

## Changes and Amendments to Bylaws

- Article I** No Changes
- Article II** **Purpose** - Now includes new language to reflect Head Start Performance Standards 1301.1 and the Head Start Act Section 642(C)
- Goals** -Now reflect Mission Statement and describe Head Start services and the usage of Program data.
- Article III** Was completely revised to include the language from the 2007 Head Start Act Roles and Responsibilities of the Governing Body and Policy Council to clarify their respective roles.
- Article IV** Section 4 has been deleted and can now be found in Attachment A. Sections 5 and 6 have also been deleted and can now be found in Article III.
- Article V** Section 1 now includes the change from 6 to 12 alternates for each service area. It also clarifies the Community Representation for each precinct. Section 2 now clarifies Policy Council membership by former Head Start or County employees. Section 3 Nepotism tracks the Hidalgo County Nepotism Policy with minor adjustments to meet Program needs and to reflect that it applies to the Policy Council and its members. Section 4 Attachment C Training Schedule is now under the new Section 6 Training and Technical Assistance. Section 6 has now become Section 7 and it now reflects the change from 3 to 5 one year terms. Section 8 describes a process for removal of Policy Council representatives or alternates. Section 8 is now Section 10 and new language includes the ability for newly elected commissioners to replace community representative from their precinct. Section 9 is now 11. Section 10 is now 12. Section 11 is now 13.
- Article VI** Section 2 now includes the language from the previous Attachment B.
- Article VII** Section 1 now includes reference to the Civil Service Commission Rules. It also includes the language "appropriate data sources". Budget Committee function has been clarified.
- Article VIII** Was changed to Article IX to allow for new Article VIII covering Shared Governance; Policy Council Meetings; Reports and Communication Strategies; and Program Activities.
- Article IX** Is the former Article VIII.
- Attachment A** Rules of Procedure
- Attachment B** Impasse Procedures
- Attachment C** Code of Conduct

**HIDALGO COUNTY HEAD START PROGRAM  
POLICY COUNCIL  
BY-LAWS**

**ARTICLE I**

**NAME**

The name of the group shall be the Hidalgo County Head Start Program Policy Council. The group shall be referred in this document as the Policy Council (P.C.).

**ARTICLE II**

**PURPOSE**

The purpose of the policy council is to provide direction to the program, "including program design and operation, and long- and short-term planning goals and objectives." (Head Start Performance Standard 1301.1, Head Start Act Section 642 (c)) The by-laws shall establish the organizational framework for the membership, and shall be reviewed annually at the discretion of the Policy Council

**GOALS**

- A. To assist low income parents to break the cycle of poverty and illiteracy.
- B. To support and facilitate provision of comprehensive services in nutrition, education, mental health, health, transition and family engagement.
- C. To offer leadership and support for maximizing federal and local resources to address school readiness needs of participating children and parents.
- D. To participate in the review and analysis of program data and create a clear direction for realistic solutions to meet the needs of Head Start children and families.
- E. To support policies and procedures and an organizational structure that ensures achievement of program goals and objectives.

### ARTICLE III

***PROGRAM GOVERNANCE - Upon receiving designation as a Head Start agency, the Hidalgo County Head Start Program shall establish and maintain a formal structure for program governance, for the oversight of quality services for Head Start children and families and for making decisions related to program design and implementation. Such structure shall include the following:***

***GOVERNING BODY (Commissioners' Court) – (Head Start Act, as amended 2007)***

***(A) In General -***

The governing body shall have legal and fiscal responsibility for the Head Start Program.

***(B) Composition -***

- The governing body shall be composed as follows: (i) Not less than 1 member shall have a background and expertise in fiscal management or accounting.
- (ii) Not less than 1 member shall have a background and expertise in early childhood education and development.
- (iii) Not less than 1 member shall be a licensed attorney familiar with issues that come before the governing body.
- (iv) Additional members shall: (1) reflect the community to be served and include parents of children who are currently, or were formerly, enrolled in Head Start programs; and (2) are selected for their expertise in education, business administration, or community affairs.
- (v) Exceptions shall be made to the requirements of clauses (i) through (iv) for members of a governing body when those members oversee a public entity and are selected to their positions with the public entity by public election or political appointment.
- (vi) If a person described in clause (i), (ii), or (iii) is not available to serve as a member of the governing body, the governing body shall use a consultant, or another individual with relevant expertise, with the qualifications described in that clause, who shall work directly with the governing body.

