

Review of Head Start Program Governance By-laws and Impasse Procedures



**CITY OF SAN ANTONIO
HEAD START POLICY COUNCIL
2022 AMENDED BYLAWS**

ARTICLE I

Name

This body shall be named the Head Start Policy Council, also referred to as “HSPC” or “Policy Council.”

ARTICLE II

Purpose

The purpose of this Policy Council shall be to participate in a formal structure of program governance with the governing body of the City of San Antonio (“City”), as the Head Start grant recipient, concerning the design and implementation of the City of San Antonio Head Start Program ("Program"), which includes the Head Start, Early Head Start (which includes Home-Based Services), and the Early Head Start - Child Care Partnership programs, and to provide the leadership necessary to exercise its authority, as outlined in the Head Start Program Performance Standards (“HSPPS”), to enhance the total development of the participating families and children in the Program areas served.

ARTICLE III

Responsibilities

The HSPC must work in partnership with the City's key management staff and the City's governing body to develop, review, and/or approve or disapprove the following:

- a) Program recruitment, selection, and enrollment priorities;
- b) All funding applications and amendments to funding applications, including administrative services, prior to the submission of such applications to the U.S. Department of Health and Human Services;
- c) Budget planning for Program expenditures, including policies for reimbursement and participation in Policy Council activities;
- d) Bylaws for the operation of the Policy Council;
- e) Program personnel policies and approval of standards of conduct for staff, contractors, and volunteers as well as the hiring, and termination of the Program Administrator and any other person in an equivalent position within the Program; and
- f) Procedures for how members of the Policy Council will be elected.

Further, the HSPC will:

- a) Use ongoing monitoring results, data on school readiness goals, and other information described in the HSPPS and the Head Start Act to conduct its responsibilities;

- b) Assist in the development and approval or disapproval of dispute resolution procedures in accordance with federal regulations;
- c) Ensure activities support the active involvement of parents in supporting program operations, including policies to ensure that the Program is responsive to community and parent needs;
- d) Have a process for communication with Parent Connection Committees;
- e) Abide by the Standards of Conduct set out and signed by each Policy Council member; and
- f) Not engage in fundraising activities.

ARTICLE IV

Membership

Section 1- Composition

The HSPC will be comprised of elected (a) parents/legal guardians of children currently enrolled in the Program and (b) community members, (collectively, “members”), who shall submit to the City an application in accordance with established processes and are eligible according to these Bylaws and applicable law.

- a) Parents of Currently Enrolled Children: At least fifty-one percent (51%) of the members of the Policy Council shall be the parent or legal guardian (“parent”) of a child currently-enrolled in the Program. Parents must be proportionally represented, by Head Start program and service area. For example, if 30% of children in City’s entire Program are served in SAISD’s Head Start program, then 30% of HSPC parent members will be parents of those children; if 5% of children in City’s entire Program are enrolled in Home-Based Services in EISD’s Early Head Start program, then 5% of HSPC parent members will be parents of those children. Each primary parent member will have at least one alternate.
- b) Community Members: Parent members will elect two (2) members from the community served, which may include parents or guardians of formerly enrolled children. Each primary community member will have at least one alternate.
- c) Conflict of Interest: Parent and community members of the HSPC must not have a financial conflict of interest; be personally employed or have an immediate family member employed, with the Program; nor receive compensation for providing services to the Program.

Section 2 - Term of Membership

- a) Term: All members, whether primary or alternate, shall serve for a term of one (1) year.
- b) Term Limits: No member shall serve on the Policy Council for more than five (5) terms, whether or not consecutive. Service of 6 months or more shall count as one (1) year of the five-year service limit, except in the case of an alternate who attends meetings but does not vote.
- c) Filling Vacancies: In the case of a primary parent member's removal or resignation, the alternate parent member serving for that school district shall succeed to the vacated parent member's position and become the primary parent member for the remainder of the term. If an alternate parent member is removed, resigns, or succeeds to a primary parent member's vacated position, the candidate receiving the next highest number of votes at the initial election for the vacant position shall be offered the opportunity to fill the open alternate position (so long as the candidate is still eligible), and so on. If the group of eligible

candidates from which to select a successor has been exhausted, another election shall be held to fill the vacant position. A similar process shall be followed to fill vacant community member position(s).

