

**SOUTH CAROLINA  
INTERAGENCY COORDINATING COUNCIL  
FOR PART C OF IDEA**

**BYLAWS**

Amended June, 2010

**ARTICLE I - Name and Authorization**

A. Name

Consistent with Executive Order 89-57 filed December 28, 1989, the name of this Council is the South Carolina Interagency Coordinating Council for Part C of IDEA (Individuals with Disabilities Education Act, Public Law 108-446), hereinafter referred to as the Council.

B. Authority

The Council exists by authority of Part C of IDEA for the Infant and Toddler Early Intervention system, Federal Regulations 34 CFR Part 303, subpart G 303-600, and South Carolina Act 41 of 1991

**ARTICLE II- Mission Statement**

The mission of the Council is to enhance the development of South Carolina's eligible infants and toddlers with developmental delays or disabilities through collaboration among families, agencies, and providers in order to promote an effective early intervention system.

**ARTICLE III – Purpose and Function**

A. Purpose

The SCICC shall advise and assist the Lead Agency in developing a comprehensive interagency system to provide early intervention services for all eligible infants and toddlers with developmental delays or disabilities and their families.

The Council may advise appropriate agencies in the State with respect to the integration of services for infant and toddlers with disabilities and at-risk infants and toddlers and their families, regardless of whether at-risk infants and toddlers are eligible for early intervention services in the State

B. Functions

The Council shall:

1. Advise and assist the Lead Agency for Part C of IDEA in:
  - a. The promotion of full participation, coordination and cooperation of all appropriate public agencies in the State;
  - b. Policies governing a statewide system of early intervention services for infants and toddlers with disabilities and their families; shall be presented to the SCICC for input, comment, and/or recommendation to the Lead Agency. Members of the SCICC may provide

additional input and/or comment individually. Recommendations to the Lead Agency must be voted on by the SCICC and provided in writing.

- c. The effective implementation of the statewide system by establishing a process that includes seeking information from service providers, services coordinators, parents and others about any Federal, State or local policies that impede timely service delivery as well as taking steps to ensure that policy problems are resolved; The standing committees of the SCICC, and/or task forces shall provide information from the above-mentioned groups about policies that are impeding timely service delivery. Their findings, along with recommendations for possible solutions shall be made in writing to the SCICC and to the Lead Agency.
  - d. Identification and coordination of sources of fiscal and other support for early intervention programs;
  - e. The promotion of formal interagency agreements which:
    - (1) Identify each agency's responsibility in providing and paying for early intervention services
    - (2) Establish timely dispute resolution procedures, and procedures to ensure that services are provided in a timely manner pending resolution of disputes, and
    - (3) Ensure effective cooperation and coordination among all agencies involved in the State's early intervention programThe promotion of formal interagency agreements shall be the responsibility of the South Carolina Early Intervention Interagency Directors Group (also-known-as the MOA group). This group will meet at least annually to review, update/or revise the MOA. The lead agency is responsible for convening the annual meeting and interim meetings as necessary to resolve issues related to program planning, implementation, or evaluation that can't be resolved at the local level.
  - f. Implementation of a comprehensive child-find system that is coordinated with all major child-find efforts in the State. The Child Find and Public Awareness Committee shall be responsible for coordinating the state level initiatives and making recommendations for local initiatives.
  - g. Preparation of applications and amendments to applications. Applications shall be presented to the SCICC within timeframes that allow for discussion and feedback
  - h. Shall carry out activities such as but not limited to
    - (1) position statements,
    - (2) advocating on behalf of BabyNet,
    - (3) information briefs, and
    - (4) commenting on Lead Agency proposals.
- 2. Review and make recommendations to the Governor for the designation of a Lead Agency in accordance with SC Act 41 of 1991;
  - 3. Assist the Lead Agency in the resolution of disputes, as needed;
  - 4. Review and approve the Lead Agency's report to the Governor and General Assembly of South Carolina, and to the Secretary of the US Department of Education, by a date that the Secretary establishes. This report shall contain information required by the Secretary for the year for which the report is made, on the status of early intervention programs operated within the State for infants and toddlers with disabilities and their families.

### C. Conflict of Interest

Whenever a member has reason to believe that the actions of any member (s) may be in violation of State conflict of interest laws, he or she shall immediately notify the Chairperson. No member shall knowingly

vote on any matters, which may result directly or indirectly in financial advancement for himself or herself or any member of his or her family, including relatives by marriage.

