

# **BYLAWS**

## **State Interagency Coordinating Council For Early Intervention and Early Childhood Special Education**

### **State of Oregon**



December 2000

(Revised September 2015)

## **Article I Name**

### **Section A - Name**

The name of the organization is the State Interagency Coordinating Council (SICC) for Early Intervention and Early Childhood Special Education (EI/ECSE), referred to in these bylaws as “the Council”.

### **Section B - Authority**

The State Interagency Coordinating Council exists by the Executive Order of the Governor of the State of Oregon, by the authority of IDEA (34 CFR 303.125), and by the authority of ORS 343.499.

## **Article II Purpose**

### **Section A - Mission**

The mission of the State Interagency Coordinating Council is to support the ongoing development of quality statewide services for young children with disabilities and their families. The Council advises, advocates and collaborates on state, local, and individual levels to maximize each child's unique potential and ability to participate in society. The Council works to improve the quality of life for each family, according to that family's value system.

### **Section B - Duties**

As stated in ORS 343.499 the duties of the Council include:

- a. Advise the Deputy Superintendent of Public Instruction, the State Board of Education, and the Early Learning Council on unmet needs in early intervention and early childhood special education programs for young children with disabilities, review and comment publicly on any rules proposed by the State Board of Education and the distribution of funds for the programs and assist the state in developing and reporting data on and evaluations of the programs and services.
- b. Advise and assist the represented public agencies regarding the services and programs they provide to preschool children with disabilities and their families, including public comments on any proposed rules affecting the target population and the distribution of funds for such services.
- c. Advise and assist the Department of Education and other state agencies in the development and implementation of the policies that constitute the statewide system.

- d. Assist all appropriate public agencies in achieving full participation, coordination and cooperation for implementation of a statewide system that includes but is not limited to:
  - (1) Seeking information from service providers, service coordinators, parents and others about any federal, state or local policies that impede timely service delivery; and,
  - (2) Taking steps to insure that any policy problems identified in timely service delivery are resolved.
- e. Ensure that the provisions of interagency agreements under ORS 343.511 are carried out.
- f. Review and comment on each agency's services and policies regarding services for young children with disabilities, and young children who are at risk of developing disabling conditions, and their families to the maximum extent possible to assure cost-effective and efficient use of resources.
- g. To the extent appropriate, assist the Oregon Department of Education in the resolution of disputes.
- h. Advise and assist the Oregon Department of Education in the preparation of applications and amendments.
- i. Advise the Oregon Department of Education regarding the transition of toddlers from Part C services to preschool and other appropriate services provided under Part B of IDEA as well as transition of toddlers not eligible under Part B of IDEA to other appropriate services.
- j. Advise the Oregon Department of Education regarding the transition of preschool age children with disabilities to public school (kindergarten) entry.
- k. Prepare and submit an annual report to the Governor and to the United States Secretary of Education on the status of Oregon's early intervention and early childhood special education programs for infants, toddlers, and preschoolers with disabilities and their families. This report shall be included in the State Education Agency's Annual Progress Report to the Federal Office of Special Education Programs.
- l. May advise appropriate agencies in the State about integration of services for children with disabilities and children at risk for developing disabilities.

**Article III  
Membership**

**Section A - Appointments**

The State Interagency Coordinating Council consists of members appointed by the Governor from a list of eligible appointees provided by the Council and state agencies that are involved in the provision of or payment for services for infants, toddlers and preschool children with disabilities and their families. The Governor must ensure that the membership of the Council reasonably represents the population of the State.

**Section B - Composition**

The membership of the Council is composed as follows:

Required in ORS 343.499	Operational or Working Name of the Position	Number of Members Required	Term	Other Information
PARENTS	Same	20% of the Council	Term is 3 years Maximum 2 terms	<ul style="list-style-type: none"> <li>▪ Parents of infants, toddlers, and preschool children with disabilities or of children with disabilities age 12 and younger who have knowledge or experience with programs for infants, toddlers, and preschoolers with disabilities, including parents with diverse backgrounds.</li> <li>▪ At least one parent member shall be the parent of an infant, toddler or preschooler with a disability aged 6 or younger.</li> <li>▪ Parent members should represent diversity in the services received and the delivery areas in which they are served.</li> </ul>

