

INTERAGENCY COORDINATING COUNCILS: STATE AND LOCAL

Introduction

Due to the interagency nature of the Infant-Toddler Services/tiny-k, any state that receives financial assistance under Part C of IDEA must establish a State Interagency Coordinating Council (SICC) to coordinate early intervention services for infants and toddlers with developmental delays/disabilities and their families. Additionally, Kansas regulations require that each community network that receives Part C funding through the Kansas Department of Health and Environment (KDHE) must establish a local council to support the delivery of early intervention services.

I. State Interagency Coordinating Council

In Kansas, the State Interagency Coordinating Council (SICC) is called the Kansas Coordinating Council on Early Childhood Developmental Services (KCCECDS). The mission of the KCCECDS is to ensure that a comprehensive service delivery system of integrated services is available in Kansas to all children with or at an established risk of developmental delays from birth through age five and their families. A key component of the SICC is the emphasis on interagency collaboration and the recognition that children with developmental delays/disabilities and their families need services across agency lines.

II. Function of the Kansas Coordinating Council on Early Childhood Developmental Services

The function of the KCCECDS is to advise and assist the lead agency in performing its responsibilities. As referenced in K.S.A. 74-7802, the Council will:

1. Solicit information and opinions from concerned agencies, groups, and individuals on proposed policies and recommendations for the delivery of health, education, and social services for all children with a disability or who experience (or are at risk for) developmental delays from birth through age 5 and their families.
2. Establish appropriate committees to perform tasks, gather information, and explore issues as directed by the Council (see V below).
3. Determine the work activities of the staff to the KCCECDS.
4. Disseminate information about the activities of the Council and its actions to local, private and public service providers, parents, advocacy organizations, state agency personnel, and other interested parties.
5. Develop, implement, and review as appropriate a state plan for young children with a disability or who experience (or are at risk for) developmental delays from birth through age 5 and their families.
6. Recommend policies, procedures, and legislation for effectively providing health, education, and social services.

7. Develop interagency agreements to promote a comprehensive service delivery system for all children with a disability or those who experience (or are at risk for) developmental delays from birth through age 5 and their families.
8. Advise and assist the lead agency in implementing the Individuals with Disabilities Education Act (IDEA), Part C, at both state and local levels.
9. Submit an annual report to the governor.
10. Advise and assist all Kansas state agencies that provide services to children with a disability or who experience (or are at risk for) developmental delays from birth through age 5 and their families.

III. Membership of KCCECDS

The governor appoints all Council members, including the chairperson. All members serve without compensation from funds under Part C. The governor may appoint one member to represent more than one program or agency. IDEA, Part C, requires that particular members serve on the Council, including:

- At least 20% of the members are parents with children who have disabilities between the ages of birth through 12 who have knowledge and/or experience with programs for infants and toddlers with disabilities. At least one parent must have a child below the age of 6.
- At least 20% of the Council must be public or private services providers in early intervention programs.
- One member from the State Legislature.
- One member who is involved in personnel preparation.
- One member from each of the state agencies involved in the provision, or payment for, early intervention services to infants and toddlers with disabilities and their families.
- One member from the state education agency that is responsible for preschool services for children with disabilities.
- One member from the state Medicaid program.
- At least one member from Head Start or Early Head Start.
- At least one member from the state agency responsible for childcare.
- One member responsible for state regulation of health insurance.
- One member from the Office of the Coordination of Education of Homeless Children and Youth.
- One member from the state child welfare agency.
- One member from children's mental health.

For a list of current members of the KCCECDS, go to <http://www.kansasicc.org/>.

IV. Local Interagency Coordinating Councils

Early intervention programs coordinate services and address issues through the local interagency coordinating council. Each council must establish (1) A Part C lead agency and (2) a Part C fiscal agency. The Part C lead agency and fiscal agency may be the same entity. The

local interagency coordinating council (LICC) shall consist of members who are representative of the community and have an interest in being involved in their community and/or agency.