***(C) Conflict of Interest*** –Members of the governing body shall:

- (i) Not have a financial conflict of interest with the Head Start program;
- (ii) Not receive compensation for serving on the governing body or for providing services to the Head Start program;
- (iii) Not be employed, nor shall members of their immediate family be

- employed, by the Head Start program; and
- (iv) Operate as an entity independent of staff employed by the Head Start program.

***(D) Exception*** -If an individual holds a position as a result of public election or political appointment, and such position carries with it a concurrent appointment to serve as a member of a Head Start agency governing body, and such individual has any conflict of interest described in clause (ii) or (iii) of subparagraph (C) –

- (i) such individual shall not be prohibited from serving on such body and the Head Start agency shall report such conflict to the Secretary of Health and Human Services; and
- (ii) if the position held as a result of public election or political appointment provides compensation, such individual shall not be prohibited from receiving such compensation.

***(E) Responsibilities*** –The governing body (Commissioners' Court) shall:

- (i) have a legal and fiscal responsibility for administering and overseeing programs under this subchapter, including the safeguarding of Federal funds;
- (ii) adopt practices that assure active, independent, and informed governance of the Head Start program, and fully participate in the development, planning, and evaluation of the Head Start programs involved;
- (iii) be responsible for ensuring compliance with Federal laws (including regulations) and applicable State, tribal, and local laws (including regulations); and
- (iv) be responsible for other activities, including
  - (I) Selecting delegate agencies and the service areas for such agencies;
  - (II) Establishing procedures and criteria for recruitment, selection, and enrollment of children;
  - (III) Reviewing all applications for funding and amendments to applications for funding for programs under this subchapter;
  - (IV) Establishing procedures and guidelines for accessing and collecting information;
  - (V) Reviewing and approving all major policies of the program, including
    - (aa) the annual self-assessment and financial audit;
    - (bb) such program's progress in carrying out the programmatic and fiscal provisions in such program's grant application, including implementation of corrective actions; and
    - (cc) personnel policies of the program regarding the hiring,

- evaluation, termination, and compensation of agency employees;*
- (VI) Developing procedures for how members of the policy council are selected*
  - (VII) Approving financial management, accounting and reporting policies, and compliance with laws and regulations related to financial statements, including the:  
(aa) approval of all major financial expenditures of the program;  
(bb) annual approval of the operating budget of the program;  
(cc) selection (except when a financial auditor is assigned by the State under State law or is assigned under local law) of independent financial auditors who shall report all critical accounting policies and practices to the governing body; and  
(dd) monitoring of the program's actions to correct and audit findings and of other action necessary to comply with applicable laws (including regulations) governing financial statement and accounting practices;*
  - (VIII) Reviewing results from monitoring, including appropriate follow up activities;*
  - (IX) Approving personnel policies and procedures, including policies and procedures regarding the hiring, evaluation, compensation, and termination of the Executive Director, Head Start Director, Director of Human Resources, Chief Fiscal Officer, and any other person in an equivalent position with the program;*
  - (X) Establishing, adopting, and periodically updating written standards of conduct that establish standards and formal procedures for disclosing, addressing, and resolving –  
(aa) any conflict of interest, and any appearance of a conflict of interest, by members of the governing body, officers and employees of the Head Start program, and consultants and agents who provide services or furnish goods to the Head Start program; and  
(bb) complaints, including investigations, when appropriate; and*
  - (XI) To the extent practicable and appropriate, at the discretion of the governing body, establishing advisory committees to oversee key responsibilities related to program governance and improvement of the Head Start program involved.*

**POLICY COUNCIL – (Head Start Act, as amended, 2007)**

**(A) In General –**

Each Head Start agency shall have a policy council responsible for the direction of the Head Start program, including program design and operation, and long and short term planning goals and objectives, taking into account the annual community wide strategic planning and needs assessment and self-assessment.

