

***First Steps South – East
Local Planning and Coordinating Council (LPCC)
Bylaws***

I. Name and Purpose of Council

This document provides the bylaws for the ***First Steps South – East Local Planning and Coordinating Council (Council)***

- The ***Council*** shall be comprised stakeholders from the twenty-five counties in ***First Steps – South East***.
- The primary purpose of the ***Council*** shall be to serve as a coordinating body for implementing and overseeing the early intervention system for ***First Steps South - East*** that fulfills the following system requirements: family-centered, comprehensive, coordinated, provided in a natural environment, and community-based.
- The ***Council*** shall be a part of the statewide coordinated, comprehensive, multidisciplinary, interagency early intervention services for children from birth to thirty-six (36) months as authorized by Indiana Code 12-17-15-17 and additional state and federal laws.
- The ***Council's*** activities shall be consistent with the rights and obligations of a “Local Planning and Coordinating Council” as defined in 470 Indiana Administrative Code 3.1-3.1 as amended from time to time.

II. Membership

A. Appointments

- Counties shall be encouraged to select members who fulfill the required representation requirements (see II.C.) and who represent diversity and expertise.
- The Board of the Fiscal Agent, Aging & Community Services of South Central Indiana, will be invited to appoint a board member to participate as a voting member of the Council. In the absence of an interested volunteer from the fiscal agent board, the board will be informed of First Steps activity via a monthly report provided by staff.
- Participants on the council are not limited and all will be considered voting members, with the exception of provider networks, which must designate one voting member per agency.

B. Terms of Appointments

- Appointments shall be for one year and may be renewed annually.

C. Representation

- The ***Council*** shall consist of members who reasonably represent the populations of the counties in the cluster, including at least one (1) representative from each provider network.
- Representation must include:
 1. Two (2) parents of infants and toddlers with disabilities or children who are less than twelve (12) years of age with disabilities; one parent shall have no other affiliation or role in early intervention or shall not have financial support for attendance from another program
 2. One (1) health or medical representative
 3. One (1) educational representative
 4. One (1) social service representative
 5. One (1) early intervention service provider
 6. One (1) Head Start representative
 7. One (1) child care representative.

D. Responsibilities

1. Officers

- The ***Council*** shall select officers through a majority vote at the last regularly scheduled meeting in each fiscal year, with the exception of the initial year, when officers shall be selected at the first meeting
- An officer may be selected for two succeeding terms.
 - a) Chairperson
 - The Chairperson shall maintain signature authority for all official required ***Council*** signatures

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- As appropriate, the Chairperson shall work collaboratively with staff to fulfill the following duties:
 - a. Speak publicly for the **Council** and then only in accordance with **Council** actions. The Chairperson shall appoint a designee for this duty when appropriate.
 - b. Participate in scheduling meetings of the **Council**, developing meeting agendas and ensuring completion of all tasks associated with **Council** meetings.
 - c. Preside over all meetings of the **Council**
 - d. Perform all duties incident to the position of Chairperson and all other duties as may be prescribed by the **Council**.
 - b) Vice-Chairperson
 - A Vice-Chairperson provides succession to the Chairperson position.
 - The Vice-Chairperson shall be responsible for all Chairperson responsibilities when the Chairperson is unable to complete those duties.
 - c) Secretary
 - The Secretary shall record minutes of all **Council** meetings.
 - The Secretary shall submit minutes by seven (7) days after the meeting to the Lead Coordinator for distribution.
2. Council Members
- All members of the **Council** shall fulfill the following duties:
- a) Attend and participate in regularly scheduled meetings.
 - b) Prepare for meetings.
 - c) Serve on standing committees or work groups of the **Council as needed**.
 - d) Respond to communications regarding the **Council**.
 - e) Represent their county or their assigned representation views at meetings.
 - f) Share their individual expertise.
 - g) Provide **Council** reports and information to their respective counties.
 - h) Support decisions of the **Council** and provide interest in the best interest of the **Council**.
 - i) Review the **Council** manual and agree to support the decisions, actions, operating methods, and goals established by official **Council** resolution.

