

**ARTICLE 1 – AUTHORITY**

The Tennessee Early Intervention System Interagency Coordinating Council is mandated by the Individuals with Disabilities Act (IDEA), Part C at 20 U.S.C 1441. It is hereinafter referred to as “the council.” These bylaws are intended to provide the council with an ordered structure by which its mission may be realized, its purpose may be accomplished, and its duties may be fulfilled. These bylaws are effective upon approval by the council, as evidenced by the signatures of the chairperson and vice-chairperson.

**ARTICLE II – PURPOSE, MISSION, AND DUTIES****Section 1. Purpose**

The Council is organized as mandated in the IDEA and Tennessee special education laws for the purpose of providing policy guidance with respect to early intervention services for infants and young children with disabilities in Tennessee.

**Section 2. Mission**

The Council focuses on the life-long success of every infant and young child with disabilities. Success is achieved when:

- The developmental needs of infants and young children with disabilities are met
- Infants and young children with disabilities are being provided with development opportunities that give them the best chance of success
- Every infant and young child with disabilities receives the resources to attain their potential

The Council effectively *raises awareness and participation in early intervention services and is recognized as valuable to the public by:*

- encouraging more public feedback during meetings
- providing public notice about meetings to ensure greater public participation
- encouraging compliance with the IDEA
- helping the public understand the importance of early intervention in the development of young children with disabilities
- maintaining and disseminating an information guide for the public explaining who, what and why the Council exists

*The Council fosters collaborative efforts:*

- so that the goals of the Council mesh with those of the Department of Disability and Aging (DDA)
- by providing leadership for partnerships with DDA
- to ensure that Tennessee has the resources necessary to promote early intervention services

- so that DDA has the capacity to provide all necessary services to infants and young children with disabilities
- to inspire all pertinent groups to have the best interest of infants and young children with disabilities as their primary or only agenda

### **Section 3. Duties**

The Council shall:

1. Advise and assist the lead agency in the development and implementation of the policies that constitute the statewide system including, but not limited to:
  - (a) the full participation, coordination, and cooperation of all appropriate public agencies in the state.
  - (b) the effective implementation of the statewide system, by establishing a process that includes:
    1. reviewing 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 ensure that any policy problems identified are resolved
  - (c) the resolution of intra-and interagency disputes, as appropriate
  - (d) the provision of appropriate services for children from birth through five (5) years of age
  - (e) the integration of services for infants and young children with disabilities and at-risk infants and young children and their families, regardless of whether “at-risk” is a recognized eligibility for early intervention services
  - (f) the identification of the sources of fiscal and other support for services for early intervention programs, assignment of financial responsibility to the appropriate agency, and the promotion of interagency agreements
  - (g) the preparation of applications and the amendments thereto, or
  - (h) the transition of toddlers and young children with disabilities to preschool and other appropriate services
2. Prepare and submit an annual report to the Governor and to the Secretary of Education on the status of early intervention programs for infants and young children with disabilities and their families operated within the state in keeping with the date and format established by the U.S. Secretary of Education.

### **Section 4. Additional Authority**

The Council may, subject to approval of the Governor, prepare and approve a budget using funds under IDEA Part C to:

- (a) conduct hearings and forums
- (b) reimburse members of the council for reasonable and necessary expenses for participating in



- council meetings and performing council duties
- (c) pay compensation to a member of the council if the member is not employed or must forfeit wages from other employment when performing official council business
- (d) hire staff
- (e) obtain the services for professional, technical, and clerical personnel as may be necessary to carry out its functions under this part, and
- (f) provide interpreting services for persons who are deaf and other necessary accommodations upon request, both for council members and participants

**ARTICLE III – MEMBERSHIP**

**Section 1. Appointment to the Council**

Members of the Council shall be appointed by the Governor. In making appointments to the Council, the Governor shall ensure that the membership of the Council reasonably represents the population of the state.