D. ICC Documents

1. ICC documents, including correspondence, minutes, reports, proposed correspondence, committee recommendations and finding, and other relevant materials shall be transmitted to the ICC Chairperson through the ICC Director. The Chairperson shall inform the Executive Committee. The Executive Committee shall track incoming and outgoing correspondence items and other documents requiring action at ICC meetings.
2. Incoming Correspondence: Any correspondence to the ICC shall be submitted to the ICC Chairperson and a copy provided to the ICC Executive Director. The Chairperson shall see that the correspondence is forwarded to the appropriate committee for consideration, and inform the Executive Committee, and/or include the correspondence as an agenda item at the next quarterly ICC meeting.
3. Feedback on SCICC advice and assistance
  - a. The SCICC shall request feedback related to its advice and assistance to the Lead Agency or, if appropriate, the US Department of Education
    - (1) Feedback shall be provided at or before the meeting following the SCICC meeting at which the advice and assistance was provided.
    - (2) Feedback may also be provided at additional points depending on the nature of the advice and assistance.
  - b. Feedback requested may relate to action taken or not taken and, if appropriate, the impact of advice and assistance
    - (1) A log of advice/assistance and whether or not feedback was provided shall be maintained and reviewed by staff.
    - (2) Requests for feedback shall be made in writing if such is not received within the given timeframe.
    - (3) Feedback can be in the form of an executive summary, report, presentation, or data chart or graph.
    - (4) All requests for assistance shall be given in writing and logged.
    - (5) All recommendations, proposals generated, and proposals passed by Council shall be logged.

F. Representing the SCICC

Individual members shall present themselves as representing the SCICC only when officially charged with this function by the SCICC.

ARTICLE IV – Membership

A. Membership

1. The membership of the Council shall reasonably represent the population of the State, and shall be composed of members appointed by the Governor. Appointments to the Council are for a three-year term unless otherwise designated. The Director of the SCICC will maintain a list of the membership of the Council, the slots they fill, and the dates of their appointments and term ends.

2. The Executive Committee, with assistance from the Director of the SCICC, shall canvass all parts of the state, urban and rural, upstate, and low country, using a variety of methods to ensure representation that reasonably represents the population of the state.
3. Individuals interested in serving on the Council will complete a SCICC a Board Member Questionnaire. They will receive a packet containing the SCICC Mission Statement, the Membership section of the SCICC Bylaws, and dates for the upcoming meetings. The Questionnaires will be returned to the Executive Director of the SCICC.
4. The Executive Committee of the SCICC will prepare a list of recommendations for possible membership to present to the Governors representative for Boards not later than six months prior expiration of a member's appointment.

B. The Council shall be composed as follows:

1. Not less than 20% of the members shall be parents, including minority parents, of infants or toddlers with disabilities or children with disabilities aged 12 or younger, with knowledge of, or experience with, programs for infants and toddlers with disabilities. Not less than one such member shall be a parent of a child with a disability aged 6 or younger.
2. Not less than 20% of the members shall be public or private providers of early intervention services.
3. Not less than one member shall be from the State legislature.
4. Not less than one member shall be involved in training personnel to provide early intervention services for infants and toddlers.
5. Not less than one 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 and shall have sufficient authority to engage in policy planning and implementation on behalf of such agency.
6. Not less than one member shall be from the State Department of Education responsible for preschool services for children with disabilities and shall have sufficient authority to engage in policy planning and implementation on behalf of the Department.
7. Not less than one member shall be from the State Department of Insurance and shall have sufficient authority to engage in policy planning and implementation of health insurance.
8. Not less than one member shall be from a Head Start agency or program in the state.
9. Not less than one member from a State agency responsible for child care and shall have sufficient authority to engage in policy planning and implementation of child-care issues.
10. One member shall be from the Parent Training and Information (PTI) Center currently funded under the Individuals with Disabilities Act (IDEA) in South Carolina. PTI Centers, as defined in the IDEA, provide training to parents of infants, toddlers, school-aged children and young adults with disabilities and the professionals who work with their families. This assistance helps parents participate more effectively with professionals in meeting the educational needs of children and youth with disabilities.
11. The Council may include other members selected by the Governor.

