Local Planning Council of Ventura County

The United Voice for Early Care and Education

August 28, 2020

Board of Supervisors
800 South Victoria Avenue
Ventura, CA 93009

Honorable Members of the Board of Supervisors:

SUBJECT: Local Planning Council Bylaws Revision

AB 1542 requires each California county to have a Local Planning Council, with member appointments made by the Board of Supervisors and the County Superintendent of Schools Office.

The Executive Committee of the Local Planning Council reviewed and updated the Ventura County Local Planning Council's Bylaws. The proposed Bylaws revisions were reviewed and approved by Council majority at the May 12, 2020 Council meeting.

In concurrence with the Ventura County Local Planning Council Bylaws, please note the attached Bylaws as received and filed.

If you have any questions, please contact our office at (805) 437-1510.

Thank you,

Mandy Friel

Mandy Friel
Project Specialist
Coordinator, Ventura County Local Planning Council

BYLAWS
of the

Article I - Name

The Council shall be designated the Local Planning Council of Ventura County, referred to hereafter as the "Council".

Article II - Authority

The Council was formed by the County Board of Supervisors and County Superintendent of Schools on December 16, 1997. 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 the legislative intent of Education Code Section 54744 that communities implementing new programs or initiatives connect with existing program strategies and build upon existing local collaboratives, when possible, to provide a unified integrated system of service for children and families.

Article III - Purpose and Duties

The purpose of the Council is to assess Ventura County early care and education needs and develop plans to address those needs. The Council will establish priorities for distribution of federal, state, and local child development funds. Council will also meet requirements set forth in Education Code 54744 to support the development of the CalSAFE County Service Coordination Plan for providing educational and related support services to pregnant teens and their children 54744(b).

The Council shall develop and implement a training plan to provide increased efficiency, productivity, and facilitation of local planning council meetings 8499.3 (g).

Upon approval by the County Board of Supervisors and Ventura County Superintendent of Schools, the Council will submit the local identified priorities to the Department of Education by the annual mandated deadline each year. An assessment of child care needs in the county will be done no less than every five (5) years 8499.5(b).

Article IV - Membership

A. Composition of the Council

The Council membership shall be limited to 25 members and, as required by Education Code section 8499.3, subdivision (c), shall be representatives from the following categories:

a. 20 percent child care consumers - a parent or person who receives, or who has received child care services within the last 36 months.
b. 20 percent child care providers - a person who provides child care services or represents persons who provide child care services.
c. 20 percent public agency representatives - a person who represents a city, county, city and county, or local education agency and who funds, regulates, or monitors the delivery of child care services.
d. 20 percent community representatives - a person who is not a child care provider or represents an agency that contacts with the Department of Education to provide child care and development services.
e. 20 percent appointed at the discretion of the appointing agencies.

B. Selection of Members

Appointments. Pursuant to Education Code section 8499.3, subdivision (c)(2), the Board of Supervisors and the Superintendent of Schools shall each appoint one-half of Council members as designated by sub-categories and membership terms assigned to each membership position. The 25th Council member shall be appointed by the Ventura County Board of Supervisors and the County Superintendent of Schools.

Alternates. Members may select an alternate representative ("alternate") to attend meetings on the member's behalf; all alternates shall be nominated by the primary member and be approved by the Executive Committee. The alternate shall have voting rights and be counted to meet quorum in substitution of the primary member. Member alternates must be approved by the appointing body(ies).

C. Term of Council Members

The members (including alternates) of the Council shall serve a term of two years. Terms are renewable at the request of the Council and with the approval of County Board of Supervisors and Superintendent of Schools. Membership terms are subject to reappointment in June of even numbered years.

D. Vacancies

1. Vacancies. The Chair of the Council or the project coordinator shall notify the Board of Supervisors and the Superintendent of Schools when a position becomes vacant, whether due to resignation, death, removal, expiration of a Council member's term without re-appointment or some other cause. Notices of unscheduled vacancies shall be posted pursuant to Government Code section 54974. Replacement Council member shall complete the term of the vacating member.

