

BY-LAWS

State Interagency Coordinating Council

Article I - Name

The name of this body is the Virginia Interagency Coordinating Council for Early Intervention Services, hereinafter to be referred to as the VICC.

Article II - Legal Base

Section 1: Legal Base

The *Individuals with Disabilities Education Improvement Act (IDEA)*, Part C Individuals with Disabilities Education Act Amendments of 2004, provides the legal base for the composition and duties of the VICC.

Section 2: Purpose

As noted in the *Code of Virginia, Section 2.2-2664 and the Individuals with Disabilities Education Improvement Act (IDEA) 2004* the duties of the VICC shall include advising and assisting the lead agency in the following:

1. Performing its responsibilities for the early intervention system;
2. Identifying sources of fiscal and other support for early intervention services, recommending financial responsibility arrangements among agencies, and promoting interagency agreements;
3. Developing strategies to encourage full participation, coordination, and cooperation of all appropriate agencies;
4. Collaborating with the State Educational Agency regarding the transition of toddlers with disabilities to preschool and other appropriate services;
5. Resolving interagency disputes;
6. Gathering information about problems that impede timely and effective service delivery and taking steps to ensure that any identified policy problems are resolved;
7. Preparing federal grant applications; and
8. Certifying an annual report to the Governor and the U.S. Secretary of Education on the status of early intervention services within the Commonwealth, in accordance with an Office of Management and Budget directive.

Article III - Membership

Section 1: VICC Composition

In accordance with the *Individuals with Disabilities Education Improvement Act Amendments of 2004*, Part C, Section 641, the VICC must be composed as follows:

1. At least 20 percent of the members must be parents, including minority parents, of infants or toddlers with disabilities or children with disabilities aged 12 or younger, who represent the broad geographic cultural diversity of the Commonwealth, with knowledge of, or experience with, programs for infants and toddlers with disabilities;
2. At least one member must be a parent of an infant or toddler with a disability or a child with a disability aged six or younger;
3. At least 20 percent of the members must be public or private providers of early intervention services, who represent the broad geographic cultural diversity of the Commonwealth, (with at least one being a local council coordinator);
4. At least one member must be from the Virginia legislature;
5. At least one member must be involved in personnel preparation;
6. At least one member must be from a Head Start Agency or program in the Commonwealth; and
7. At least one member must –

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 who shall have sufficient authority to engage in policy planning and implementation on behalf of such agencies including:

- * Bureau of Insurance of the State Corporation Commission
- * Virginia Office for Protection and Advocacy
- * Virginia Department for the Deaf and Hard of Hearing
- * Virginia Department for the Blind and Vision Impaired
- * Virginia Department of Education (would have one representative knowledgeable to address the area of Preschool and one representative knowledgeable to address Education Of Homeless Children And Youth)
- * Virginia Department of Health
- * Virginia Department of Medical Assistance Services
- * Virginia Department of Behavioral Health and Developmental Services
- * Virginia Department of Social Services (would have at least one representative knowledgeable to address the areas of Child Care and State Foster Care)

Additional appointments may be made, as appropriate.

Section 2: Terms of Office

The Governor shall appoint non-state agency members of the VICC for three-year terms. Non-state agency members may be reappointed for one additional three-year term. State agency members are designated by their agency heads.

If a non-state agency VICC member resigns, a replacement will be appointed by the Governor to complete that term. The replacement may subsequently be reappointed for two three-year terms.

If a non-state agency member's three-year term expires and a replacement has not been appointed by the Governor, that member may continue to serve until a replacement is appointed by the Governor. Such extension shall not exceed 12 months.

Section 3: Attendance and Participation

Members are expected to attend VICC meetings and participate actively on standing and special committees. If there is a pattern of non attendance the VICC chair will make telephone contact to the member.

Article IV – Organization

Section 1: Officers

The Governor shall require the VICC to so designate a member of the VICC to serve as the Chair. Any member of the VICC who is a representative of the Lead agency may not serve as the Chair of the VICC. Officers of the VICC shall consist of Chair, Vice-Chair, and Secretary.

Section 2: Terms of Office

The Chair, Vice-Chair, and Secretary shall be elected. Elected officers shall have a two-year term of office and may serve any number of consecutive terms.

