



Community Action and Head Start Policy Council Shared Governance Agreement

The purpose of the Head Start program is to prepare children for educational success by enhancing the social and cognitive development of low-income children. The governance and management of the Head Start program as prescribed by federal regulations (principally found at 45 CFR 1304.5) is a shared responsibility between the grantee agency board, the policy council and staff.

This agreement, signed and effective February 19, 2008, establishes a cooperative plan for the operations of the Community Action Head Start program and outlines specific responsibilities of the Community Action Board, Community Action Head Start Policy Council, and staff. Further, this agreement specifies a process for dispute resolution between the Community Action Board and Community Action Head Start Policy Council.

In this document, "the Board" refers to the Community Action Board of Directors, and "Policy Council" refers to the Head Start Policy Council.

Membership

In order to facilitate timely communication and coordinate activities the Board shall appoint a member to serve on the Policy Council, and the Policy Council shall appoint a member to serve on the Board. Appointment of these members will be conducted in accord with each group's seating or election procedure. In addition the Board shall consider current or past Policy Council members and other current or past Head Start parents to occupy seats on the Board.

Principal Responsibilities of the Board with respect to Head Start

1. Overall legal and financial responsibility for the Head Start program.
2. Ensuring that appropriate internal controls are established and implemented in order to safeguard grant funds.
3. Ensuring that an annual financial audit is conducted.
4. Conducting agency-wide strategic planning, with input or representation from Policy Council.
5. Reviewing and approving Policy Council by-laws.
6. Approving annual budgets and work plans.

Principal Responsibilities of Policy Council

1. Approving procedures for Head Start program planning.
2. Participating in the development of the program's philosophy and long and short range goals and objectives.
3. Approving annual program workplans.
4. Approval of decisions to hire or terminate Head Start staff. The Director has operating responsibility, and the Policy Council approves such actions based upon Policy Council participation in the hiring or termination process.
5. Approval of the annual self-assessment and planning of actions that result from the review of the self-assessment or from the Federal monitoring review.
6. Approving program priorities for recruitment, enrollment and selection of families.

7. Determining the composition of the Policy Council and the procedures by which members are chosen.
8. Designating the reimbursement criteria, process and rate for parent participation in the program and in Policy Council activities.

Shared Responsibilities Between the Board and Policy Council

1. Approval of funding applications and amendments to funding applications for Head Start and Early Head Start, including administrative services. The Policy Council must approve prior to submission of applications.
2. Approval of corporate personnel policies and changes to personnel policies.
3. Establishing a procedure to resolve community complaints about the Head Start program.
4. Ensuring that corrective action plans are developed and carried out following official Head Start program reviews.

Shared Responsibilities Between the Policy Council and the Executive Director

1. Decisions to hire or terminate the Head Start Director.
2. Approval of administrative personnel policies or revisions to administrative personnel policies.

Process for Resolving Internal Disputes Between the Board and the Policy Council

In the event that the Board and Policy Council are unable to agree regarding a matter requiring mutual consent or in instances of other types of disputes, including without limitation the performance or interpretation of this Agreement, the following dispute resolution process shall apply.

Step 1

The Board Chair, Policy Council Chair, Executive Director, and Head Start Director shall meet to determine a resolution to the dispute. This group may be expanded to include the Executive Committees of the Board and Policy Council subject to the agreement of the Board Chair and Policy Council Chair.

Step 2

If resolution is not possible through Step 1 the parties shall utilize an independent mediator. The Board and Policy Council Chairs will select the mediator. The mediator will be selected from a pool of attorneys and others skilled and experienced in mediation and dispute resolution, including any of the local publicly supported mediation centers. A representative from the Head Start Bureau or the Oregon Department of Education may be used as a mediator. The mediation shall include at a minimum the Executive Committees of the Board and the Policy Council. The mediation shall be conducted in an informal manner. The mediator will meet with both parties in attendance and may choose to meet with the parties separately. The recommendations of the mediator will be subject to the separate review and approval or disapproval of parties.

Step 3

If resolution is not possible through Step 2 the parties will submit their dispute to arbitration. Unless otherwise agreed, the arbitration shall be conducted in Washington or Multnomah counties, Oregon, in accordance with the then-current Commercial Arbitration Rules of the American Arbitration Association but not necessarily under the auspices of that association. The arbitration shall be held before a single arbitrator (unless otherwise agreed by the parties). The arbitrator shall be chosen from a panel of attorneys or retired government officials knowledgeable in the field of non-profit and government programs law in accordance with the then-current Commercial Arbitration Rules of the American Arbitration Association. If the arbitration is commenced, the parties agree to permit discovery proceedings of the type provided by the Oregon Rules of Civil Procedure both in advance of, and during recesses of, the arbitration hearing, which, to the extent practical between the parties, shall be conducted in an informal manner designed to accomplish the discovery goals at a minimal cost to the parties. The parties agree that the arbitrator shall have no jurisdiction to consider evidence with respect to or render an award or judgment for punitive damages (or any other amount awarded for the purpose of imposing a penalty). The parties agree that all facts and other information relating to any arbitration arising under this Agreement shall be kept confidential to the fullest extent permitted by law. The decision of the arbitrator will be final and binding upon the parties.

Review and/or Modification of Agreement

The Parties may modify this Agreement at any time subject to their mutual consent. The Parties shall review this Agreement three years from its signing and no more than three years subsequent to any renewal or modification of the Agreement.

Community Action Organization
Board Chairperson

Head Start Policy Council
Chairperson

Community Action Organization
Executive Director

Head Start Director