Required in ORS 343.499	Operational or Working Name of the Position	Number of Members Required	Term	Other Information
SERVICE PROVIDERS	Same	20% of Council	Term is 3 years Maximum 2 terms	<ul style="list-style-type: none"> <li>▪ Public or private providers of early intervention and early childhood special education services.</li> <li>▪ Providers should represent a diversity of services and delivery areas.</li> </ul>
OREGON LEGISLATIVE ASSEMBLY	Legislative Assembly	At least one	<ul style="list-style-type: none"> <li>▪ No restrictions</li> <li>▪ Not required to reapply for additional terms.</li> </ul>	-None-
PERSONNEL PREPARATION	Same	At least one	Term is 3 years Maximum 2 terms	Member shall be involved in the training and preparation of personnel for employment in early intervention and early childhood special education.
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES	Agency for Health Insurance	At least one	<ul style="list-style-type: none"> <li>▪ No restrictions</li> <li>▪ Not required to reapply for additional terms.</li> </ul>	This member shall have sufficient authority to engage in policy planning and implementation on behalf of the Early Learning Council.
EARLY LEARNING COUNCIL	Same	At least one	<ul style="list-style-type: none"> <li>▪ No restrictions</li> <li>▪ Not required to reapply for additional terms.</li> </ul>	This member shall have sufficient authority to engage in policy planning and implementation on behalf of the agency (s)he is representing consistent with the direction of his/her agency and the executive branch.

DEPARTMENT OF HUMAN SERVICES	Office of Seniors and People with Disabilities	At least one	<ul style="list-style-type: none"> <li>▪ No restrictions</li> <li>▪ Not required to reapply for additional terms.</li> </ul>	This member shall have sufficient authority to engage in policy planning and implementation on behalf of the agency (s)he is representing consistent with the direction of his/her agency and the executive branch.
CHILD WELFARE AGENCY	Department of Human Services - Office of Children, Adults and Families - Children's Foster Care	At least one	<ul style="list-style-type: none"> <li>▪ No restrictions</li> <li>▪ Not required to reapply for additional terms.</li> </ul>	This member shall have sufficient authority to engage in policy planning and implementation on behalf of the agency (s)he is representing consistent with the direction of his/her agency and the executive branch.
CHILD DEVELOPMENT AND REHABILITATION CENTER OF THE OREGON HEALTH AND SCIENCE UNIVERSITY	Title V Program for children with special health needs (OCCYSHN)	At least one	<ul style="list-style-type: none"> <li>▪ No restrictions</li> <li>▪ Not required to reapply for additional terms.</li> </ul>	This member shall have sufficient authority to engage in policy planning and implementation on behalf of the agency (s)he is representing consistent with the direction of his/her agency and the executive branch.
MENTAL HEALTH AGENCY	Oregon Health Authority Addictions and Mental Health Division, Children's Mental Health	At least one	<ul style="list-style-type: none"> <li>▪ No restrictions</li> <li>▪ Not required to reapply for additional terms.</li> </ul>	This member shall have sufficient authority to engage in policy planning and implementation on behalf of the agency (s)he is representing consistent with the direction of his/her agency and the executive branch.
STATE MEDICAID AGENCY	Oregon Health Authority Division of Medical Assistance Programs, including Children's Health Insurance Program (Title XXI)	At least one	<ul style="list-style-type: none"> <li>▪ No restrictions</li> <li>▪ Not required to reapply for additional terms.</li> </ul>	This member shall have sufficient authority to engage in policy planning and implementation on behalf of the agency (s)he is representing consistent with the direction of his/her agency and the executive branch.

CHILD CARE DIVISION	Child Care Office: Oregon Department of Education	At least one	<ul style="list-style-type: none"> <li>▪ No restrictions</li> <li>▪ Not required to reapply for additional terms.</li> </ul>	This member shall have sufficient authority to engage in policy planning and implementation on behalf of the agency (s)he is representing consistent with the direction of his/her agency and the executive branch.
DEPARTMENT OF EDUCATION	Same	At least one	<ul style="list-style-type: none"> <li>▪ No restrictions</li> <li>▪ Not required to reapply for additional terms.</li> </ul>	This member shall have sufficient authority to engage in policy planning and implementation on behalf of the agency (s)he is representing consistent with the direction of his/her agency and the executive branch.
HOMELESS EDUCATION AGENCY	Homeless Education Coordinator: Oregon Department of Education	At least one	<ul style="list-style-type: none"> <li>▪ No restrictions</li> <li>▪ Not required to reapply for additional terms.</li> </ul>	This member shall have sufficient authority to engage in policy planning and implementation on behalf of the agency (s)he is representing consistent with the direction of his/her agency and the executive branch.
STATE ADVISORY COUNCIL FOR SPECIAL EDUCATION ("SACSE")	Same	At least one	Term is one year.	"SACSE" refers to the Council created in ORS 343.287 (school age).
FEDERAL HEAD START PROGRAM	Same	At least one	Term is 3 years Maximum 2 terms	This member may also represent any Head Start programs required in these Bylaws.
MIGRANT HEAD START AGENCY	Same	At least one	Term is 3 years Maximum 2 terms	-None-
OTHER MEMBERS including, but not limited to TRIBAL MEMBERS:	One of nine federally recognized tribes in Oregon	At least one	Term is 3 years Maximum 2 terms	-None-