Section 3: Election

Nominations for the positions of Chair, Vice-Chair and Secretary shall be presented to the VICC in writing one month prior to the last meeting of the Federal Fiscal Year (October 1 - September 30) on an odd year cycle for election at that meeting. An affirmative vote of a majority of the VICC shall be required for election of officers. Officers begin their term at the beginning of October, following their election. Vacancies occurring in unexpired terms of elected officers shall be filled through a by-election process for the remainder of that term.

Section 4: Duties of Officers

Chair. The Chair shall preside at all meetings of the VICC and shall be an ex-officio member of all committees. The Chair shall be the official representative of the VICC, but may delegate this responsibility when appropriate and necessary. The Chair shall work closely with Lead Agency staff and shall perform all other duties incident to the Office of the Chair.

Vice-Chair. In the absence of the Chair, the Vice-Chair shall perform the duties of the Chair, and when so acting shall have all the powers of and be subject to all restrictions upon the Chair.

Secretary. In the absence of the Chair and the Vice-Chair, the Secretary shall perform the duties of the Chair, and when so acting shall have all the powers of and be subject to all restrictions upon the Chair. During a meeting of the VICC, the work of the Secretary is to function as the Parliamentarian, limited to giving advice to the Chair and, when requested, to any other member. It is also the duty of the Secretary to call the attention of the Chair to any error in the proceedings that may affect the substantive rights of any member or may otherwise do harm. After the Secretary has expressed an opinion on a point, the Chair has the duty to make the final ruling.

Section 5: Steering Committee

A. Composition:

The Steering Committee shall consist of the VICC Chair, VICC Vice-Chair, VICC Secretary, Parent

Representative, Chairs of each Standing and/or Special Committee, EIIMT Representative, and Part C Staff Representative.

B. Duties

The Steering Committee shall conduct all business matters pertaining to the purposes and administration of the VICC and shall keep the VICC fully informed of such matters. The Steering Committee shall set the agenda for all VICC meetings. The Steering Committee shall also write letters and position statements on behalf of the VICC.

C. Meetings and Quorum:

The Chair shall present to the VICC a schedule of at least quarterly Steering Committee meetings. The steering committee shall meet prior to all VICC meetings for the purpose of setting the agenda as outlined above. Other meetings may be called by the Chair for emergency matters. Any four (4) members of the Steering Committee may petition for a meeting to the Chair. Minutes of the Steering Committee meetings will be kept. The quorum required for a Steering Committee meeting shall be 40% of its voting members

Article V: Conduct of the VICC Meetings

Section 1: Meetings

Regular meetings of the VICC will be held at least quarterly. The Chair, in consultation with the Steering Committee, may call additional and/or special meetings. All meetings will be open to the public and will be announced in the *Virginia Register*.

Section 2: Quorum

In order to establish a quorum for VICC meetings, 40% of the voting members must be present.

Section 3: Voting

Each of the members of the VICC shall have one (1) vote. An affirmative vote of a majority of the VICC members present is required for the VICC to take any official action.

Section 4: Conflict of Interest

“No member of the VICC shall cast a vote on any matter which would provide direct financial benefit to that member or otherwise give the appearance of a conflict of interest under State law.” (*Individuals with Disabilities Education Improvement Act Amendments of 2004, Section 641*). “No member of the VICC may submit a funding request to the VICC or otherwise participate in a transaction before the VICC in violation of the State and Local Government Conflict of Interest Act (*Code of Virginia, Section 2.2-3100 et.seq.*).”

Section 5: Reimbursement of Expenses

All reimbursement shall be paid out of funds under Part C of the *Individuals with Disabilities Education Improvement Act Amendments of 2004*. All such reimbursement shall be subject to the limitations of funds available to the VICC and shall be governed by the Virginia State Travel Regulations.

Article VI - Reports

The VICC shall certify an annual performance report to the Governor and the U.S. Secretary of Education on the status of early intervention services within the Commonwealth, in accordance with an Office of Management and Budget directive, including agreement or disagreement with the State Annual Performance Report, and appended additional comments if desired.