E. Compensation and Reimbursement of Expenses

▪ **Stipend**

The **Council** shall make available a stipend to **representative parents** on the **Council** and its designated committees, in accordance with the **Stipend Policy** (Attachment A).

F. Resignation

- A **Council** member who wishes to resign shall notify the Chairperson of the **Council**.

G. Termination

- Failure to attend three (3) consecutive quarterly meetings of the **Council** shall result in a review of the member's appointment and, in the absence of extenuating circumstances, may result in termination. Participation in local or regional Council meetings or activities during a quarter is considered as attendance during that quarter.
- While proxy representation shall be highly desirable in instances when a **Council** member has conflicting commitments, representation by proxy shall not fulfill the expectations of active **Council** membership.
- Members may be removed by full **Council** vote on the basis that the member's action runs contrary to the **Council** purpose.
- Written requests to remove a member shall be reviewed by the council officers within five (5) business days of receipt of the request. Results of the investigations shall be presented to the **Council** prior to vote.
- Officers may be removed by **Council** vote when duties remain unfulfilled and when an officer's actions may be inconsistent with the purpose of the **Council**.

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H. **Vacancies**

- Any vacancy occurring in the membership of the **Council** shall be filled by recruiting from the county or constituency that was represented.
- Recommendations for filling additional vacancies may be made by **Council** members at any meeting or recruited by the Chairperson and the Cluster Coordinators.

III. **Meetings**

A. **Schedule**

- A twelve-month schedule of meetings shall be developed for the following year by the **Council** during its last regularly scheduled meeting of the fiscal year.
- The full **Council** must meet at least quarterly.
- Additional meetings or rescheduled meetings may be called by the Chairperson or at the request of three or more members and shall be announced to members at least 10 business days in advance of the meeting.
- Additional committee or work group meetings may be called by leaders of the respective groups.
- Subcommittees or workgroups shall be encouraged to convene in conjunction with **Council** meetings or via electronic meetings or conference calls in order to eliminate excessive travel.
- Regional or local Council meeting participation shall be considered quarterly attendance.

B. **Decision-Making Procedure**

- Final decisions on recommendations of the **Council** shall be made by a majority vote of those voting members present and voting members who attend the meeting electronically.
- Committee recommendations, including individual county recommendations of majority and/or consensus opinions, shall be provided to the **Council** for consideration.
- Only **Council** voting members or their designated proxies shall have voting privileges.
- A quorum, required for bylaw amendments or restructuring, shall be comprised of at least 50% of the rostered voting membership.
- Any member may request that his/her vote shall be recorded in the minutes, or on request of any member, the vote of each member shall be recorded.
- Meetings shall be conducted in accordance with Robert's Rules of Order.

C. **Conflict of Interest**

- All members shall adhere to the adopted **Conflict of Interest Policy** (Attachment B) and sign a related conflict of interest document.

D. **Proxies and Nonvoting Representatives**

- Members who shall be unavailable for a meeting of the **Council** may send a proxy or nonvoting representative by contacting the **Council** Chairperson or a Council Coordinator prior to the meeting.
- It is the responsibility of the **Council** member to prepare their proxy or nonvoting representative to participate in the meeting.
- Members should clarify the voting status of the individual with the **Council** Chairperson and take responsibility for the delivery of an agenda and supporting materials for the meeting to the proxy or nonvoting representative.
- A proxy represents the absent rostered member.

E. **Public Participation**

- The public shall be invited to participate in accordance with the **Public Participation Policy** (Attachment C). The **Council** shall be responsible for providing a public forum where issues related to First Steps South – East can be respectfully debated. Guidelines are established in the **Public Participation Policy**.

