



LOCAL EARLY EDUCATION PLANNING COUNCIL OF SANTA CLARA COUNTY

BYLAWS (approved October 23, 2008)

Article I - Name

The Council shall be designated the Local Early Education Planning Council of Santa Clara County referred to hereafter as the LPC, who's oversight committee is designated as the Joint Child Care Committee (referred hereafter as the JCCC).

Article II - Authority

The Santa Clara County Local Child Care Planning Council was formed on July 1, 1991 by the Santa Clara County Board of Supervisors and the Santa Clara County Office of Education. This was done in accordance with the state law established by AB 2141 in 1991 and AB 1542 in 1998, that provided for the formation of county level child care planning councils. The LPC shall operate as mandated by Education Code 8499.3 and 8499.5.

Article III - Statement of Purpose

1. Increase the accessibility, affordability, and quality of children's development through early education, and before and afterschool programs.
2. Early Education, and before and afterschool programs includes: family child care and center-based programs, all licensed child care and development services and license-exempt child care; including, but not limited to, private for-profit programs, nonprofit programs, and publicly funded programs, for all children up to and including 13 years of age, including children with special needs up to age 22, and children from all linguistic and cultural backgrounds.
3. Conduct an assessment of early education, and before and afterschool programs needs at least once every five years.
4. Encourage public input in the development of priorities. Opportunities for public input shall include at least one public hearing.
5. Submit the results of the needs assessment and the local priorities identified by the LPC to the JCCC), comprised of representatives of the County Board of Supervisors (50% of JCCC) and County Board of Education (50% of JCCC), for approval before submitting them to California Department of Education.
6. Prepare a comprehensive countywide early education, and before and afterschool plan designed to mobilize public and private resources to address identified needs.
7. Conduct a periodic review of early education, and before and afterschool programs funded by the California Department of Education and California Department of Social Services to determine if identified priorities are being met.
8. Design a centralized eligibility list for early education, and before and afterschool programs.

9. Promote the coordination of part-day programs, including State Preschool and Head Start, with other early education programs to provide full-day programs.
10. When requested, review and comment on proposals submitted to the California Department of Education that concern early education, and before and afterschool programs to be provided within the geographic area covered by the LPC.
11. Recommend to the JCCC at least one, but no more than two persons of the LPC to serve as part of the California Department of Education team that reviews and scores proposals for the child development services funded through the California Department of Education.
12. Become the leading early education, and before and afterschool programs advocacy group in Santa Clara County.

Article IV - Membership

1. Membership shall consist of up to 30 active members:
 - a) The LPC will make a concerted effort to solicit membership from all areas of the County (i.e. North, South, East, & West)
 - b) The geographic boundaries of the County will be known as North, South, East, and West, to be determined by the LPC, and approved by Joint Child Care Committee (referred hereafter as the JCCC).
2. LPC members shall be appointed by the JCCC, comprised of representatives of the County Board of Supervisors (50% of JCCC) and County Board of Education (50% of JCCC).
3. Every effort shall be made to ensure that membership reflects the racial, ethnic, gender, and geographic population of the County. There shall be representation from groups that serve children with limitations and special needs.
4. There will be no more than three (3) members representing the same organization/agency on the LPC.
5. The composition of the LPC shall consist of the following categories:
 - a. 20% Consumers (a parent or individual who used child care services within the last 36 months)
 - b. 20% Child Care Providers – representative of the range of child care providers in the county (an individual/agency currently providing child care services)
 - c. 20% Public Agency Representatives (person who represents a governmental agency)
 - d. 20% Community Representatives – 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 CDE to provide child care and development services.
 - e. 20% Discretionary Category (appointed from any of the above categories or outside of these categories at the discretion of the appointing agencies)
6. Membership Nominations:

- a. A membership committee shall be appointed by the LPC Chairperson(s) at the January or March LPC meeting, and will strive to have one representative from each of the five categories of the LPC membership groups.
- b. The charge of the membership committee will be to present to the LPC a slate of candidates LPC membership slots that will term out in June.
- c. Members of the JCCC can participate in the in the nominations process.
- d. The membership committee shall submit to the full LPC, candidates for membership consideration at the May or spring LPC meeting.
- e. The full LPC membership shall vote on a list of nominees to forward to the JCCC for final appointment.
- f. The Chairperson(s) of the LPC shall seek approval of the JCCC for final appointment.
- g. Voting privileges shall begin upon the appointment of new members by the JCCC.
- h. Members shall serve in a volunteer capacity without any compensation from the LPC.
- i. Members shall serve at the pleasure of the JCCC and may be removed at any time by their appointing authority.

