

STATE of ARIZONA INTERAGENCY COORDINATING COUNCIL  
FOR INFANTS AND TODDLERS BYLAWS  
Revised 6.18.18

**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**

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 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, includes but limited to:

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 that 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 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.

3. 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.
4. May 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)<sup>1</sup> 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 – Membership Composition:**

- A. ICC individuals are appointed by the Governor pursuant to the requirements of Part C of IDEA. To the extent possible, the membership of the ICC shall represent the ethnic and geographic characteristics of the state's population. The ICC shall be composed of no more than 25 voting members. ICC members are appointed to one seat and may not act in a dual role with vacant positions.
- B. Membership composition is determined by the requirements of the IDEA as follows:
  1. **Parents** -Not less than 20 percent of the members (4 Parents) shall be parents of infants or toddlers with disabilities or children with disabilities aged 12 or younger. These family representatives should have with 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.*
  2. **Service providers** -Not less than 20 percent of the members (4) shall be a public or private providers of early intervention services.
 

*\*These providers can be contractors of services for early intervention services or experts from the private sector.*
  3. **State legislature** -Not less than 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.*
  4. **Personnel preparation** -Not less than 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.*

5. **Agency for early intervention services** -Not less than 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).*

6. **Agency for preschool services** -Not less than 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.*

7. **State Medicaid agency** -Not less than 1 member shall be from the agency responsible for the state Medicaid program.

*\*This is the Arizona Health Cost Containment Care System (AHCCCS).*

8. **Head Start agency**-Not less than 1 member shall be a representative from a Head Start agency or program in the state, or early head start agency.

*\* This is can be a representative from the Head Start Association, County or City Programs for Head Start.*

9. **Childcare agency** -Not less than 1 member shall be a representative from a state agency responsible for childcare.

*\*This is the Department of Economic Security, Childcare Administration (CCA).*

10. **Agency for health insurance** -Not less than 1 member shall be from the agency responsible for the state regulation of health insurance

*\*This is the Arizona Department of Insurance.*

11. **Office of the Coordinator of Education of Homeless Children and Youth** -Not less than 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.*

12. **State foster care representative** Not less than 1 member shall be a representative from the state child welfare agency responsible for foster care.

*\* This representative is from Department of Child Safety.*

13. **Mental health agency** -Not less than 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.*

14. **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 the tribe or tribal council.

*\* Other members may also be appointed from healthcare agencies and other community partners who have expertise in early intervention.*

15. **Ex Officio Members:** The Part C Coordinator shall be an ex officio member of the ICC.

## Section 2- Terms of Membership

- A. **Terms:** All council members serve at the pleasure of the Governor. Appointments are made by the Governor and reviewed and assisted by the Boards and Commissions staff. Expiration of terms are based on the previous position held, how long it was vacant and needs of the composition of the council. The minimum of the term is three (3) years. Term length will be determined by the vacated position prior to the new member taking office.
- B. **Term Ending:** When an ICC member's term is ended they shall serve in that position until reappointed or replaced by the Governors Boards and Commissions Office.
- C. **Reimbursement:** Council members who are parents, council members who have lost wages while performing reasonable and necessary ICC duties, or council members who are unemployed may receive reimbursement. This reimbursement is for members performing duties of the ICC board. This does not include public committee members. ICC members must work with AzEIP staff to complete documentation within 60 days of ICC meeting for reimbursement. Reference ICC orientation video for further information.
- D. **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 council chair.
- E. **Attendance:** ICC members are responsible for the commitment to attend all scheduled meetings. Regular attendance is expected, and regular in-person attendance is preferred. ICC members may attend meetings telephonically when they have schedule conflicts not permitting in-person attendance. Members shall notify in advance the lead agency Part C Coordinator; the ICC Chair or Vice Chair when they are unable to attend ICC meetings. The Executive Committee shall evaluate member attendance and participation annually. If an ICC member misses three (3) consecutive meetings, the Executive Committee may submit to the Governor's Office a request the individual be replaced. The ICC Chair will contact the ICC member before recommendation for replacement.
- F. **Number of Meetings:** The ICC shall meet at least quarterly, as required by statute. The meeting shall be open and accessible to the public in accordance with Open Meeting Law. Reasonable accommodation 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 24 hour in advance of the meeting with a copy of the proposed agenda. Notifications are on the DES website and 1<sup>st</sup> floor lobby of the DES building, 1789 West Jefferson Phoenix AZ 85007.

- G. Interpreters for persons who are deaf and other special accommodations shall be provided at council meetings for both council members and participants who give 24 hours' notice to AzEIP staff by calling 602-532-9960.

### Section 3 – Duties of Members

- A. Each member shall review the ICC website which includes the ICC orientation, Open Meeting Law and basic information regarding commitment of the council. Each member shall attend all ICC meetings, or send an assigned representative [**See Section C below for further details**]. Each member shall participate in assigned committee meetings and shall participate in any/all activities and deliberations at the request of the Chair.
- B. Appointed members of the ICC must participate as a voting member of at least one committee of the ICC.
- C. A member who is unable to attend an ICC meeting may send a representative.  
Role of Representative:
  - 1. The representative may participate in discussions and may present reports from the member.
  - 2. The representative shall not vote or be included in the determination of the quorum.
  - 3. The ICC member can only send a representative one time in a calendar year.
- D. Conflict of Interest: No member of the ICC 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

- A. The officers shall be a Chair and Vice Chair, at least one of whom shall be a parent; as defined in Article IV Section 1 C.
- B. 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 ICC Chair to fulfill his/her term the Vice Chair will move into the ICC Chair's position and the ICC will vote on a new Vice Chair at the next regularly scheduled ICC meeting. If the Vice Chair is unable or unavailable to fulfill their term, then the ICC shall vote on a new Vice Chair at the next regularly scheduled ICC meeting.
- C. If the Vice Chair is unavailable or unwilling to take over the ICC position, an election must take place at the next regularly scheduled ICC meeting. If the term has expired for the Vice Chair, an election must take place for both positions.