IV. **Council Functions**

The **Council** advises and assists in the development and implementation of the First Steps Early Intervention System in the cluster counties.

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- A. The **Council** shall provide direction and make decisions in the following areas:
- Public awareness
 - Identification and assurance of services to all eligible children
 - Procedural safeguards
 - Quality assurance
 - Transition
 - Interagency agreements and relationships that enhance the development of a service network that will increase information sharing, collaboration, cooperation, public awareness and that will eliminate gaps in services
 - Strategic planning
 - Oversight of the SPOE and LPCC system
 - System coordination
 - Provision of communication to support families and providers
 - Grant applications
 - Resource use and coordination, while the Fiscal Agent retains legal liability for the use of resources
 - Development and implementation of cluster policies and programs to enhance the system that shall ensure consistency and overall completeness of information
 - Development and implementation of cluster policies and programs to ensure that the system fulfills all requirements.
- B. THE **Council** shall seek information to achieve the following:
- The **Council** shall maintain responsibility for establishing a process to seek information from county constituencies, service providers, service coordinators, parents, and others about local policies that affect timely service delivery to infants and toddlers through surveys and email communication.
 - Once issues are identified, the **Council** shall provide input and to identify steps that may resolve the issue.
 - The goal shall be to assist the cluster in the effective implementation of the First Steps Early Intervention System.
 - The **Council** shall expect staff to provide members with requested reports and with summaries of requested data.
 - The **Council** shall expect to receive from staff a synopsis of activity for the reporting period.
- D. The **Council** shall resolve disputes using the agreed upon Conflict Resolution Process. (**Conflict Resolution Process:** Attachment D)
- E. The **Council** shall identify annual priorities:
- During the last quarter of the fiscal year, the **Council** shall identify any special goals related to its stated functions for the following year, including activities and timelines for completion.
 - The level of staff support to achieve these goals shall be determined and included in the staff work plans, if possible.
- F. As appropriate, the FSC shall provide written recommendations to State staff as outlined in **Policy for Offering Formal Recommendation to FSSA First Steps** (Attachment E).
- V. **Committees of the Council**
- A committee shall be a body of three or more persons, assigned by the Chairperson (except where otherwise specified) and officially appointed by the **Council**, to give more careful consideration to a task or matter than is possible by the **Council** as a whole.
 - Committee membership shall not be limited to members of the **Council**, but encourages public participation.
 - The **Council** establishes two types of committees: **Standing Committees and Task Forces/Work Groups**.
 - All committees, regardless of their type, must be selected in such a manner as to support a diversity of thought and opinions related to the issues under consideration.

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- All committee parent participants shall be eligible for stipend in the same fashion as **Council** parent members.

- All committees shall maintain records of committee decisions and actions.

The following details the composition and the scope of these committees and their functions:

A. Standing Committees

- Proposals for a **Standing Committee** may be made by the **Council**, a **Standing Committee**, or may be suggested by a constituency.
- Establishment of a **Standing Committee** requires a vote by the **Council** and is made with careful consideration including the time commitments required by **Council** members, the **Council** and the level of staff support available for the desired activities.
- The **Council**—through its members, its constituencies, and other networks—shall recruit stakeholders to apply for participation on a **Council** standing committee.
- Members shall be selected with emphasis on expertise and diversity.
- A high priority shall be given to the designation of a **Council** member as a co-chairperson, but other interested stakeholders may serve in this role if a **Council** member who serves on the **Standing Committee** agrees to be the liaison between the **Council** and the **Standing Committee**.
- Chairpersons of **Standing Committees** shall serve as neutral facilitators of issues presented to the committee.
- It shall be the responsibility of the Standing Committee Chairperson to ensure that meeting agendas and meetings are conducted in a manner that supports the consideration of differing perspectives related to the issues.
- The Standing Committee Chairperson shall be responsible for scheduling meetings, developing meeting agendas, and ensuring completion of all tasks associated with the Standing Committee.
- The **Nominating Committee** shall be a standing committee of the **Council** and shall present a slate of officers at the last meeting in a fiscal year.

