



**BYLAWS
of the
Monterey County Child Care Planning Council**

Article I – Name

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

Article II – Authority

~~The Council was formed and bylaws were first approved by the Monterey County Board of Supervisors, referred to hereafter as the "Board," on June 18, 1991. The Board approved amendments to the bylaws on November 25, 1997, on April 3, 2001, and on December 5, 2006. Through the passage of AB2141 and Ed. Code sections 8499.3 and 8499.5 (1991), the primary mission of the Local Planning Council (LPC) is to plan for child care and development services based on the needs of families in the local community. Through collaborative efforts with other individuals and organizations interested in the welfare of families, LPCs should also support the existing child care infrastructure by coordinating local services. As a result of planning, collaboration, and support for the child care systems that currently exist, the LPCs plan and determine local priorities for new state and federal funds. To be fully effective, councils are highly encouraged to strengthen their partnerships with both public and private organizations in each county. By forming strong community partnerships, each group involved becomes empowered to share its ideas and concerns during the local planning process.~~

Article III – Definitions

- A. "Child care" means all child care and development services, including private for-profit programs, nonprofit programs, and publicly funded programs, for all children up to and including 13 12 years of age, including children with special needs and children from all linguistic and cultural backgrounds.
- B. "Child care provider" means a person who provides child care services or represents persons who provider child care services.
- C. "Community representative" means 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 who 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.

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D. "Consumer" means a parent or person who receives child care, or who has received it within the past 36 months.

E. "Public agency representative" means a person who represents a city, county, city and county, or local education agency.

F. "Public member" means any person who is a resident of the Monterey County served by the ~~Monterey County Child Care Planning Council~~.

Article IV – Mission Statement

The mission of the Monterey County Child Care Planning Council is to ~~promote high quality, child care supported by a partnership of public and private resources. create a comprehensive, integrated child care delivery system that offers safe, high quality, culturally sensitive, affordable child care to Monterey County families who need it; that allows parental choice; and that is supported by a partnership of public and private resources.~~

Article V – Duties and Functions

A. The Council provides a forum for child care issues by:

1. Identifying priorities for child care in Monterey County;
2. Recognizing child development needs in Monterey County for state and federal funding allocations;
3. Developing policies to meet the needs identified within those priorities consistent with State mandates.

B. The Council complies with requirements outlined in State law that correspond with the Education Code, Section 8499.5, and the annual contract for local child care and development ~~Planning Council Services~~ awarded by the California Department of Education. Duties include but are not limited to the following:

1. Elect a chair and select staff;
2. Conduct an assessment of child care needs in the county no less than once every five years;
3. Document information gathered during the needs assessment ~~which~~ that shall include, but need not be limited to, data on supply, demand, cost, and market rates for each category of child care in Monterey County;



4. Submit the results of the needs assessment and the local priorities identified to the Monterey County Board of Supervisors, Monterey County Superintendent of Schools, and the California Department of Education;

5. Encourage public input in the development of priorities, and assure a minimum of at least one public hearing during which members of the public can comment on the proposed priorities;
6. Prepare a comprehensive countywide child care plan designed to mobilize public and private resources to address identified needs;
7. Conduct a periodic review of child care programs funded by State departments to determine if identified priorities are being met;
8. Collaborate with agencies, organizations, and individuals to foster partnerships designed to meet local child care needs;
9. Design a system to consolidate local child care waiting lists;
10. Coordinate part-day child care programs to provide full-day care;
11. Review and comment on proposals requesting State funding for child care programs within Monterey County;
12. Provide Council members when requested by the State Department of Education to serve on a team to review and score proposals developed outside of Monterey County requesting funding for child care programs;
13. Provide and support leadership training to the Council;
14. Provide consultation when requested by State departments regarding the development of a single application and intake form for all publicly subsidized child care and development services.

Article VI – Membership

- A. A maximum of ~~30~~ 20 members shall be nominated to the Council from specific categories as listed in Section B below. The Monterey County Board of Supervisors and the Monterey County Superintendent of Schools shall each ~~approve the members in each of the categories listed below.~~ appoint one-half of the members.
- B. The Council shall be comprised as follows:
 1. Twenty percent of the membership shall be consumers who are parents or persons who receive, or who have received within the past 36 months, child care services.

