

Kings Community Action Organization Board Policy

BP: 2250

Impasse Policy

Purpose: To facilitate meaningful consultation and collaboration about decisions of the governing body and the Head Start policy councils.

Policy: The Kings Community Action Organization (KCAO) Board of Directors, hereafter referred to as the “Board of Directors”, and the Head Start Regional IX Policy Council and/or the Migrant/Seasonal Head Start Policy Council, hereafter referred to as the “Council” will jointly establish written procedures for resolving internal disputes between the governing board and policy council in a timely manner that includes impasse procedures. Board of Directors and the Council will consider and discuss proposed decisions when there is not a mutual agreement.

1. **DEFINITION OF AN IMPASSE**

An impasse is a dispute between the Board of Directors and Council that has the potential to disrupt services to children and families.

2. **WHEN AN IMPASSE OCCURS**

A. **Notice of Impasse**

When an impasse occurs, the Chairperson for the body who declared the impasse shall notify the other, in writing, within ten (10) working days of the decision to declare an impasse, and explain why the governing body does not accept the other’s decision. Notification to the other body begins the negotiation process below, beginning with informal negotiation.

3. **INFORMAL NEGOTIATION**

The Board of Directors and Council, and/or their assigned staff, shall meet and discuss the matter informally. The issues leading to impasse will be discussed

through the shared decision-making process within ten (10) working days of receiving written notice. The location and time will be mutually agreed upon and will continue until the Board or the Council determines mediation is necessary.

4. MEDIATION PROCEDURE

A. Notice of Mediation

Should the Board or Council determine mediation is necessary, said group shall notify the other group in writing of its decision, within ten (10) working days after the decision. The notice shall include a statement of the issue(s) which is/are at impasse.

B. Selection of a Mediator

The Board of Directors and the Council must select a mutually agreeable third party mediator, such as a professional mediation service, or appoint an impartial leader of the community, within 15 days from the sending of the notice to meditate (Section 'A' above). The parties shall jointly schedule the mediation to occur within ten (10) working days after the mediator has been selected or appointed, or as soon as practicable thereafter. If a mediator cannot be agreed upon, each party shall submit three names into a hat, and one drawn therefrom. Should the parties not be able to agree on the person to draw the name, the City Manager from the City of Hanford shall draw the name.

5. ARBITRATION

A. If a resolution is not reached with mediation, the Board of Directors and the Council will select a mutually agreeable arbitrator within 10 days following mediation, whose decision shall be final. If an arbitrator cannot be agreed upon, each party shall submit three names into a hat, and one drawn therefrom. Should the parties not be able to agree on the person to draw the name, the City Manager from the City of Hanford shall draw the name.

6. APPROVAL OF THE IMPASSE POLICY

The Impasse Policy must be approved by the Board of Directors and the Council.

Adopted by Board of Directors: June 21, 2017

Policy References:

Head Start Performance Standards – Program Governance – 1301.6