

BY-LAWS of
CHILD CARE CENTER LICENSING COMMITTEE

ARTICLE 1
Definitions

- A. "Committee" means the Child Care Center Licensing Committee.
- B. "Administrator" means the Administrator of the Child Care Licensing Program.
- 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 Child Care Center Licensing Committee was established pursuant to Sections 26-1-7(1)(f) and 26-39-102(5), Utah Code, 2014 General Session. The Committee will make rules for center based licensing child care facilities.

ARTICLE III
Committee Responsibilities

- A. In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules that govern center based child care as necessary to protect qualifying children's common needs for a safe and healthy environment.
- B. Promote the health and safety for center based child care programs statewide.
- C. Advise the Department on the administration of any matter affecting center based child care.
- D. Advise and assist the Department in conducting center based child care provider seminars.
- E. Perform other duties as provided under Section 26-39-203.
- F. Participate in various state and local center based child care activities and public relations activities as a representative of the Committee.
- G. Maintain current knowledge of the issues relating to their profession, Committee position, and general Committee responsibilities through educational efforts or workshops.
- H. 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 seven (7) members appointed by the governor and approved by the Senate as follows:

1. Three members who have at least five years of experience as an owner in or director of a for profit or not-for-profit center based child care, and hold an active license as a child care center from the Department to provide center based child care.
2. One parent with a child in center based child care.
3. One child development expert from the state system of higher education.
4. One pediatrician licensed in the state.
5. One architect licensed in the state.

B. Appointment Terms:

1. Terms shall be for four-years ending June 30, however, terms will be staggered so that approximately half of the members are appointed every two years.
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 governor, with the consent of the Senate, shall appoint a replacement for the unexpired term.

C. Termination of Membership:

Members can be replaced by the governor and approved by the Senate 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 every two months, 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.

Three 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 three 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 November 13, 2014