A. The local council must include at a minimum the following membership:

- at least two parents of children with disabilities;
- a representative of the Department of Health and Environment;
- a representative of Social and Rehabilitation Services; and
- a representative of an educational agency

B. The responsibilities of the local interagency council include

1. Identifying local service providers who can provide early intervention services to infants and toddlers with disabilities and their families;
2. Advising and assisting local service providers; and
3. Communicating, combining, cooperating, and collaborating with other local councils on issues of concern.
4. Additional activities of the council include
 - a. collaborating with the lead agency to develop a plan describing the system for coordinating early intervention services.
 - b. developing a formal working team that meets at least quarterly to address local early intervention needs, including, but not limited to, the following:
 - ensure that Child Find activities are available at least monthly;
 - develop and disseminate to primary referral sources a public awareness program that includes Child Find information related to referral for screening or evaluation, availability of early intervention services, and information for parents;
 - identify a central point of contact for families and providers;
 - describe the system for early intervention services in the community based on identified community needs and resources, including development of written interagency agreements or memoranda of understanding;
 - utilize interagency agreements or memoranda of understanding to support services provided in the Individualized Family Service Plan (IFSP) for eligible children and their families;
 - ensure that referrals are made in a timely fashion;
 - identify the geographical area served;
 - identify the ages of people to be served in the community;
 - provide a description of identified community needs and resources; and
 - advise and assist the lead agency (e.g., writing grants, policies, resolution of disputes).

Other councils may exist in communities. The local council is encouraged to explore how other councils may interact and overlap with Part C early childhood councils. Any organizational approach is acceptable as long as the above goals are identifiable and carried out in the spirit of the philosophy of Part C of IDEA. The local early childhood interagency coordinating council must communicate, combine, cooperate, and collaborate with other local councils on issues of concern.

For additional information on the Kansas Coordinating Council on Early Childhood Developmental Services. go to <http://www.kansasicc.org/>.

Federal Statute 2004

20 U.S.C. 1441. STATE INTERAGENCY COORDINATING COUNCIL.

“(a) ESTABLISHMENT.—(1) IN GENERAL.—A State that desires to receive financial assistance under this part shall establish a State interagency coordinating council.

“(2) APPOINTMENT.—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.

“(3) CHAIRPERSON.—The Governor shall designate a member of the council to serve as the chairperson of the council, or shall require the council to so designate such a member. Any member of the council who is a representative of the lead agency designated under section 635(a)(10) may not serve as the chairperson of the council.

“(b) COMPOSITION.—

“(1) IN GENERAL.—The council shall be composed as follows:

“(A) PARENTS.—Not less than 20 percent of the members shall be 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 1 such member shall be a parent of an infant or toddler with a disability or a child with a disability aged 6 or younger.

“(B) SERVICE PROVIDERS.—Not less than 20 percent of the members shall be public or private providers of early intervention services.

“(C) STATE LEGISLATURE.—Not less than 1 member shall be from the State legislature.

“(D) PERSONNEL PREPARATION.—Not less than 1 member shall be involved in personnel preparation.

“(E) AGENCY FOR EARLY INTERVENTION SERVICES.—Not less than 1 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 agencies.

“(F) AGENCY FOR PRESCHOOL SERVICES.—Not less than 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.

“(G) STATE MEDICAID AGENCY.—Not less than 1 member shall be from the agency responsible for the State Medicaid program.

“(H) HEAD START AGENCY.—Not less than 1 member shall be a representative from a Head Start agency or program in the State.

“(I) CHILD CARE AGENCY.—Not less than 1 member shall be a representative from a State agency responsible for child care.

“(J) AGENCY FOR HEALTH INSURANCE.—Not less than 1 member shall be from the agency responsible for the State regulation of health insurance.

