

STATE of ARIZONA INTERAGENCY
COORDINATING COUNCIL FOR INFANTS AND
TODDLERS' BYLAWS
Approved 3/24/2023

Article I - Name

The name of the organization shall be the ***Arizona Interagency Coordinating Council for Infants and Toddlers***, hereinafter referred to as the ICC.

Article II- Purpose

According to P&P Ch. 1: "A.R.S. § 41-2022 designates the Arizona Department of Economic Security (ADES) as the Lead Agency for the state's IDEA, Part C system to be responsible for the administration of that system. The purpose of the ICC is to advise and assist the lead agency working collaboratively with partnering agencies in the coordination, development and implementation of the policies that constitute the statewide system of early intervention services. Partnering agencies include the state agencies, and all public/private providers/agencies who work together in identifying, providing, and coordinating services and resources to infants and toddlers with disabilities and their families.

Article III - Functions

In accordance with the *Individuals with Disabilities Education Act* (IDEA, Part C), as amended, the Governor has established a State Interagency Coordinating Council, which includes required duties described in CFR 303.604 containing but not limited to the following:

1. Advise and assist the Department of Economic Security (DES), as lead agency for Part C Arizona Early Intervention Program of the IDEA, in the development and implementation of the policies that constitute the statewide system of early intervention services, and when applicable its participating agencies.
2. Assist the lead agency in achieving the full participation, coordination, and cooperation of all appropriate public agencies in the development and implementation of the statewide delivery system of early intervention services for infants and toddlers with disabilities and/or developmental delays and their families.
3. Assist the lead agency in implementing the statewide system of early intervention services by informing the lead agency about any federal, state, or local policies that impede services, to ensure barriers are addressed.
4. Promote the lead agency's mission and seven (7) key principles to ensure family members and caregivers are given supports and resources to enhance children's learning and development through everyday learning opportunities.

Article IV - Responsibilities

In accordance with the functions described in Article III and the requirements of the IDEA, the ICC shall prioritize the activities of the subcommittees and full council to strengthen statewide awareness of early intervention services through advocacy, education, and collaborative relationships. In addition, the ICC shall:

1. Advise and assist the lead agency in the identification of fiscal and other supports and allocation of fiscal resources for services for early intervention programs.
2. Advise and assist the lead agency in the preparation of federal applications and amendments to those applications. Advise and assist the lead agency and the State Educational Agency (SEA) regarding issues of Child Find, a legal requirement that all states identify all children who have disabilities and who may be entitled to special education services including children who have substantiated abuse with child welfare (DCS), homeless children, and those living on Tribal land.
3. Promotion of methods including use of intra-agency and interagency collaborations regarding Child Find, monitoring, and provision of early intervention services and transitions.
4. Must advise and assist the SEA regarding the transition of toddlers with disabilities and/or developmental delays to preschool and other appropriate services.
5. As defined by IDEA, the Interagency Coordinating Council (ICC) of each jurisdiction that receives funds under Part C of the IDEA must prepare and submit to the Secretary of the U.S. Department of Education (Department) and to the Governor of its jurisdiction an annual report on the status of the early intervention programs for infants and toddlers with disabilities and their families operated within the State. The ICC may either: (1) prepare and submit its own annual report to the Department and the Governor, or (2) provide certification with the State lead agency's State Performance Plan/Annual Performance Report (SPP/APR)¹ under Part C of the IDEA. This signed report or certification (including the SPP/APR) is due at each January meeting.

Article V – Composition & Terms of Membership

Section 1 – ICC Membership Composition:

1. ICC members are appointed by the Governor pursuant to the requirements of Part C of IDEA (CFR 303.601). To the extent possible, the membership of the ICC shall represent the ethnic and geographic characteristics of the state's population. The Council shall be composed of a prescribed set of voting members noted below. ICC members are appointed to one seat and may not act in a dual role with vacant positions.

2. In general, membership composition is determined by the requirements of the IDEA CFR 303.601 as follows:

A. **Parents** - Not less than 20 percent of the members shall be parents of infants or toddlers with disabilities or children with disabilities aged 12 or younger. These family representatives should have knowledge of, or experience with programs for infants and toddlers with disabilities. At least one member shall be a parent of an infant or toddler with a disability or a child with a disability aged 6 or younger or currently participating in early intervention programs.

* *Parent means a natural or adoptive parent of a child; a guardian; a person acting in the place of a parent (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare); or a surrogate parent who has been assigned.*

B. **Service Providers** - Not less than 20 percent of the members shall be a public or private provider of early intervention services.

