

PINELLAS COUNTY LICENSE BOARD FOR CHILDREN'S CENTERS AND FAMILY DAY CARE HOMES

BYLAWS

(Adopted 9/2/98, effective 10/1/98)

(Revised 7/7/99, 12/6/00, 5/5/04, 5/2/07, 11/7/07, 5/7/08)

Article I - Name *

The organization is created by Legislative Acts, Chapter 61-2681 amended by Chapters 70-893 and 2007-277, and is known as the Pinellas County License Board for Children's Centers and Family Day Care Homes, hereinafter referred to as the Pinellas County License Board, License Board or Board. The terms family day care and family child care are interchangeable.

Article II - Purpose *

The purpose of the Pinellas County License Board is to protect the health, safety, and mental development of children cared for in children's centers and family child/day care homes in Pinellas County.

Article III - Members

Board*:

The Board shall consist of seven voting members:

- (1) A member of the board of county commissioners, said member to be designated by action of the board of county commissioners.
- (2) The director of the district division of family services or a person delegated by him/her.
- (3) A member of the juvenile welfare board, or the director of said board, said member to be designated by action of the juvenile welfare board.
- (4) The district school superintendent or his/her designee with an expertise in elementary preschool education.
- (5) The county health officer or a person delegated by him/her.

Note: Due to the Interlocal Agreement between Pinellas County License Board and the Pinellas County Health Department (PinCHD) and the due process rights of child care providers, a person delegated by the County Health Officer, who is not an employee of the County Health Officer must serve as the Board member.

- (6) Two (2) members in good standing from Pinellas County preschool associations, selected by majority vote of the elected officers of those organizations.

Note: The upper Pinellas County preschool association and the Pinellas County preschool association on children under six delineated in the Special Act no longer exist under those names.

Vacancies

In the event of a vacancy in a License Board position listed above, the organization to be represented is responsible for naming the delegate.

Advisory Committee

The License Board shall appoint a committee to serve in a non-voting advisory capacity. Members shall serve a two (2) year term; there is no limitation on the number of terms a person may serve. Such committee shall consist of:

- (1) Three (3) operators in good standing, representing privately-operated children's centers, school age centers, and faith-based children's centers, selected by majority vote by the elected officers of Pinellas County preschool associations staff will make a recommendation Board appointment.
- (2) Two (2) other persons qualified by education and experience in the field of early childhood education.
- (3) Two (2) operators in good standing, one (1) representing family day care homes and one (1) representing large family child care homes, selected by majority vote by the elected officers of Pinellas County preschool associations
- (4) One (1) person qualified by experience as a member and chairman of the License Board.

Vacancies:

In the event of a vacancy in any Advisory Committee position, except where License Board staff shall make a recommendation(s) for replacement to be voted on by the Board.

Ex Officio:

The County Health Officer or a person designated by him/her shall serve in an *ex officio* capacity to serve in a non-voting advisory capacity. The *ex officio* member of the Board must not address the Board or its members as to any quasi-judicial matters coming before the Board for consideration.

Article IV - Officers and Their Duties

The officers shall consist of an elected Chairman and an appointed Secretary.

Chairman:

At the next to the last meeting of the fiscal year, a nominating committee shall be formed consisting of two Board members and one Advisory Committee member nominated and elected by the Board and one staff member selected by the Executive Director. The nominating committee shall present a recommendation for Chairman to the Board at the last or the first meeting of the fiscal year. The election of the Chairman shall occur at this one of these meeting. The newly elected Chairman shall preside over the meeting following election. There is no limitation on the number of terms a Chairman may serve.

Duties of the Chairman:

Meetings - Shall preside at all Board meetings. ~~and shall conduct the annual evaluation of the Executive Director.~~
Director Replacement - If the position becomes vacant, shall also appoint a search committee, to be chaired by the supervisor th. The committee whe will make a recommendation to the Board for the Director position. The Board will vote on the recommendation, and if approved direct the to hire. The will perform background screening according to its policy and inform Board if the candidate cannot be hired.

Director – Shall work closely with the supervisor of the following the Pin with clear communication between the supervisor of the nd the Board Chairman. The supervisor for the position or the with the Chairman as lead can initiate action as both work together.

Secretary:

The Secretary shall be appointed by the Chairman.

Duties of the Secretary:

Shall sign all minutes upon approval and serve as Chairman in the absence of the Chairman.

Board Member's Duties:

Board members are expected to attend all Board meetings and arrive prior to the scheduled start of the meeting.

Members must not miss more than 2 scheduled meetings in one calendar year.

Board members are expected to serve on Board committees.

Board members will become familiar with Pinellas County regulations governing children's centers and family day care homes and the history of the License Board.

Board members will communicate the mission and goals of the License Board.