C. Attendance and Removal of Appointments

The Chairperson shall advise the Governor of members who shall be replaced because of resignation, or upon the recommendation of the Council, of members who should be removed for cause, including, but not limited to, inactivity, conflict of interest, or unauthorized use of the name of the Council. The Executive Committee shall give the member reasonable notice and opportunity to be heard before recommending the removal of any member

1. Inability to attend – Members are expected to attend all Council meetings. If for some reason a member is unable to attend, he or she must provide an explanation.

- a. In order for an explanation to be valid, the member must notify the SCICC Director at least one working day prior to the meeting and provide a significant reason for absence, except in cases of an emergency.
  - b. Agency representatives are obligated to provide an authorized alternate representative.
  - c. Representatives will be contacted via letter to the agency head when a representative from that agency misses a meeting without contacting the ICC Director.
  - d. Any member who misses two meetings in one fiscal year will be referred to the Executive Committee for review. The Executive Committee will investigate reasons for absences and if necessary have the SCICC Director contact the agency to find out if the member is capable of serving. If the member cannot or will not serve, a letter of resignation will be in order.
  - e. An attendance sheet will be kept for all meetings, as well as a response list.
2. Unauthorized use of Council name - No member shall use the name of the Council for any purposes other than one clearly authorized by the Council and consistent with Council policy

D. Designees

1. Members may designate one regular designee to attend meetings in his or her absence. Such designation shall be in writing to the SCICC Director.
2. Designees have the right to vote on SCICC matters on behalf of the officially appointed member when attending meetings on behalf of that member.

E. Orientation of New Members

1. Once approved, new members will receive an orientation packet containing
  - a. A copy of the by-laws
  - b. A list of acronyms and terms commonly encountered regarding the IDEA
  - c. A copy of the approved minutes of the last two SCICC meetings
2. New members will be assigned a mentor.
3. The director will contact all new members with a welcome letter and will follow up the letter with a phone call.

F. Individual Member Responsibilities

1. Attend meetings regularly, come prepared, and follow through as needed.
2. Use SCICC bylaws notification procedures for missed meetings, review meeting materials and consult with another member in order to be informed.
3. Use strategies to communicate with the constituency that you represent on the SCICC.
4. If the member is an agency staff appointed by an official member to represent his or her agency, the agency head will complete and or sign a form documenting his or her understanding that his or her appointee can speak and make a decision on his or her behalf.
5. Each member, including an alternate acting as a member, is appointed to represent an agency or constituency group. Members shall solicit issues and concerns from their respective agencies or constituency groups to bring before the ICC. Members shall report to their respective agencies or constituency groups on the activities of the ICC. Parent members represent the interests of parents of children with disabilities in general (not those of a specific subgroup) unless appointed otherwise and shall work with parent groups to ensure that the concerns are raised from parent perspectives.
6. Each SCICC member shall participate on at least one committee. Each committee shall consist of a minimum of two ICC members, including at least one parent member.

## ARTICLE V – Meetings

### A. Frequency

Regular meetings of the Council shall be held at least quarterly. A tentative annual schedule shall be established at the first meeting of the fiscal year. Meetings may also be held at the call of the Governor, the Council Chairperson, or at the written request of five or more members.

### B. Quorum

A quorum shall consist of a simple majority of the Council membership.

### C. Notice

The Council Director shall ensure that a written notice of each meeting and tentative agenda shall be distributed at least two weeks prior to the meeting. The written notice will include type of meeting, i.e., regular quarterly or called meeting. Meetings shall be publicly announced and to the extent appropriate, open and accessible to the general public. Interpreters for persons who are deaf and other necessary services will be provided at no cost to Council members and participants at Council meetings. The Council Director must be notified of the need(s) at least five working days before the meeting.

### D. Agenda

Each ICC meeting shall have an agenda prepared by the Chairperson, with the assistance of the Executive Committee. Any member may place items on the Agenda by contacting either the Chairperson or the Council Director.

### E. Quarterly Reports

### F. Representative Reports

Agency, program representatives, family representatives, or service providers with information to share are asked to provide a short written quarterly report for submission at the ICC. The report may include, but is not limited to, new or ongoing initiating personnel changes, upcoming training, new or revised policies that might effect the BN population and their families, and for available resources. The committee reports will be presented at each ICC meeting. The reports will be included in the SCICC minutes. (30 copies of the reports should be made available for distribution at the SCICC meetings.)