2. Resignation. Any member (including alternates) of the Council may resign by giving written notice to the Chair of the Council. The written resignation shall be forwarded to the appointing body, either the Clerk of the Board of Supervisors or the Superintendent of Schools. A

vacancy created by resignation of a member will be filled following the procedure set forth in paragraph (B) of this section.

3. Removal. All Council members (including alternates) shall serve at the pleasure of, and be removed at any time with or without cause by, the Board of Supervisors if it appointed the Council member in question or by the Ventura County Superintendent of Schools if he or she appointed the Council member in question. Upon approval of the Council, the Executive Committee of the Council shall recommend removal of a Council member to the authority that appointed the member if the member has violated any of the Council's bylaws. A vacancy created by removal of a member will be filled following the procedure set forth in paragraph (B) of this section.

E. Attendance

1. Council members are expected to attend all regularly scheduled Council meetings. The alternate may attend on behalf a Council member.

2. Members and/or "alternates" are expected to attend 6 of the scheduled 7 Council meetings within a fiscal year (July – June). Member attendance shall be reviewed annually by the Executive Committee. The Executive Committee may recommend removal of the Council member and pursue a replacement from the Board of Supervisors or Superintendent of Schools following the procedure set forth in paragraph (B) of this section.

Article V- Structure

A. Officers

1. The officers of the Council shall consist of chair and vice-chair. These officers shall be selected by majority vote from the membership present at the end of the fiscal year meeting of the Council every year and shall serve one fiscal year. Officers may be re-elected.

2. It shall be the duty of the chair and/or-vice chairpersons to call meetings, set the agenda, preside over meetings of the Council, and consult with the project coordinator regarding the project coordinator's duties and actions to ensure that the Council is operating under and following these bylaws. In addition, it shall be the duty of the chair and/or vice-chair to preside over Executive Committee meetings.

3. *At the conclusion of his or her term, the Chair, if not re-elected* as Chair but if still serving as an active member of the Council, shall be a member the Executive Committee as immediate past Chair.

B. Committees

The Council may establish committees, on either a permanent or temporary basis, to address child care priorities. Committees may also include persons not on the Council, but any

committee must include at least one Council member.

Executive Committee. The Council will establish an Executive Committee which is responsible for the governance of the Council and oversight of state mandates, and special projects. The Executive Committee shall consist of the Council's chairperson, vice-chairperson, immediate past Chair, LEA representative, and Chairpersons of all standing committees. The Director of Comprehensive Health and Prevention Programs at the Ventura County Office of Education shall serve as a member on the Executive Committee. All Committee chairs must be Council members. All Executive Committee members must be current Council members. If any standing committee has co-chairs, each co-chair will be a member of the Executive Committee, but each committee shall have no more than one vote. The Executive Committee is delegated the power to act for the Council between meetings of the membership. Such actions shall be in accordance with state guidelines and these bylaws, and will be reviewed at the next Council meeting.

C. Council Meetings

1. Regular meetings. Council meetings are expected to be held a minimum of 4 times per fiscal year. The date, time and place of regular meetings will be established by agreement of the Council. Meetings are open to the public. All Council meetings shall be called, noticed, held, and conducted in accordance with provisions of the Ralph M. Brown Act and Robert's Rules of Order, latest revised edition.

2. Special meetings. The Chair of the Council may call special meetings at any time or place within Ventura County, or by conference call or other electronic means. Meetings by conference or electronic means will be conducted in such a way that all members participating can hear each other at the same time; these meetings will be organized by the LPC Coordinator and follow regulations of the Roberts Rules of Order and the Brown Act. Any actions taken at the special meeting that is not time sensitive must be ratified by the Council at a regularly scheduled Council meeting in order to become an official act.

3. Quorum. A majority of the total current Council membership shall constitute a quorum for official business. The quorum is based on the number currently seated on the Council.

4. Notice and Agenda. At least seventy-two (72) hours prior to each regular meeting, notice of and an agenda for the regular meeting will be sent to each Council member and to each other person who has submitted a written request to the Council for notification of meetings. Notice will also be posted at least seventy-two (72) hours prior to the regular meeting at a location that is freely accessible to the public. Notice for special meetings will be given in the same manner as notice for a regular meeting when possible but in any event no later than twenty-four (24) hours before the time of the special meeting. The agenda for all meetings will contain a brief description of each item of business to be transacted or discussed at the meeting.

