



EARLY CHILDHOOD INTERAGENCY  
COORDINATING COUNCIL

# Bylaws

Approved March 13, 2002; Revised November 15, 2002;  
Revised August 24, 2012; Revised May 5, 2017

---

## ARTICLE I. THE COUNCIL

- A. Name: The name of this body is The Early Childhood Interagency Coordinating Council (hereinafter Council). The Council is also known as the ECICC.
- B. Authority: The Council was established by *Nebraska Revised Statutes (Neb.Rev.Stat.)* 43-3401 to 43-3403 to advise and assist collaborating agencies in carrying out the provisions of state and federal statutes pertaining to early childhood care and education initiatives under state supervision. These include:
- the Early Intervention Act, *Neb.Rev.Stat. 43-2501 to 43-2516*;
  - the Quality Child Care Act, *Neb.Rev.Stat.46-2601 to 43-2625*;
  - *Neb.Rev.Stat.79-1101 to 1104*, [early childhood education programs];
  - *Part C the Individuals with Disabilities Education Improvement Act of 2004*, P.L. 108-446, Section 641 and 34 CFR 303.Subpart G (20 U.S.C. §1441); and
  - the *Improving Head Start for School Readiness Act of 2007*, P.L. 110-134, Section 642B (42 U.S.C. § 9837b).

## ARTICLE II. OBJECT OF THE COUNCIL

- A. These bylaws comply with procedural requirements of Nebraska laws regarding Open Meetings. *Neb.Rev.Stat. 84-1407 et. seq.*
- B. Membership and activities of the Council shall comply with all applicable provisions of federal law.
- C. With respect to the Early Intervention Act, the Quality Child Care Act, and sections 79-1101 to 79-1104, the Council serves in an advisory capacity to state agencies responsible for early childhood care and education, including care for school-age children. (*Neb.Rev.Stat. 43-3402*)
- D. With respect to *Part C* of the *Individuals with Disabilities Education Act (IDEA) of 2004*, the Council serves as the State Interagency Coordinating Council to carry out the functions described in P.L. 108-446 Section 641 and 34 CFR 303.Subpart G (20 U.S.C. §1441).
- E. With respect to the *Improving Head Start for School Readiness Act of 2007*, the Council serves as the State Advisory Council on Early Childhood Education and Care, as designated by Governor Heineman, to carry out the responsibilities described in P.L.110-134, Section 642B (42 U.S.C. § 9837b).

## F. DEFINITIONS

1. Early Intervention Services are services that address the needs of infants and toddlers with disabilities and their families. Infants and toddlers can be served through early intervention programs even if there is a possible disability, which has not yet been identified.  
Adapted from *Early Intervention Act (43-2501-2516)*
2. Early Childhood Services are high quality early childhood education programs for infants, toddlers, and young children and their families.  
Adapted from *Early Childhood Act (79-1101-1104)*
3. Interagency Coordinating Council is a federally defined advisory council to advise and assist collaborating agencies in the administration of the early intervention program.  
Adapted from *Individuals with Disabilities Education Act 2007*
4. State Advisory Council is a federally defined advisory council that addresses the needs of children from birth to school entry. The Governor of the state designates the state advisory council and appoints the representatives to the State Advisory Council.  
Adapted from the *Improving Head Start for School Readiness Act of 2007*.
5. Collaborating agencies are the Nebraska Department of Education and the Nebraska Department of Health and Human Services, and other state agencies.
6. Lead agency(ies) for Part C of IDEA are the Nebraska Department of Education and the Nebraska Department of Health and Human Services identified as co-lead agencies for the administration of the early intervention program (hereinafter the Co-lead Agencies).
7. State education agency (SEA) is the Nebraska Department of Education.
8. Advise means to give advice, to inform, to counsel, to recommend, to suggest, to guide.
9. Assist means to help, to support, to second, to attend, to aid.

## ARTICLE III. FUNCTIONS OF THE COUNCIL

- A. Advisory duties as set in *Neb.Rev.Stat. 43-3401 to 43-3403 (Early Childhood Interagency Coordinating Council)*

The Council will serve in an advisory capacity to state agencies responsible for early childhood care and education, including care for school-age children, in order to:

1. Promote the policies set forth in the Early Intervention Act, the Quality Child Care Act, and sections 79-1101 to 79-1104;
2. Facilitate collaboration with the federally administered Head Start program;
3. Make recommendations to the Nebraska Department of Health and Human Services and the State Department of Education, and other state agencies responsible for the regulation or provision of early childhood care and education programs on the needs, priorities, and policies relating to such programs throughout the state;
4. Make recommendations to the lead agency or agencies that prepare and submit applications for federal funding;
5. Review new or proposed revisions to rules and regulations governing the registration or licensing of early childhood care and education programs;

