



**Health & Human Services
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: October 8, 2019

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

CONTACT PERSON: Vienna Barnes PHONE: 624-8000

SUBJECT: Adopt By-Laws for the Tulare County Council on Child and Youth Development

REQUEST(S):
That the Board of Supervisors:

1. Adopt By-Laws for the Tulare Council on Child and Youth Development as revised by the Council on July 7, 2019; and
2. Authorize the Chairman of the Board to Sign one (1) copy of the revised By-Laws.

SUMMARY:
On June 18, 1998, Pursuant to the Statutes of 1997, Assembly Bill 1542, the Tulare County Board of Supervisors approved and established the Local Child Care Planning and Development Council (CCPC). The Planning Council is comprised of twenty-five members; thirteen members are appointed by Tulare County Board of Supervisors and twelve members are appointed by the Superintendent of Schools. Per legislative directive, the Council membership is divided into five categories; Agency Representative, Community Representative, Consumer/Parent Representative, Discretionary/Other and Provider.

It is the responsibility of the Tulare County Council on Child and Youth Development to determine the impact of increased numbers of working families on the local child care supply; to assess the unique child care and early education needs of each county; and to increase the availability and quality of such services. According to the 2018 needs assessment, the most recent available, the Tulare County Council on Child and Youth Development serves as an advocate for the child care needs of

SUBJECT: Adopt By-Laws for the Tulare County Council on Child and Youth Development

DATE: October 8, 2019

103,745 children, ages 0-12, in Tulare County.

On July 7, 2019, the Council completed a review and revision of the CCPC By-Laws at the regularly scheduled meeting. Members of the Council approved the changes at the meeting. As required by law, the By-Laws were also reviewed and approved by the Superintendent of Schools, Tim Hire. To finalize and adopt the By-Laws, a signature by an authorized representative for Tulare County Board of Supervisors is also required.


FISCAL IMPACT/FINANCING:

There is no cost associated with this By-Laws. There is no additional net cost to the County General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Quality of Life Initiative that encourages quality education opportunities for all county residents. The regular review and revision of the Local Child Care Planning Council By-Laws increases the ability to fulfill this obligation by ensuring that the child care needs of all Tulare County children are represented at the Council meetings.

ADMINISTRATIVE SIGN-OFF:



Timothy W. Lutz
Agency Director

cc: County Administrative Office

Attachment(s) By-Laws

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF ADOPT BY-LAWS) Resolution No. _____
FOR THE TULARE COUNTY COUNCIL ON) Agreement No. _____
CHILD AND YOUTH DEVELOPMENT)
)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Adopted By-Laws for the Tulare Council on Child and Youth Development as revised by the Council on July 7, 2019; and
2. Authorized the Chairman of the Board to Sign one (1) copy of the revised By-Laws.



Memo

To: Tulare County Board of Supervisor
From: Samantha Terry, Child and Youth Development Council Manager
Date: 8/16/2019
Re: Bylaws Revision

The Tulare County Council on Child and Youth Development made a change to the Council Bylaws. The Bylaws were approved by the Council at the July 11, 2019 meeting, attached you will find the agenda that displays the Bylaws as an action item. The change that was made to the Bylaws is highlighted in the document that is attached. You will find the change on page 5.

Revisions to the Bylaws are required to be submitted to the state once it receives approval from an authorized representative to the Superintendent of Schools and approval from an authorized representative to the Board of Supervisors.

Mr. Hire, The County Superintendent of Schools, approved the revisions on August 14, 2019. The last approval needed is one from an authorized representative from the Tulare County Board of Supervisors. Once all agencies have approved of the changes, I will forward the updated Bylaws to the California Department of Education.

Please let me know if you have any questions. Thank you for your time.

Please sign below if you have reviewed and approved of the changes that have been made to the LPC Bylaws.

Signature

Date

Tulare County Council on Child & Youth Development
Bylaws
Approved July 11, 2019

Article I Name

The Council shall be designated the Tulare County Council on Child & Youth Development, referred to hereafter as the "Council."

Article II Authority

The Tulare County Board of Supervisors and the Tulare County Superintendent of Schools, referred to hereafter as the "Board" and "Superintendent," on June 2, 1998 created the Council. This was done in accordance with Education Code section 8499.3, which required the formation of county level child care and development planning councils. The Council recognizes that it is the intent of the Legislature that local childcare and development planning councils shall provide a forum for the identification of local priorities for child care and the development of policies to meet the needs identified within those priorities.