UNITED STATES BUREAU OF INDIAN AFFAIRS OR, WHERE THERE IS NO SCHOOL OPERATED OR FUNDED BY THE BUREAU, FROM THE INDIAN HEALTH SERVICE OR THE TRIBE OR TRIBAL COUNCIL				
OTHER MEMBERS	Same	The Council may include other members appointed by the Governor.	As determined by the Governor	As determined by the Governor
-None-	Oregon Health Authority Office of Family Health	At least one	<ul style="list-style-type: none"> <li>▪ No restrictions</li> <li>▪ Not required to reapply for additional terms.</li> </ul>	This member shall have sufficient authority to engage in policy planning and implementation on behalf of the agency (s)he is representing consistent with the direction of his/her agency and the executive branch.
-None-	Medical Clinical Services Provider for children with special health needs.	At least one	Term is 3 years Maximum 2 terms	-None-
-None-	Oregon Early Head Start	At least one	Term is 3 years Maximum 2 terms	This member shall have sufficient authority to engage in policy planning and implementation on behalf of the agency (s)he is representing consistent with the direction of his/her agency and the executive branch. This member may also represent any Head Start program required in these Bylaws.



-None-	Oregon Head Start Pre-Kindergarten	At least one	Term is 3 years Maximum 2 terms	This member shall have sufficient authority to engage in policy planning and implementation on behalf of the agency (s)he is representing consistent with the direction of his/her agency and the executive branch.
-None-	A representative of a Tribal Head Start program	At least one	Term is 3 years Maximum 2 terms	-None-
-None-	A representative of a parent advocacy group	At least one	Term is 3 years Maximum 2 terms	-None-
-None-	Ad Hoc members	Need determined by the SICC annually	Appointed by the Council annually	<ul style="list-style-type: none"> <li>▪ Fulfills a special function or represents a special content or interest area.</li> <li>▪ May not vote.</li> <li>▪ Cannot be included in the final count of members.</li> </ul>
-None-	Inclusive Child Care Program: Developmental Disabilities Council	At least one	Term is 3 years Maximum 2 terms	-None-

## **Section C - Terms**

1. Terms of membership are staggered to ensure that new appointments do not exceed more than one-third of all non-agency members.
2. Members may be reappointed for a second term.

## **Section D - Meetings**

1. The Council meets, at a minimum, on a quarterly basis, and in such places as the Council determines necessary.
2. The meetings will be publicly announced and are open and accessible to the general public.
3. Time will be allocated at meetings for public comment.
4. Interpreters for persons who are deaf and other necessary services for Council members and participants will be provided upon request.

## **Section E - Attendance**

1. Council members are encouraged to attend all meetings.
2. Absence
  - a. Excused absences
    - i. A member may request an excused absence from a Council meeting.
  - b. Extended absences
    - i. If a member anticipates an extended absence from the Council (more than 2 consecutive meetings) (s)he may request the appointment of a proxy from the same agency in advance of that absence.
    - ii. The member shall advise the Council Chair in advance of representation by proxy, including the anticipated length of the absence and the name of the proposed proxy.
    - iii. The Chair shall approve all proxies and assure that the approval is entered into the minutes of the next SICC meeting.
  - c. Unexcused absences. A member with two (2) unexcused absences in a year may be called for review by the Council for possible recommendations to the Governor for appointment of a different person to fill the position on the Council.

## **Article IV Committees**

### **Section A – Executive Committee**

1. The Executive Committee shall engage in activities necessary for conduct of general Council meetings. These activities may include:
  - a. Meetings in-between general Council meetings to plan and discuss appropriate business for the Council. Telephone conferences are acceptable.
  - b. Serving as the Budget committee for the Council.
  - c. Developing drafts of annual and other plans for Council activities.
  - d. Assisting with needed committees. At least one member of the Executive Committee shall serve on each committee needed to conduct Council business.
  - e. Assisting with planning, arranging and conducting special events, such as forums or trainings.
  - f. Reviewing Bylaws and recommending revisions to full Council every two years.
  - g. Acting on behalf of the Council when needed, if it is not currently convened.
2. Executive Committee membership shall include:
  - a. The Council Chair;
  - b. The Council Vice Chair;
  - c. The most recent past Council Chair, if still a member of the SICC;
  - d. Any Council committee chairs, including the Membership Committee; and
  - e. At least one ODE staff member from the EI/ECSE unit.
3. The term of office for Executive Committee members shall be three years, August 1 to July 31. No officer shall serve more than 2 consecutive terms in the same office.

