
POLICY TRANSMITTAL NO. 06-33	DATE: JULY 31, 2006
DIVISION OF CHILD CARE	DEPARTMENT OF HUMAN SERVICES OFFICE OF LEGISLATIVE RELATIONS AND POLICY

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OAC 340:110-1-17.

EXPLANATION: **Policy revisions were approved by the Commission and the Governor as required by the Administrative Procedures Act.**

The revisions to Subchapter 1 of Chapter 110 amend the rule relating to the Child Care Advisory Committee (Committee) bylaws in order to bring the rule into compliance with the Oklahoma Child Care Facilities Licensing Act (Act). The revised rule improves the function of the existing Committee by: (1) providing clear guidelines regarding Committee requirements and procedures; and (2) complying with federal and state laws and regulations to ensure quality of services provided to children and their families.

340:110-1-17 is amended to: (1) allow for the replacement of an officer when the position has been vacated; (2) allow for additional meetings to be called or cancelled at the discretion of the Committee chairperson and the Division of Child Care (DCC) representative; and (3) require active participation of Committee members as it relates to service on licensing revision subcommittees.

Original signed on 7-14-06

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WF # 06-07 (NAP)

INSTRUCTIONS FOR FILING MANUAL MATERIAL

OAC is the acronym for Oklahoma Administrative Code. If OAC appears before a number on an Appendix or before a Section in text, it means the Appendix or text contains rules or administrative law. Lengthy internal policies and procedures have the same Chapter number as the OAC Chapter to which they pertain following a “DHS” number, such as personnel policy at DHS:2-1 and personnel rules at OAC 340:2-1. The “340” is the Title number that designates DHS as the rulemaking agency; the “2” specifies the Chapter number; and the “1” specifies the Subchapter number.

The chronological order for filing manual material is: (1) OAC 340 by designated Chapter and Subchapter number; (2) if applicable, DHS numbered text for the designated Chapter and Subchapter; and (3) all OAC Appendices with the designated Chapter number. For example, the order for filing personnel policy is OAC 340:2-1, DHS:2-1, and OAC 340:2 Appendices behind all Chapter 2 manual material. Any questions or assistance with filing manual material will be addressed by contacting Policy Management Unit staff at (405) 521-3611.

REMOVE

340:110-1-17

INSERT

340:110-1-17, pages 1-5, revised 8-1-06

340:110-1-17. Child Care Advisory Committee bylaws

(a) Purpose. The purpose of the Child Care Advisory Committee (Advisory Committee) is to:

(1) carry out the provisions of the Oklahoma Child Care Facilities Licensing Act, Section 404 of Title 10 of the Oklahoma Statutes to:

(A) ensure maintenance of minimum standards for the care and protection of children away from their homes that include:

(i) constructive programs and services to meet the needs of each child and family;

(ii) staff of good moral character and ability to care for children;

(iii) adequate and safe housing, sanitation, and equipment;

(iv) good health care;

(v) full educational and religious opportunities;

(vi) good community relationships;

(vii) essential records and administrative methods; and

(viii) sufficient funds for sound operation;

(B) encourage and assist child care facilities toward maximum standards; and

(C) work for the development of sufficient and adequate services for child care through joint work with public and private agencies;

(2) prepare minimum requirements and recommend desirable standards for child care facilities for adoption by the Oklahoma Department of Human Services, hereinafter referred to as OKDHS;

(3) serve in an advisory capacity to OKDHS for developing quality child care programs and services; and

(4) educate the public and consumers regarding quality child care.

(b) Function. The function of the Advisory Committee is to:

- (1) become informed on OKDHS programs and policies regarding children;
- (2) express the needs and concerns of the community and the State of Oklahoma as they relate to the care and treatment of children;
- (3) bring recommendations for change, including the adoption of minimum requirements and encouraging maximum standards for child care; and
- (4) interpret and support the recommended policies.

(c) Membership.

(1) **Representation.** The director of Child Care Services makes recommendations for membership to the OKDHS Director. Members are appointed to serve at the pleasure of the OKDHS Director, based on their expertise, experience, and leadership in the field of child care.

(A) The Advisory Committee at a minimum consists of 18 members.

(B) The majority are representatives of child care facilities.