**(B) Composition and Selection –**

- (i) The policy council shall be elected by the parents of children who are currently enrolled in the Head Start program.
- (ii) The policy council shall be composed of –
  - (I) Parents of children who are currently enrolled in the Head Start program (including any delegate agency), who shall constitute a majority of the members of the policy council; and
  - (II) Members at large of the community served by the Head Start agency (including any delegate agency), who may include parents of children who were formerly enrolled in the Head Start program.

**(C) Conflict of Interest –**

Members of the policy council shall –

- (i) not have a conflict of interest with the Head Start program (including any delegate agency); and
- (ii) not receive compensation for serving on the policy council or for providing services to the Head Start program.

**(D) Responsibilities –**

The policy council shall approve and submit to the governing body decisions about each of the following activities:

- (i) Activities to support the active involvement of parents in supporting program operations, including policies to ensure that the Head Start program is responsive to community and parents needs.
- (ii) Program recruitment, selection, and enrollment priorities.
- (iii) Applications for funding and amendments to applications for funding for programs under this subchapter, prior to submission of applications described in this clause.
- (iv) Budget planning for program expenditures, including policies for reimbursement and participation in policy council activities.
- (v) Bylaws for the operation of the policy council.
- (vi) Program personnel policies and decisions regarding the employment of program staff, including standards of conduct

*for program staff, contractors, and volunteers and criteria for the employment and dismissal of program staff.*

- *(vii) Developing procedures for how members of the policy council of the Head Start agency will be elected.*
- *(viii) Recommendations on the selection of delegate agencies and service areas for such agencies.*

DRAFT 02.10.17

## **ARTICLE IV**

### **MEETINGS**

#### **Section 1 POLICY COUNCIL**

The Policy Council shall meet a minimum of once a month. The regular meetings of the Policy Council shall be held on the third Wednesday of every month beginning at 6:30 p.m. or on such date and at such time as specified by the Policy Council. The regular meetings of the Policy Council shall be held at the Hidalgo County Head Start Administration Building or at such other place as is designated in the notices by the Policy Council. All Parent members of the Policy Council may be reimbursed for mileage expenses plus a stipend of \$40.00 for attending the regular Policy Council meetings to cover child care services. All Parent members of the Policy Council may be reimbursed a \$10.00 stipend for attending special Policy Council meetings, workshops and/or any meeting requiring the attendance of a parent policy council member. The stipend will not include attending out of town meetings or conferences nor does it include attendance at the center committee meetings. A limit on payments of up to four (4) meetings per month was established. Thus, no more than \$80.00 per month can be paid to any one member. All Community Representatives may receive mileage.

#### **Section 2 SPECIAL MEETINGS**

A special meeting may be called by the Policy Council Chairperson or the majority of the Executive Committee. All members shall be given notice of such special meeting by the Program Directors Office.

#### **Section 3 COMMITTEE MEETINGS**

Meetings of committees shall be called by a simple majority of such committee at such time and place as they shall determine. Minutes of the meetings of such other special committees shall be reported at the next Policy Council regular meeting. (See Article VII, Section 1)

## **ARTICLE V**

### **POLICY COUNCIL MEMBERSHIP**

#### **Section 1 POLICY COUNCIL MEMBERSHIP**

The Policy Council shall be composed of eleven (11) members.

- A. Six (6) of the members, who shall be known as the Parent Representatives and their twelve (12) alternates, two from each of the six service areas, shall be elected by parents of current children enrolled at the centers according to the process as explained in Section 4 (Election Process For Parents).
- B. Five (5) of the members, who shall be known as the Community Representatives, shall be recommended by the Commissioner's Court (Grantee Board) and subject to approval by the Policy Council elected parents. One member at large will be recommended by the County Judge and one member resident from each precinct will be recommended by the corresponding Commissioner.

