



LOCAL PLANNING COUNCIL FOR CHILD CARE DEVELOPMENT FOR THE COUNTY OF NEVADA

BYLAWS

Adopted as of June 3rd of 2021

ARTICLE I – PURPOSE AND SCOPE OF RESPONSIBILITY

I. Purpose

The Local Planning Council for Child Care Development for the County of Nevada (hereafter referred to as the 'Council') shall be to assess Nevada County's child care needs and develop plans to address those needs. The Council will establish priorities for the distribution of federal, state, and local child development funds. It will seek and advocate funding for child care services and programs. It will work with community agencies, businesses, and organizations to support and enhance community child care resources and services. It will promote and enhance the quality of child care and development services through public education, provider education, and provision of support services.

II. Scope of Responsibility

The Council shall comply with provisions of Education Code Sections 8499, et seq., including, but not limited to the following:

- i. Conduct an assessment of child care needs in the county no less than once every five years.
- ii. Prepare local comprehensive countywide child care plans designed to mobilize public and private resources to address identified needs.
- iii. Identify local funding priority areas for child care services for General Child Care and Development Programs and the State Preschool Program for new state and federal funds.
- iv. Conduct local forums to encourage public input in the development of local priorities.
- v. Foster local partnerships with subsidized and non-subsidized providers, local and state children and families commission, county department of health and human services, community service organizations, parent organizations, early start family resource centers, local child care resource and referral programs, and other interested parties.
- vi. Support coordination of part-day programs, including state preschool and Head Start, with other child care and development services to provide full-day child care.
- vii. Collaborate with local First Five Commission and other entities to carry out child care staff retention initiatives.

ARTICLE II – MEMBERSHIP

I. Composition

The Council shall be composed of a Voting Membership that follows AB 1542 legislation, where 50% will be appointed by the County Board of Supervisors (CBOS) and 50% will be appointed by the County Superintendent of Schools (CSOS). The Council shall consist of at least 10 and a maximum of 14 Voting Members. Every effort shall be made to ensure membership is reflective of the ethnic, racial, and geographic composition of the County.

A. Voting Members

At least 20% of the Voting Membership will be from each of the following categories:

- i. Child Care Providers - persons providing child care services or persons representing child care providers.
- ii. Child Care Consumers - either a parent or person who has received child care services within 36 months.
- iii. Public Agency Representatives - persons who represent a city, a county, a city and a county, or a local education agency.
- iv. Community Representatives - persons who represent 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 is not a child care provider and does not contract with the California Department of Education to provide child care and development services.
- v. Discretionary Representatives - persons recommended for appointment at the discretion of the CBOS and the CSOS.

B. Associate Members

- i. As authorized by the establishing ordinance, the Council may establish Associate Members (and (who) may serve on various committees, provide input, be notified of all meetings, and receive agendas and minutes.
- ii. Associate Members will not be subject to the membership attendance requirements of the Council and will not vote at meetings of the Council.

II. Term

The CBOS by resolution, and CSOS shall establish the terms and other conditions of appointment for Council members.

Members appointed by CBOS and the CSOS shall serve a two-year term. At the completion of a term, members so appointed may reapply to the appointing authority. A member whose appointment has expired may continue to serve in that capacity until a new appointment is made or until the CBOS or CSOS declares that position vacant.

III. Appointments

Council membership appointments will be made as terms expire and to fill vacated positions. On an annual basis, Council members will solicit and/or review nominations received and make recommendations to the CBOS and the CSOS for appointments of new members and alternates to fill vacancies.

The CBOS and CSOS will conduct application and subsequent selection procedures for new and open membership positions as needed. Such procedures will be shared with the Council. A list of persons interested in being nominated to the Council shall be kept as a pool for future appointments.

If a member's circumstance/category changes and s/he no longer represent the category in which s/he was appointed, the Executive Officers may recruit, and recommend reassignment of a current member or nominate a replacement for the remainder of the term to the appropriate selection body (CBOS or CSOS).

Mid-year appointments will be made after an application is received, selection process is completed, and the CBOS or CSOS appointment is made.

IV. Resignation

Any member may resign by giving written or e-mail notice to the Council.

V. Vacancies

The Council Coordinator shall notify Council members, CBOS and CSOS when a membership appointment becomes vacant. General membership appointments will be made as terms expire and to fill vacated positions. Council members will solicit and/or review nominations received and make recommendations to the CBOS and CSOS for appointments of new members and/or alternates to fill vacancies. Council members may be reassigned to other categories if vacancies occur.

A list of persons interested in being nominated to the Council shall be kept as a pool for future appointments.

VI. Voting Procedures

A. Regular Voting

- i. Each appointed member has one vote.
- ii. A quorum shall be required for the transaction of business. Fifty-one percent of the appointed membership shall constitute a quorum.
- iii. A majority of the appointed members present at the meeting at which a vote is taken is required to carry an item.
- iv. Voting by show of hands vote on any matter except an election is acceptable unless a Council member requests a roll call vote be taken.
- v. Members shall not participate in a vote, if the member has a proprietary interest in the outcome of the matter being voted upon.
- vi. Records shall be kept of action and roll call vote.

B. Email Voting

In an event where an issue requires a decision to be made by the Council before the next scheduled meeting, the Chair can move to issue an email vote using the following protocol:

- i. The motion shall be open and sent to all Board members with a subject line (or equivalent) should contain the term "ballot."

