

BY-LAWS of  
RESIDENTIAL CHILD CARE LICENSING ADVISORY COMMITTEE

**ARTICLE 1**  
**Definitions**

- A. "Committee" means the Residential Child Care Licensing Advisory Committee.
- B. "Administrator" means the Administrator of the Child Care Licensing Program or a designee.
- C. "Department" means the Utah Department of Health.
- D. "Executive Director" means the Executive Director of the Utah Department of Health.
- E. "Pending Minutes" means minutes that have been prepared in a draft form and are subject to change before being approved by the committee.

**ARTICLE II**  
**Legal Authority**

The Residential Child Care Licensing Advisory Committee was established pursuant to Sections 26-1-7(1)(e) and 29-36-201, Utah Code Annotated, 1953 as amended. The Committee will advise the Department on rules promulgated for home based licensing child care facilities.

**ARTICLE III**  
**Committee Responsibilities**

- A. Advise the Department on the licensing rules governing home based child care facilities for the State of Utah.
- B. Promote the health and safety for home based child care programs statewide.
- C. Participate in various state and local home based child care activities and public relations activities as a representative of the Committee.
- D. Maintain current knowledge of the issues relating to their profession, Committee position, and general Committee responsibilities through educational efforts or workshops.
- E. Advocate the interests of those parties who do not have organized representation or easy access to the Committee.

**ARTICLE IV**  
**Committee Membership**

- A. Membership Composition and Appointment:

The Committee will be composed of nine (9) members, all appointed by the Executive Director, as follows:

1. Two members shall represent current consumers of child care programs licensed pursuant to Title 26, Chapter 39.
2. Three members shall be providers of licensed child care home programs pursuant to Title 26, Chapter 39.
3. Two members shall be health care providers.
4. One member shall be an individual with expertise in early childhood development.
5. One certified residential child care provider.

B. Appointment Terms:

1. Terms shall be for four-years. Appointments and reappointments may be staggered so that  $\frac{1}{4}$  of the advisory committee changes each year.
2. Members will continue to serve until the member's successor has been appointed.
3. When a vacancy occurs in the membership for any reason, the replacement will be appointed for the unexpired term.

C. Termination of Membership:

Members can be replaced by the Executive Director in the event of one of the following:

1. If the member fails to attend three Committee meetings in a calendar year, if each of the absences is not excused by the Chair prior to or during the meeting;
2. If a member ceases to be representative as designated in the original appointment; or
3. If the member fails to comply with the licensing standards as established by the Committee and does not maintain a Standard License as a Child Care Provider.
4. The Committee minutes will reflect the members who are excused.

## **ARTICLE V Committee Officers**

A. Appointment of Chair.

The Committee shall elect a Chair.

B. Term of the Chair.

The Chair of the Committee will serve a one-year term.

C. Appointment of a Vice Chair.

For purposes of conducting Committee or sub-committee meetings in the absence of the Chair, the Committee may appoint a Vice Chair.

D. Other Officers.

1. The Chair may appoint sub-committee chairs as deemed appropriate to operate the Committee business in an efficient manner.

2. The elected officers shall assume responsibility in August of each year.
3. The Administrator shall serve as Executive Secretary to the Committee.
4. Elected officers may send a substitute to attend a meeting in the event of an emergency. This substitute must represent the same group the elected officer represents. The elected officer will be informed the Chair of this substitution prior to or during the meeting.

## **ARTICLE VI Committee Meetings**

### **A. Location and Frequency of Meetings.**

1. The Committee will meet at the Utah Department of Health Building; meetings may be held at other locations designated from time to time by the Committee.
2. Meetings shall be at least quarterly, or more frequently as determined by the Executive Director, the Chair, or three or more members of the Committee.
3. Notice of the meeting schedule will be provided at the first meeting of the calendar year.
4. Attendance may be by means of electronic equipment.

### **B. Public Notification.**

Public notice of Committee meetings will be provided in compliance with the Open and Public Meetings Act. Committee meetings will be open to the public except as otherwise permitted by law.

### **C. Record Keeping.**

Written minutes as well as an audio recording will be kept of all Committee meetings.

Pending minutes will be available to the public within 30 business days of holding the meeting.

Approved minutes will be available to the public within three business days after approved by the committee.

Audio recording of the meeting will be available to the public within three business days after holding the meeting.

Minutes can be approved via e-mail.

### **D. Public Involvement.**

Each Committee meeting will include a time set aside on the agenda for public comments.

## **ARTICLE VII Voting**

### **A. Quorum.**

Five members constitute a quorum for the transaction of Committee business.

### **B. Actions of the Committee**

A vote of the majority of the members present constitutes an action of the Committee.

C. Conflict of Interest.

No member of the Committee may vote on any matter which would provide direct individual financial benefit to that member, without declaring that interest for the record. All committee members must sign a conflict of interest form as required by the Utah Public Employee's Ethics Act Utah Code Ann. §§ 67-16-1 through 15.

**ARTICLE VIII**  
**Amendments of the By-laws**

A. Amendment Procedure.

These by-laws may be revised or amended by an affirmative vote of two-thirds (2/3) Committee members at any regular or special meeting of the Committee if a motion to consider the specific amendment is made at a regular or special meeting of the Committee and notice of the amendment and its text is contained in the notice of the meeting.

B. Restrictions.

The Committee will not be permitted to amend the By-laws contrary to the provisions of Utah Statute.

Adopted December 1, 1997  
Updated November 13, 2014