#### **Section 2 ELIGIBILITY**

The eligibility of the Policy Council members shall be as follows:

- A. The Parent Representatives shall have children currently enrolled in the center they represent, and shall be elected officers of the center Parent Committee.
- B. The Community Representatives shall represent community, civic or professional organizations which have a concern for children of low income families. Former County or Head Start employees are eligible to be recommended to serve as Community Representatives after at least 1 year from date of resignation and must have left county/program employment in good standing as determined by the Personnel Committee of the Policy Council. They will be recommended annually by the Commissioner's Court (Grantee Board) and subject to the approval of elected Policy Council parents.
- C. No current employee of the Head Start Program or the County may serve on the Policy Council.

### Section 3 NEPOTISM

**Note: The Hidalgo County Head Start Program tracks the Hidalgo County Nepotism Policy with minor adjustments to meet Program needs and to reflect the fact that it applies to the Policy Council and its members.**

- A. POLICY STATEMENT. The Hidalgo County Nepotism Policy (the "Policy") has been created to prevent conflicts of interest and appearances of favoritism that result from appointment, and/or supervision of an employee by a P or supervisor as defined below.
- B. SCOPE. This Policy applies to Policy Council members. This Policy also applies to Supervisors or persons responsible for the actions of other employees who directly oversee the performance and/or job duties of employees.
- C. AVOIDANCE OF NEPOTISM. No member of the Policy Council or Supervisor may approve, recommend, or otherwise take action with regard to the appointment, reappointment, promotion, salary or supervision of an employee or prospective employee in which he or she is related to such employee or prospective employee in the degrees described below.
- D. RELATIONSHIP BY BLOOD (consanguinity). A Policy Council member or Supervisor is related in a degree prohibited by this Policy when the Policy Council member or Supervisor is a descendant of an employee or prospective employee or if they share a common ancestor.
- E. The following relationships by consanguinity are prohibited:

First Degree. A Policy Council member or Supervisor who is the parent or child of a prospective employee is related in the first degree by consanguinity. An adopted child is treated as a natural child of the adoptive parents.

Second Degree. A Policy Council member or Supervisor who is the grandparent, grandchild, sister, or brother of a prospective employee is related in the first degree by consanguinity.

Third Degree. A Policy Council member or Supervisor who is the great grandparent, great grandchild, aunt, uncle,

nephew or niece of a prospective employee is related in the third degree by consanguinity.

- F. **RELATIONSHIP BY MARRIAGE (affinity).** A Policy Council member or Supervisor is related to an employee or prospective employee in a degree prohibited by this Policy if the Policy Council member or Supervisor is married to the employee or if their spouse is related by consanguinity (as defined herein) to the employee or prospective employee. Divorce or death of a spouse terminates relationships by affinity created by marriage unless a child of the marriage is living.
- G. The following relationships by affinity are prohibited by this Policy.

First Degree. (1) A Policy Council member or Supervisor and his/her spouse are related in the first degree by affinity; (2) A Policy Council member's or Supervisor's spouse's mother, father, son and daughter are related to the Policy Council member or Supervisor in the first degree by affinity.

Second Degree. A Policy Council member or Supervisor's spouse's grandparents, grandchildren sisters and brothers are related to the Policy Council member or Supervisor in the second degree by affinity.

- H. Policy Council members and Supervisors are required to fully disclose the existence of any relationship that may create a conflict of interest at the time of employment, or that develops at any time during employment.
- I. **CONTINUOUS EMPLOYMENT EXCEPTION.** This Policy shall not apply to the confirmation or appointment of an individual to a position if the individual is employed in a position immediately before the election or appointment of the Policy Council member or Supervisor to whom the individual is related in a prohibited degree and that prior to employment is continuous for at least six months (6) (to align with the Probationary Period of employment).
- J. If a person continues in a position under an exception, the Policy Council member or Supervisor who is related to the employee shall not participate in any deliberation or voting on the appointment, reappointment, employment, reemployment, change in status,

compensation, or dismissal of the employee, if the action applies only to the employee and is not taken regarding a bona fide class or category of employees.

- K. TRADING. It is illegal for Policy Council member to evade the provisions of the nepotism statutes by trading (see Government Code 573.044). An example of trading would be if the Policy Council employed the relative of a person subject to the nepotism laws, in return for which that person employed a relative of the Policy Council member, given the fact that neither employer could legally employ his or her own relative.
- L. If a Supervisor fails to report a violation of this Policy in which he is affected by the degrees of relationship prohibited herein, the Supervisor may be subject to reassignment and/or discipline, including termination.

