

**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

In accordance with state law AB2141 (1991) and AB 1542 (1998), the Council was formed on June 18, 1981 by the Monterey County Board of Supervisors. The Council shall operate as mandated by Education Code 8499.3 and 8499.5.

Article III – Definitions

- A. "Child care" means any publicly or privately funded, for-profit or non-profit service that provides licensed or unlicensed child development to children ages 0-12. Child care services include school- or community-based programs or centers; in-home facilities; and the friends, family, and neighbor network.
- B. "Child care provider" means a person who provides and/or administers child care services or represents such persons.
- 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.
- 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 or county government or education agency.
- F. "Public member" means any person who is a resident of the County served by the Monterey County Child Care Planning Council.

Deleted: Through the passage of AB 2141, 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 services that are locally available. 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. In order to be fully effective, councils are highly encouraged to strengthen the 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.

Deleted: all child care and development services, including private for-profit programs, nonprofit programs, and publicly funded programs, for all children up to and including 12 years of age, including children with special needs and children from all linguistic and cultural backgrounds.

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Article IV – Purpose

The Monterey County Child Care Planning Council's purpose is to promote equitable access to quality child care and support a comprehensive child care delivery system that meets the needs of all children and families in Monterey County by supporting

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legislation, policies, and practices that expand quality of and resources for child care, and provide a forum for stakeholders to connect, learn, and collaborate.

Article V – Duties and Functions

The Council complies with requirements outlined in State law that correspond with the Education Code, Section 8499.5 and the annual contract for Local 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 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. Conduct an assessment of local zip code priorities for subsidized child care no less than once a year;
5. Document information gathered during the assessment of local priorities which shall include, but need not be limited to data on supply of subsidized child care and demand by eligible children in Monterey County;
6. Encourage public input in the development of local priorities, and assure a minimum of at least one public hearing during which the public can comment on the proposed priorities;
7. Submit the results of the needs assessment and the local priorities identified to the Board of Supervisors, Superintendent of Schools, and the California Department of Education;
8. Prepare a comprehensive countywide child care plan designed to mobilize public and private resources to address identified needs;
9. Conduct a periodic review of child care programs funded by State departments to determine if identified priorities are being met;
10. Collaborate with agencies, organizations, and individuals to foster partnerships designed to meet local child care needs;
11. Coordinate part-day child care programs to provide full-day care;
12. Review and comment on proposals requesting State funding for child care programs within Monterey County;
13. Provide Council members when requested by the State Department of Education to serve on a team to review and score proposals outside of Monterey County requesting funding for child care programs;
14. Provide and support leadership training to the Council;

Deleted: The mission of the Monterey County Child Care Planning Council is to 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 is supported by a partnership of public and private resources.

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Deleted: A. –The Council provides a forum for child care issues by:
<#>Identifying priorities for child care in Monterey County;
<#>Recognizing child development needs in Monterey County for state and federal funding allocations;
<#>Developing policies to meet the needs identified within those priorities consistent with State mandates.
B. –

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Moved up [1]: <#>Encourage public input in the development of priorities, and assure a minimum of at least one public hearing during which the public can comment on the proposed priorities;

Deleted: <#>Design a system to consolidate local child care waiting lists;

15. 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. Appointing Authority - The Monterey County Board of Supervisors and the Monterey County Superintendent of Schools shall each appoint one-half of Council members.

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B. Composition - A maximum of 20 members shall be nominated to the Council from specific categories as listed below. The Council shall be comprised as follows:

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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.
2. Twenty percent of the membership shall be child care providers who represent the diversity of the types of 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 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 appointed agencies.

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.

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C. Term - The service term of Council members shall be three years commencing July 1st of each year. At the end of the term, members may reapply. There are no term limits.

Deleted: Members may serve up to two consecutive terms but must be re-nominated, re-approved and re-appointed. Members who have served two consecutive terms must remain off the Council for one year and then may be re-appointed. There may be some exceptions to this "two consecutive terms" limit, but will require a full majority Council vote.