6. Study and recommend additional resources for early childhood care and education programs; and
7. Report biennially to the Governor and Legislature on the status of early intervention and early childhood care and education in the state.\*

\* Such report shall include (a) the number of license applications received under section 71-1911, (b) the number of such licenses issued, (c) the number of such license applications denied, (d) the number of complaints investigated regarding such licensees, (e) the number of such licenses revoked, (f) the number and dollar amount of civil penalties levied pursuant to section 71-1920, and (g) information which may assist the Legislature in determining the extent of cooperation provided to the Department of Health and Human Services by other state and local agencies pursuant to section 71-1914.

B. Functions of the Council as set in Title 34, Code of Federal Regulations, Section 303-*Individuals with Disabilities Education Act: Part C Early Intervention Program for Infants and Toddlers with Disabilities, Subpart G-State Interagency Coordination Council*, effective 10/28/2011 (34CFR303.604 and 34CFR303.605).

1. Functions of the Council—required duties (§303.604)
  - a. Advising and assisting the Co-lead Agencies. The Council must advise and assist the Co-lead Agencies in the performance of their responsibilities in section 635(a)(10) of the Act, including:
    - 1) Identification of sources of fiscal and other support for services for early intervention service programs under Part C of the Act;
    - 2) Assignment of financial responsibility to the appropriate agency;
    - 3) Promotion of methods (including use of intra-agency and interagency agreements) for intra-agency and interagency collations regarding child find under §§303.115 and 303.302, monitoring under §303.120 and §§303.700 through 303.708, financial responsibility and provision of early intervention services under §§303.202 and 303.511, and transition under § 303.209; and
    - 4) Preparation of applications under this part and amendments to those applications.
  - b. Advising and assisting on transition. The Council must advise and assist the Co-lead Agencies regarding the transition of toddlers with disabilities to preschool and other appropriate services.
  - c. Annual report to the Governor and to the Secretary [of U.S. Dept. of Education].
    - 1) The Council must—
      - (i) Prepare and submit an annual report to the Governor and to the Secretary on the status of early intervention service programs for infants and toddlers with disabilities and their families under Part C of the Act operated within in the State; and
      - (ii) Submit the report to the Secretary by the date that the Secretary establishes.
    - 2) Each annual report\* must contain the information required by the Secretary for the year for which the report is made.

\* The Council may use the State's Part C Annual Performance Report in lieu of the Council's own annual report by completing the APR certification confirming that the Council has reviewed the State's Part C APR for accuracy and completeness. (OSEP

Part C APR Template-Annual Report Certification of the Interagency Coordinating Council... )

2. Authorized activities by the Council (§303.605)

The Council may carry out the following activities:

- a) Advise and assist the lead agency and the SEA regarding the provision of appropriate services for children with disabilities from birth through age five.
- b) 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.
- c) Coordinate and collaborate with the State Advisory Council on Early Childhood Education and Care for children, as described in section 642(b)(1)(A)(i) of the Head Start Act, 42 U.S.C. 9837b(b)(1)(A)(i), if applicable, and other State interagency early learning initiatives, as appropriate.

C. Responsibilities of the Council as set in P.L. 110-134, the *Improving Head Start for School Readiness Act of 2007, Section 642b State Early Education and Care.*

1. The Council shall:

- a. Conduct a periodic statewide needs assessment concerning the quality and availability of early childhood education and development programs and services for children from birth to school entry, including an assessment of the availability of high-quality pre-kindergarten services for low-income children in the State;
- b. Identify opportunities for, and barriers to, collaboration and coordination among Federally-funded and State-funded child development, child care and, early childhood education programs and services, including collaboration and coordination among State agencies responsible for administering such programs;
- c. Develop recommendations for increasing the overall participation of children in existing Federal, State, and local child care and early childhood education programs, including outreach to underrepresented and special populations;
- d. Develop recommendations regarding the establishment of a unified data collection system for public early childhood education and development programs and services throughout the State;
- e. Develop recommendations regarding statewide professional development and career advancement plans for early childhood educators in the State;
- f. Assess the capacity and effectiveness of 2-year and 4-year public and private institutions of higher education in the State toward supporting the development of early childhood educators, including the extent to which such institutions have in place articulation agreements, professional development and career advancement plans, and practice or internships for students to spend time in a Head Start or prekindergarten program; and
- g. Make recommendations for improvements in State early learning standards and undertake efforts to develop high quality comprehensive early learning standards, as appropriate.