### G. Committee Reports

The format for submitting committee reports (how, when/who/to whom/) will be developed. (30 copies of the reports should be made available for distribution at the SCICC meetings.)

### H. Decision-making

1. Decisions shall be made by absolute or modified consensus of the members.
2. “Absolute consensus” means all members totally agree.
3. “Modified consensus,” means members can live with and publicly support the proposal. If they cannot, they recommend additions, deletions, or changes so that they can live with and publicly

support it. If there is no consensus, decisions shall be made by a simple majority vote of the members.

4. Only ICC members are eligible to vote. Votes shall be taken and recorded at the SCICC meetings. Votes shall be made a motion of an SCICC member eligible to vote. The Chairperson will ensure that there is an opportunity for discussion prior to any vote. The SCICC Chairperson and the SCICC staff shall keep track of each member's voting position (including abstentions).
5. Each appointed SCICC member has one vote, except the SCICC Chairperson, who has a second vote in the event of a tie. In the absence of the appointed member, the alternate member may vote.
6. Matters may be introduced for consideration by any member or by designated staff. Any member may request a roll call vote.
7. If a State agency member needs additional time for approval from its agency before that member may request that the Chairperson table the vote or that member may abstain from voting.

G. Action by written consent

Action may be taken by the Council without a meeting if consent in writing setting forth the action so taken shall be signed by a simple majority of the Council. Prior notification and request for consent of the action must be sent to all Council members.

H. Meetings open to the public

1. Regular meetings of the Council shall be open to the public and prior notification shall be made through the appropriate media.
2. A list of meeting dates for each year, whom to contact if special assistance is needed such as an interpreter for the deaf, and a statement of whom to contact for copies minutes summarizing regular meetings approved by the SCICC will be provided to agencies and appropriate organizations for distribution through their newsletters and, if approved by DHEC, placed on the SCICC web-site.

I. Minutes

Once approved by the ICC, minutes summarizing regular meetings shall be deemed public record, shall be distributed to the Council membership, and made available to agencies, providers and the general public via website, public libraries, etc.

J. Public relations

The Chairperson shall be the chief spokesperson for the Council and the members shall refer all inquiries, which concern interpretation of action and policy to the Chairperson.

K. Required Abstention

No member of the ICC shall cast a vote on any matter that would provide direct financial benefit to that member or otherwise give that appearance of a conflict of interest under Federal or other applicable laws. That member shall abstain from voting on that particular matter.

ARTICLE VI – Officers and Staff

A. The officers of the Council shall be:

1. Chairperson
2. Vice Chairperson
3. Either the Chair or the Vice Chairperson shall be a parent.

B. Chairperson

The Governor shall appoint the Council Chairperson from among the Council membership. The Chairperson will be appointed for a two-year term and shall be limited to two consecutive terms. Recommendations for Chairperson of the ICC shall be made to the Governor through the Executive Committee following a vote of the SCICC.

C. Vice Chairperson

The Vice Chairperson shall be elected from among the Council membership at the last annual meeting each year. The term of office shall be for two years, with duties to begin July 1. The term of office will be limited to two consecutive terms. The Chairperson shall appoint a member to fill the unexpired term of the Vice Chairperson should a vacancy occur.

D. Duties – The duties of the officers shall be:

1. Chairperson – to preside over all Council and Executive Committee meetings and to appoint necessary representatives and all committees of the Council except the Executive Committee. The Chairperson shall be an ex-officio member of all committees. The Chairperson shall provide leadership and direction in all undertakings of the Council and be the official representative of the Council. Based on advice of the SCICC, the Chairperson shall advise the Governor through the SCICC Director, of any recommended changes in membership.
2. Vice Chairperson – to preside over Council and Executive Committee meetings in the absence of the Chairperson and assist the Chairperson with Council responsibilities.

E. Staff

1. The Council shall have a Director who shall be responsible for providing the information to assist the Council in performing its responsibilities. The Director shall be responsible for the day-to-day activities of the Council. The Director shall be an ex-officio member of all committees.
2. The Director assists the ICC Chairperson, Co-chair, and the Executive Committee in the development and preparation of ICC meeting agendas, providing public notice of meetings, preparing and distributing correspondence (including minutes), and developing an annual budget and coordinating the day-to-day functioning of the ICC (including committee work)

## ARTICLE VII – Committees

A. The Executive Committee

1. Membership: The Executive Committee is composed of the SCICC Chairperson, the Co-Chair, the Immediate Past Chairperson, the Chairperson of each standing committee, and a parent Council member.
2. Responsibilities:
  - a. The Executive Committee will coordinate the functions of the SCICC and its standing committees.