* *These providers can be contractors of services for early intervention services or experts from the private sector.*

C. **State Legislature** - Not less than one (1) member shall be from the state legislature.

* *This shall be a current member of the state legislature, and a person preferably with experience in early childhood or intervention programming.*

D. **Personnel preparation** - Not less than one (1) member shall be involved in personnel preparation.

* *This is a representative of a state university, private or public college that prepares future EI professionals, or a UCEDD (University Center for Excellence in Developmental Disabilities Education) Representative.*

E. **Agency for early intervention services** - Not less than one (1) member shall be from each of the state agencies involved in the provision of or payment for early intervention services to infants and toddlers with disabilities and their families. They shall have sufficient authority to engage in policy planning and implementation on behalf of such agencies.

* *These agencies are Department of Economic Security (DES), Department of Health Services (DHS), Department of Education (ADE), Arizona State School for Deaf and Blind (ASDB) and State Medicaid Arizona Health Cost Containment Care System (AHCCCS).*

F. **Agency for Preschool Services** - Not less than one (1) member shall be from the State Education Agency responsible for preschool services to children with disabilities and shall have sufficient authority to engage in policy planning and implementation on behalf of such agency.

* *This is the Arizona Department of Education, ADE.*

- G. **State Medicaid Agency** - Not less than one (1) member shall be from the agency responsible for the state Medicaid program.
- * This is the Arizona Health Cost Containment Care System (AHCCCS).*
- H. **Head Start Agency** - Not less than one (1) member shall be a representative from a Head Start agency or program in the state, or Early Head Start agency.
- * This can be a representative from the Head Start Association, County or City Programs for Head Start.*
- I. **Child Care Agency** - Not less than one (1) member shall be a representative from a state agency responsible for childcare.
- * State agency responsible for Child Care*
- J. **Agency for Health Insurance** - Not less than one (1) member shall be from the agency responsible for the state regulation of health insurance
- * This can be the Arizona Department of Insurance, or such agency.*
- K. **Office of the Coordinator of Education of Homeless Children and Youth** - Not less than one (1) member shall be a representative designated by the Office of Coordinator for Education of Homeless Children and Youths.
- * This office is within the Arizona Department of Education.*
- L. **State Foster Care Representative** - Not less than one (1) member shall be a representative from the state child welfare agency responsible for foster care.
- * This representative is from the Department of Child Safety, or CMDP.*
- M. **Mental Health Agency** - Not less than one (1) member shall be a representative from the state agency responsible for children's mental health.
- * This is a representative from the regional behavioral health agency or director of a mental health provider.*
- N. **Other Members** -The council may include other members selected by the Governor, including representative from the Bureau of Indian Affairs (BIA) or, where there is no school operated or funded by the BIA, from the Indian Health Service or a tribe or tribal council.
- * Other members may also be appointed from healthcare agencies and other community partners who have expertise in early intervention.*
- O. **Ex Officio Members:** The Part C Coordinator shall be an ex officio member.

Section 2- Terms of Membership

1. **Terms:** All council members serve at the pleasure of the Governor. There are no term limits. Appointments are made by the Governor's Office of Boards and Commissions staff for a three-year commission. A new member filling a vacated position will complete the current term of the previous vacated commission and can then apply for another three-year commission.
2. **Term Ending:** Expiration of terms are based on the previous position held, how long it was vacant and needs of the composition of the council. If a council member does not want to continue after the three-year commission, they must send a letter of resignation to the Governor's Office of Boards and Commissions. If they want to continue, they can reapply with the Office of Boards and Commissions office two (2) months prior to the end of their current commission. Until the new commission is in place, the ICC member is in a "holdover" position and can retain voting rights.
3. **Reimbursement:** Members who are parents, members who lose wages, or members who are unemployed may receive reimbursement for performing reasonable and necessary ICC duties. This does not include public committee members. Members must work with AzEIP staff to complete documentation within 60 days of meetings for reimbursement or reimbursement may not occur per state procurement regulations.
4. **Resignations:** If a council member no longer functions or fulfills the obligations in the role in which they were appointed, that member shall submit their letter of resignation to the Governors Board and Commissions Office and the ICC chair.
5. **Attendance:** ICC members are expected to attend all ICC meetings and any committee meetings they are assigned. If quorum is not met, ICC council meetings cannot take place.
6. **Number of Meetings:** The ICC shall meet at least quarterly, as required by statute. All meetings shall be open and accessible to the public in accordance with Open Meeting Law. Council and committee meetings maybe held virtually. Reasonable accommodations shall be made for persons with disabilities in accordance with the *Americans with Disabilities Act (ADA)*. All ICC council members are required to review the Open Meeting Law booklet and view the Open Meeting Law video on the Department of Economic Security website <https://www.youtube.com/watch?v=T583qHGTInA&t=1s>.

