

Internal Dispute Resolution and Impasse Procedure

RESOLUTION NO. 99-2

SHARED DECISION-MAKING, INTERNAL DISPUTE RESOLUTION AND IMPASSE PROCEDURES BETWEEN THE SACRAMENTO EMPLOYMENT AND TRAINING AGENCY GOVERNING BOARD AND THE HEAD START POLICY COUNCIL

THIS AGREEMENT, dated for convenience May 6, 1999, is made and entered into by and between the Sacramento Employment and Training Agency, a Joint Powers Agency of the County of Sacramento and the City of Sacramento ("SETA"), and the SETA Head Start Policy Council "Council").

WHEREAS, the Federal Head Start Act (42 U.S.C. §9801, *et seq.*) authorizes a local public or non-profit private agency to be designated as Head Start agency and to serve as a Head Start Grantee to provide services to Head Start eligible children and families in a designated community; and,

WHEREAS, SETA is the Head Start Grantee designated to serve both the incorporated and unincorporated areas within the boundaries of Sacramento County, California; and,

WHEREAS, the SETA Governing Board ("Board") is the Grantee Board for SETA Head Start; and,

WHEREAS, the Head Start Act implementing regulations (45 C.F.R. Part 1304) require that each Grantee establish a policy council, comprised of at least 50% parents of children enrolled in the program who have been elected by the parents of children enrolled in the program, plus representatives of the community; and,

WHEREAS, the Council has been established as the policy council for SETA Head Start; and,

WHEREAS, the Head Start regulations allocate to the Board general responsibility for certain Planning, General Procedure and Human Resource Management matters which must also be approved by the Council; and,

WHEREAS, the Head Start regulations further require that the Board and the Council established written procedures describing how the Board and the Council will implement shared decision-making and how they will resolve internal disputes, including impasse procedures; and

WHEREAS, the Board has approved this Agreement and authorized its Chairperson to execute it at a meeting duly notice and held on May 6, 1999;

NOW THEREFORE, the parties agree as follows:

1. Actions of the Board and the Council with respect to shared decision matters shall be implemented as follows:
 - A. The Policy Council shall make initial decisions with respect to all shared decision matters and shall refer those decisions to the Board for concurrence.
 - B. The Board shall then consider the decision reached by the Council and either concur with, modify or reject the Council's decision. If the Board concurs, the joint decision shall become the decision of SETA Head Start. If the Board modifies or rejects a decision of the Council, the matter shall be referred back to the Council for concurrence. If the Council concurs, the joint decision shall become the decision of SETA Head Start. If, for any reason, the Board and the Council are unable to reach concurrence with respect to a shared decision matter, the matter shall proceed to Impasse Committee as outlined in Section 2, below.
2. When the Council and the Board fail to concur with respect to any shared decision matter, the following impasse procedure shall be utilized to resolve the matter.
 - A. The Executive Director shall arrange, as soon as practicable, and Impasse Committee to address the matter. All meetings of the Impasse Committee shall be held consistent with the Ralph M. Brown Act.
 - B. The Board and the Council shall each appoint two (2) members to serve on the Impasse Committee, which shall meet and discuss the matter to reach resolution. Once the Impasse Committee has reached agreement on a recommended course of action, the recommendation shall be submitted to the Council and then to the Board for acceptance and concurrence. If either the Council or the Board rejects the Impasse committee recommendation, the matter shall be referred back to the Impasse Committee for further discussion and recommendations. This process shall be continued until the Council and the Board mutually agree on an acceptable resolution of the matter. Such mutual agreement shall constitute the final action of SETA Head Start regarding the matter.

Executed in Sacramento, California on the dates appearing below.

Dated: _____

HEAD START POLICY COUNCIL

Chairperson

Dated: _____

SETA GOVERNING BOARD

Chairperson