“(K) OFFICE OF THE COORDINATOR OF EDUCATION OF HOMELESS CHILDREN AND YOUTH.—Not less than 1 member shall be a representative designated by the Office of Coordinator for Education of Homeless Children and Youths.

“(L) STATE FOSTER CARE REPRESENTATIVE.—Not less than 1 member shall be a representative from the State child welfare agency responsible for foster care.

“(M) MENTAL HEALTH AGENCY.—Not less than 1 member shall be a representative from the State agency responsible for children's mental health.

“(2) OTHER MEMBERS.—The council may include other members selected by the Governor, including a representative from the Bureau of Indian Affairs (BIA), or where there is no BIA operated or BIA-funded school, from the Indian Health Service or the tribe or tribal council.

“(c) MEETINGS.—The council shall meet, at a minimum, on a quarterly basis, and in such places as the council determines necessary. The meetings shall be publicly announced, and, to the extent appropriate, open and accessible to the general public.

“(d) MANAGEMENT AUTHORITY.—Subject to the approval of the Governor, the council may prepare and approve a budget using funds under this part to conduct hearings and forums, to reimburse members of the council for reasonable and necessary expenses for attending council meetings and performing council duties (including child care for parent representatives), to 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, to hire staff, and to obtain the services of such professional, technical, and clerical personnel as may be necessary to carry out its functions under this part.

“(e) FUNCTIONS OF COUNCIL.—

“(1) DUTIES.—The council shall—

“(A) advise and assist the lead agency designated or established under section 635(a)(10) in the performance of the responsibilities set forth in such section, particularly 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 the interagency agreements;

“(B) advise and assist the lead agency in the preparation of applications and amendments thereto;

“(C) advise and assist the State educational agency regarding the transition of toddlers with disabilities to preschool and other appropriate services; and

“(D) prepare and submit an annual report to the Governor and to the Secretary on the status of early intervention programs for infants and toddlers with disabilities and their families operated within the State.

“(2) AUTHORIZED ACTIVITY.—The council may advise and assist the lead agency and the State educational agency regarding the provision of appropriate services for children from birth through age 5. The council may advise appropriate agencies in the State with respect to the integration of services for infants 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.

“(f) CONFLICT OF INTEREST.—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.

Federal Regulations 1997

Subpart G—State Interagency Coordinating Council

34 CFR 303.600 Establishment of Council.

- (a) A State that desires to receive financial assistance under Part C of the Act must establish a State Interagency Coordinating Council.
- (b) The Council must be appointed by the Governor. The Governor must ensure that the membership of the Council reasonably represents the population of the State.
- (c) The Governor must designate a member of the Council to serve as the chairperson of the Council or require the Council to do so. Any member of the Council who is a representative of the lead agency designated under § 303.201 may not serve as the chairperson of the Council. (Authority: 20 U.S.C. 1441(a))

Note: To avoid a potential conflict of interest, it is recommended that parent representatives who are selected to serve on the Council not be employees of any agency involved in providing early intervention services.

It is suggested that consideration be given to maintaining an appropriate balance between the urban and rural communities of the State.

34 C.F.R. 303.601 Composition.

- (a) The Council must be composed as follows:
 - (1)(i) 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, with knowledge of, or experience with, programs for infants and toddlers with disabilities.
 - (ii) 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.
 - (2) At least 20 percent of the members must be public or private providers of early intervention services.
 - (3) At least one member must be from the State legislature.
 - (4) At least one member must be involved in personnel preparation.
 - (5) At least one member must—
 - (i) Be from each of the State agencies involved in the provisions of, or payment for, early intervention services to infants and toddlers with disabilities and their families; and
 - (ii) Have sufficient authority to engage in policy planning and implementation on behalf of these agencies.
 - (6) At least one member must—
 - (i) Be from the State educational agency responsible for preschool services to children with disabilities; and
 - (ii) Have sufficient authority to engage in policy planning and implementation on behalf of that agency.
 - (7) At least one member must be from the agency responsible for the State governance of health insurance.
 - (8) At least one member must be from a Head Start agency or program in the State.
 - (9) At least one member must be from a State agency responsible for child care.
 - (b) The Council may include other members selected by the Governor, including a representative from the BIA or, where there is no school operated or funded by the BIA, from the Indian Health Service or the tribe or tribal council.
- (Approved by the Office of Management and Budget under control number 1820-0550) (Authority: 20 U.S.C. 1441(b))