**Section 2. Composition of the Council**

The Council is composed as follows:

1. At least twenty (20) percent of the members shall be parents, including minority parents, of infants or young children with disabilities or children with disabilities aged twelve (12) or younger with knowledge of, or experience with, programs for infants and young children with disabilities. At least one such member shall be the parent of a child with a disability or a child with a disability aged six (6) or younger
2. At least twenty (20) percent of the members shall be public or private providers of early intervention services
3. At least one (1) member shall be from the legislature
4. At least one (1) member shall be involved in personnel preparation
5. At least 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 young children with disabilities and their families and shall have sufficient authority to engage in policy planning and implementation on behalf of such agencies
6. At least one (1) member shall be from the state educational 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
7. At least one (1) member shall be from the agency responsible for the state Medicaid program
8. At least one (1) member shall be from the agency responsible for the state regulation of health insurance
9. At least one (1) member shall be from a Head Start agency or program in the state



10. At least one (1) member shall be from a state agency responsible for childcare, and
11. At least one (1) member shall be a representative designated by the Office of Coordinator for Education of Homeless Children and Youths
12. At least one (1) member shall be a representative from the State child welfare agency responsible for foster care
13. At least one (1) member shall be a representative from the State agency responsible for children's mental health
14. Others appointed as deemed appropriate and selected by the Governor

### **Section 3. Terms of Appointment**

Each member of the Council shall serve a term of 5 years starting from the date of their initial appointment and ending on the date preceding the day a new term would begin, except that:

- a member appointed to fill a vacancy occurring prior to the expiration of the term for which a predecessor was appointed, shall be appointed for the remainder of such term; and
- a member appointed to fill a position listed in Article III Section 2(5) - (13) may remain a member without subsequent reappointment or be removed for a replacement with equivalent qualifications at any time at the discretion of the Governor
- the appointing authority may elect to stagger the conclusion year of the term

### **Section 4. Member Responsibilities**

1. Members shall attend all meetings. If a member knows in advance that s/he is unable to attend, s/he will notify the chairperson as soon as possible. If a member misses two consecutive meetings, they will be notified in writing by the chair of their attendance responsibility and that a third missed meeting during their term will result in automatic council recommendation to the Governor requesting a replacement to be appointed.
2. Members are responsible for reviewing the agenda and materials for each meeting. It is important that all members be well informed to represent the mission and ensure that council actions are appropriate.
3. Each member has one vote. Members are expected to participate in discussions, ask clarifying questions, and cast informed votes. Proxy voting and absentee ballots shall not be permitted. Ex-officio and ad hoc members shall be non-voting. The chairperson shall have a vote only to break a tie.
4. All members are encouraged, and shall be given an equal chance, to assume various roles. Opportunities for personal growth and professional development are valued.
5. Members shall use "people first" language.
6. Members may not name a designee to act in his/her place.
7. Members are responsible for keeping the U.S. Secretary informed of changes in their contact information in a timely manner, including email addresses, and shall ensure that email filters do not exclude U.S. Department of Education and chairperson.



8. Council members shall serve without compensation.
9. No member of the council 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 Tennessee law.

## **ARTICLE IV – OFFICERS**

### **Section 1. Elections**

If the Governor does not designate a member of the council to serve as chairperson and requires the council to designate a chairperson, then there shall be an election every three years by the council of a chairperson and a vice chairperson. Nominations for these positions will be made by council members beginning with the chairperson position. A simple majority elects each position. No member who is a representative of DDA shall be able to serve as the council chairperson. The Assistant Commissioner of TEIS, or the Assistant Commissioner’s designee, shall serve as council secretary.

### **Section 2. Officer Responsibilities**

The chairperson’s duties shall include:

- Conduct meetings of the Council
- Consult with members at least one time prior to each meeting to preview proposed agenda items and set forth recommendations for consideration
- Provide a report (written or verbal) to the membership at each meeting
- Coordinate and select volunteer members to serve on standing and ad hoc committees as needed
- Represent the Council in matters requiring immediate attention prior to the next scheduled meeting
- Call additional and/or emergency meetings when deemed necessary to perform responsibilities
- Be responsible for ensuring that recommendations for council membership are forwarded to the Governor’s office when a vacancy exists
- Prepare or oversee a council annual report
- Prepare correspondence
- Serve as a liaison with DDA staff

The vice chairperson shall assume the duties of the chairperson in his/her absence or inability to perform the functions of the office of the chairperson.