B. Task Forces/Work Groups

- The **Council** Chairperson, with **Council** approval, may establish other task forces or work groups as deemed appropriate.
- Chair assignments and responsibilities shall be the same as for standing committees (see V.B.)
- All task forces or work groups shall be task specific.

VI. Relationship of Staff to Council

- The Lead Coordinator and First Steps staff members shall be responsible for the direct administration of all policies and procedures related to First Steps.
- The staff shall serve as vital resources of program expertise to the **Council** and its committees.
- By exploring options together, the staff and members of the **Council** and its committees shall create a better understanding of the impact of administrative actions and cluster policies and procedures and shall make decisions based upon that understanding.
- The cluster staff shall directly receive the advice and assistance provided by the **Council**.
- Staff members shall participate in **Council** and Committee meetings as resources but shall not cast votes on the issues under advisement.

VII. Fiscal Year

- The fiscal year of the **Council** shall be in accord with the state-issued contract.

VIII. Amendments to Bylaws

- Bylaws may be amended, repealed, or restructured during any regular or special **Council** meeting by a majority vote of the members present providing that a written notice of proposed

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amendments has been distributed to all **Council** members five (5) days prior to the meeting and a quorum is present.

- The bylaws shall remain consistent with applicable state and federal laws and regulations.

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Attachment A

Stipend Policy

Stipend Policy

The **Council** shall make available a stipend to **representative parents** on the **Council** and its designated committees

- This stipend may be accessed by parents who are not employed for pay during the meeting times or by parents who must forfeit wages from other employment when absent from the other employment due to the performance of **Council** business.
- The stipend from council funds does not apply when another source for a stipend is available.
- The rate of compensation shall be \$100.00 when combined meeting and travel time is greater than four hours.
- The stipend shall be \$50.00 when combined meeting and travel time is four hours or less.

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Attachment B

Conflict of Interest Policy

- No member of the **Council** shall cast a vote on any matter that would provide direct financial benefit or gain to that member, a member of the member's family, or the agency or organization that they represent and/or are affiliated with.
- Members shall abstain from voting any time their action would give the appearance of a conflict of interest.
- Prior to each vote, the Chairperson shall request members to indicate awareness of any personal conflict of interest or of a conflict of interest of any other member.
- If the member (identified with a personal conflict of interest) disagrees, the **Council** shall determine by vote, the existence/absence of a conflict of interest.

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Attachment C

Public Participation Policy

The public shall be invited and encouraged to participate in **Council** meetings in accordance with the **Public Participation Policy**.

- The **Council** shall be responsible for providing a public forum where issues related to First Steps South – East can be respectfully discussed.
- All meetings shall be open to the public and announced sufficiently in advance to ensure that all interested parties have an opportunity to attend.
- Electronic notices shall be distributed to all cluster providers, to members, and to subscribing constituencies by approximately ten days prior to a regularly scheduled **Council** meeting.
- Electronic notices shall include an initial agenda that indicates issues that shall require a vote.
- Other interested parties may add their names to the electronic list for public notices by contacting a staff member.
- Members of the general public who wish to provide input related to an agenda or recommend critical issues for inclusion into an agenda shall contact the **Council** Chairperson or the Chairperson of the appropriate Committee or Task Force/Work Group.
- Non-members shall be invited to provide comment at the meetings or in writing through submitting written comment to the Chairperson prior to the meeting.

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Attachment D

Conflict Resolution Process

This process shall encourage parties to work together to resolve conflicts and shall ensure that every effort will be made to resolve conflict at the cluster level and with the Fiscal Agent before presenting conflicts to the First Steps State Program Consultant.

Note: Questionable behavior of a service provider in the execution of duties is under the purview of the State and should be reported to the appropriate Program Consultant for investigation.