Article III Mission Statement

The mission of the Tulare County Council on Child & Youth Development is to coordinate with agencies in the county to create and implement child and youth development programs that will help them succeed.

Article IV Structure

The Council shall carry out the following duties and functions as specified in the Local Child Care and Development Planning Council Program Contract Requirements and Education Code Section 8499.3 – 8499.7:

A. Duties and Functions

1. Elect a Chair.
2. Employ, as an LPC Coordinator, staff person (s) equivalent to at least one full-time position. The LPC Coordinator shall assist the LPC in meeting the mandates set forth in Title 1, Division 1, Part 6, Chapter 2.3 of the EC. Additionally, the LPC shall employ support staff as deemed necessary to meet LPC roles and responsibilities.
3. Conduct an assessment of child care needs at least once every five years. The needs assessment shall meet the requirements as specified in EC Section 8499.5 (b).

4. 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.
5. Submit the results of the needs assessment and the local priorities identified by the LPC to the CBS and the CSS for approval before submitting them to CDE.
6. Prepare a comprehensive countywide child care plan designed to mobilize public and private resources to address identified needs.
7. Encourage public input in the development of the LPC priorities. Opportunities for public input shall include at least one public hearing during which members of the public can comment on the proposed priorities.
8. Conduct a periodic review of child care programs funded by the CDE and the CDSS to determine if identified priorities are being met.
9. Collaborate with all interested parties, including, but not be limited to, subsidized and non-subsidized child care providers, county welfare departments, human service agencies, regional centers, job training programs, employers, integrated child and family service councils, local and state children and families commissions, parent organizations, early start family resource centers, family empowerment centers on disabilities, and local child care resource and referral programs, to foster partnerships designed to meet local child care needs.
10. Facilitate community-based efforts to coordinate part-day programs, including state preschool and head Start, with other child care and development services to provide fullday, full-year child care and development services based on guidelines and funding models approved by state and federal agencies.
11. Develop and implement a training plan to provide increased efficiency, productivity, and facilitation of LPC meetings.
12. Report significant activities and challenges quarterly and complete an annual self-evaluation review by November 15,

and submit reports and the annual self-evaluation review to CDD.

In addition to funds received from the contract with the California Department of Education/Child Development Division (CDE/CDD), the Council may apply for other funds and resources to accomplish the foregoing duties and mission.

B. Governance

1. The Council will be governed by contracts, education code, these bylaws, statutes and policies and procedures that have been developed.
2. The Council defines the scope of work and activities of the Council and Council staff to meet the requirements of the contracts.
3. The Planning Council Coordinator shall act as a liaison between the LPC, the fiscal agent/contractor, CDE and other funders.

Article V Membership

Pursuant to Education Code Section 8499.3 (c) (1) (A) – (E)

- A. The Council is composed of no more than 25 members with 20% of total members at any given time to be appointed by the Board of Supervisors and the Superintendent of Schools from each of the specific categories listed in Section B.
- B. Council members are to be appointed from the following categories:
 1. Twenty percent consumers, defined as a parent or person who receives, or who has received within the past 36 months, child care services.
 2. Twenty percent child care providers, defined as a person who provides child care services or represents persons who provide child care services.
 3. Twenty percent public agency representatives defined as a person who represents a city, county, city and county, or local education agency.
 4. Twenty percent community representatives, defined as 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 is not a child care provider and does not represent an agency that contracts with the California Department of Education to provide child care and development services.

5. Twenty percent are to be appointed from any of the above categories or outside of these categories at the discretion of the appointing agencies.
- C. In June of 2000, lot determined terms beginning July 1, 2000. Initially, half of the members appointed by each appointing entity served three-year terms, expiring June 30, 2003 and half of the members served two-year terms, expiring June 30, 2002. The Council drew lots for vacant positions.
 - D. After June 30, 2002 all Council members will be appointed for two year terms.
 - E. Council members are expected to attend all regular and special meetings. Council members may not appoint a designee. Failure of a member to attend two consecutive bimonthly meetings of the Council without proper excuse will result in a vacancy in the member's seat on the Council, and a request will be made to the appointing authority to fill the vacancy. The Council member may request approval from the Council to be absent from two consecutive bimonthly meetings by providing a written request with sufficient justification for his or her absence prior to the second meeting. Following a written request by a member, the Executive Committee may grant a leave of absence for a period of not more than six months. During a leave of absence the member shall not be considered a member of the Council for quorum and voting purposes.
 - F. Council members may apply for reappointment.
 - G. Council members are unpaid volunteers and shall serve without compensation except for the reimbursement of approved actual expenses incurred while conducting activities on behalf of the Council. Members are ineligible to receive any type of financial compensation from the LPC, AB 212 or other funding the Council receives. This includes, but is not limited to AB 212 stipends.

g. The statement above does not preclude the Executive Committee from contracting with council members to provide specialized services and activities related to LPC and AB 212.