- ii. The motion should be accompanied by a clear and concise argument on its behalf, include the consequences of the motion, and describe the procedure for voting (email, survey, etc.).
- iii. If a vote is to be counted, the ballot should clearly designate the choices. Here are two hypothetical examples:
- iv. I vote _____ (fill in "yes," "no," or leave blank).
- v. I vote for _____ (fill in "Jones," "Miller," "Wang," or leave blank).
- vi. Members can vote: Yes, No or Abstain, or request further discussion at the next Board Meeting. The period during which votes are being solicited shall be one week or when everyone has voted, whichever happens first. During the voting period, as email discussions on the issues are exchanged a member's opinion may change and the member can change his/her vote.
- vii. A quorum of the Board voting shall be required. If the Board voting does not include a quorum, the vote on the motion shall be considered to be invalid.
- viii. At the end of the period, the voting shall be declared closed and the Coordinator shall report the tally.
- ix. The Secretary shall record the motion and the votes in the minutes of the subsequent Board meeting.
- x. If the motion passes, the Board member who proposes the motion or a willing designate is authorized to act as the lead individual to undertake whatever action was proposed as part of that motion.

ARTICLE III – OFFICERS AND OFFICERS' DUTIES

I. Officers

The Officers of the Council shall consist of the Chair, Vice-Chair, Treasurer and Secretary. These officers shall be elected by a majority vote of the members present at the annual meeting in June and shall serve for two-years. Officers may be re- elected for one additional term in the same capacity. These Officers will serve as the Executive Committee.

II. Duties of Officers

Officers are responsible for hiring, voting and budget decisions. In the event any officer is unable to complete their term the Chair/Vice Chair will facilitate a special election.

A. Chair

- i. The Chair shall call meetings, set agenda, make assignments, preside over all regular meetings, the Executive Committee and may call special meetings, if necessary. The Chair shall oversee the expenditures plan of the Council and collaborate with the Council Coordinator in annual reports to CDE/CDSS, CBOS, CSOS and representing the Council at public functions. The Chair must have served a minimum of one year as a Board Member before holding the position of Chair.

B. Vice-Chair

- i. The Vice-Chair shall assume the responsibilities of the Chair in the absence of the Chair and any other absent Officer.

C. Treasurer

- i. Both Chair and Vice-Chair will act as Treasurer to meet with representatives of the legal entity to, review and modify the Council budget. The Treasurer shall present a quarterly budget report at Council meetings.
- D. Secretary
 - i. The Secretary shall maintain a record of membership on the Council and members' attendance at Council meetings, record/review draft minutes of all Council meetings, other secretarial duties as required, and provide legal notice. Recording minutes may be assigned to Council staff when appropriate.

III. Officer Elections

- A. Quorum requirements
 - i. A quorum for the transaction of official business and elections shall consist of a simple majority, fifty-percent (50%) plus one (1) of the current appointed members. Members must be present to vote at all LPC regular or special meetings.
- B. Election Ballots
 - i. Ballots will contain names of candidates accepting nominations for a Council Office.
- C. Elections
 - i. All elections shall be conducted at a regular LPC meeting.
 - ii. Candidates receiving the highest number of votes of the Council Members present determine the candidate elected for the position.
- D. Tie Votes
 - i. The Chair will cast the final vote in case of a tie vote.

ARTICLE IV – MEETINGS AND ATTENDANCE

I. Meetings

The Council shall meet at least ten (10) times per year onsite/in-person and/or through media conference. At least one meeting will be held in Eastern Nevada County at discretion of the Board.

The Council shall conduct an annual organization meeting each June for the purpose of electing officers, reviewing attendance and filling vacancies. All meetings requiring action by the Council must achieve a quorum of a simple majority of the appointed members. Additional meetings, including public hearings, may be scheduled by the presiding officer as needed. All meetings are subject to the Brown Act.

II. Attendance

Attendance of Council members will be recorded monthly and reviewed. If a member is unable to attend a meeting the Coordinator shall be contacted before such meeting and the absence will be considered excused. If a member does not contact the Coordinator before such meeting, the absence will be considered unexcused. If a member has four or more unexcused absences the Council will consider replacing such member. Vacancies may be stayed should a member provide evidence of extenuating circumstances to the Council for consideration.

ARTICLE V – COMMITTEES

The Council shall establish committees on either a permanent (standing) or temporary (ad hoc) basis to address child care issues and concerns. The scope and purpose of these committees shall be reviewed at least annually by the Council and recommendations for continuation or elimination made to the Council. The Chair and/or Coordinator shall be an ex-officio member of all committees. Standing committees shall meet at the call of the Committee Chair at least three times a year. A Chair shall be selected for each committee from the membership of the Council. An officially designated alternate may serve as Chair of a committee.

ARTICLE VI – LEGAL ENTITY

The Council shall execute, or cause to be executed, a Memorandum of Understanding with the Council's designated legal entity at the time of the annual organization meeting. The Memorandum of Understanding will be signed by the current Council Chairperson and the authorized representative of the legal entity.

ARTICLE VII – AMENDMENTS TO BYLAWS

Recommendations for changes to these Bylaws shall be amended by seven (7) of the ten (10) members of the Council provided that written notice of any proposed amendments has been sent to all members at least seven (7) days prior to the meeting at which the proposed amendments will be voted upon. A meeting will be held for purposes of adopting and amending the Council's Bylaws. All amendments to these Bylaws shall be recommended to the CBOS for approval.