- d) HSPC members elected during the annual, regularly-scheduled elections shall be seated as a body and hold their first scheduled meeting the next month after the end of the previous term.

Section 3 - Termination of Membership

- a) All members are encouraged to attend each meeting of the HSPC. Parent members should coordinate with alternates to ensure district representation at all meetings.
- b) A HSPC member will be sent a warning letter after three (3) consecutive absences without alerting staff from regularly-scheduled meetings as notice of potential termination of membership upon further absence(s).
- c) A member who misses four (4) regularly-scheduled consecutive meetings may be removed from the HSPC. Membership is terminated by notification from the Policy Council stating the policy herein and signed by the Policy Council Chairperson.

Section 4 - Resignation

HSPC members who are unable to complete their term of office should immediately inform the Chairperson and Program staff in writing of their resignation. The vacant position shall be filled in accordance with these Bylaws and established election processes for the Program.

ARTICLE V

Officers

Section 1 - Officers

The officers of the HSPC shall consist of:

- a) Chair
- b) Vice-Chair
- c) Secretary

Other offices may be created as needed.

Section 2 - Electoral Process

The HSPC shall elect all officers from its membership. Only parents of currently enrolled children are eligible to hold an office.

- a) Election of officers shall be held at the first meeting of the newly-elected Policy Council of each year.
- b) Nominations for candidates will be made from the floor by voting members and shall be elected by the majority of the votes cast.
- c) No write-in votes or absentee ballots will be accepted for or by any member.

Section 3 - Term of Office

Each officer will be elected to serve a term of one (1) year as officer.

Section 4 - Duties of Officers

- a) The Chairperson shall:
 - 1) Preside at all meetings of the HSPC;
 - 2) Appoint committee members from the HSPC with the approval of the HSPC; and
 - 3) Call meetings as deemed necessary and allowable under the Texas Open Meetings Act.
- b) The Vice-Chairperson shall:
 - 1) Perform the duties of the Chair, in the absence of the Chairperson; and
 - 2) Assume the duties of the Chairperson should a vacancy occur in the office of the Chair.
- c) The Secretary, with the assistance of City staff, shall:
 - 1) Keep and maintain a current list of the names, addresses and contact information of the membership with the assistance of the City staff; and
 - 2) Perform the duties of the Chair in the absence of both the Chairperson and the Vice-Chairperson.
- d) The Officers shall coordinate to attend meetings of the Community Action Advisory Board and answers questions as needed regarding the HSPC.

ARTICLE VI

Meetings and Voting

Section 1- Meetings

- a) Frequency: HSPC meetings shall be scheduled on a monthly basis or as often as necessary, and shall be conducted in accordance with the Texas Open Meetings Act.
- b) Quorum: A quorum shall consist of at least fifty-one percent (51%) of Policy Council membership. For the purpose of determining a quorum, vacant positions are not counted. Alternate parents will only be considered as part of the quorum if sitting in for an absent primary parent. If a quorum of the HSPC is not in attendance, the meeting shall not continue and a subsequent meeting date will be set. Failure to achieve a quorum during two (2) consecutive meetings shall result in the immediate call for a Special Meeting at the earliest possible time. Notice of a Special Meeting shall be set in accordance with the posting requirements of the Texas Open Meeting Act.
- c) Attendance: HSPC members shall strive to attend all meetings. If a HSPC member must be absent from a regularly-scheduled meeting, the member shall notify the City's HSPC liaison and the HSPC Chairperson at least twenty-four (24) hours prior to the meeting unless an emergency prevents the member from doing so and, in the case of a primary parent member, shall also coordinate with the alternate to ensure representation of the school district at the meeting. HSPC alternates are highly encouraged to attend all meetings and participate in discussions. Alternates shall use their best efforts to remain involved in Policy Council business and be prepared to vote in the absence of the primary member or in the event the primary member is removed or resigns.

- d) Minutes / Records: City staff shall prepare and maintain minutes of HSPC meetings. Minutes shall be maintained in accordance with federal, state and local law. All records are subject to the provisions of the Texas Public Information Act.

