



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

OCT -5 1998

Ms Mary Alice Leonard-Heath
Co-Chair
RR 1 Box 99C
Tunbridge, VT 05077

Mr. Wayne Fox
Co-Chair
University of Vermont
499C Waterman
Burlington, VT 05405

Dear Ms. Leonard-Heath and Mr. Fox

This is in response to your letter of June 16, 1998, in which you request the Vermont Interagency Coordinating Council (VICC) be granted a waiver by the Office of Special Education Programs (OSEP) to allow a representative from one of the co-lead agencies to serve as a co-chair of the VICC. In your letter, you stated that, "Leadership of the VICC is shared through the election of two co-chairs; a parent representative and a professional representative." You also stated that the VICC feels that it is important to retain the parent-professional partnership in the co-chairs of the VICC

Part C of the Individuals with Disabilities Education Act (Part C) requires that the Governor of each State appoint a State Interagency Coordinating Council (ICC) that is reasonably representative of the population of the State. IDEA Sec. 641(a); 34 CFR §303.600(b) It also requires that the Governor designate a member of the Council to serve as the chairperson of the Council, or requires the Council to designate such a member. The chairperson of the ICC may not be a representative of the lead agency. Sec. 641(a)(3); 34 CFR §303.600(c). The Secretary does not have authority to grant a waiver of the requirement that the ICC chair not be a representative of the lead agency

Pale 2 - Ms. Leonard-Heath and Mr. Fox

We hope that the above clarifies the requirements of Part C. If you have further concerns or need additional information, please contact Ms. Sarah Willis, OSEP's Part C contact for Vermont, at (202) 205-8658.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Hehir".

Thomas Hehir
Director
Office of Special Education Programs

cc. Beverly McCarty
Part C Coordinator