(C) Other members include at least one representative from:

(i) Oklahoma State Department of Health;

(ii) Oklahoma Department of Education;

(iii) Office of the State Fire Marshal;

(iv) Division of Child Care (DCC); and

(v) other associations and agencies as recommended to the OKDHS Director, such as the Oklahoma Child Care Association, Oklahoma Children's Agencies and Residential Enterprises Incorporated (OK-CARE), Oklahoma Department of Mental Health and Substance Abuse Services, Oklahoma Association of Youth Services, Office of Juvenile Affairs, Early Childhood Association of Oklahoma, and Head Start.

(D) A representative from the Oklahoma Commission on Children and Youth serves as an ex-officio member.

(2) Terms of office.

(A) The terms of Advisory Committee members are for three years.

(B) Members receive orientation to the goals and practices of the Advisory Committee.

(C) Members may be recommended for reappointment after completing their terms of office.

(3) Officers. The officers of the Advisory Committee are chairperson, vice-chairperson, and secretary.

(A) **Chairperson.** The chairperson is responsible for:

(i) presiding over all meetings;

(ii) in coordination with DCC, planning the meeting agenda at least two weeks in advance; and

(iii) with the director of Child Care Services or representative, appointing members of subcommittees.

(B) **Vice-Chairperson.** The vice-chairperson works closely with the chairperson and assumes the responsibilities of the chairperson in his or her absence.

(C) **Secretary.** The position of secretary is held by the DCC representative. The secretary is responsible for accurately recording the minutes of each meeting and making them available to the members prior to the next meeting. A permanent copy of the minutes is maintained by OKDHS.

(4) Election of officers and terms of office.

(A) Upon vacancy of office, the chairperson and vice-chairperson are elected by a majority vote of members present during the next quarterly meeting following the office vacancy. Officers assume duties during the meeting in which the election is held.

(B) Terms of office are for two years. Officers may be elected to serve in one office for a maximum of four terms.

(5) Subcommittees.

(A) Subcommittees are appointed by the chairperson with consultation from DCC and are designated to:

- (i) draft licensing requirements for child care programs and services;
- (ii) study committee concerns; and
- (iii) address special issues of the committee.

(B) The chairperson of the subcommittee is a member of the Advisory Committee.

(C) Subcommittee members include representatives of child care programs and services with experience and expertise in the field of child care and children's services.

(D) Subcommittees appointed to draft licensing requirements for child care programs:

- (i) present their recommendations to the Advisory Committee for approval prior to being approved by the Commission for Human Services and the Governor;
- (ii) have a majority of members who represent private child care programs affected by the requirements; and
- (iii) include representatives from licensing, including supervisory and field staff.

(E) Standing subcommittees expand the opportunity for child care program operators to identify quality improvement resources, express concerns facing the industry, and recommend issues for consideration by the Advisory Committee.

- (i) The chairpersons of four standing subcommittees, representing family child care, child care centers, residential child care, and child-placing agencies, are appointed by the Advisory Committee chairperson from the Advisory Committee membership.
- (ii) Subcommittee members are identified and recruited by the subcommittee chairpersons with consultation from DCC.
- (iii) Subcommittees meet at the call of the chairperson.

(iv) The subcommittee chairperson provides a report to the Advisory Committee at least annually and more often as needed.

(d) **Meetings.**

(1) **Frequency.** The Advisory Committee meets quarterly. Additional meetings may be called or regular meetings cancelled at the discretion of the chairperson and DCC representative.

(2) **Quorum.** A minimum of one third plus one of the membership must be present for a quorum.

(3) **Voting.** Members or their designees vote only after completing orientation.

(4) **Attendance.** Committee members or their designees must attend at least two Advisory Committee meetings a year or may be removed from the committee at the discretion of the OKDHS Director.

(5) **Active participation.** Advisory Committee members or their designees are required to serve on revision subcommittees representing their program knowledge and expertise.

(6) **Guidelines.** The Advisory Committee adheres to established Guidelines for Organization and Function. The practices of the Advisory Committee are compatible with the Child Care Facilities Licensing Act.

(7) **Rules of order.** Roberts Rules of Order, as amended, are used to govern the meetings.

(e) **Change of bylaws.** Bylaws may be altered, amended, or repealed only by a majority vote of the Advisory Committee, provided that written notice of the proposed action is given in the call to the meeting and a quorum is present.