2. The Council shall hold public hearings and provide an opportunity for public comment on the activities described in clause 1. The Council shall submit a statewide strategic report addressing the activities described in clause 1 to the State Director of Head Start Collaboration and the Governor of the State.
3. After submission of the statewide strategic report under clause 2, the Council shall meet periodically to review any implementation of the recommendations in such report and any changes in State and local needs.

## **ARTICLE IV. MEMBERSHIP**

### **A. APPOINTMENTS**

1. The Governor shall appoint members of the Council. The Council Steering Committee shall forward recommendations to the Governor for appointment. Recommendations will be based upon the statutory requirements for Council membership.
2. Recommendations of persons for consideration as possible appointees to the Council that are submitted to the Governor shall encourage diverse geographic representation from rural and urban areas.
3. All Council members shall be appointed for three (3) year terms, and a member shall not serve more than two consecutive three-year terms.
4. Reappointment of a Council member shall be at the discretion of the Governor.
5. Any member appointed by the Governor to replace a resigning member will complete the resigning member's term on the Council. At the end of that remaining term, a recommendation shall be forwarded to the Governor. Reappointment shall be at the discretion of the Governor.

### **B. VACANCIES**

Appointments to fill a vacancy on the Council for any reason may be made by the Governor. The Council, through the Council secretary or facilitator, shall inform the Governor within thirty (30) calendar days of any vacancy.

### **C. REMOVAL/RESIGNATION**

1. A Council member may resign, or be removed from the Council if they become ineligible to serve due to his/her loss of qualifications as set out in the statutory requirements of members.
2. Procedures for resignation: A Council member's resignation must be submitted electronically or in writing to the Council secretary or facilitator. The Council secretary or facilitator will forward the resignation to the Governor's Office, and will inform the Council chairperson and the Council membership of the resignation.

## **ARTICLE V. ROLES AND RESPONSIBILITIES OF COUNCIL MEMBERS**

As established and agreed upon by the Council, each member is expected to:

1. Attend and actively participate in all Council meetings including participating in ad hoc committees and task forces, as assigned;
2. Provide written and oral comment on the development of a statewide system of integrated, comprehensive, interagency programs providing early childhood care and services to all children, including infants and toddlers with disabilities and their families;
3. Provide written and oral comment to the Council and collaborating agencies on issues affecting the Council;
4. Assist with the development and functioning of task forces and/or other ad hoc committees established by the Council to explore designated topics relating to the statewide system;
5. Review and provide comments on documents such as those concerning applications for funding, rule making, and proposed legislation;
6. Gather trend information related to early care and education services, and services to young children with disabilities and their families to inform other Council members; and
7. Advise the Council based on data, facts, and input from stakeholders.

## **ARTICLE VI. TECHNICAL SUPPORT TO THE COUNCIL**

### **A. TECHNICAL ASSISTANCE PERSONNEL**

1. The role of technical assistance personnel is to advise and assist the Council and the ad hoc committees or task forces in carrying out their responsibilities.
2. Technical assistance personnel are not eligible to vote on matters of official Council business.
3. State agency staff not appointed to the Council may provide input and participate in Council activities but may not vote on any matter before the Council.

### **B. COUNCIL STAFF**

The Nebraska Department of Health and Human Services and the Nebraska Department of Education shall provide and coordinate staff assistance to the Council. *Neb.Rev.Stat. 43-3401(2)*

1. Council staff shall consist of a Council facilitator and a Council secretary.
2. Council staff are not eligible to vote on matters of official Council business.

## **ARTICLE VII. OFFICERS AND STEERING COMMITTEE**

### **A. COUNCIL CHAIRPERSON**

1. 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. The chairperson may not be a representative of a state agency.
2. The Council chairperson shall serve as Council chair for the remainder of his/her three (3) year appointment. At the end of his/her term a new chair is appointed or a reappointment is made.
  - a. The Council may recommend to the Governor that the vice-chairperson succeed the chairperson, if the vice-chair is interested.
  - b. In the event that the vice-chairperson does not want to serve as chairperson, the Council Steering Committee will solicit recommendations for a chairperson from the Council to forward to the Governor.
3. Duties of the Chairperson—The chairperson shall:
  - a. Arrange for regular meetings of the Council.
  - b. Preside over all meetings of the Council and the Steering Committee.
  - c. Perform all duties incident to the position of chairperson and all other duties as may be prescribed by the Council.