#### **Section 4 ELECTION PROCESS FOR PARENTS**

The following is the election process for parents:

- A. All the Head Start centers will be divided into six (6) areas.
- B. The parents of each center will elect the Center Committee Officers consisting of a President, Vice-President, Secretary, Treasurer and Parliamentarian.
- C. In order for a parent to be eligible to serve on the Policy Council he/she must be elected to one of these positions at the center level, and maintain that position throughout the year.
- D. The Center Committee Officers of each area will caucus at the Annual Leadership Training Conference, in September to elect one (1) person to serve on the Policy Council.
- E. At the caucus, each Center Committee Officer will be eligible to be elected to the Policy Council. Each officer will have one (1) vote.
- F. Center Committee Officers must be present to vote. Vote by proxy will not be allowed under any circumstances.
- G. One (1) Parent Representative must be elected from each area thus, making six (6) members to represent parents on the Policy Council.

H. In addition to the Parent Representatives, two (2) Alternates will also be elected from each area thus making twelve (12) Alternates. The Alternates should not be from the same center as the elected Parent Representatives. Alternates shall be identified as 1st Alternate and 2<sup>nd</sup> Alternate. The 1<sup>st</sup> Alternate will be considered primary and shall take the place of the Parent Representative at meetings. The 2<sup>nd</sup> Alternate shall be considered secondary and shall succeed and replace 1<sup>st</sup> Alternate in the event the Parent Representative and/or the 1<sup>st</sup> Alternate is absent, shall resign or abandon his or her position.

**I. CENTER DISTRIBUTION BY AREAS**

<b>Area I</b>	<b>Area II</b>	<b>Area III</b>
1. La Joya	7. Austin One (A-1)	15. McAllen V
2. Palmview II	8. McAllen IV	16. Las Milpas I
3. Palmview III	9. McAllen VI	17. Edinburg II
4. Sullivan	10. Mission I	18. Pharr
5. Western Road	11. Mission II	19. Longoria
6. Alton	12. Mission III	20. Palacios
	13. Mission IV	21. UTRGV
	14. Hidalgo	
<b>Area IV</b>	<b>Area V</b>	<b>Area VI</b>
22. Alamo	28. Donna I	36. Edcouch
23. Farias	29. La Herencia	37. Edinburg I
24. Donna II	30. Mercedes I	38. Edinburg III
25. San Juan I	31. Mercedes II	39. Edinburg IV
26. San Juan II	32. Progreso	40. Edinburg V
27. San Carlos	33. Weslaco I	
	34. Weslaco III	
	35. Monte Alto	

**Section 5 FORMAL INSTALLATION**

Formal installation of new Policy Council members shall be carried out at the first Policy Council meeting after the Parent Leadership Training Workshop and election of Parent Representatives.

**Section 6 Training and Technical Assistance**

## Training for new Policy Council and Community Representatives

- A. Performance Standards
- B. Current By-Laws
- C. Parliamentary Procedures
- D. Policy Council's duties and responsibilities
- E. Team Building
- F. Head Start Management Systems
- G. Shared Governance
- H. Local Programs Description
  1. Program Goals and objectives
  2. School Readiness
  3. Community Needs Assessment
  4. Program's Organizational structure
  5. Budget

## **Section 7 TERMS OF POLICY COUNCIL MEMBERS**

The terms of office for all Policy Council members shall be one (1) year, Mid October to Mid October, or until the new Policy Council member is formally installed, as per Article V, Section 5. Policy Council members, Alternates and Community Representatives terms shall be limited to no more than five (5) years. Terms shall be limited to no more than five years in any combination of service, whether Alternate, Parent Representative or Community Representative and terms need not be held in consecutive years.