7. Term and Term Limits

LPC members shall be appointed for a three-year term. LPC members can serve two (2) – three (3) year terms for a maximum of six (6) years in addition to any portion of an unexpired term. The term limits will be retroactive to July 1, 2005, with the following term limits being affected as such:

- a. Members whose terms began 7/1/03, have an option to run for a second term of four (4) years
- b. Members whose terms began 7/1/04, have an option to run for a second term of five (5) years

Members who term out will be eligible for nomination after one (1) year of being off the LPC.

8. Resignation

A member may resign by giving written notice to the Chair or Co-chairs. The Chair or Co-chair shall report any resignations to the LPC at the next scheduled meeting and forward it to the JCCC.

9. Removal

a. Members may be removed from their position by the appointing authority. Examples of reasons that may result in an action to remove a Member include but are not limited to the following:

- i. Failure to attend at least 75%-of LPC meetings and retreats;
- ii. Irremediable personal pecuniary interest or a legal conflict of interest in or with areas of LPC responsibility;
- iii. Failure to satisfy the qualifications and specifications of the Member's appointment as provided in Paragraph 5 above;
- iv. Failure to remain a resident of Santa Clara County.

b) LPC Code of Ethics

- LPC Members will commit to practicing these core values:
 - Children and Families: Advance the long-term best interests of families and children, especially special needs of children.
 - Inclusion and Collaboration: Draw strength from members' diversity, yet strive to speak with one voice.
 - Honesty and Integrity: Build public trust by meeting the highest standards of personal and professional practice.
 - Accountability: Agree to be held answerable for fulfilling responsibilities, promises, and commitments.
 - Cultural and Geographic Diversity: Attentive to and influenced by the cultural and geographic diversity of the County.
 - Innovative, Strategic Thinking: Move outside of one's comfort zone to develop visionary solutions for children.
 - Leadership: Have the political wisdom, relationships, and expertise to be effective advocates of children and families.

- To make an ethical decision, LPC members will:
 1. Take an objective look at the facts.
 2. Identify stakeholders, who will gain or lose.
 3. Apply the Ethics Standards. Which action will:
 - a. Do the most good and least harm?
 - b. Protect rights, satisfy duties, and treat all with respect?
 - c. Care for special needs children?
 - d. Be fair and treat everyone else equitably?
 - e. Advance the community's best interests?
 - f. Best advance the LPC's Core Values?
 4. Double check the motives, alternatives, and reasoning:
 - a. Is there a better action? Why not?
 - b. Do some Stakeholders lose? Why?
 - c. Can we reduce harm any further?
 - d. Why should someone hurt by this still trust us?
 - e. Is this us acting at our best? Why?
 5. Participate fully; seek mutual understanding, inclusive solutions.
 6. Explain our Ethics reasoning in public and act with courage.
 7. Assess the results. Apply lessons learned to future decisions.

10. Vacancies

- a) As vacancies occur within the membership categories, a membership committee, appointed by the LPC Chairperson(s), shall meet at the earliest date possible.
- b) The committee shall submit to the LPC, its recommendation to fill the vacant position at the next regularly scheduled LPC meeting.
- c) If the LPC accepts the recommendation, the Chairperson(s) of the LPC shall seek approval of the JCCC for appointment at the next scheduled JCCC meeting.
- d) After appointment by the JCCC, the recommended replacement shall serve the remaining term of the member he/she is replacing.

Article V - Attendance

1. LPC members must attend a minimum of 75% of regularly scheduled LPC meetings and 75% of scheduled LPC Retreats/Trainings. *LPC members* may send an alternate to 2 *meetings* and 2 *retreats/trainings* each fiscal year (July – June).

Article VI - Meetings

1. The LPC shall calendar meetings for the year at the summer meeting or its September meeting. All meetings shall be open to the public as mandated under the Brown Act.
2. If a special or emergency meeting is called, they will be in accordance with the Brown Act.
3. All regular LPC meetings shall be governed by Robert’s Rules of Order, Revised.

Article VII - Officers

1. The LPC shall have two elected officers, a Chairperson and Vice-Chairperson, OR two Co Chairs. Term of office will be a staggered, 3 year term.
2. The out-going Chairs shall appoint a Nominating Committee between March and May to select nominees for Officers for the following year.
3. At the May or fall meeting, officers will be elected and the membership will decide which configuration of officers will be in effect for the following year. Term of office shall begin at the first meeting after the election.
4. The LPC Coordinator shall perform staff duties.
5. Should the office of Chairperson (or one of the Co Chairs) become vacant, the Vice Chairperson or Co Chair shall immediately appoint a Nominating Committee which shall meet and report to the next regularly scheduled LPC meeting its nominees to fill the expired term. The vacancy shall be filled by a vote of a quorum at a regularly scheduled LPC meeting.
6. Any officer may be removed from office by a two-thirds (2/3) vote of the LPC membership.