Notice of the ICC meetings are made public at least 24 hours in advance of the meeting with a copy of the proposed agenda. Notifications are on the DES website and the first-floor lobby of the DES building, 1789 West Jefferson Phoenix AZ 85007. When meetings are held virtually, notices are sent via email and posted.

7. **Interpreters** for persons who are deaf and other special accommodations shall be provided at council meetings for both council members and participants who give a 72-hour notice to the AzEIP staff by calling 602-532-9960.

Section 3 – Duties of Members

1. Each member shall review the ICC website which includes the orientation, Open Meeting Law, and basic information regarding commitment of the council. Each member shall attend all meetings. Each member shall participate in assigned committee meetings and shall participate in any/all activities and deliberations at the request of the Chair.
2. Conflict of Interest: No member shall cast a vote on any matter that would provide direct financial benefit to that member or otherwise give the appearance of a conflict of interest under state law.

Article VI - Officers/Duties

Section 1 - Selection of Officers

1. The officers shall be a Chair and Vice Chair, at least one of whom shall be a parent as defined in Article VI Section 1 C. If no parent can be found at the time of an open Vice Chair or Chair position, an interim Vice Chair or Chair would be selected
2. The Vice Chair will have a two-year term. After serving two years the Vice Chair will then move into the Chair and serve in that position for two years. An election will take place for the Vice Chair every two years. In the event of the inability or unavailability of the elected Chair to fulfill his/her term the Vice Chair will move into the Chair's position and the Council will vote on a new Vice Chair at the next regularly scheduled meeting. If the Vice Chair is unable or unavailable to fulfill their term, the Council shall vote on a new Vice Chair at the next regularly scheduled meeting.
3. If the Vice Chair is unavailable or unwilling to take over the Chair position, an election must take place at the next regularly scheduled meeting. If the term has expired for the Vice Chair, an election must take place for both positions.

Section 2 - Duties of Officers

1. **The ICC Chair shall:**
 - A. Preside over ICC meetings and Executive Committee meetings.
 - B. Jointly with the AzEIP staff liaison develop ICC and Executive Committee meeting schedules and agendas.
 - C. Provide overall direction of activities such as facilitating discussions at the meetings, ensure committee chairs have necessary resources for

related tasks, exercise general governance over the Council and provide leadership for the Council.

- D. Appoint members of committees, appoint committee chairs and work groups that are necessary to accomplish the duties of the ICC. Participate on the national Council of Interagency Coordinating Council chairs, and in meetings with the U.S. Office of Special Education Programs (OSEP) as requested by the ICC or the lead agency Part C Coordinator.
- E. Attend national or local conferences, summits, or other strategic opportunities to support the ICC work.

2. The ICC Vice Chair shall:

- A. Assume all duties and responsibilities of the Chair in his or her absence or by assignment from the ICC Chair.
- B. Vice Chair shall be in the position to assume the role of the ICC Chair, including supporting the lead agency staff on providing ongoing education and timely information for the ICC.
- C. Collaborate with the Family Engagement Committee and lead agency staff to coordinate a “Family Story” for the ICC Meetings.

Article VII – Open Meeting Law Information

Section 1 - Requirements

The ICC must follow all open meeting law requirements and review these with the council at least once each year to ensure compliance. DES has an internal procedure to follow and AzEIP staff liaison will oversee to ensure compliance for the ICC.

Section 2 – Quorum

Arizona statutes define a quorum as a simple majority of the appointed membership, A. R.S. 1-216. Vacant positions do not reduce the quorum requirement. An ICC meeting may be held without a quorum, but no voting or actions may be taken.

Article VIII – Committees

Section 1 – General Information

The ICC may establish committees to assist in accomplishing its duties and responsibilities. All committee meetings shall be open and accessible to the public in accordance with Open Meeting Law. Reasonable accommodations shall be made for persons with disabilities in accordance with the Americans with Disabilities Act (ADA). All members are required to review the Open Meeting Law booklet and view the Open Meeting Law video on the DES website <https://www.youtube.com/watch?v=T583qHGTInA&t=1s>. Notice of ICC meetings are made public at least 24 hours in advance with a copy of the proposed agenda.

Notifications are on the DES website and first floor lobby of the DES building, 1789 W. Jefferson Phoenix, AZ 85007.