34 C.F.R. 303.602 Use of funds by the Council.

- (a) General. Subject to the approval of the Governor, the Council may use funds under this part—
 - (1) To conduct hearings and forums;
 - (2) To reimburse members of the Council for reasonable and necessary expenses for attending Council meetings and performing Council duties (including child care for parent representatives);
 - (3) To 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;
 - (4) To hire staff; and
 - (5) To obtain the services of professional, technical, and clerical personnel, as may be necessary to carry out the performance of its functions under this part.
 - (b) Compensation and expenses of Council members. Except as provided in paragraph (a) of this section, Council members shall serve without compensation from funds available under this part.
- (Approved by the Office of Management and Budget under control number 1820-0550)(Authority: 20 U.S.C. 1438, 1441 (c) and (d))

34 C.F.R. 303.603 Meetings.

- (a) The Council shall meet at least quarterly and in such places as it deems necessary.
 - (b) The meetings must—
 - (1) Be publicly announced sufficiently in advance of the dates they are to be held to ensure that all interested parties have an opportunity to attend; and
 - (2) To the extent appropriate, be open and accessible to the general public.
 - (c) Interpreters for persons who are deaf and other necessary services must be provided at Council meetings, both for Council members and participants. The Council may use funds under this part to pay for those services.
- (Approved by the Office of Management and Budget under control number 1820-0550) (Authority: 20 U.S.C. 1441 (c) and (d))

34 C.F.R. 303.604 Conflict of interest.

No member of the Council may 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. (Approved by the Office of Management and Budget under control number 1820-0550) (Authority: 20 U.S.C. 1441(f))

34 C.F.R. 303.650 Functions of the Council

General.

(a) Each Council shall—

(1) Advise and assist the lead agency in the development and implementation of the policies that constitute the statewide system;

(2) Assist the lead agency in achieving the full participation, coordination, and cooperation of all appropriate public agencies in the State;

(3) Assist the lead agency in the effective implementation of the statewide system, by establishing a process that includes—

(i) Seeking information from service providers, service coordinators, parents, and others about any Federal, State, or local policies that impede timely service delivery; and

(ii) Taking steps to ensure that any policy problems identified under paragraph (a)(3)(i) of this section are resolved; and

(4) To the extent appropriate, assist the lead agency in the resolution of disputes.

(b) Each Council may advise and assist the lead agency and the State educational agency regarding the provision of appropriate services for children aged birth to five, inclusive.

(c) Each Council may advise appropriate agencies in the State with respect to the integration of services for infants 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.

(Approved by the Office of Management and Budget under control number 1820-0550) (Authority: 20 U.S.C. 1441(e)(1)(A) and (e)(2))

34 C.F.R. 303.651 Advising and assisting the lead agency in its administrative duties.

Each Council shall advise and assist the lead agency in the—

(a) Identification of sources of fiscal and other support for services for early intervention programs under this part;

(b) Assignment of financial responsibility to the appropriate agency; and

(c) Promotion of the interagency agreements under Sec. 303.523.