## **Section 8 Removal of Policy Council Representatives or Alternates**

A Policy Council Representative or Alternate may be removed from the Council for one or more of the following:

1. Failure to follow the Hidalgo County Policy Council Code of Conduct.
2. Violation of Child Care Licensing Minimum Standards (Volunteers).
3. Violation of Head Start Performance Standards and Provisions of the Head Start Act as related to Policy Council Responsibilities described in the By-Laws.
4. A felony conviction or a crime involving moral turpitude.

## **Section 9 POLICY COUNCIL VOTING RIGHTS**

All members of the Policy Council shall have the right to vote. Alternates will vote on policy council only during the absence of their respective

Policy Council member.

- A. All members of the Policy Council shall have one (1) vote.
- B. The Parliamentarian will determine who is eligible to vote.
- C. Vote by proxy will not be allowed under any circumstances.
- D. Once a meeting is called to order any alternate replacing a regular council member may serve the balance of the meeting and will take the council member's place in all votes at that meeting.

### **Section 10 VACANCIES**

Vacancies will be filled in the following manner:

- A. Parents - The Parent Representative Alternate will automatically fill the unexpired portion of the term. The Center Committee officers of the designated area will be required to caucus in order to elect a new Alternate.
- B. Community Representatives - The Commissioner's Court (Grantee Board) will be required to recommend a Community Representative replacement subject to approval by the Policy Council parent members.
- C. Newly elected members of the Commissioners' Court may replace their respective Community Representative by recommending a new Representative upon being sworn into office.
- D. The vacancy of an officer shall be filled by simple majority vote of the Policy Council membership.

### **Section 11 RESIGNATION**

Any Parent or Community Representative wishing to resign his or her position may do so by written notice to the Chairperson of the Policy Council. Such resignation shall be effective upon receipt of such notice by the Chairperson.

### **Section 12 QUORUM**

A quorum is to be comprised of no less than 51% of the total Policy Council's membership, and, of that quorum, at least 51% must be parent members of the Policy Council.

### **Section 13 ABSENTEEISM**

In order for the Policy Council meetings to operate effectively, it is important for all members including alternates of the Policy Council to attend regularly scheduled meetings as well as special meetings.

Policy Council meetings shall count toward the attendance requirement. Attendance at such meetings shall be fulfilled by the Policy Council Member and alternate presenting himself/herself during the meeting. Failure to attend as described may be excused for good cause upon the absent member's written application for excused absence to the Policy Council.

After determination that a Policy Council Member or Alternate has failed to attend three (3) meetings without having one such absence excused for a good cause by the Policy Council, Policy Council shall instruct the Executive Program Director to notify the Policy Council Member or Alternate of his or her removal from the Policy Council.

Any Policy Council member whose position has been vacated for violation of this policy shall be precluded from serving as a Policy Council member for a period of three (3) years from date that his/her position was vacated.

DRAFT

## ARTICLE VI

### Section 1 POLICY COUNCIL OFFICERS

The officers of the Policy Council shall consist of:

- A. Chairperson
- B. Vice-Chairperson
- C. Secretary
- D. Treasurer
- E. Parliamentarian

### Section 2 ELECTION OF OFFICERS

Election of the Hidalgo County Head Start Policy Council Officers will be conducted in accordance with the Hidalgo County Head Start Program Policy Council By-Laws. **Officers shall be elected at a general meeting by a simple majority of the Policy Council membership. The Executive Committee must be made up of five (5) members of which three (3) must be parent representatives.**

1. The standing Policy Council Chairperson will introduce the agenda item, inform the Program Director to function as an independent facilitator and open the floor for nominations.
2. The Program Director opens the floor for nominations in the following order:
  - a. Chairperson
  - b. Vice-Chairperson
  - c. Secretary
  - d. Treasurer
  - e. Parliamentarian
3. The Executive Director will give each nominee the opportunity to address the Policy Council. Three (3) minutes in order of nomination.
4. The Program Director will instruct each Policy Council Member to vote using the appropriate ballot.
5. Ballots will be counted and verified by Executive Director/legal counsel .

6. Upon the election of the Policy Council Chairperson, the Executive Director and newly elected Chair will continue the election process in manner outlined above.
7. Upon conclusion of the election process, the newly elected Chairperson will continue with the scheduled agenda items.