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2. Twenty percent of the membership shall be child care providers who represent the diversity of the types of diverse child care providers.
 3. Twenty percent of the membership shall be public agency representatives from organizations serving Monterey County.
 4. Twenty percent of the membership shall be community representatives, ~~who shall not be~~ who are not child care providers or agencies that contract with the Department of Education to provide child care and development services.
 5. The remaining twenty percent shall be public members appointed at the discretion of the appointing agencies.
- C. Every effort shall be made to ensure that the ethnic, racial, and geographic composition of the Council is reflective of the ethnic, racial, and geographic distribution of the population of the County.

~~The members of the Council shall serve a term of two years that begin on January 1. One half of the members shall be appointed in even numbered years and one half in odd numbered years to ensure continuity to the Council. The service term of Council members shall be three years commencing July 1st of each year. Members may serve up to three two consecutive terms but must be re-nominated, re-approved and re-appointed. Members who have served three two consecutive terms must remain off the Council for one term year and then may be re-appointed. at the end of each term. There may be some exceptions to this three consecutive terms "two consecutive terms" limit, but will require a full majority Council vote.~~

- D. Attendance is expected of all Council members. Records of attendance shall be kept and reported at each meeting. ~~After unexcused absences from two (2) consecutive Council meetings, or more than three (3) unexcused absences of the Council in a given year from the date of the member's appointment, a member's seat shall be considered vacant. A member who is unable to attend a regularly scheduled meeting may send a designated alternate after notifying the Chair or the Chair's representative. A member shall not be considered absent if an alternate attends in her/his place. An "unexcused absence" occurs when a member is absent from a regularly scheduled meeting and fails to notify the Chair or the Chair's representative in advance of the absence. When the Council meets no more than eight times during the fiscal year, a member is allowed two absences from regular Council meetings in that fiscal year. When the Council meets nine times or more during a fiscal year, a member is allowed three absences from regular Council meetings. If a member exceeds these absences, his or her seat shall be considered vacant. Members may send alternates to receive information in their place. However, the alternate shall have no voting power and the member will still be considered absent.~~

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E. If a member represents a particular function or organization listed under Council membership categories and the representative changes, his/her individual replacement shall be designated by the Council to complete the term of membership.

Article VII – Development of Local Priorities

Upon approval of the Monterey County Superintendent of Schools and the Monterey County Board of Supervisors, the Council shall identify ~~the~~ County priorities for ~~€~~child care in a manner that ensures that all child care needs in the County are met to the greatest extent possible, and shall follow the directives set forth in Section 8499.5 of the California Education Code and ~~in the California Department of Education annual allocation and contract with the County of Monterey for Local Child Care Planning, and Development~~

Councils: the requirements specified in the Local Child Care and Development Planning Council Program contract.

Article VIII – Officers and Duties

- A. Officers elected by the Council shall be the Chair, ~~Vice-Chair, Vice-Chair/Past-Chair,~~ 1st Vice-Chair, 2nd Vice-Chair, Member-at-Large, and Secretary, and shall each serve a two-year term, beginning ~~in January~~ on July 1st of each even-numbered year.
- B. Vacancy of Office: If an office becomes vacant, the Executive Committee may fill the office by appointment with the approval of the Membership for the remainder of the term of the vacated position.
- C. Removal of Officer: A Council officer may be removed from office by two-thirds vote of Council members present at a regular or special meeting.
- D. The Chair shall:
 - 1. Preside over all regular meetings;
 - 2. Appoint members to committees other than the Executive Committee and Nominating/Membership Committee;
 - 3. Act as an ex-officio member on all committees except the Nominating/Membership Committee;
 - 4. Represent the Council or designate a representative at public functions;
 - 5. Provide annual reports to the Monterey County Board of Supervisors and the Monterey County Superintendent of Schools, as requested and/or needed.

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- E. A Vice-Chair shall assume the duties of the Chair when the Chair is absent or unable to perform the duties of the Chair, and A Vice-Chair shall also serve as Chair of the Nominating Committee, which is charged with preparing an annual slate of officers and proposing candidates for membership.
- F. The Secretary and/or staff shall be responsible for recording and transcribing all minutes of meetings and maintaining all other records and communications of the Council. The Secretary and/or staff will be responsible for maintaining correspondence, calendar scheduling Council meetings and activities, and for giving notice of all meetings in a timely manner.

