

New Hampshire Interagency Coordinating Council BY-LAWS

Article I: NAME

The Name of the body shall be the New Hampshire Interagency Coordinating Council also known as NH ICC or The Council.

Article II: PURPOSE

The New Hampshire Interagency Coordinating Council is an advisory body to the Department of Health and Human Services, Bureau of Developmental Services and the Department of Education, Bureau of Special Education. The purpose of the NH ICC is to advise and assist these agencies to enhance the performance of Family Centered Early Supports and Services (Part C of IDEIA) and transition to Preschool Special Education (Part B/619) services to eligible children, birth through five years, and their families.

Article III: FUNCTIONS

The functions of the NH ICC shall include:

1. Certifying an annual report to the Governor and the U.S. Secretary of Education on the status of FCESS for infants and toddlers with disabilities and their families.

2. Advising and assisting the lead agency with the following:
 - a. Meeting its responsibilities for the Family Centered Early Supports and Services (FCESS) system;
 - b. Identifying sources of fiscal and other support for early intervention services, recommending financial responsibility arrangements among agencies, and promoting interagency agreements;
 - c. Developing strategies to encourage full participation, coordination, and cooperation of all appropriate agencies, including data collection and analysis;
 - d. Collaborating with the State Educational Agency regarding the transition of toddlers with disabilities to preschool and other appropriate services;
 - e. Resolving interagency disputes;
 - f. Gathering information about problems that impede timely and effective service delivery and taking steps to ensure that any identified policy problems are resolved;
 - g. Address immediate and relevant issues regarding the viability, finances, practices, and/or quality of supports and services; and
 - h. Preparing federal grant applications

Article III: MEMBERSHIP

Section 1. Composition

Membership on the NHICC is by the appointment of the Governor of New Hampshire with the recommendation of the NHICC. At no time shall the membership be greater than 30 individuals.

1. **Mandatory Membership:** Mandatory membership consists of those defined in Part C of IDEA/IDEIA:
 - a. 20% or more of the members must be parents, who represent the diversity of the population, of infants or toddlers with disabilities or children with disabilities aged 12 or younger (at least one of whom must be aged six or younger) who have been enrolled in FCESS;
 - b. 20% or more of the members must be public or private providers of Family Centered Early Supports and Services.
 - c. at least one member must be a New Hampshire legislator
 - d. at least one member must be involved in personnel preparation
 - e. at least one member must be a representative, who has sufficient authority to engage in policy planning and implementation, from the NH lead agency (Department of Health and Human Services)
 - f. at least one member must be a representative, who has sufficient authority to engage in policy planning and implementation, from the NH agency for preschool special education
 - g. at least one member must be a representative of the NH agency responsible for the regulation of state health insurance
 - h. at least one member must be a representative from a Head Start agency or program in NH
 - i. at least one member must be a representative of the NH agency for child care
 - j. at least one member must be a representative from the NH agency responsible for Medicaid
 - k. at least one member must be a representative of the NH agency responsible for foster care
 - l. at least one member must be a representative of the NH agency responsible for Homeless Education
 - m. at least one member must be a representative or the NH agency responsible for children's mental health
 - n. The Governor may appoint one member to represent more than one program or agency listed in (1)(g) through (1)(m) of this section
 - o. The NH ICC may include other members appointed by the Governor.

Section 2. Terms of Service

Members of the ICC shall be appointed for a term of two years with a limit of 6 years. Members seeking to serve more than three consecutive terms may petition the Nominating Committee for a subsequent term.

Election of new ICC members will occur at the annual meeting/retreat in the fall of each year. All new members will be brought on at that time with terms beginning as of the vote. At the discretion of the full ICC, recruitment and election of ICC members may occur at other times during the year when the need exists to fill a vacancy in either mandatory or non-mandatory categories. When this newly elected person begins their initial term on the ICC, he/she will fill the vacancy of their predecessor until the original appointed term ends. At this point the individual may seek appointment as if they had not completed another individual's term. This could result in an ICC member completing more than the maximum term limit.

When a Council member serves as a representative of a state agency that has mandated participation by Part C, term limits do not apply.

When a member is appointed based upon an organizational affiliation that person's term will end when no longer affiliated with the respective organization. Membership does not automatically pass to his/her organization's successor.

Section 3. Attendance

Each member is expected to attend all regular meetings of the NH ICC. In the event of an anticipated absence, the member is expected to notify the Part C staff either by phone or via email before the meeting. NH ICC members who are unable to fulfill their commitment and/or attend meetings on a regular basis will be referred to the Nominating Committee to discuss potential revocation of their appointment.

Section 4. Membership Responsibilities

The responsibilities of NH ICC members are to:

- Be knowledgeable of state and federal regulations governing the provision of Family Centered Early Supports and Services
- Advise the lead agency based upon one's unique perspective
- Serve on standing and ad-hoc committees as needed
- Have sufficient authority, if they represent a state agency, to engage in policy planning and implementation on behalf of the agencies they are representing. When state agency representatives do not have sufficient authority, the state agency member agrees to communicate with the leadership that has sufficient authority about key NH ICC issues, and reports back to the NH ICC as appropriate.
- Advance New Hampshire's Interagency Coordinating Council mission and promote respective initiatives within local, state, and national communities.
- Attend and actively participate in all meetings. When a Council member misses three (3) consecutive meetings, they may be asked to forfeit their appointment
- Notify the Chair in writing, preferably at least 30 days prior to the date of resignation, if they choose to resign prior to the expiration of his/her term.