- H. The appointing authorities shall make every effort to ensure that the ethnic, racial, and geographic composition of the Council is reflective of the population of the county.

Article VI Vacancy of Membership

- A. The Planning Council Coordinator will notify the appointing authority whenever a vacancy occurs so that they may fill the vacancy in the appropriate category.
- B. An individual appointed to fill a vacancy shall complete the unexpired portion of the term of their predecessor.

Article VII Officers and Duties

- A. Officers elected by the Council shall be the Chair, Vice Chair, and Secretary and shall serve a two-year term beginning in July of each year. Officers shall be limited to two consecutive terms per office.
- B. The Vice Chair shall become the Chair for the remainder of the term if the Chair becomes vacant.
- C. If the Vice Chair or Secretary positions become vacant, the Executive Committee may fill the office by appointment with the approval of the Membership.
- D. A Council officer may be removed from office by a two-thirds vote of the council.
- E. The Chair shall:
1. Preside over all meetings.
 2. Cause documents to be prepared for the approval of the Board and the Superintendent.
 3. Appoint members to committees other than the Nominating Committee.
 4. Act as an ex-officio member on all committees except the Nominating Committee.
 5. Represent the Council or designate a representative at public

functions.

- F. The Vice Chair shall assume the duties of the Chair when the Chair is absent or unable to perform the duties of the Chair.
- G. The Secretary and staff shall be responsible for the minutes and records of the Executive Committee and Council meetings.

Article VIII Committees and Duties

- A. The Executive Committee shall be composed of the following:
 - 1. Chair
 - 2. Vice Chair
 - 3. Secretary
 - 4. Prior Council Chair
 - 5. The Chair will appoint one representative from the Board contingency and one representative from the Superintendent contingency.
- B. The duties of the Executive Committee shall include, but are not limited to:
 - 1. Reviewing and approving/denying request from members to be absent from two consecutive meetings.
 - 2. Reviewing and approving/denying requests for a leave of absence.
 - 3. Setting the agenda for Council meetings.
 - 4. Developing guidelines for conducting Council business.
 - 5. Reviewing and responding to requests for letters of support from outside agencies/organizations.
 - 6. Reviewing applications to fill Council vacancies and referring recommended applications to the appropriate appointing authority.
 - 7. In collaboration with the Fiscal Agent/Contractor, develop and/or revise the Council budgets (LPC, AB 212, Summit,

Breakfast, etc.) and submit them to the full Council for approval.

8. Provide oversight of all fiscal matters of the Council.
9. In conjunction with TCOE Personnel Policies and a TCOE Liaison, participate in the hiring, supervision and annual evaluation of the Council Coordinator.
10. Provide direction to the Coordinator with regards to work assignments, tasks and activities to be conducted.

C. The Nominating Committee shall consist of five Council members, one from each category. Members will be chosen by lottery process with all appointed members being placed in the pool of potential committee members.

The duties of the Nominating Committee are to select a Chair for the committee and locate members interested in serving as an officer.

D. Additional Council committees shall be formed as needed.

Article IX Elections

- A. The slate of candidates shall be presented at the April meeting. Additional nominations may be taken from the floor.
- B. Election of officers shall be conducted at the June meeting. If a quorum is not present at the meeting, the election of officers shall take place at the next meeting at which a quorum is present. Newly elected officers terms shall begin July first of each year.
- C. The slate of officers must be approved by an affirmative vote of a majority of the Council members present at the meeting.
- D. If there is more than one candidate for any office, then a vote by ballot shall be taken.

Article X Meetings

- A. The Council will hold no more than ten meetings per year including regional meetings.
- B. Meetings of the Council, and appointed standing sub-committees with continuing subject matter jurisdiction or a fixed meeting schedule, and ad hoc sub-committees unless the membership is composed solely of less than a quorum of Council members, shall

be held in accordance with the Ralph M. Brown Act, Government Code Sections 54950-54962. The public comment period is limited to fifteen minutes and each individual/organization comment is limited to three minutes. The council is unable to take action on any item not appearing on the agenda.

