| Department: Governance | Effective Date: 11/1/2014 | Procedure Number: 6030 |
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| Regulation Number: 1301.6 | Regulation Topic: Program Governance | Procedure Title: Governing Body Dispute Resolution and Impasse |
| Version: 1:2014 | | Version Date: 9/23/2014 |

**Procedure:**

**DISPUTE RESOLUTION**

**Step one:**
Should a dispute occur, the Policy Council Chairperson shall be authorized by the Policy Council to send written notice to the Head Start Program Director within five (5) working days, following the final action by the MARC Governing Board or Executive Director.

**Step two:**
The Head Start Program Director shall meet with the Policy Council Chairperson within five (5) working days after receiving the written notice. If a resolution plan is developed, the written plan shall be submitted to the Head Start Advisory Committee and the Governing Board within five (5) working days after being agreed to by the Head Start Program Director and the Policy Council Chairperson.

**Step three:**
The Head Start Advisory Committee and the MARC Governing Board will review and approve or disapprove the resolution plan at their next meetings. If approved, the resolution plan will be submitted at the next Policy Council meeting as the approved plan of action.

**Step four:**
If the Head Start Director and the Policy Council Chairperson cannot develop a resolution plan or if the MARC Governing Board disapproves of the resolution plan, then impasse occurs. If impasse occurs, a written notice of impasse must be submitted to the Policy Council and the MARC Governing Board within five (5) working days by the Head Start Program Director.

**IMPASSE COMMITTEE'S COMPOSITION AND POWERS**

The Impasse Committee members shall be made up of four (4) persons as follows:

- One (1) member of the MARC Governing Board, chosen by the Board;
- One (1) member of the Head Start Advisory committee, chosen by the committee;
- One (1) member of the Policy Council, chosen by the Policy Council • Policy Council Chairperson

In addition, the Executive Director, the Director of the Department of Early Learning and the Head Start Director shall serve as resource persons to the committee.

**Step one:**
Within five (5) working days following the receipt of written notice of impasse, the Executive Director or designee shall call for an Impasse Committee meeting. The Impasse Committee shall then convene as soon as feasible.

The four (4) Impasse Committee members shall all agree to the final written resolution plan prior to submitting it to the Governing Board and Policy Council for approval.

**Step two:**
The Impasse Committee shall develop and submit a written resolution plan to the Head Start Advisory Committee, MARC Governing Board and the Policy Council within five (5) working days from the date of its first meeting.

**Step three:**
The Head Start Advisory Committee, Governing Board and Policy Council will approve or disapprove of the plan at their next meetings. If the Impasse Committee fails to agree on a resolution plan, it shall promptly notify the MARC Governing Board and the Policy Council, and the dispute will proceed to arbitration.

**ARBITRATION**

In the event that the MARC Governing Board and/or the Policy Council reject the resolution plan of the Impasse Committee, or the Impasse Committee cannot agree on a resolution plan, the issue will be submitted for binding arbitration within 90 calendar days. One (1) MARC Governing Board designee and the Policy Council Chairperson will participate in the arbitration session along with the MARC Executive Director, Director of the Department of Early Learning and the Head Start Program Director. The decision of the Binding Arbitrator will be based on the findings of fact and conclusions of law. The final decision will be become a part of the legal records of the Governing Board and the Policy Council. A copy of the decision will be received and reviewed during an official meeting of each party and will become a part of the minutes of that meeting.