Section 5. Voting

Each member of the NH ICC is entitled to vote at NH ICC meetings. In the rare instance when an NH ICC member is unable to attend a meeting, they may assign another NH ICC

member to serve as their proxy for that meeting. The assignment of a proxy must be communicated in writing to the Chair, prior to the meeting, and the proxy must express willingness to act in this capacity. Each member of the NH ICC has one vote and a minimum of five voting members must be present to vote on any action of the NH ICC.

Section 6. Staff

The Bureau of Developmental Services (BDS) is required to provide staff to the NH ICC. Their job shall be to provide administrative support to the NH ICC including dissemination of meeting notices, agendas, minutes, and support materials. Staff shall also act as a resource to the NH ICC regarding Family Centered Early Supports and Services. A staff member is not a voting member.

Section 7. Meetings

The NH ICC shall:

- Be held at least quarterly.
- Be publicly announced with sufficient advance notice of the dates and location so as to ensure that all interested parties have an opportunity to attend
- Be open and accessible to the general public, to the extent appropriate.
- Provide language access including for persons who are deaf and hard of hearing, at Council meetings, both for Council members and participants.

Section 8. Conflict of Interest

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 NH State Law. Primary responsibility for adherence to this standard falls on the member however other NH ICC members may identify concerns with the Chair and the member. Members will be asked to sign a conflict of interest agreement at the time of their appointment and annually. The member is responsible for notifying the Chair of any change in conflict of interest.

Section 9. Vacancies

Vacancies will be filled through appointment by the Governor at the recommendation of the NH ICC. The NH ICC will recruit and recommend new members consistent with the composition criteria. The BDS staff will assist with the formal process of appointments. The NH ICC Chair will request appointments through the Governor's office.

Article IV – OFFICERS

Section 1. Officers

Officers of the NH ICC shall be the Chairperson and Vice Chairperson or Co-Chairpersons, Secretary, and Member-at-Large.

Section 2. Term of Office

Officer terms shall be two years in duration. The Officers' terms will coincide with the fiscal year, beginning July 1st and ending on June 30th. The Nominating Committee will submit a slate of Officers to the NH ICC 14 days prior to the last Council meeting of the fiscal year. The NHICC will conduct election of the Officers by a vote at the last Council meeting of the fiscal year. The Nominating Committee will actively engage parents in consideration for Officer positions.

Section 3. Duties of Officers

- a. The Chairperson(s) shall preside at all NH ICC meetings. The Chairperson(s) shall be authorized to represent NH ICC. The Chairperson(s) shall lead the Planning Committee. In emergency circumstances, the Chairperson(s) is/are authorized to take action on behalf of the NH ICC if unable to confer with the Planning Committee and or NH ICC members. Any member of the Council who is a representative of the lead agency may not serve as the chairperson of the Council.
- b. The Vice Chairperson (if applicable) shall assist the Chairperson and perform such duties as prescribed in the Bylaws or at the direction of the NH ICC. The Vice Chairperson will assume responsibilities of the Chairperson as required. The Vice Chairperson will assume the position of Chairperson if a vacancy occurs.
- c. The Secretary shall keep the minutes of meetings of the Council, handle all correspondence appropriate to the office, and keep a record of attendance at all meetings with administrative support from BDS. In the absence of the Secretary, the Chairperson(s) shall appoint a member to perform the function of Secretary.
- d. The Member-at-Large shall serve on the ICC Planning Committee with the intent of assuming a leadership position on the Council in the future.

Section 4. Officer Vacancy

In the event there is an Officer vacancy, the Chairperson(s) will request the Nominating Committee to submit the name of a Council candidate for election. The NH ICC will elect the Officer to complete the term. If there is a vacancy in the Chairperson's position, the Vice Chairperson (if applicable) will assume the duties of Chairperson.

Article V – COMMITTEES

Section 1. Standing Committees

- The NH ICC shall have a Planning Committee made up of lead agency staff, Department of Education representative(s), the Chair of the Nominating Committee and NH ICC Officers. This committee shall meet at least once prior to each NH ICC meeting to establish an agenda for the upcoming meeting and to assure that the business of the last meeting has progressed.
- The Nominating Committee shall nominate as prescribed by the Bylaws a sufficient number of persons to fill all vacancies on the NH ICC. It shall also be

responsible for oversight of membership attendance and responsibilities. The Chair of the Nominating Committee will be appointed by the Chair of the NH ICC.

- Standing committees may be added by a vote at any regularly scheduled meeting of the NH ICC

Section 2. Ad Hoc Committees

Ad Hoc Committees may be created at the discretion of the Chairperson or by the NH ICC as necessary for a specific, time-limited project.

Article VI – AMENDMENTS

These Bylaws may be amended by a simple majority present at a NH ICC meeting. A prior written notice (transmitted electronically or by mail) of a proposed vote to change the Bylaws must be given, to all members, at least two weeks in advance of the regularly scheduled meeting.

Initial Approval Date: 2003

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