups that serve families and children with disabilities and other special needs.**

A) **20% Consumers** (~~7-5~~ parents or adults responsible for children who are in child care)

B) **20% Child Care Providers** (1 from each of the following areas):

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

C) **20% Public Agency Representatives**

**Suggested groups to be represented:**

- County Social Services Agency
- City Government
- Community Development Agency (County Planning)

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- County Office of Education
- Parks and Recreation
- Colleges/Universities
- Community Care Licensing
- County Health Agency
- County Children and Families Commission

### D) 20% Community Representatives:

Seven individuals who are not direct child care providers ~~or CDD contractors~~, but are from an agency or business that provides private funding for child care services, or persons who advocate for child care services through participation in civic or community based organizations.

#### Suggested groups to be represented:

- \* Resource and Referral (required)
- \* Child Care Alternative Payment (AP) Programs (required)
- \* Business and Chambers of Commerce
- \* Healthy Start
- \* League of Women Voters
- \* United Way
- \* Foundations
- \* Labor organizations
- \* Service organizations (Kiwanis, Rotary Club)
- \* Ethnic organizations (Urban League, Asian Cultural Center, etc.)
- \* Faith-based organizations
- \* Interested citizens

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### E) 20% (7-5 total) at Discretion of the County Board of Supervisors and County Superintendent of Schools:

#### Suggested groups to be represented:

- \* Family support organizations
- \* Early childhood professional associations/ Child development experts
- \* Non-governmental social and health services agencies
- \* Economic development specialists
- \* Child care providers including public and private centers, license exempt providers, family child care, Head Start, and Alternative Payment Programs
- \* Child Care Resource and Referral Agencies

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### TERMS OF APPOINTMENTS

A term for Steering Committee Membership is three years from appointment date, except that at the first meeting of the Council following the adoption of these by-laws and appointment of Steering Committee members, the Steering Committee shall by lot chose half of their number to serve an initial two-year term. All Steering Committee members thereafter shall serve a three-year term as provided above. No Steering Committee member shall serve more than two consecutive terms. There is no limit on the number of terms that can be served.

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As required by California law, fifty percent ~~(3) (2)~~ of the members ~~in each category~~ must be appointed by the County Board of Supervisors and 50% ~~(3) (2)~~ by the Superintendent of Schools. The ~~seventh~~ ~~fifth appointee in each category~~ ~~remaining five (5) appointees~~ must be agreed upon the Board of Supervisors and Superintendent of Schools.

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Prior to term openings, the Executive Committee will select and recommend to the full Planning Council Steering Committee nominees for open categories. **The full Steering Committee shall then vote on nominees to forward to the Board of Supervisors and County Superintendent of Schools for appointment to the Steering Committee.**

The Council shall comply with the system for new appointments, resignations, and replacements specified by the Alameda County Board of Supervisors and County Superintendent of Schools.

**\*SEE PROCEDURES FOR RECRUITMENT, SCREENING AND SELECTION OF NOMINEES FOR STEERING COMMITTEE CANDIDATES, 2/20/98**

### ARTICLE III

#### OFFICERS

The Chair Elect shall first serve a two year term as the Chair Elect, immediately followed by a two year term as the Chair. Terms of office shall be for two years beginning July 1<sup>st</sup> of each year. An officer shall serve no more than two consecutive terms. Notwithstanding any other provision herein, the current Chair and Chair Elect shall always serve as members of the Steering Committee. There is no limit on the number of terms that can be served. The out-going Chair will appoint a Nominating Committee to provide adequate time for the Nominating Committee to meet and select nominees to put forth as candidates for Chair Elect at the meeting immediately prior to the July meeting.

Should the office of the Chairperson become vacant, due to the resignation of the incumbent, the Chair Elect shall temporarily assume the office. He or she shall immediately appoint a Nominating Committee that shall meet and report to the next regularly scheduled Council meeting on its nominees to fill the expired term of the vacated office. The vacancy will be filled by a majority vote. The same procedure shall apply if the office of Chair Elect is vacated.

### ARTICLE IV

#### DUTIES OF OFFICERS

The duties of the Chairperson shall be:

1. To preside at all meetings of the Council.
2. To call special meetings.
3. To appoint the Chairperson(s) of Council committees and work groups.
4. To serve as an ex-officio officer of all committees.
5. To work with the staff of the Council to prepare an agenda for each meeting.
6. To see that members of the public have an opportunity to speak on agenda items at the appropriate time.
7. To represent the Council at appropriate functions and events.

## **ALAMEDA COUNTY CHILD CARE PLANNING COUNCIL BYLAWS**

8. To perform all other duties necessary or incidental to the office.

In the absence of the Chairperson, or upon his or her inability to act, the Chair Elect shall take his or her place and perform the duties. Upon the absence or inability of both the Chairperson and Chair Elect to perform the duties of office, the remaining Council members shall appoint a member to act temporarily as Chairperson.

### **ARTICLE V**

#### **CONFLICT OF INTEREST**

No member of the Steering Committee shall participate in a vote if he or she has a proprietary interest in the outcome of the matter being voted upon.

