

 <p>UTAH DEPARTMENT OF HEALTH Baby Watch Early Intervention Program</p>	Policy #	1.C.3
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1.C.3 State Interagency Coordinating Council (ICC)

PURPOSE

The purpose of this policy is to ensure that Baby Watch Early Intervention Program has a State Interagency Coordinating Council (ICC) that meets the requirements of Part C of the IDEA.

Section numbers noted throughout this policy are in reference to 34 CFR Part 303.

DEFINITIONS

Baby Watch Early Intervention Program (BWEIP): Utah's lead early intervention agency, with the single line of responsibility to carry out all the provisions of IDEA Part C.

Children's Health Insurance Program (CHIP): A program that provides low-cost health coverage to children in families that earn too much money to qualify for Medicaid.

Early Intervention (EI): Part C programs or services selected in collaboration with parents, designed to meet the developmental needs of a child birth to age 3 and the needs of the family to assist in the child's development.

Individuals with Disabilities Education Act (IDEA): As established by Public Law 94-142 and amended most recently in Public Law 108-446, a federal law that governs how states and public agencies provide early intervention, special education, and related services to children with disabilities.

Interagency Coordinating Council (ICC): As described in §300.600-605, a body of people appointed by the governor and required by statute to include families, EI providers, agencies and representatives from the community. The purpose of the ICC is to advise and assist the lead agency in performing the responsibilities set out in Part C of IDEA.

Lead Agency: As described in §303.22, the agency designated by the State's Governor that receives funds to administer the State's responsibilities of Part C under IDEA. Baby Watch Early Intervention Program is Utah's Lead Agency.

Medicaid: First authorized by Title XIX of the Social Security Act Amendments of 1965 (Public Law 89-97), a joint federal and state program that provides health coverage to children, pregnant women, parents, seniors and individuals with disabilities.

Part C of IDEA: The section of the Individuals with Disabilities in Education Act (IDEA), primarily Sections 631-644 of the Act, implemented through regulations at 34 CFR Part 303, that establishes a federal grant program that assists states in operating a comprehensive statewide program of early intervention services for infants and toddlers with disabilities, ages birth through age two years, and their families.

State Education Agency (SEA): As described in §303.36, the state board of education or other agency or officer primarily responsible for the state supervision of public elementary schools and secondary schools.

Utah Parent Center: The designated Parent Training & Information Center (PITC) for the State of Utah, funded by the U.S. Department of Education's Office of Special Education Programs (OSEP).

Utah Schools for the Deaf and the Blind (USDB): A statewide educational agency tasked with providing programs and services for students who are deaf, hard of hearing, blind, visually impaired or deaf-blind.

Utah State Board of Education (USBE): The state agency responsible for the public education system in Utah.

PRINCIPLES AND PROCEDURES

1. State Interagency Coordinating Council

- a. The Baby Watch Early Intervention Program (BWEIP) must include a State Interagency Coordinating Council (ICC) that meets the requirements of this policy.

2. Establishment of Council

- a. A State that desires to receive financial assistance under Part C of the Individuals with Disabilities Education Act (IDEA) 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 may not serve as the chairperson of the Council.

3. Composition

- a. The Council must be composed as follows:
 - 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 years or younger, with knowledge of, or experience with, programs for infants and toddlers with disabilities.
 - ii. At least one parent member must be a parent of an infant or toddler with a disability or a child with a disability aged six years or younger.
 - iii. At least 20 percent of the members must be public or private providers of early intervention services.
 - iv. At least one member must be from the State legislature.
 - v. At least one member must be involved in personnel preparation.
- b. At least one member must:
 - i. Be from each of the State agencies (i.e., Baby Watch and USDB) involved in the provision 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.
- c. At least one member must:
 - i. Be from the SEA responsible for preschool services to children with disabilities (USBE); and
 - ii. Have sufficient authority to engage in policy planning and implementation on behalf of the SEA.
- d. At least one member must be from the agency responsible for the State Medicaid and CHIP program.
- e. At least one member must be from a Head Start or Early Head Start agency or program in the State.
- f. At least one member must be from a State agency responsible for child care.
- g. At least one member must be from the agency responsible for the State regulation of private health insurance.
- h. At least one member must be a representative designated by the Office of the Coordination of Education of Homeless Children and Youth.

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- i. At least one member must be a representative from the State child welfare agency responsible for foster care.
- j. At least one member must be from the State agency responsible for children's mental health.
- k. The Governor may appoint one member to represent more than one program or agency listed in paragraphs (d) through (j) of this section.
- l. The Council may include other members selected by the Governor, including a representative from the Bureau of Indian Education (BIE) or, where there is no school operated or funded by the BIE in the State, from the Indian Health Service or the tribe or tribal council.
- m. The Council may also include:
 - i. A representative from the Bureau of Children with Special Health Care Needs.
 - ii. A representative from the Utah Parent Center.
 - iii. A representative from the Legislative Coalition for People with Disabilities.
 - iv. A representative from Utah Family Voices.
 - v. A representative from the Utah Developmental Disabilities Council.
 - vi. A representative from the Disability Law Center.
- n. 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 under State law.

4. Meetings

- a. The Council must meet, at a minimum, on a quarterly basis, and in such places as it determines necessary.
- b. The meetings must:
 - i. 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;
 - ii. To the extent appropriate, be open and accessible to the general public; and
 - iii. As needed, provide for interpreters for persons who are deaf and other necessary services for Council members and participants. The Council may use funds under this part to pay for those services.

5. Use of Funds by the Council

- a. Subject to the approval by the Governor, the Council may use funds under this part to:
 - i. Conduct hearings and forums;
 - ii. Reimburse members of the Council for reasonable and necessary expenses for attending Council meetings and performing Council duties (including child care for parent representatives);
 - iii. 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;
 - iv. Hire staff; and
 - v. Obtain the services of professional, technical, and clerical personnel as may be necessary to carry out the performance of its functions under Part C of the Act.
- b. Except as provided in paragraph (a) of this section, Council members must serve without compensation from funds available under Part C of the Act.

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6. Functions and Required Duties

- a. Advising and assisting the lead agency. The Council must advise and assist the lead agency in the performance of its responsibilities including:
 - i. Identification of sources of fiscal and other support for services for early intervention service programs under Part C of the Act;
 - ii. Assignment of financial responsibility to the appropriate agency;
 - iii. Promotion of methods (including use of intra-agency and interagency agreements) for intra-agency and interagency collaboration 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
 - iv. Preparation of applications under this part and amendments to those applications.
- b. Advising and assisting on transition. The Council must advise and assist the SEA and the lead agency regarding the transition of toddlers with disabilities to preschool and other appropriate services.
- c. Annual report to the Governor and to the Secretary. 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 the State; and
 - ii. Submit the report to the Secretary by a date that the Secretary establishes.
 - iii. Each annual report must contain the information required by the Secretary for the year for which the report is made.

7. Authorized Activities

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

AUTHORITY

- 34 CFR § 303.125: State interagency coordinating council
- 34 CFR § 303.600: Establishment of Council
- 34 CFR § 303.601: Composition
- 34 CFR § 303.602: Meetings
- 34 CFR § 303.603: Use of funds by the Council
- 34 CFR § 303.604: Functions of the Council – required duties
- 34 CFR § 303.605: Authorized activities by the Council

REVISION LOG

February 14 2019: New policy

	April 15, 2019
Lisa A. Davenport, Ph.D., BWEIP Program Manager	Date