D. Attendance – Members must attend a minimum of 75% of regularly scheduled meetings. Records of attendance at each meeting shall be kept at each meeting. The position of any member who fails without sufficient excuse to be in attendance at two (2) 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. Notice shall be given to the Council Secretary. The sufficiency of any excuse for a failure to attend such meeting(s) shall be determined by the Executive Committee of the Council.

Deleted: is expected of all Council members. Records of attendance shall be kept and reported at each meeting.

Deleted: 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.

E. Alternates - Members may designate an alternate. The alternate shall have no voting power and the member will be considered present.

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- F. Resignation – If an appointed member resigns from the Council, his or her seat must be re-appointed by the appropriate entity in authority, under any qualifying membership category.

Article VII – Officer Nominations, Elections, and Duties

- A. Nominations - The Nominating/Membership Committee shall present the slate of officers during meeting preceding the last meeting of the fiscal year, with exception of the Secretary. Nominations will also be accepted from the floor at that meeting.
- B. Officer Elections - Officers shall be elected by a two-thirds majority of the Council at the last meeting of the fiscal year.
- C. Officers and Terms - shall be the Chair, 1st Vice-Chair, 2nd Vice-Chair, Member-at-Large, and Secretary, and shall each serve a two-year term, beginning July 1st, and staggered so that the Chair and 2nd Vice-Chair are on the same term cycle, starting on even-numbered years, and the 1st Vice Chair and Member-at-Large on the same term cycle, starting with odd-numbered years.
1. The Chair shall: Preside over all Council meetings; Call special or emergency meetings; Appoint members to committees other than the Executive Committee and Nominating/Membership Committee; Act as an ex-officio member on all committees except the Nominating/Membership Committee; Represent the Council or designate a representative at public functions; Provide annual reports to the Monterey County Board of Supervisors and the Monterey County Superintendent of Schools, as requested and/or needed.
 2. 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 shall serve as Chair of the Nominating/Membership Committee, which is charged with preparing an annual slate of officers and proposing candidates for membership.
 3. Under the direction of the Council, the Council Coordinator shall act as Secretary. The Secretary is a non-voting member, and shall be responsible for recording and transcribing all minutes of all official Council meetings and maintaining all other records and communications of the Council. The Secretary and/or staff will be responsible for maintaining correspondence, scheduling Council meetings and activities, and giving notice of all meetings in a timely manner. The Secretary shall also be the fiscal officer.
- D. Term – No member shall serve on the Executive Committee for more than six (6) consecutive years, with exception of the Secretary.
- E. Vacancy of Office – If the Chair becomes vacant, the 1st Vice Chair shall be appointed to the Chair seat. If the 1st Vice Chair becomes vacant, the 2nd Vice Chair shall be appointed to the 1st Vice Chair seat. If the 2nd Vice Chair or any Member-At-Large seat become vacant, the Nominating/Membership Committee shall appoint a member to fulfill the remaining term.

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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.

Deleted: Article VII – Development of Local Priorities

Upon approval of the Monterey County Board of Supervisors and the Monterey County Superintendent of Schools, 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 the Funding Terms and Conditions of the Local Child Care Planning Council Contract.

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F. Removal of Officer. - A Council officer may be removed from office by two-thirds vote of the Council.

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~~Deleted:~~ members present at a regular or special meeting

Article VIII – Committees and Duties

A. Executive Committee - The Executive Committee shall be composed of the following: Chair, 1st Vice-Chair, 2nd Vice-Chair, two Members-at-Large, and Secretary. 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.

B. Standing Committees - The Council shall establish the standing committees prior to the beginning of each fiscal year. Meetings of the committees may be called by the committee chair or by three members of the Executive Committee.

C. Nominating/Membership Committee - The Nominating/Membership Committee will be chaired by a Vice-Chair and composed of no less than three Council members selected by the Council. Its duties include but are not limited to:

1. Designate a slate of Officers for election by membership.
2. Prepare membership nominations for appointment by authorized agencies.