### **B. COUNCIL VICE-CHAIRPERSON**

1. The vice-chairperson shall be a member of the Council.
2. Nominations for vice-chairperson shall be submitted electronically or in writing to the Council secretary. The Council secretary shall collect/record nominations. Elections for vice-chairperson will be conducted as vacancies occur. Elections for the vice-chairperson will be conducted during a meeting of the full Council by written ballot. The vice-chairperson will serve until the end of their term, or until appointed as chairperson.
3. Duties of the vice-chairperson—The vice-chairperson shall:
  - a. Perform the duties of the chairperson in the chairperson's absence, inability or recusal.
  - b. Serve as a member of the Steering Committee.
  - c. Perform any other duties that may be assigned by the Council chairperson or by the Council.

### **C. STEERING COMMITTEE**

1. The Steering Committee shall consist of the Council chairperson, the Council vice-chairperson, and representatives of state agencies that have responsibilities in carrying out the activities as authorized by federal and state regulations. Other leadership of ad hoc committees or task forces may be asked by the Steering Committee to participate in Steering Committee meetings on an as needed basis.
2. Steering Committee Duties—The Steering Committee shall:

- a. Be responsible for handling time-sensitive matters requiring immediate Council attention prior to an officially scheduled meeting.
- b. Coordinate all task force/committee assignments.
- c. Develop and set Council meeting agendas.
- d. Execute any other functions, duties and responsibilities delegated to it by the Council.

## **ARTICLE VIII. COMMITTEES AND TASK FORCES**

### **A. COUNCIL COMMITTEES**

1. Council members and technical assistants shall bring proposals for ad hoc committees to the Council for approval and establishment.
2. Each ad hoc committee will have a defined scope of work that is approved by the Council.
3. A current member of the Council shall chair each ad hoc committee.

### **B. COUNCIL TASK FORCES**

1. When necessary, the Council may establish task forces to assist in its operation. Membership shall consist of past or current Council members and other persons.
2. Task Forces are intended to be task specific and time limited. They are expected to review issues, data and topics as assigned by the Council.

## **ARTICLE IX. MEETINGS OF THE COUNCIL**

### **A. SCHEDULE**

1. The Council shall meet a minimum of four times per year and in compliance with Nebraska Open Meetings Law *Neb.Rev.Stat.* 84-1407 et. seq. Additional meetings for a defined purpose may be scheduled at other times and places as determined by majority vote of the Council and approved by the Department of Education to authorize additional costs.
2. Meetings will be held in facilities that are accessible to the general public, and persons requesting interpreter services for the hearing impaired shall have one provided at no cost.

### **B. QUORUM REQUIREMENTS**

A quorum of the Council shall be a majority of the voting membership. Council meetings will only be conducted when a quorum is present. (Note: A majority constitutes more than half of the membership, i.e., 50% plus one.) Council members will notify the chair and secretary at any time of absence during which Council business is conducted.

### **C. NOTICE**

Notice of meetings will conform to the requirements of the Open Meetings Act, *Neb. Rev. Stat.* 84-1407 et seq.



**D. VOTING**

1. Each Council member who is present at the meeting is entitled to one vote on each matter submitted to a vote.
2. A vote of the majority of members present at any meeting is necessary to approve any action taken by the Council.
3. No member of the Council shall vote on any matter providing direct financial benefit to self, or give appearance of conflict.

**E. EXPENSES**

Allowable expenses incurred by Council members for attending meetings shall be reimbursed in accordance with statute and Nebraska Department of Education guidelines.

**F. RULES OF ORDER**

Formal action of the Council shall be conducted as defined in the Council's Operating Procedures.

**G. MINUTES**

Minutes of Council meetings shall be written and made available for public inspection on the Council's website.

**ARTICLE X. AMENDMENTS**

These bylaws may be altered, amended or repealed and new bylaws may be adopted by formal action of the Council at any regular or special meeting of the Council. Proposed changes shall be submitted in writing to the Council membership at least fifteen (15) days prior to the scheduled meeting at which the action is to be taken.

**ARTICLE XI. MISCELLANEOUS**

The Council Bylaws will be posted on the Council website after adoption. The bylaws will be disseminated to each current member of record and to individuals who are later appointed as members of the Council.

**ADOPTION OF THESE ARTICLES**

I HEREBY CERTIFY that the foregoing bylaws were adopted by the Early Childhood Interagency Coordinating Council on the 13th day of March, 2002.

Linda Shafer, Council Chairperson

REVISED November 15, 2002 by majority vote by ballot of the Council membership.

REVISED August 24, 2012 by majority roll call vote of the Council membership.

REVISED May 5, 2017 by majority roll call vote of the Council membership.