Section 2 - Voting

- a) Each member of the HSPC shall have one (1) vote in action items of the HSPC. Alternate parent members may participate in all HSPC discussions but may only cast a vote in the absence of the primary member for which they serve as an alternate.
- b) A proposed action is adopted if a majority of the votes *cast* are in favor of the action.
- c) A member may choose not to cast a vote if the member wishes to take a neutral position, or has a conflict of interest (recusal). The member's abstention shall not count in favor of or opposition to the motion, nor in tallying the total number of votes cast.
- d) Neither proxy (allowing another to vote for the member) nor absentee voting will be allowed.

ARTICLE VII

Committees

- a) The HSPC shall have Standing and Special Committees.
- b) The size of a committee's membership shall be no less than three (3) and no more than five (5) HSPC members, with a quorum consisting of the majority of appointed members. The membership of committees shall be approved by a majority of the votes cast by the HSPC.
- c) Committee chairpersons shall be elected by the remaining members of the committee and shall keep a record of its activities and findings, and report updates to the HSPC through written or verbal reports at the next regularly-scheduled HSPC meeting. On issues requiring a vote by the HSPC, the committee chairperson shall present the recommendation of the committee and supporting rationale to the HSPC.
- d) **Standing Committees.** Standing Committees shall meet as needed to discuss issues related to their charge. Standing Committees shall be established at the first available opportunity during each term. The HSPC shall have the following Standing Committees:
 - 1) Assessment and Planning: This committee's responsibilities include but are not limited to ensuring the completion of the Community Assessment and the Self-Assessment for the Program. Additionally, this committee shall be involved in strategic planning and modifications to the Program based upon the assessments and the Program's short- and long-range goals. The committee will be informed of periodic reviews and assessments as conducted by the City's Department of Human Services and it shall provide input into that process to ensure public and community concerns are adequately represented.
 - 2) Parent Engagement: This committee's responsibilities include but are not limited to reviewing and making recommendations on how best to utilize the Parent, Family, and Community Engagement (PFCE) Framework. The committee will determine best methods to engage families using strategies that are most effective and to assist with establishing a communication system with parents, parent groups, and families at the Center and school level.

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- e) **Special Committees.** The HSPC may establish Special Committees for the specific purpose of reviewing and addressing issues that arise during regular HSPC meetings but require further analysis. Special Committees shall be given a descriptive name and shall automatically dissolve upon completion of its charge. Each Special Committee shall be responsible for establishing operational procedures specific to its assigned task, and which shall be made available for review.

ARTICLE VIII

Salaries and Compensation

HSPC members shall receive no salaries or compensation for their services.

ARTICLE IX

Reporting

The HSPC Chair or designee, with assistance of City staff, shall, upon request, submit a written or verbal report to the City Council Committee having responsibility or oversight over the Program on a monthly basis.

ARTICLE X

Ethics Code

All HSPC members shall be subject to the Head Start Standards of Conduct and the requirements set forth in the City's Ethics Code, as applicable to City Officials, with the exception of the financial disclosure requirements under Section 2-73 of the Ethics Code.

ARTICLE XI

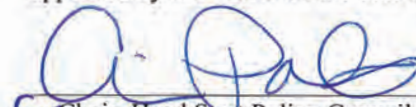
Amendments

These Bylaws may be amended by a majority of HSPC votes cast, and subsequent approval by City Council.

Amended and adopted by HSPC on July 26, 2022.



Approved by City Council on September 29, 2022, via Ordinance No. 2022-09-29-0753

I hereby certify that this is a true and correct copy of the amended Head Start Policy Council Bylaws as approved by the HSPC on the date indicated above.

VC,  Chair, Head Start Policy Council

Ariana Patino
Printed Name

07-26-2022
Date

	City of San Antonio Head Start Program Procedure	
PDM 12	EFFECTIVE: April 13, 2010	REVISED: November 3, 2015, November 1, 2019
SUBJECT: City of San Antonio Head Start Program Impasse Procedures		
REFERENCE: Program Design and Management: Program Governance		
PAGE: 1 of 3		

I. Purpose:

To establish Impasse Procedures for resolving any dispute between the Governing Body including Advisory Committees, and the Head Start Policy Council (HSPC), and/or between the HSPC and Head Start Program staff.