If an issue cannot be directly resolved through discussion, the following process shall be utilized:

Step 1: A dated written summary (see following definition) of the issue shall be presented to the appropriate entity (see following definition) to offer the entity the opportunity to address the issue:

Definition: *Written Summary*

Any dated document, including email or fax eliminating any personally identifiable information, which provides sufficient information regarding the issue.

Definition: *Appropriate Entity*

- SPOE Supervisor if the issue is with the SPOE
- Fiscal Agent Director if issue is with the Fiscal Agent
- Chair if the issue is with the Council
- Lead Coordinator if issue is with LPCC staff

The entity receiving the summary of issues shall investigate and respond in writing within ten (10) business days.

Step 2: If the conflict remains unresolved to the satisfaction of both the parties within the ten (10) business days, the original complaint shall be submitted to the **Council**, as the entity responsible for systems oversight. The **Council**, through its existing structure and organizational process, shall make an attempt to resolve the issue within ten (10) working days and provide the decision in writing to the parties involved.

Step 3: If a resolution cannot be agreed upon at that time, the parties may request a hearing before the **Board** of the **Fiscal Agent, Aging & Community Services of South Central Indiana, Inc.** This request must be made in writing within ten (10) business days after receipt of the decision of the **Council**. The written request shall clearly state objections to the decision and the hearing will address only those issues.

The **Executive Director** of **Aging & Community Services of South Central Indiana, Inc.**, upon receipt of the hearing request, will contact the **Chairperson** of the **Board** of **Aging & Community Services of South Central Indiana, Inc.**, for the purpose of setting the time, date, and place of the hearing. All requests and notices shall be sent via certified mail.

The names of all witnesses for both parties must be received by the **Executive Director** of **Aging & Community Services of South Central Indiana, Inc.**, on or before the date and time specified in the notice of hearing.

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The **Board Chairperson** shall select a hearing panel of no less than three members which will conduct the hearing. One of those members shall be designated as the **Chairperson**. Names of the panel members will not be announced until the time of the hearing.

The following ground rules will govern the hearing:

- 1) The complainant shall be given fifteen minutes to state the case, and that presentation shall be limited to issues specified in the request for hearing;
- 2) The body to which the complaint is directed shall be given fifteen minutes to respond and response shall be limited to issues specified in the request for hearing;
- 3) If cross-examination or rebuttal is specifically requested by the complainant or by the body against which the complaint is directed, five minutes will be allowed for each side for this purpose and shall be limited to issues specified in the request for hearing and to witnesses who have already testified;
- 4) Hearing panel members shall have the opportunity to ask questions of any or all concerned parties, and questions shall be limited to issues specified in the request for hearing. Time consumed by panel members shall not reduce the time allotted to either party for testimony.

The Hearing Panel shall be required to provide its findings/decisions in writing no less than ten (10) days following the hearing. The decision of the Hearing Panel shall be sent to involved parties by registered mail.

Step 4: If a resolution cannot be agreed upon at that time, the **First Steps State Program Consultant** will be requested to intervene.

*At any point during this process, the party retains an option to file a formal complaint with the **First Steps State Program Consultant**.

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Attachment E

Policy for Offering Formal Recommendation to FSSA First Steps

- Recommendations to the Indiana’s FSSA First Steps program can originate from the **Council** or from a task force or work group.
- The **Council** shall poll all voting members before offering a formal recommendation to the **Part C Coordinator** or the appropriate **First Steps Program Consultant**.
- A majority of **Council** members shall support a recommendation in order for it to be offered to the State.
- After reviewing the **Part C Coordinator** or **Program Consultant** response, the **Council** shall decide on the appropriate mechanism to resolve the issue. The mechanisms may include, but are not limited to:
 1. Agreeing with the response and considering the issue resolved
 2. Engaging in further dialog to find a mutually acceptable resolution
 3. Providing additional recommendations