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

### **ARTICLE VI**

#### **ORDER OF BUSINESS (MEETINGS)**

The order of business, ordinarily, shall be as follows:

1. Roll Call of Steering Committee
2. Public Input/Announcements
3. Consent Calendar/Approval of Minutes
4. Planning Council Business
5. Communications and Correspondence
6. Committee Reports

Time will be allotted at each meeting for General Membership and public input/announcements. Each person addressing the Council shall identify himself/herself by name, address and (if any) the organization represented. Council members wishing to present speakers at meetings should consult with staff at least 24 hours before establishing the Agenda.

### **ARTICLE VII**

#### **VOTING REQUIREMENTS AND PROCEDURES**

Steering Committee members must be present in person at meetings in order to vote and no proxies are to be recognized. However, correspondence germane to the Agenda from absent members may be read and considered as part of the discussion.

### **ARTICLE VIII**

#### **REGULAR MEETING OF THE COUNCIL**

The Planning Council meeting calendar will be set on an annual basis and approved by the Planning Council Steering Committee, including meeting places and times. The Council shall hold regular meetings at least bimonthly at a regularly designated place.

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### ARTICLE IX

#### TEMPORARY MEETING PLACES – EMERGENCY

In case of an emergency, the Council, by resolution, shall designate an alternate place to meet temporarily, specifying the time.

### ARTICLE X

#### AGENDA AND MINUTES OF MEETINGS

The Agenda of each meeting of the Council shall be delivered personally, by mail or by electronic mail to the members of the Steering Committee at least 72 hours before the time of the meeting.

A copy of the minutes of the previous meeting of the Council will endeavor to be delivered personally, by mail or by electronic mail as soon as possible or no later than 72 hours before the next meeting to each member of the Steering Committee, and shall be made available to the public at the next meeting.

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

### ARTICLE XI

#### ATTENDANCE AT MEETINGS

Steering Committee members shall be present at the hour appointed for each regular, special or recessed meeting of the Council. No person may be absent for more than two consecutive mandatory Council meetings. The Board of Supervisors and the County Superintendent of Schools shall be advised of such absences so that Steering Committee Members' standing may be reconsidered.

Stipends: The Child Care Planning Council reimburses Steering Committee parent representatives (only if not offered on-site) for costs incurred for child care not to exceed \$40.00 per meeting, and for substitutes for Steering Committee members who are licensed family child care providers or center-based teachers not to exceed \$40.00 per meeting for mandatory Council meetings and for committee and/or work group attendance. In no instance will Steering Committee members be compensated for their time. Requests for all reimbursements must be submitted in writing with receipts to staff.

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### ARTICLE XII

#### QUORUM

A quorum for the transaction of official business shall consist of a majority of the currently appointed Steering Committee, or for Executive Committee meetings, a majority of the Executive Committee members.

### ARTICLE XIII

#### COMMITTEES/TASK FORCES

Committees shall be organized by the Chair to conduct research and formulate recommendations to the Steering Committee on specific focus areas. Committees will be time limited and invite the involvement of General Members, members of appropriate professions, and the general public. Co-Chairs will be elected for and by each

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Committee and appointed by the Planning Council Chair. Co-Chairs of each are also members of the Executive Committee.

The Executive Committee shall be composed of the Chair, the Chair Elect, and the Chairs of all committees. The Executive Committee will strive to have at least one representative from each of the five categories of the Steering Committee.

The duties of the Executive Committee are to provide leadership, financial accountability and policy recommendations to the Council, and to perform other duties as specified in these bylaws. The Executive Committee ensures the Council is in compliance with its mandates. The Executive Committee shall have the authority to conduct the business of the Council between meetings of the membership. The Executive Committee shall be subject to the directives of the Council and none of its acts shall conflict with the action taken by the Council.

The Executive Committee shall review the scope and purpose of committees at least annually and shall make recommendations to the Council regarding their continuation or elimination. Committees shall meet at the call of the Committee Co-Chairs.

Task forces shall be organized by the Committee Co-Chairs and shall be time-limited and restricted in their area of focus. A facilitator will be elected for and by each task force and appointed by Committee Co-Chairs. Task forces will report regularly to the Committee to which they are assigned.

All standing Committee and task force meetings of the Planning Council shall be advertised and conducted in accordance with the Ralph M. Brown Act, Government Code Sec. 54950.

**\*SEE COMMITTEE STRUCTURE MOST RECENTLY ADOPTED BY STEERING COMMITTEE**

### ARTICLE XIV

#### **PARLIAMENTARY RULES**

On any question or point of order not contained in these rules and regulations, the Council shall be governed in its parliamentary actions by Roberts' Rules of Order.

### ARTICLE XV

#### **CHANGES TO AND SUSPENSION OF BYLAWS**

Changes/suspension to the Bylaws shall be by motion and shall require an affirmative recorded vote of a majority of the members of the Council. When adopted, such changes/suspensions shall be recommended to the Alameda County Board of Supervisors and County Superintendent of Schools for their review and shall become effective upon approval.

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