5. Conduct of Business. Items on the agenda will be considered in the order they appear unless the presiding Chair, at his or her discretion, announces a change in the order of consideration.

Article VI - Voting

A. Members or alternates must be present to vote at any Council or committee meeting. Any correspondence germane to the agenda from excused absent members is to be read and considered as part of the discussion.

B. Quorum. No act of the Council will be valid unless a majority of those members constituting a quorum concur on the act in question.

C. Voting verbally or by show of hands on any matter except an election is acceptable unless a Council member requests a roll call vote be taken.

D. Records shall be kept of action and roll call vote.

Article VII – Conflicts of Interest and Responsibilities of Council Members

A. Conflicts of Interest

No member of the Council shall participate in a vote if he or she has a proprietary interest in the outcome of the matter being voted upon. All members (including alternates) will be subject to state and federal laws pertaining to conflicts of interest.

B. Qualifications

Every Council member or prospective member (including alternates) must have a willingness to advocate for children and be of good moral character to continue to be a member or to be considered to be a member of the Council. Possessing good moral character means that a member or prospective member cannot have been convicted of any crime (felony or misdemeanor) involving harm, neglect, or danger to children or the exploitation of children. If any member or prospective member does not meet the requirements of this section at the time of or after their appointment to the Council, then the Executive Committee may recommend to the appointing authority that the member be removed or that a prospective member not be appointed.

C. Membership Agreement

Each new member (including alternates), and any applicant being screened by the Executive Committee for possible recommendation for membership, must read and sign a membership agreement. The membership agreement will include statements (1) acknowledging that the member or prospective member (including alternates) has read and will abide by the Council's bylaws; (2) declaring that any member or prospective member (including alternates) currently meets the requirements of section (B) of this article; (3) agreeing that if a conflict of interest arises in a matter before the Council or if the member or prospective member's ability to meet the requirements of section (B) of this article changes, then the member or prospective member will immediately inform the Chair of the Council; (4) verifying that the member or prospective member represents the category of membership provided in Article IV, section (A) to which they are or will be assigned and agreeing that they will immediately notify the Chair of the Council if their ability to represent the category of membership changes.. Whenever a current member is re-appointed for another term, the member will read and sign a new membership agreement.

D. Role of Executive Committee

The Executive Committee may evaluate prospective members (including alternates) to the Council and make a recommendation, following approval of council, pursuant to Article IV, section (B) regarding appointment to the Board of Supervisors or the Superintendent of Schools. Upon approval of the Council, the Executive Committee shall also recommend removal of a current Council member to the authority that appointed that member if the member has violated any of the Council's bylaws.

Article VIII - Appointment of Members (not to include alternates) to Outside Commissions, Councils and Boards

A. Process

Whenever the Council is required or is offered to name one if its members to serve on another commission, council or board, members may submit a letter to the Chair detailing the member's interest in being appointed to serve on the commission, council or board. The member who will serve as the Council's representative to such an outside entity will be selected at a Council meeting by a majority vote of those members constituting a quorum.

B. Vacancies

If the member chosen to serve on an outside commission, council or board does not fulfill his or her entire term on such an entity, the Council will vote to select another member who will serve the remainder of the term using the procedure detailed in subdivision (A) of this Article.

C. Re-Appointment

At the end of a Council member's term in an outside commission, council or board, the Council will hold a vote to select its representative to such an outside entity using the procedure detailed in subdivision (A) of this Article. Nothing prohibits a member from being re-appointed to serve on the same outside entity.

D. Removal

Any Council member chosen to serve on an outside commission, council or board may be removed by a majority vote of the Council as a whole.

Article IX- Bylaws

A. Adoption of Bylaws

These bylaws shall become effective upon approval of the Council with notification to the Board of Supervisors and the Superintendent of Schools.

B. Amendments to Bylaws

These bylaws may be amended by an affirmative vote of a majority of Council. All amendments must be approved by the Council, with notification to the Board of Supervisors and the Superintendent of Schools and to the California Department of Education, Early Learning and Care Division.