### **Section 3 TERM OF OFFICE**

All officers shall serve for a term of one year.

### **Section 4 DUTIES OF OFFICERS**

The officers shall have, but are not limited to, the following duties:

#### **A. Chairperson**

1. Preside over monthly and special meetings.
2. The Chairperson in cooperation with the Program Director should prepare an agenda for the meeting.
3. Represent the Policy Council when necessary.
4. Carry out duties as requested by Policy Council.
5. Sign approved minutes of Policy Council.
6. Act as co-signatory for Policy Council funds along with the Program's Finance Officer.
7. Vote on all issues only in case of a tie.

#### **B. Vice-Chairperson**

1. Assume all duties during the absence of the Chairperson.
2. Act as co-signatory for Policy Council funds along with the Program's Finance Officer.

#### **C. Secretary**

1. Ensure that draft minutes are correct prior to presentation to Policy Council.
2. Work closely with the Head Start staff responsible for preparation of minutes.
3. Act as co-signatory for Policy Council funds along with the Program Finance Officer.

#### **D. Treasurer**

1. Act as co-signatory for Policy Council funds along with the Program's Finance Officer.

**E. Parliamentarian**

1. Verify voting eligibility.
2. Be responsible for calling the membership roll.
3. Interpretation of the Rules of Order, Robert's Rules of Order.
4. Act as co-signatory for Policy Council funds along with the Program's Finance Officer.

DRAFT 02.10.17

## ARTICLE VII

### Section 1 COMMITTEES

The following committees shall be created. With the exception of the Executive Committee and the Grievance Committee which shall be considered standing committees, all other committees and committee members shall be appointed annually by the Chairperson. The Chairperson will create additional committees as necessary.

- A. Executive Committee** - Shall be composed of the Policy Council Officers. It shall be empowered to act in emergency situations. All action of the Executive Committee shall be presented for approval to the full Policy Council at the next regular meeting, unless the Executive Committee has been authorized to act by the Policy Council. Alternates may serve on any committee.
- B. Grievance Committee** - The grievance process is an employee's opportunity to have an independent party, the Hidalgo County Civil Service Commission (HCCS), review an Adverse Personnel Action. The process is described Hidalgo County Civil Service Commission Rules.

**Parents** - The purpose of this procedure is to ensure satisfaction on community/parent concerns about the Head Start Program. Any and all grievances shall be submitted in writing to the Policy Council Chairperson with the signature of the individual or group filing a grievance.

- C. Planning Committee** - Shall be composed of the Policy Council membership. It is recommended that the committee be composed of at least three (3) members. The committee members will vote on a sub-committee chair.

The Planning Committee will recommend and assist the staff in the planning process. Appropriate data sources will be consulted.

- D. Budget Committee** - Shall be composed of the Policy Council membership. It is recommended that the committee be composed of at least three (3) members. The committee members will vote on a sub-committee chair.

The budget committee will recommend and assist staff in the Budget Process. The committee will review and provide input for the Budget to be submitted for approval by the Policy Council, the Grantee Board, and the Office of Head Start. Amendments to the Budget will also be reviewed and approved by the Committee.

- E. Personnel Committee** - Shall be composed of the Policy Council membership. It is recommended that the committee be composed of at least three (3) members. The committee members will vote on a sub-committee chair.

The personnel committee will recommend and assist staff in the functions indicated in the Responsibilities of the Policy Council described in the By-Laws. **(ARTICLE III, Policy Council, Section D)**

- F. Children's Committee** - Shall be composed of the Policy Council membership. It is recommended that the committee be composed of at least three (3) members. The committee members will vote on a sub-committee chair.