## **Section B - Council Chair**

1. Appointment of the Council Chair
  - a. The Governor designates one member of the Council to serve as the Council Chair.
  - b. If the Governor chooses not to name a Chair, the Council may elect one of its members to serve as Chair. The Chair is elected with a majority vote of those present at the last meeting of the fiscal year.
  - c. If possible, the Council Chair should be a parent member.
  - d. Any member of the Council who represents the Department of Education may not serve as the Council Chair.
2. The duties of the Chair shall include:
  - a. Calling and presiding over the Council meetings;
  - b. Chairing the Executive Committee;
  - c. Submitting reports, as necessary, to state or federal agencies;
  - d. Serving as official spokesperson for the Council;

- e. Establishing and dissolving task force groups or committees as necessary;  
and
- f. Signing all documents on behalf of the Council.

### **Section C - Vice Chair**

1. The Council shall select one of its members to serve as the Vice Chair.
2. If the Chair of the Council is not the parent of a child with disabilities, then the Vice Chair must be a parent of a child with a disability.
3. The Vice Chair shall be elected by the membership with a majority vote of those present at the last meeting of the fiscal year.
4. The duties of the Vice Chair shall include:
  - a. Performing the duties of the Chair when (s)he is not available to do so; and
  - b. Participating on the Executive Committee.

### **Section D - Membership Chair**

1. The Council shall select one of its members to serve as the Membership Chair.
2. The Membership Chair shall be elected by the membership with a majority vote of those present at the last meeting of the fiscal year.

### **Section E - Committees and Task Forces**

1. Committees may be formed for the purpose of fulfilling the mission, duties, and goals of the SICC.
2. A task force may be formed to study a specific issue and provide information and a recommendation to the Council. A task force is:
  - a. Established by the Council Chair;
  - b. Time-limited;
  - c. Chaired by a Council Member;
3. Members appointed to a task force may come from outside the SICC membership.

## **Article V Decision Making**

### **Section A - Quorum**

1. A quorum will be constituted by a simple majority (50% +1) of appointed voting members, but must include two (2) parent members.

2. If a quorum is not met at a meeting where a vote must be taken, the Chair may accept a vote by e-mail.

### **Section B - Consensus**

1. Any action by the Council will be by consensus of the voting members.
2. In the event that the Council concurs that a decision must be made, but it cannot reach a consensus on the issue, the Chair may call for a roll call vote. A simple majority (50% +1) will carry the vote and the minority position will be recorded in the minutes.

### **Section C - Conflict of Interest**

1. No member of the Council shall cast a vote on any matter that is likely to provide a direct financial benefit to that member or otherwise give the appearance of a conflict of interest under State law.

### **Section D - Proxies**

1. When a Governor-appointed Council member is unable to attend a meeting, (s)he may follow one of two options:
  - a. Designate a proxy to participate in discussions with no voting privilege; or
  - b. Send a written message to the Chair which declares their position on a given issue.

## **Article VI Budget**

### **Section A - Use of Funds**

1. The function of the Council is supported through federal funds appropriated for this purpose and available to the Council to:
  - a. Conduct hearings and forums;
  - b. Reimburse non-agency Council members pursuant to ORS 292.495 for costs associated with performing Council duties including child care and mileage for parent members;
  - c. Pay compensation to a Council member if the member is not employed or if the member must forfeit wages from other employment when performing official Council business;
  - d. Hire staff; and
  - e. Obtain the services of such professional, technical, and clerical personnel as may be necessary to carry out its functions under this part, for example,

provide for interpreters for persons who are deaf and other necessary services for Council members and participants.

2. Except as provided in subsection (1) of this section, Council members shall serve without compensation.
3. Oregon Department of Education and the Executive Committee shall annually prepare a Council budget for approval by the Council and submission to the Department of Education for inclusion in the application for federal funds.
4. The Oregon Department of Education shall provide clerical and administrative support, including staff, to the Council to carry out the performance of the Council's functions.

#### **Article VII**

##### **SICC Liaison Role with Local Interagency Coordinating Councils (LICCs)**

1. The Council shall maintain a liaison role with LICCs for the purpose of facilitating communication and sharing of information.
2. The nature and details of that relationship will be determined by needs expressed from LICCs.

#### **Article VIII**

##### **Amendments**

These Bylaws may be amended or repealed by the Council as follows:

1. A Council member may submit a proposed amendment, in writing, to the Council Chair at any time for discussion on a future SICC agenda.
2. Approval of amendments to these Bylaws will be determined by the procedure laid out in Article V, Section A (Quorum).
3. The Executive Committee will review SICC Bylaws biannually and make recommendations for revisions (if needed) to the Council.
4. Bylaw revisions will be reviewed by the Governor's Office to ensure consistency with policies of that office.