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

Article XI Voting Procedures

- A. Each Council member has one vote. A quorum shall be required for the transaction of business. A quorum shall consist of a majority of appointed members.
- B. No member of the Council shall participate in a vote if he or she has a proprietary interest in the outcome of the matter.
- C. Action taken by the Council at a meeting requires, at a minimum, a majority of a quorum of the Council members.
- D. Voting by show of hands on any matter is acceptable.
- E. Records shall be kept of all votes.

Article XII Conflict of Interest

Council members and the Planning Council Coordinator must complete Form 700 Statement of Economic Interests upon assuming/leaving office and annually by April first. No voting member shall participate in a vote if he or she has a proprietary interest in the outcome.

The purpose of this policy is to establish safeguards to prohibit members of the Council from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others. A Council member is deemed to have a conflict of interest when he/she, or a relative or business associate, has one or more of the following relationships existing with the item being discussed and voted on:

- A. Ownership of financial interest, directly or indirectly, through business investment or family.

- B. Director, trustee or officer.
- C. Employee and/or compensation arrangement.
- D. Provider of goods or services, material or other substantial interest which may inhibit objective decision making.

Conflict of Interest Procedures:

- A. Disclose the existence of the conflict.
- B. Disclose the nature of the conflict.
- C. Abstain from discussion of or attempting to influence the decision.
- D. Abstain from voting.
- E. Physically leave the discussion table during consideration of the decision, so that it is obvious you are not participating.
- F. Ensure that the disclosure and abstention are reflected in the minutes.

Article XIII Council Positions on Legislation

The Council can recommend that the Board and the Superintendent take a position on particular legislation that affects child care issues in Tulare County, or that affects the Council. The Council will comply with federal regulations and contract certification requirements against lobbying, and will not use any federal funds for lobbying efforts, including taking positions on any legislation at the federal level.

Article XIV Bylaws

- A. These bylaws were originally approved by the Council, the Board and the Superintendent and became effective in December of 1998. These bylaws were amended by the Council:

*July 1, 2001
November 13, 2003
February 12, 2004
December 8, 2005
December 12, 2008
April 7, 2010
September 14, 2010*

February 9, 2012
December 19, 2013
July 13, 2017
July 11, 2019

- B. These bylaws may be amended by an affirmative vote of two-thirds of those members present at any meeting provided the amendments have been submitted to the membership at least 30 calendar days following the meeting at which the amendment was proposed. The Council must approve all amendments, with notification to the Board and the Superintendent.

Article XV Parliamentary Authority

Unless otherwise prescribed in these bylaws or by the Council, Robert's Rules of Order, latest edition, shall guide parliamentary procedure of the Council.

**Tulare County
Office of Education**

Tim A. Hira, County Superintendent of Schools



TULARE COUNTY
BOARD OF
SUPERVISORS



**Tulare County Council on Child & Youth Development
AGENDA**

Thursday July 11, 2019 3:00pm-4:00pm

Tulare County Office of Education 7000 Doe Ave Visalia, CA 93291

I. CALL TO ORDER

- a. Welcome and Introductions

II. PUBLIC COMMENTS

The public comment period is limited to fifteen minutes; therefore please limit each individual/organization comments to three minutes. The Council is unable to take action on any item not appearing on the agenda.

The public will also have an opportunity to comment on each agenda item after there has been discussion and prior to the Council taking a vote on the item. There will be a maximum of six minutes per topic/two minutes per individual. Please begin by stating your first and last name.

III. COUNCIL TRAINING: Catherine Kemp, CA Early Childhood Mentor Program Coordinator

IV. DISCUSSION ITEMS

- a. AB 1001 Update
- b. AB 324 Update

V. ACTION ITEMS

- a. April Council Minutes
- b. Bylaws

VI. OTHER REPORTS

- a. Narrative Change
- b. Chair Report
 - i. Membership Update
 - ii. AB212 Committee
 - iii. Inclusion Collaborative Committee
 - iv. Legislative Event Committee
 - v. Executive Committee
 - vi. AD Hoc Comprehensive Child Care Planning Committee
- c. Early Stars Program
- d. Inclusive Early Learning and Care Coordination Program
- e. EveryChild California

VII. ANNOUNCEMENTS

VIII. NEXT SCHEDULED COUNCIL MEETING:

October 10, 2019 from 2:00pm-4:00pm at TCOE on Doe Ave in the Aspen Conference Room.