Article IX – Committees and Duties

A. The Executive committee shall be composed of the following:

- Chair
- 1st Vice-Chair
- 2nd Vice-Chair/Past Chair
- Member-at-Large
- Secretary
- Child Care Planning Council Coordinator (non-voting)

~~B. The duties of the Executive Committee are to provide leadership, financial accountability, and policy recommendations to the Council, to develop agenda of meetings of the members, and to perform other duties as specified in these bylaws. The Executive Committee shall have the authority to conduct the business of the Council between meetings of the membership.~~

B. The duties and responsibilities of the Executive Committee are to:

1. Provide leadership, financial accountability, and policy recommendations to the Council;
2. Develop meeting agendas;
3. Conduct the business of the Council between meetings of the membership;
4. Perform other duties as specified in these bylaws.

The Executive Committee shall be subject to the directives of the Council, and none of its acts shall conflict with action taken by the Council. Under the direction of the Council, the County Child Care Planning Council Coordinator shall serve as the fiscal officer.



- C. The Council shall establish the standing committees prior to the beginning of each fiscal year. Meetings of ~~the c~~Committees may be called by the Chair, or by three members of the Executive Committee. Members present shall compose a quorum.
- D. The Nominating/Membership Committee will be chaired by ~~the a~~ Vice-Chair and composed of no less than three ~~(3)~~ Council members elected by the Council.
- E. Additional Council committees shall be appointed on an ad-hoc basis to address child care issues and concerns. The Executive Committee shall review the scope and purpose of these 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 chair. All committees, with the exception of the Executive Committee, may also include persons not on the Council. A chair shall be selected for each committee from the membership of the Council. Council members shall actively serve on at least one committee.
- F. Standing committees of the ~~e~~Council are subject to the notice, agenda, and public participation requirements of the Brown Act (California Government Code sec. 54950 et seq.).

Article X – Elections

- A. The Nominating/Membership Committee shall present ~~the Council with a slate of officers before the start of the calendar year (January).~~ during the regular April meeting of each even-numbered year. Nominations also will be accepted from the floor.
- B. Election of officers shall be held at the next Council meeting following the announcement of the slate of officers. Each officer must be elected by an affirmation vote of a majority of the Council members present at the meeting.

Article XI – Meetings

- A. The Council will convene no less than six times a year to assess needs, identify recommended priorities, implement the Master Plan, and recommend state and federal funding allocations for child care and development services in Monterey County to the Monterey County Superintendent of Schools, the Monterey County Board of Supervisors, and/or any other stakeholders.
- B. Meetings of the Council shall be noticed and held in accordance with the Ralph M. Brown Act, Government Code section 54950 et seq.

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- C. A meeting of the Council may be called by the Chair, by a member of the Executive Committee, or by a majority of the full Council. Written notice of such meetings must be provided to any person who has previously requested notice.
- D. Written notice of Council meetings shall be mailed or otherwise sent to all Council members.

Article XII – Voting Procedures

- A. Each Council member ~~or designated alternate~~ has one vote.
- B. A quorum shall be required for the transaction of business. A majority of the current appointed members with memberships in good standing shall constitute a quorum.
- C. Records shall be kept of actions and votes.
- D. No Council member shall participate in a vote if he/she has a proprietary interest in the outcome of the matter being voted upon.

Article XIII – Council Positions on Legislation

The Council may advise the public of its position on legislation. Council positions on legislation must be approved by a majority of the Council. If the Council wishes to request ~~a County~~ the Supervisors’ or Superintendent’s position on a legislative item, the request

~~shall be submitted to the County Legislative Committee for review for Board of Supervisors approval through the appropriate procedures as directed by the Board of Supervisors or Superintendent’s Office.~~ Positions taken by the Council regarding legislation ~~which that~~ have not been approved by ~~the Board and County Legislative Committee either or both the Supervisors or Superintendent~~ shall indicate that they do not represent the official County policy. ~~The Council may advise the public of its position on legislation.~~

Article XIV – Bylaws

- A. Adoption of Bylaws: These bylaws shall become effective upon approval of the Council, the Monterey County Superintendent of Schools, and the Monterey County Board of Supervisors.
- B. Amendments to the Bylaws: These bylaws may be amended by an affirmative vote of two-thirds of those members present at any meeting, provided the proposed

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amendments have been shared with the membership at least 30 calendar days ~~following the meeting at which the amendment was proposed.~~ prior to the meeting at which a vote on the amendments will take place. All amendments must be approved by the Council, the Monterey County Superintendent of Schools, and the Monterey County Board of Supervisors.

Article XV – Parliamentary Authority

Unless otherwise prescribed in these bylaws, all Council meetings shall be governed by Robert’s Rules of Order, latest revised edition.

Monterey County Superintendent of Schools

Date