D. Ad-Hoc Committees - Additional Council committees shall be appointed on an ad-hoc basis to address emergent 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.

E. Procedures - Standing committees of the Council are subject to the notice, agenda, and public participation requirements of the Brown Act (California Government Code sec. 54950 et seq.).

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~~<#>The Chair shall:~~
~~<#>Preside over all regular meetings;~~
~~<#>Appoint members to committees other than the Executive Committee and Nominating/Membership Committee;~~
~~<#>Act as an ex-officio member on all committees except the Nominating/Membership Committee;~~
~~<#>Represent the Council or designate a representative at public functions;~~
~~<#>Provide annual reports to the Monterey County Board of Supervisors and the Monterey County Superintendent of Schools, as requested and/or needed;~~
~~<#>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 shall serve as Chair of the Nominating Committee, which is charged with preparing an annual slate of officers and proposing candidates for membership;~~
~~<#>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, scheduling Council meetings and activities, and giving notice of all meetings in a timely manner.~~

Article IX – Committees and Duties

~~<#>The Executive committee shall be composed of the following:~~

~~<#>Chair~~

~~1st Vice-Chair~~

~~2nd Vice-Chair~~

~~Member-at-Large~~

~~Secretary~~

~~Child Care Planning Council Coordinator (non-voting)~~

~~The duties and responsibilities of the Executive Committee are to:~~

~~<#>Provide leadership, financial accountability, and policy recommendations to the Council;~~

~~<#>Develop meeting agendas;~~

~~<#>Conduct the business of the Council between meetings of the membership;~~

~~<#>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 Child Care Planning Council Coordinator shall serve as the fiscal officer.~~

~~Deleted:~~ Members present shall compose a quorum.

Deleted: Article X – Elections

~~<#>The Nominating/Membership Committee shall present the slate of officers during the regular April meeting of each even numbered year. Nominations will be accepted from the floor.~~

~~<#>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.~~

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Article IX – Meetings

- A. Frequency - The Council will convene no less than four times a year.
- B. Procedures - Meetings of the Council shall be noticed and held in accordance with the Ralph M. Brown Act, Government Code section 54950 et seq. A meeting of the Council may be called by the Chair, a member of the Executive Committee, or by a majority of the full Council.
- C. Quorum - Half plus one of all current, appointed members in good standing shall constitute a quorum.

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Article X – Voting Procedures

- A. Each Council member has one vote.
- B. A quorum shall be required for the transaction of all official action items and elections.
- C. Official actions shall be authorized by a majority vote, unless otherwise noted in these bylaws.
- D. Records shall be kept of actions and votes.
- E. No Council member shall participate in a vote if he/she has a proprietary interest or other conflict of interest in the outcome of the matter being voted upon.

Deleted: <#>Written notice of such meetings must be provided to any person who has previously requested notice. <#>Written notice of Council meetings shall be mailed or otherwise sent to all Council members.

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Deleted: A majority of the current appointed members with memberships in good standing shall constitute a quorum.

Article XI – 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 or Office of Education position on a legislative item, the request shall be submitted through the appropriate procedures as directed by the County and/or the Office of Education. Positions taken by the Council regarding legislation that have not been approved by the Board and County Legislative Committee shall indicate that they do not represent the official County policy.

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Article XII – Bylaws

- A. Adoption of Bylaws. These bylaws shall become effective upon approval of the Council, Monterey County Office of Education, and the Monterey County Board of Supervisors.
- B. Amendments to the Bylaws. These bylaws may be amended by an affirmative vote of two-thirds, provided the amendments have been submitted to the membership at least 30 calendar days prior to the meeting at which the amendment is proposed. All amendments must be approved by the Council, the Monterey County Office of Education, and the Monterey County Board of Supervisors.

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Article XIII – Parliamentary Authority

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

Last Amended 5/20/12

Amendments last approved by Council 9/20/18