Board members will actively participate in improving and enhancing child care in Pinellas County.

Board members are required to vote (yea nay) on each issue presented for a vote at Board meetings.

Board members shall complete the Financial Disclosure form annually.

Board members have responsibility for working cooperatively with the Pinin the hiring of the Executive Director.

Advisory Committee Member's Duties:

Advisory Committee members are expected to attend all Board meetings and arrive prior to the scheduled start of the meeting. Members must not miss more than 2 scheduled meetings in one calendar year.

Advisory Committee members are expected to serve on Board committees.

Advisory Committee members will become familiar with Pinellas County regulations governing children's centers and family day care homes and the history of the License Board.

Advisory Committee members will communicate the mission and goals of the License Board.

Advisory Committee members will actively participate in improving and enhancing child care in Pinellas County.

Ex Officio Member's Duties:

Ex Officio member expected to attend all Board meetings and arrive prior to the scheduled start of the meeting. Member must not miss more than 2 scheduled meetings in one calendar year.

Ex Officio member will become familiar with Pinellas County regulations governing children's centers and family day care homes and the history of the License Board.

Ex Officio member will actively participate in improving and enhancing child care in Pinellas County.

Ex Officio member will not advise the Board on quasi-judicial matters.

Article V - Fiscal Year

The fiscal year shall be October 1 through September 30.

Article VI - Meetings

Regular Meetings (Section 4):

The Board shall hold meetings, at a minimum. Meetings may be called by the Chairman whenever he/she deems it necessary or by a quorum of the Board members as set forth in Chapter 61-2681, amended by Chapters 70-893 and 2007-277, Laws of Florida.

Government in the Sunshine:

All meetings of the Board and Board committees shall be held in accordance with Government in the Sunshine Law. Sunshine appl to both Board and Advisory Committee members.

Special Meetings:

PCLB Bylaws

Special meetings may be called by:

- a) the Chairman
- b) the Secretary in the Chairman's absence
- c) vote of the Board

Minutes:

Minutes of each meeting shall be accurately taken, provided to Board and Advisory Committee members at or before the next regular meeting, approved by the Board, signed by the Secretary and preserved.

Article VII - Quorum

Members are required to Board meetings and a quorum must be physically present to have a meeting. Only in extraordinary circumstances and with a quorum present may board member participate in discussion and vote by telephone.

General business requires a simple majority of the Board members. To adopt a proposed new standard a five-sevenths (5/7) vote of Board membership. The Board has the power and duty to promulgate and adopt rules and regulations for the purposes of administering and enforcing minimum standards. To do so, procedures in Section 5 of Chapter 61-2681, amended by Chapters 70-893 and 2007-277, must be followed.

Article - Committees

New committees may be created by the Board through a motion and majority vote by the chairman as needed. The chairman shall appoint members of the committee and the committee chairman who will call the meeting(s). A quorum of the committee is a majority of membership. Members may

Article - Parliamentary Authority

Roberts Rules of Order Newly Revised, shall be the parliamentary authority of the organization. All articles in the bylaws shall be interpreted to be consistent with Roberts Rules of Order Newly Revised.

Article X - Amendments

Action to amend bylaws requires a five-sevenths (5/7) vote.

The bylaws may be amended at any meeting provided that notice has been given one month in advance.

Exception: Items stated in Chapter 61-2681, amended by Chapters 70-893 and 2007-277, and noted with an asterisk in these bylaws require legislative action to amend.

Article XI - Conflict of Interest

No member of the Board of Directors, staff or paid consultants of the Agency shall have any direct or indirect financial interest in the assets, leases, business transactions or professional services of the Agency. Any Board member who individually or as part of a business or professional firm is involved in the business transactions or current professional service of the Agency shall disclose this relationship and shall not participate in any vote taken in respect to such transactions or services.

Members of the Board shall avoid entering into contracts or agreements involving, directly or indirectly, members of the Board in a manner that would be, or give the appearance of being, a conflict of interest.

Members of the Board will, prior to voting on a funding issue which involves any program or agency in which they participate as an employee or member of the governing authority, disclose their interest in said program or agency and file a disclosure statement

No member of the Board will vote on any issue that will benefit her/himself, any relative, or friend, or a company or agency for which any Board member is an employee or volunteer.

Article XII - Staff:

Staff is defined as the people responsible for monitoring and inspecting family day care homes, children's centers, and large family child care homes, and includes the Executive Director and the personnel providing support to those people responsible for monitoring and inspecting.

Article XI - The Director

The Director shall implement policies of the Board and shall be responsible for the daily operation of the agency.

- * As stated in Chapter 61-2681, as amended by Chapters 70-893 and 2007-277, amended as necessary pursuant to the Interlocal Agreement between the Pinellas County License Board and the Pinellas County Health Department.