## **ARTICLE V - VACANCIES AND DISMISSALS**

**Section 1. Vacancies**

Members of the council are encouraged to serve out their five-year terms but may resign at will. Should a member resign one year or more before his/her term has ended, the chairperson shall provide to the Council representative of DDA a recommendation to the governor that the member's position be replaced. The recommendation will include any need for appropriate representation on the council as specified by law. The recommendation may also include a list of name(s) of individuals the Council wishes to nominate to fill the vacancy along with a statement explaining the basis for the nomination. The DDA Council representative shall provide the nomination to the appropriate personnel in the Governor's staff for consideration.

Any vacancy occurring in the membership of the Council shall be filled in the same manner as the original appointment.

Officers are encouraged to serve out their terms but may resign at will. If the chairperson resigns his/her office, the vice-chairperson will succeed as chairperson and the membership will elect a new vice-chairperson until the next annual election. If the vice-chairperson resigns, the membership will elect a new vice-chairperson until the next annual election.

**Section 2. Dismissal**

In unusual circumstances, a council member may be dismissed for violations of a provision of these bylaws. DDA reserves the right to dismiss a member and will manage the removal process and work with the appointing authority on the appointment of a new member.

**ARTICLE VI – MEETINGS****Section 1. Scheduling**

The Council shall meet at least quarterly. The council shall set a yearly schedule of meetings with dates. Council members shall receive a meeting agenda, and a packet of information about the meeting, approximately two (2) business days before each scheduled meeting.

**Section 2. Public Notices**

Meetings shall be announced to the public no later than ten (10) business days before the scheduled meeting and, to the extent appropriate, be open and accessible to the public. Public notice shall be made in a variety of media, including the state website, as well as by letters of invitation. Agendas shall be made available by calling or writing to the council liaison at TEIS.

The following is an example of what information should be included in any public notice of a council meeting.

*The Tennessee Early Intervention System Interagency Coordinating Council shall conduct a (type of meeting) meeting on (date)(time)(place). All interested persons are invited to attend. Agendas are available by calling or writing to the council liaison in TEIS before the meeting. If you require accommodations, please contact the council secretary with a description of the necessary accommodations as soon as possible.*

### **Section 3. General Meeting Protocols**

1. All regular and special council meetings shall be open to the public under state law.
2. Meetings shall be conducted by the chairperson under the most current edition of the Roberts Rules of Order, Revised. Action may be conducted by a show of hands or a voice vote.
3. A quorum of the council or its committees shall be constituted by a simple majority of the membership and shall be necessary for all matters of official business. If a quorum is not present, information items may be presented, but no action shall be taken.
4. The council shall limit discussion to items on the proposed agenda. During the acceptance of the agenda at the beginning of each meeting, additional items may be submitted for addition to the agenda under "new business" by a simple majority vote of the members present.
5. Each meeting shall start and end on time. Members shall arrive on time and stay until the meeting is adjourned, except in emergencies.
6. Except for amendments to the bylaws/procedures, all decisions of the council are made only after an affirmative vote of a majority of its members in attendance, provided a quorum is in attendance.
7. When the council is taking official action, the recorder shall take a vote. The responses are "yes," "no," or "abstain." Abstain is typically used if there is a conflict of interest, when choosing not to vote, or for approval of past minutes if the member was not present. See Appendix A regarding consensus decision-making.
8. The council shall assume responsibility for any oversights or errors in judgment that lead to inappropriate decisions and/or actions by the council. When identified, problems shall be revisited.

### **Section 4. Regular Meetings**

1. Standard agendas shall be developed and provided in advanced notice to the public. Notices shall state that input from the audience is welcome on the topics to be discussed or an action to be taken. See Appendix B regarding a standard agenda format.
2. Those persons who wish to speak to the council are asked to contact the chairperson within a reasonable amount of time before the meeting. The chairperson may be contacted through the DDA liaison.



3. At the regular meeting, the chairperson shall determine how many speakers can be heard within any time constraints, giving priority to those who have made requests in advance as well as considering the topics on the current day's agenda. Presentations shall not exceed five (5) minutes unless an exception is made by the chairperson.
4. Public input may be heard or invited at other times during the meeting at the discretion of the chairperson. Similarly, the chairperson has the authority to rule that only council members speak on a selected topic or motion.
5. Presenters are asked to bring copies of their materials or send one copy to the council liaison before or after the presentation so that copies can be made and distributed to members. Copies submitted after the meeting should be sent within five days of the presentation.
6. Written input may be sent to any member of the council. Disposition of the communication shall be at the discretion of the council chair.
7. If time permits, the council chairperson shall allow input on items that are not on the agenda.
8. A short period of time for general input shall be scheduled at each regular meeting.