### Section 2 - Duties of Officers

- A. The ICC Chair shall:

1. Preside over ICC meetings and Executive Committee meetings.
  2. Jointly with the lead agency Part C Coordinator, develop ICC and Executive Committee meeting schedules and agendas.
  3. Provide overall direction of ICC activities such as facilitate discussions at the ICC meetings, ensure committee chairs have necessary resources for related tasks, exercise general governance over the Council and provide leadership for the Council.
  4. Appoint ICC members of committees, appoint committee chairs and work groups that are necessary to accomplish the duties of the ICC.
  5. 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 Executive Director.
  6. Attend national or local conferences, summits or other strategic opportunities to support the ICC work.
- B. The ICC Vice Chair shall:
1. Assume all duties and responsibilities of the Chair in his or her absence or by assignment from the ICC Chair.
  2. Vice Chair shall be in the position to assume the role of ICC chair, including supporting the lead agency staff on providing on-going education and timely information for the ICC council.
  3. Collaborate with lead agency staff to coordinate a “Family Story” for the ICC meetings.

## **Article VII – Open Meeting Law Information**

### **Section 1 - Executive Sessions**

For the record, and Open Meeting Law requirements, this is the definition of executive session.

*“An executive session may be convened solely for discussing matters and, in limited instance, giving instructions to attorneys or designates representatives. No legal action may be taken in executive session and are to be strictly confidential. There are only seven authorized topics which are listed in the Open Meeting Law booklet”, page 41.*

#### Voting Process

Executive sessions shall constitute an exception to the general requirement that all meetings must be open to the public. Executive sessions may be called only to address specific issues identified in A.R.S. § 38-431.03 and will be conducted in private, without the public being allowed to attend and listen to the deliberations. All official voting of the ICC shall occur during public meetings.

### **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 must be announced, public notice posted and open to the public consistent with the requirements of the open meeting law.

#### **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 one that will update the AzEIP/ICC brochures.
2. Subcommittees: These are focused on long term projects or strategies. These may or may not be considered standing committees. Examples are for operational growth, fiscal funding development or Programmatic outcomes.

#### **Standing Committees:**

1. Executive Committee: The executive committee is not open to public membership. Seated positions are listed under “Section 2”- ICC Executive Committee.
2. Membership 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. Additional purpose for this committee is to have a succession plan in place and to advocate to the Boards and Commissions for upcoming vacancies, to regularly review the Boards and Commissions pending applicants and to review vacancy lists to ensure accuracy.

#### **Membership of Committees:**

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

The Executive Committee shall review committee applications and to assist the ICC 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 that 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 ICC member as a chair of the committee.

#### **Role of ICC Committee Chairs:**

- A. Provide leadership and oversight of committee to ensure the goals of the committee are met.
- B. Establish agenda for each meeting and facilitate the committee meetings and discussions.
- C. Attend ICC Meetings and present the progress of committee goals.

Assign a committee member to present work of the committee to ICC if Chair is unavailable

Role of AzEIP Staff on Committee:

- A. AzEIP staff attends ICC Committee meetings to serve as a resource, provide perspective and expertise.
- B. AzEIP staff will take responsibility for any interpreter requests for the committee and will share this information with ICC council.
- C. AzEIP staff will take responsibility for ensuring meeting space and minutes are taken and distributed, as required by Open Meeting Law.

Voting of the Committees:

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

- A. In general, committee recommendations will be presented at the following ICC meeting.
- B. If the ICC indicates readiness to vote on a committee recommendation, the ICC may do so on the same day the recommendation is presented. If the ICC is not ready to vote, they may ask for clarification and a vote will be held for next ICC meeting.

Section 2 – ICC Executive Committee

- A. The purpose of the ICC Executive Committee is to:
  - 1. Initially review and discuss information and issues that will be addressed by the full council.
  - 2. Establish the framework for the overall ICC business, set and align agendas for the ICC Meetings and ensure standing agenda items are listed clearly on all agendas.
  - 3. Support the ICC chair to appoint ad-hoc work groups and subcommittee members
  - 4. Review attendance of the ICC members as needed
  - 5. Align all committee goals with AzEIP Outcomes and Objectives
- B. The ICC Executive Committee consists at a minimum of the following ICC Council members:
  - 1. ICC Chair
  - 2. Vice Chair
  - 3. One additional family member, with preference given to a family member with a child currently in the Part C Program
  - 4. All chairs of the committees (if not the ICC Chair and Vice Chair)
  - 5. One state agency representative (DES, DHS, ASDB, ADE, AHCCCS)
  - 6. One Early Intervention provider representative



- C. 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 of the ICC.

### **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 ICC membership a minimum of ten days (10) prior to the next ICC meeting for approval and vote.

### **Article XI - Use of Funds**

Subject to the availability of funds from the State Grant, 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.
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 6/18/2018.

Lana Graber , ICC Chair

Brianna Carreras , ICC Vice Chair

Jenee Sisroy, Lead agency Part C Coordinator