IX. ADJOURNMENT

2019-2020 LPC Goals

- Continue to develop, collaborate, and implement supports in the area of early care and education for parents and providers, regardless of funding source.
- Recruit council members and raise awareness and visibility of the council and its work through the use of outreach efforts in the community.
- Increase communication between and the knowledge of council members by maintaining a focus on the council mission and goals. The council and committees shall share meeting minutes, follow timelines, and mandates.
- Stay abreast of trends which impact council's mission.

MISSION: To coordinate with agencies in the county to create and implement child and youth development programs that will help them succeed.

VISION: The Council supports a full continuum of educational and community opportunities for growth for children of all ages, ability levels, and backgrounds, including safe environments leading to all children graduating from high school and being successful.

TULARE COUNTY COUNCIL ON CHILD & YOUTH DEVELOPMENT MANDATES

- Conduct an assessment of child care needs at least once every five years. The needs assessment shall meet the requirements as specified in Education Code, Section 8499.5.
- 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.
- Submit the results of the needs assessment and the local priorities identified by the LPC to the CBS and CSS for approval before submitting them to CDE.
- Prepare a comprehensive countywide child care plan designed to mobilize public and private resources to address identified needs.
- Encourage public input in the development of priorities. Opportunities for public input shall include at least one public hearing during which members of the public can comment on the proposed priorities.
- Conduct a periodic review of child care programs funded by the CDE and CDSS to determine if identified priorities are being met.
- Collaborate with all interested parties, including, but not be limited to subsidized and non-subsidized child care providers, county welfare departments, human service agencies, regional centers, job training programs, employers, integrated child and family service councils, local and state children and families commissions, parent organizations, early start family resource centers, family empowerment centers on disabilities, and local child care resource and referral programs to foster partnerships designed to meet local child care needs.
- Facilitate community-based efforts to coordinate part-day programs, including state preschool and Head Start, with other child care and development services to provide full-day, full-year child care and development services based on guidelines and funding models approved by state and federal agencies.
- Develop and implement a training plan to provide increased efficiency, productivity, and facilitation of LPC meetings.
- Design a system to consolidate local child care waiting lists, if a centralized eligibility list is not already in existence.
- Identify at least one, but not more than two, members to serve as part of the department team that reviews and scores proposals for the provision of services funded through contracts with the department. Local planning council representatives may not review and score proposals from the geographic area covered by their own local planning council. The department shall notify each local planning council whenever this opportunity is available.

ADA ACCOMMODATIONS REQUIREMENTS

Persons who are in need of a disability-related modification or accommodation in order to participate in the Council meeting may make a request for accommodation to the Planning Council Coordinator at 7000 Doe Avenue, Suite C Visalia, CA 93291, and Telephone: (559)651-1723. Such a request may be made in writing, in person, or by telephone. A request for accommodation should specify the nature of the modification or accommodation requested, including any necessary auxiliary aids or services required and the name and telephone number of the person making the request. The request should be made as soon as possible and no later than two days before the meeting. The agenda, packet, and any written documents distributed to the Council during a public meeting will be made available in appropriate alternative formats upon request by a person with a disability as required by the Americans with Disabilities Act.

Tulare County
Office of Education

Tim A. Hire, County Superintendent of Schools



TULARE COUNTY
BOARD OF
SUPERVISORS



Memo

To: Tim A. Hire, County Superintendent of Schools
From: Samantha Terry, Child and Youth Development Council Manager
Date: 7/15/2019
Re: Bylaws Revision

The Tulare County Council on Child and Youth Development made a change to the Council Bylaws. The Bylaws were approved by the Council at the July 11, 2019 meeting, attached you will find the agenda that displays the Bylaws as an action item. The change that was made to the Bylaws is highlighted in the document that is attached. You will find the change on page 5.

Revisions to the Bylaws are required to be submitted to the state once it receives approval from an authorized representative to the Superintendent of Schools and approval from an authorized representative to the Board of Supervisors.

Once an authorized representative to the Superintendent of Schools has approved the changes I will forward them to the Board of Supervisors for approval. Once all agencies have approved of the changes, I will forward one original of the updated Bylaws to the State

Please let me know if you have any questions. Thank you for your time.

Please sign below if you have reviewed and approved of the changes that have been made to the LPC Bylaws.

A handwritten signature in black ink, appearing to read "S. Terry".

Signature

A handwritten date in black ink, "8/14/19".

Date