Types of Committees:

1. **Ad hoc or workgroups:** These are short term, project driven groups that focus on specific immediate needs of AzEIP/ICC. An example is a group to update the AzEIP/ICC brochures.
2. **Subcommittees:** These are focused on long term projects or strategies. These are considered standing committees. Examples are for operational growth, fiscal funding development, or programmatic outcomes.
3. **Standing Committees:** These are the current standing committees and will be reviewed annually for purpose, function, and sustainability. Changes can be made to meet the primary purpose of the ICC at any time, without changes to the Bylaws.
 - a. **Executive Committee:** The executive committee is not open to public membership, but the public may attend. Seated positions are listed under “Section 2”
 - b. **Development Committee:** The purpose of this committee is to review ICC composition, recruit potential members, and make recommendations to fill vacancies to assure compliance with IDEA and ICC ability to effectively perform its duties.
 - c. **Fiscal Committee:** The purpose of this committee is to engage providers to collaborate on building awareness of funding needs for AzEIP.
 - d. **Family Engagement Committee:** The purpose of this committee is to ensure AzEIP families have the tools to share concerns and improvements.
 - e. **Transition Committee:** The purpose of this committee is to ensure that core team members and families are supported with quality resources surrounding the transition process.

Membership of Committees:

The ICC may establish committees to accomplish specific tasks. Membership of committees shall be appointed by the Chair and is open to the public. The exception is membership on the executive committee which is comprised of ICC members only.

The Executive Committee shall assist, if needed, the Chair in determining membership. To the extent possible, the membership of the committees shall represent the ethnic and geographic characteristics of the state’s population.

Roles of Committees:

The ICC shall review the purpose, progress, and membership of each committee annually to ensure the committees align with the ICC and the Part C program’s

strategic priorities and goals. Each committee will have a designated AzEIP staff person. Each committee shall have an appointed member as a chair of the committee.

Role of ICC Committee Chairs:

1. Provide leadership and oversight of the committee to ensure the goals of the committee are met.
2. Establish agenda for each meeting and facilitate the committee meetings, and ensure recommendations are made to the AzEIP office annually.
3. Attend ICC meetings, Executive meetings and present the progress of committee goals.

Voting of the Committees:

A quorum shall consist of a simple majority of the committee membership. Only appointed committee members may vote on recommendations for consideration by the full ICC.

1. In general, committee recommendations will be presented at the following ICC meeting.
2. If the ICC indicates readiness to vote on a committee recommendation, they may do so on the same day the recommendation is presented. If not ready to vote, they may ask for clarification and a vote will be held for next meeting or a vote may be made based on the changes proposed.
3. If consensus is not reached during committee meetings, issues can be brought to the Council for review and consensus.

Section 2 – ICC Executive Committee

1. The purpose of the ICC Executive Committee is to:
 - a. Initially review and discuss information and issues that will be addressed by the full council.
 - b. Establish the framework for the overall ICC business, set and align agendas for the meetings, and ensure standing agenda items are listed clearly on all agendas.
 - c. Support the Chair to appoint ad hoc work groups and subcommittee members.
 - d. Review attendance of the ICC members as needed.
 - e. Align all committee goals with AzEIP outcomes and objectives.

2. The ICC Executive Committee consists of the following ICC members:
 - a. ICC Chair
 - b. Vice Chair
 - c. One additional family member, with preference given to a family member with a child currently in the Part C Program
 - d. All chairs of the committees (if not the ICC Chair and Vice Chair)
 - e. One state agency representative (DES, DHS, ASDB, ADE, AHCCCS)
 - f. One early Intervention provider representative
3. The Executive Committee is empowered to act on behalf of the ICC when circumstances require a decision that cannot wait until the next scheduled meeting. Whenever it is necessary for the Executive Committee to act in place of the ICC, such actions shall come before the ICC as an executive report at the next regularly scheduled meeting.

Article IX - Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order* shall govern the Council in all cases in which they are applicable and consistent with the Bylaws of the Council and the laws of the State of Arizona. All ICC meetings are subject to Open Meeting Laws (A.R.S. § 38-431).

Article X - Amendments

Bylaws may be amended by a majority vote (50% plus 1) of all appointed members of the ICC. Bylaws will be reviewed annually and revised as needed. Substantive changes to the bylaws that are proposed must be submitted in writing to the membership a minimum of ten days (10) prior to the next meeting for approval and vote.

Article XI - Use of Funds

As the lead agency, DES/AzEIP manages the use of funds under the federal grant for ICC. Subject to the availability of funds, the ICC may use these funds to:

1. Conduct hearings and forums
2. Reimburse members of the Council for reasonable and necessary expenses for duties related to attending ICC meetings or national conferences
3. Hire staff to support activities of the ICC
4. Obtain the services of professional, technical, and clerical personnel, as may be necessary to carry out the performance of its functions
5. Hold a retreat for the ICC membership for educational and strategic planning

purposes

APPROVED AND ADOPTED March 24, 2023

Lana Graber, Acting ICC Chair

TBD, ICC Vice Chair

Caroline Nailor Oglesby, Part C Coordinator