(Approved by the Office of Management and Budget under control number 1820-0550) (Authority: 20 U.S.C. 1441(e)(1)(A))

Kansas Statute

Chapter 74. —STATE BOARDS, COMMISSIONS AND AUTHORITIES

Article 78. —COORDINATING COUNCIL ON EARLY CHILDHOOD DEVELOPMENTAL SERVICES

74-7802. Same; duties. The coordinating council on early childhood developmental services established by this act shall:

(a) Solicit information and opinions from concerned agencies, groups and individuals on proposed policies and recommendations for the delivery of health, education and social services for young children from birth through age five with or at risk for disabling conditions and for their families;

(b) establish appropriate committees to perform tasks, gather information and explore issues as directed by the council;

(c) determine the work activities of a staff person to the coordinating council on early childhood developmental services;

(d) disseminate information about the activities of the council and its actions to local, private and public service providers, parents, advocacy organizations, state agency personnel and other interested parties;

(e) develop and implement a state plan for young children from birth through age five with or at risk for disabling conditions and for their families;

(f) recommend policies, procedures and legislation for effectively providing health, education and social services;

(g) develop interagency agreements to promote a comprehensive service delivery system for young children with, or at risk for, disabling conditions and for their families;

(h) advise and assist the lead agency, as defined in K.S.A. 75-5648 and amendments thereto, in implementing the federal individuals with disabilities education act, Part H at both state and local levels; and

(i) submit annual reports to the governor.

History: L. 1986, ch. 281, § 2; L. 1992, ch. 126, § 3; L. 1994, ch. 279, § 30; July 1.

Kansas State Regulations 1997

KAR 28-4-565. Community responsibilities.

(a) Each community shall have a local interagency coordinating council (ICC) that has as one of its purposes the coordination of early intervention services for infants and toddlers with disabilities and their families.

(1) The local interagency coordinating council shall consist of members who reflect the community, including at a minimum the following:

(A) two parents of children with disabilities;

(B) a representative of a health or medical agency;

(C) a representative of an educational agency; and

(D) a representative of a social service agency.

(2) The names of local interagency coordinating council members shall be submitted to and acknowledged by the state lead agency.

(3) The chair of the council shall be elected by the local interagency coordinating council. The name of the chair shall be communicated to the

state lead agency.

(4) The responsibilities of the local interagency coordinating council include the following:

- (A) identifying local service providers who can provide early intervention services to infants and toddlers with disabilities and their families;
- (B) advising and assisting local service providers; and
- (C) communicating, combining, cooperating, and collaborating with other local councils on issues of concern.

(b) Each community, in collaboration with its local ICC, shall develop a plan describing the system for coordinating early intervention services.

The plan shall include the following:

- (1) identification of a local lead agency, which shall be acknowledged by the secretary of the state lead agency;
 - (2) identification of a local fiscal agency, which shall be acknowledged by the secretary of the state lead agency. The local lead agency and local fiscal agency may be the same agency, if the local lead agency is a legal entity;
 - (3) a description of the child find plan, including assurance that child find activities are available at least monthly;
 - (4) a description of identified community needs and resources;
 - (5) a description of written interagency agreements or memoranda of understanding, and how those agreements are used in the development of IFSPs for eligible children and families;
 - (6) a public awareness program that informs community members about child find activities, the central point of contact for the community, and the availability of early intervention services;
 - (7) a provision that the services that shall be at no cost to eligible infants and toddlers and their families include the following:
 - (A) child find activities;
 - (B) evaluation and assessments;
 - (C) family service coordination; and
 - (D) administrative and coordinative activities related to the development, review, and evaluation of the individualized family service plan (IFSP), and implementation of procedural safeguards and other components of the statewide system of early intervention services; and
 - (8) an assurance that the information regarding the community plan is available in the community.
- (c) Each community desiring federal infant-toddler part of IDEA and state funds shall submit an annual grant application to the state lead agency. This grant application shall meet the following requirements:
- (1) include the plan for coordination of early intervention services, as described in K.A.R. 28-4-565(b); and
 - (2) be in compliance with the grant application materials provided by the state lead agency.
- (d) Each community shall be required to utilize multiple funding sources for early intervention services for children with disabilities from birth through age two and their families. (Authorized by and implementing K.S.A. 1996 Supp. 75-5649; effective Jan. 30, 1995; amended Aug. 15, 1997.)