- b. It will review recommendations, receive committee reports, receive and recommend the disposition of correspondence, and conduct other business to support the ICC statutory purposes and functions as necessary.
  - c. The Chairperson, with the assistance of the Executive Committee will prepare an agenda for the SCICC meeting.
- 3. The Council may go into executive session, providing a vote is taken in public regarding such session and the purpose announced. Any formal action taken in executive session shall thereafter be ratified in public session prior to such actions becoming effective. Executive sessions shall be permitted only for the purpose of discussing or considering certain specific issues as described in the South Carolina "Freedom of Information Act".
- 4. Minutes of executive sessions shall be confidential, but final action taken in executive session shall be reported by the Chairperson either in a return to the regular meeting or not later than the next regular Council meeting, and shall be recorded as part of the minutes of such open meeting. Minutes of each meeting shall be distributed to the Council membership and made available to agencies, providers and the general public.

B. Other Committees:

The standing committees of the SCICC, and/or task forces shall provide information from service providers, services coordinators, parents, and other stakeholders about policies that are impeding timely service delivery. Their findings, along with recommendations for possible solutions shall be made in writing to the SCICC for consideration in making recommendations to the Lead Agency or taking other actions.

Each committee will present annually for approval by the full SCICC, its strategic plan containing its scope of work, which shall be linked to the ICC's statutory purposes and function. Throughout the year, the Executive Committee shall determine the scope of activities for each committee. Issues identified by committees will be raised with Executive Committee, and if appropriate with the SCICC, and be incorporated into the committee's scope of work

Each SCICC member shall participate on at least one committee. Each committee shall consist of a minimum of two ICC members, including at least one parent member.

- 1. The Legislative Committee of the SCICC shall identify relevant issues and advise and assist the Lead Agency with the continuing need for informing the legislature of progress in implementing a statewide system for early intervention services and needs for new developments in the early intervention system.
- 2. The Personnel and Services Committee includes of parents, agency representatives, service providers, service recipients, and TECS staff. The functions of the committee are to:
  - a. advise and assist the SCICC and the BabyNet Division of the Lead Agency on current personnel issues related to South Carolina's system of early intervention for infants and toddlers with disabilities and special needs; and
  - b. provide assistance in monitoring an efficient and effective service delivery for South Carolina's system of early intervention services for infants and toddlers with disabilities.
- 3. The Finance Committee of the SCICC shall be responsible for addressing financial issues associated with the early intervention.
- 4. The Child Find Committee of the SCICC (Address child find, early identification, and public awareness as a group from the state perspective.
- 5. The Parent Involvement Committee is composed parents and relevant stakeholders, and maximizes family partnerships and advises and assists the SCICC and the Lead Agency on current parent issues

related to the system of early intervention for infants and toddlers with disabilities and on methods of strengthening family involvement by informing families and other partners.

C. Committee Membership/Terms

1. The Chairperson of the Council shall name all standing and Ad Hoc committee Chairpersons from within the membership.
2. Committee Chairpersons shall recommend Co-Chairpersons (if needed) and committee membership to the Executive SCICC for approval and appointment by the SCICC Chairperson. Committee membership shall include SCICC members and may include Ad Hoc members on a regular or consultative membership basis.
3. Terms of committee Chairperson shall be for two years commencing on July 1 and ending on June 30 of each year. Reappointment may be made for up to two consecutive terms.

D. Ad Hoc Committee

1. The SCICC may establish Ad Hoc committees on a task and time-limited basis as needed.
2. Ad Hoc committee Chairpersons or at least one Co-Chairperson shall be a member of the SCICC. Ad Hoc committee members may include both officially appointed and Ad Hoc members as needed to address the task assigned to the committee.

ARTICLE VIII- Amendments

Bylaws may be amended, suspended or altered by a two-third-majority vote of the members present, provided that written notice of the substance of the proposed change has been mailed to the Council members at least three weeks prior to such meeting. Any changes in Bylaws shall be submitted to the Governor and reported to the Lead Agency.