Article VIII - Duties of Officers

1. The duties of the Chairperson or Co Chairs shall be to:
 - a. preside at all regular meetings of the LPC.
 - b. call special or emergency meetings.
 - c. appoint the members of LPC committees and work groups.
 - d. serve as an ex-officio member of all committees.
 - e. work with staff to prepare an agenda for each meeting.
 - f. see that members of the public have an opportunity to speak on agenda items at the appropriate time.

- g. represent the LPC at appropriate functions and events.
- h. represent the goals and objectives of the LPC.
- i. perform all other duties necessary or incidental to the office.
- j. represent LPC at the Joint Child Care Committee as ex-officio member(s).

2. Duties of the Vice-Chairperson shall be to:

- a. assume the responsibilities of the Chair in his/her absence.

3. LPC Executive Committee:

- a. The LPC Executive Committee is the standing committee that consists of the LPC Chairperson or Co Chairs, and the Chairs of all LPC standing committees. The roles and responsibilities of the LPC Executive Committee are to:
 - i. Review and/or approve the LPC meeting agenda and minutes prior to posting for public view
 - ii. Review and/or approve and LPC letters, memos, and resolutions.

4. LPC Staff Duties shall be to:

- a. record and distribute minutes of the regular LPC meeting.
- b. keep records of attendance and action/roll call votes.

5. In the absence of the Chairperson or upon his or her inability to act, the Co-Chair shall take his/her place and perform the duties. In the absence of the Co-Chair or his/her inability to act, the remaining members of the LPC shall appoint one of their members to act temporarily as chairperson. (In the absence of both Co Chairs, the same process shall be employed by the LPC.).

Article IX - Appointment of Members to Outside Commissions, Councils and Boards

- 1. Whenever the LPC wishes to name one of its members to serve on another commission, council or board, members may submit a letter to the LPC Coordinator detailing the member's interest and qualifications in being appointed to serve on the commission, council or board. The member who will serve as the LPC's representative to such an outside entity will be appointed at a LPC meeting by a majority vote of those members constituting a quorum.
- 2. If the member chosen by the LPC membership to serve on an outside commission, council or board does not fulfill his or her entire term on such an entity, the LPC will vote to appoint another member who will serve the remainder of the term using the procedure detailed in section 1 of this article.
- 3. At the end of a LPC member's term on a commission, council or board, the LPC will hold a vote to appoint its representative to such an outside entity using the procedure detailed in section 1 of this article. Nothing prohibits a member from being re-appointed to serve on the same outside entity.
- 4. An LPC member appointed to serve on an outside commission, council or board may be removed by a two-thirds (2/3) vote of the LPC membership.
- 5. All appointments pursuant to this article will be renewed annually at the summer LPC Retreat or regular

September LPC meeting or when the appointment is up for renewal.

6. Responsibilities of LPC representatives on an outside commission, council or board will be to:
 - a. Report (written and/or oral) activities of the commission, council or board at regular scheduled LPC meetings. The reports shall be an agenda item at regularly scheduled LPC meetings.
 - b. Represent the interests, values, goals, and objectives of the LPC.
 - c. Seek the advice from the LPC Chair(s), Staff, and Membership whenever necessary.

Article X - Committees/Work Groups

1. Committees or Work Groups shall be organized by the Chair(s) to conduct research and formulate recommendations to fulfill the goals and objectives of the LPC. Committees and Work Groups shall be time limited and shall not preclude participation by the general membership, members of appropriate professions, and the general public.
2. LPC members shall contribute to the work of at least one committee.
3. At least one LPC committee chair shall be an LPC member. Both LPC Co-Chairs shall be LPC members.

Article XI - Quorum

A quorum shall be a majority (50% plus one) of the current LPC membership.

Article XII- Voting Procedures

1. Each LPC member shall have one vote. Alternates shall have one vote in place of the member they are representing provided the alternate has been properly designated in writing or by email to LPC staff.
2. Official actions of the LPC shall be authorized by vote of a quorum of the current LPC membership, except where a two-thirds (2/3) vote is required by these bylaws.
3. Except for elections, voting by show of hands is acceptable unless a LPC member requests a roll call vote be taken.

Article XIII- Conflict of Interest

No member of the LPC shall participate in a vote if he or she has a proprietary interest in the outcome.

Article XIV - Bylaws

1. Amendments to Bylaws - These Bylaws may be amended by an affirmative vote of two-thirds (2/3) of the current LPC membership provided the amendments have been submitted to the membership at least 30 calendar days following the meeting at which the amendment was proposed. All amendments must be approved by the LPC, with final approval by the Board of Supervisors and the County Board of Education, through the Joint Child Care Committee (JCCC). These Bylaws shall become effective upon approval by the Joint Child Care Committee (JCCC).