II. Operational Procedures:

2.1 The procedures outlined below govern the relationship of 5 bodies:

Body #1 – City Council

As the Governing Body, and to maintain legal and fiduciary oversight, City Council takes action on all legal and fiscal matters of the City's Head Start Program (Program).

Body #2 – Head Start Policy Council (HSPC)

Elected parents of children in the Program and elected members of the community who exercise programmatic oversight by considering action items brought forward by Program staff

Body #3 – Head Start Program staff (Program staff)

Program staff briefs the HSPC on programmatic items including applications, budgeting, planning, program and personnel policies, Program Design, Community Assessment, Self-Assessment, School Readiness Goals, Eligibility, Recruitment, Selection, Enrollment and Attendance (ERSEA), and general operating procedures.

Body #4 – Advisory Committee(s) to City Council (City Council Committee)

Advisory Committees to City Council oversee key responsibilities of the Program (non-legal and non-fiscal in nature). Comprised of City Council members, a City Council Committee receives periodic updates on the Program and manages any impasse between the HSPC and Other Advisory Committees.

Body #5 - Advisory Committee(s) to City Council (Other)

Advisory Committees to City Council oversee key responsibilities of the Program (non-legal and non-fiscal in nature). This includes briefing items regarding monthly reports, and actions approved by the HSPC regarding the annual, self-assessment and program information reports; strategic planning; community assessment; program and personnel policies; ERSEA items; and general operating procedures.

2.2 All HSPC, City Council and Advisory Committee members will receive Head Start governance training and be made aware of these procedures during training sessions.

III. Impasse Procedures:

The following process will occur in sequential phases, as needed:

3.1 Phase 1 – for Matters between HSPC and Head Start Program Staff

Research, Discussion, and Presentation

In the event of an impasse between the HSPC and Program Staff related to items brought before the HSPC for approval, the following sequential steps will be taken:

1. If the HSPC cannot approve an item presented by Program Staff, it will immediately request more information.
2. If more information does not resolve the matter, the HSPC will establish a special committee, and invite Head Start Program Staff to conduct further research regarding the matter, and to collaborate for a resolution to be presented at the next regularly-scheduled meeting. A Special Meeting may be called if the item is needed in time for the next Advisory Committee to City Council (Other) meeting.

3.2 Phase 2 – for Matters between HSPC and Advisory Committee(s) to City Council (Other)

Voluntary Negotiation:

In the event of an impasse between the HSPC and an Advisory Committee to City Council (Other) related to briefing items and actions approved by HSPC, the following sequential process will be followed:

1. In the event that either of the bodies above disagree on an item, the Advisory Committee will request, and HSPC will provide, a further explanation of the item/action and/or further documentation or information prior to consideration of the matter at its next regularly scheduled meeting for reconsideration. If time is of the essence, a Special Meeting may be called.
2. If the matter is still unresolved, each body will appoint no more than three representatives to a joint subcommittee for the purpose of voluntary negotiation. If the subcommittee is able to develop a recommendation supported by a majority of the representatives for each group (e.g., 2 of the 3 members of each body in the subcommittee), the issue and recommendation will be brought back to the HSPC for approval, and then to the Advisory Committee for reconsideration.
3. If this voluntary negotiation process does not resolve the matter, then the bodies will move to Phase 3 of this process.

3.3 Phase 3 – Presentation to Advisory Committee(s) to City Council (City Council Committee)

Item for Final Decision:

In the event of an unresolved impasse between the HSPC and an Advisory Committee to City Council (Other) related to briefing items and actions approved by HSPC, the following sequential phases will be followed:

1. The item will be brought to the appropriate City Council Committee as an item for final decision.
2. The Program staff and Advisory Committee to City Council (Other) shall jointly write the memo to the City Council committee, explaining the impasse. Each party has the right to provide, if needed, additional information.
3. Head Start Program staff shall present the unresolved item to the City Council Committee with the assistance of the HSPC Executive Committee, as available. The Advisory Committee to City Council (Other) shall designate a representative to be present if the City Council Committee has questions regarding the memo. Should the City Council Committee approve the item, the matter is resolved.
4. The Advisory Committee to City Council (City Council Committee), as a subset of City Council members, will be the final decision-maker.

Related Regulations:

Head Start Program Performance Standards 1301.6

Head Start Act of 2007 Section 642(d)(1)