Article VII - Committees

Section 1: Committees of the VICC

A committee is a body of three or more persons, appointed by the Chair (except where otherwise specified), to give more careful consideration to a task or matter before the VICC than is possible by the VICC as a whole. A committee has the responsibility of recommending that a specific action be taken by the full VICC relative to the tasks or matters referred to Committee. The VICC has established three types of committees: the Steering Committee, Standing, and Special Committees. The responsibilities and membership of the Steering Committee are described in Article IV; Section 5. The responsibilities of the Standing and Special Committees are described in Sections 2 and 3. Standing and Special Committee membership must include at least one member of the VICC but is not limited to members of the VICC and may include other interested citizens. Membership should be as broad as possible. At the last meeting of each Federal Fiscal Year the VICC will review the current standing and special committee structure and scope of work and will either reaffirm the committee, dissolve the committee or establish a new committee as needed.

Section 2: Standing Committees

The terms of the Chairs of the Standing Committees shall be one year; the Chairs may serve consecutive terms. Members of standing committees annually elect the Chairs of their respective committee. Standing Committees of the VICC shall be proposed by the officers and established by a vote of the full VICC.

Section 3: Special Committees

The VICC Chair, with the Steering Committee or full VICC approval, may establish special committees as deemed appropriate and necessary.

Article VIII - Amendments

These bylaws, with the exception of requirements established under federal or state law, may be amended, repealed, or restructured during any regular or special VICC meeting by a minimum of a quorum providing that written notice of proposed amendments has been distributed to all VICC members ten (10) days prior to the VICC meeting.

Article IX

The Rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the VICC in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order that the VICC may adopt.

Appendices to Virginia Interagency Coordinating Council By-Laws

Date Initiated	Action	Date Effective
	By-Laws Revision-Approved	Spring 1998
	Change in Terminology: Part H to Part C	February 1999
	By-Law Revision	12-8-99
	<i>Code of Virginia</i> citation and the name of the Department for the Blind and Vision Impaired (formerly the Department for the Visually Impaired) updated	9-16-02
October 2004	By-Law Revision; including federal citation changes and the name of the Department for Protection and Advocacy (formerly the Department for the Rights of Virginians with Disabilities)	
June 2005	By-Law Revision; updating information to align with changes within IDEA 2004.	6-8-05
August 2008	By-Law Revision: Deleted specific name of the lead agency to reflect changes made by the Governor. Under VICC composition, separated DOE representatives and deleted specific representatives under DMHMRSAS. Added provision to allow for additional appointments as appropriate. Changed number of terms for appointees who serve partial terms. Added attendance and participation section. Deleted specific years under election section to eliminate future updating. Added setting VICC agenda to duties of steering committee and made changes to meeting and quorum section to eliminate steering committee meetings announced in writing and steering committee minutes being distributed to the VICC. Under Article V –Quorum, added voting to the members required to be present. Under Article VI- Reports, deleted the steering committee certifies the annual report and established that the VICC certifies the APR. Committees section changed to clarify that standing and special committees must include at least one member of the VICC but are not limited to members of the VICC. Added the provision for review of existing and needed committees at the end of each FFY Under standing committees clarified that standing committees elect their respective chairs.	August, 2008
October 2010	By-Law Revision: Article III, Section 1 - VICC Composition: Changed the DMHRSAS to Virginia Department of Behavioral Health and Developmental Services to reflect the recent change in that State agency's name. Article III, Section 2 - Terms of Office: In second sentence, amended the term "Non agency" to read	December 01, 2010

	<p>"Non-state agency" for clarification and to be consistent with other sections of the By-Laws.</p> <p>Article III, Section 2 - Terms of Office: Added a third paragraph to allow an appointed Member, whose term has expired, to continue to serve on the VICC until a replacement is appointed by the Governor. This extension will not exceed 12 months. Since we have had some difficulty in finding replacement appointees and the process to get final appointments has taken some time - this should limit the VICC from having a number of vacancies at one time.</p> <p>Article IV, Section 5 - Steering Committee: Changed the term of "identified VICC Members" to "Chairs of each Standing" when referring to part of the Steering Committee composition.</p>	
	By-Law Revision Approved	December 01, 2010