## **Section 5. Special Called Work Sessions**

Special called work sessions may be called by the chairperson or by a majority vote of the council to address issues that are of high importance and/or constrained by time. Notices of these meetings shall indicate whether public input shall be heard. If so, the guidelines for regular meetings shall apply.

## **Section 6. Voting in Extraordinary Circumstances**

In the event there is a need to transact specific council business for which a physical meeting is impractical, and issues are of high importance and constrained by time, the chairperson may call for a vote by mail, email, phone, or video conferencing.

# **ARTICLE VII - COMMITTEES**

## **Section 1. General**

Among the areas most listed for committee work are the following:

- Legislative/Public Policy State Improvement Plan
- OSEP
- Procedural Safeguards
- Funding
- Transition Parent Involvement
- Communication-Related Services

- Rules and Regulations
- Professional Development

Requests from the public to present information to a committee shall be directed to the chairperson and forwarded to the committee chair. The committee chair shall determine at which committee meeting the presentation shall be placed on the published agenda.

Committees are responsible to the chairperson. They shall update the council on their progress at each regular meeting of the council.

## **Section 2. Standing Committees**

Standing committees shall be established by a majority vote of the council for a defined and ongoing purpose. A member of the council shall chair each standing committee. Committee members shall be appointed by the chairperson in consultation with other members and DDA staff. Standing committees shall report and make recommendations to the council. Standing committees may be abolished or have their purposes amended by the majority vote of the council.

## **Section 3. Ad Hoc Committees**

Ad hoc committees shall be established by the council for a defined and time- limited purpose. A member of the council shall serve on each ad hoc committee.

Ad hoc committee members are appointed by the council chairperson in consultation with other members and DDA staff. They shall be selected from the council and may include experts from the public.

An ad hoc committee dissolves upon completion of its defined purpose and delivery of its final report to the council. Ad hoc committees also may be abolished by a majority vote of the council.

## **ARTICLE VIII - AMENDMENTS**

Amendments to the bylaws shall be made as follows: a written proposal shall be submitted to the council at the regularly constituted meeting. A vote on the proposal shall be taken at the next regular meeting. A two-thirds vote of the council members is necessary for the passage of the amendment. Unless otherwise approved, the amendment is effective immediately.

## **APPENDIX A BUILDING CONSENSUS**

Consensus is a decision endpoint where each person who participated in the decision process had an opportunity to voice an opinion or position, and can live with and support the final decision, including

agreeing not to sabotage or back-bite the decision.

A consensus decision is neither unanimous agreement that the best choice was chosen nor a majority vote with winners and losers. It may not be everyone’s first choice. If a participant can’t live with and support a particular decision, he/she has an obligation to state their perspective and prevent the idea from being included as stated.

When entering into a consensus agreement, there are ground rules for discussion:

- Respect others’ ideas and feelings
- Participate and allow others to do so
- Be brief
- Listen carefully
- If you don’t understand, ask for clarification
- Work for a win/win situation

## APPENDIX B SAMPLE AGENDA

An agenda that has been planned and is relevant is critical for a council’s success. Timelines should be followed as closely as possible.

Time	Item	Lead	Action/notes
	Welcome/introductions		
	Announcements/logistics		
	Meeting focus/purpose		Why are we here? Anticipate meeting outcomes
	Approval of agenda		Additions (set time, <i>if</i> appropriate under new business)
	Approval of minutes		
	Report of the chairperson		
	Public comments		Reception of verbal and written input
	Action items		Actionable items not being addressed under committee reports
	Committee reports		Committee reports
	Committee member updates		
	SEA issue update		Report from the SEA on current initiatives



# STATEWIDE INTERAGENCY COORDINATING COUNCIL BYLAWS

	Discussion/reaction time		
	New business/additional items		
	Future meeting suggestions		Agenda items, meeting invitations, solicitation of input
	Next meeting dates		