DRAFT 021011

## **ARTICLE VIII**

### **SECTION 1 Shared Governance Structure**

The Hidalgo County Head Start Program supports and promotes a shared governance structure to facilitate shared decision making with the stakeholders of the organization, including the Grantee Board, the Policy Council, the parents and the community it serves. Below is a brief description of the process to implement this structure:

#### **A. Formal Business of the Program-Policy Council Meetings:**

- Agenda for all Policy Council Meetings are collaboratively prepared by the Executive Director and the Policy Council Chairperson. Section----describes the opportunity provided other Policy Council members to submit Agenda items.
- Policy Council Meetings are public meetings and are required to follow the open meeting requirements.
- Every Agenda is approved by the County Clerk for posting and is posted in designated public places, including the Head Start Administration Building and at every Head Start center.
- A copy of the Agenda is sent to the Grantee Board at the same time that it is delivered to the Policy Council members.
- Public and parent participation is also available during the Public Comment at each meeting.
- Representatives of the Grantee Board attend Policy Council Meetings.
- Once the Policy Council approves Agenda Items, specific items are submitted to the Grantee Board (Commissioners' Court) for final approval. These items include actions within the scope of the Grantee Board's duties and responsibilities as defined in the Head Start Act, the Performance Standards and other county, state or federal regulations/requirements for the grant.
- Copies of the minutes are also sent to the Grantee Board after every Policy Council meeting. Grantee Board Agenda (with Head Start Agenda Items) and Policy Council Agenda and minutes/reports, monthly Center Parent Committee meetings, and parent workshops, are posted at the "Parent Corner. Policy Council Agenda and actions

are reviewed with management staff including department heads and center managers who are required to share with center staff and other staff after every meeting.

- Policy Council and Grantee Board meetings are designed and scheduled to support a coordinated flow of information between the two groups that results in sound and inclusive decision-making

## **B. Reports and Communication Strategies**

Several reports, data and other information are communicated to facilitate shared governance:

- The organization shares accurate and regular information for use by the Grantee Board and the Policy Council about program planning, policies and program operations including –(Head Start Act as Amended in 2007)
  - *Monthly financial statements, including credit card expenditures*
  - *Monthly program information summaries*
  - *Program enrollment reports*
  - *Monthly reports of meals and snacks provided through programs of the Department of Agriculture;*
  - *The financial audit;*
  - *The annual self-assessment, including any findings related to such assessment;*
  - *the communitywide strategic planning and needs assessment of the Head Start agency, including any applicable updates;*
  - *Communication and guidance from the Secretary*
  - *The program information reports*
- The organization regularly communicates its accomplishments to the community through newsletters, website content, media outreach, and other communication channels.
- The organization produces an annual report. The governing body is aware of the contents of the annual report and can share this information as appropriate.

- Governing body members recognize that the opinions and ideas of those being served should be used to shape the organization and its service delivery systems.
- The governing body, when making decisions, has mechanisms in place for obtaining and considering the viewpoints of those being served.

### **C. Program Activities:**

*"The policy council shall approve and submit to the governing body decisions about each of the following activities: –(Head Start Act as Amended in 2007)*

- *Activities to support the active involvement of parents in supporting program operations, including policies to ensure that the Head Start agency is responsive to community and parent needs.*
- *Program recruitment, selection, and enrollment priorities.*
- *Applications for funding and amendments to applications for funding for programs under this subchapter, prior to submission of applications described in this clause.*
- *Budget planning for program expenditures, including policies for reimbursement and participation in policy council activities.*
- *Bylaws for the operation of the policy council.*
- *Program personnel policies and decisions regarding the employment of program staff, consistent with paragraph (1)(E)(iv)(IX), including standards of conduct for program staff, contractors, and volunteers and criteria for the employment and dismissal of program staff.*
- *Developing procedures for how members of the policy council of the Head Start agency will be elected."*

**ARTICLE IX**

**SECTION 1 ADOPTION**

The proposed By-Laws shall be initially developed and approved by the Policy Council.

Formal adoption of the By-Laws shall require the written approval of the Policy Council and the Commissioner's Court (Grantee Board).

**SECTION 2 AMENDMENTS**

These By-Laws may be amended or repealed, or new By-Laws may be adopted at any meeting of the Policy Council by the affirmative vote of a majority of the number of the Policy Council members, provided notice of the proposed amendment, repeal or adoption be contained in the notice of such meeting posted at least seventy-two (72) hours before such meeting; and provided further, that the foregoing notice requirement shall not prohibit the Policy Council from adopting the proposed amendment, effecting the proposed repeal or adopting the proposed new by-laws, as the case may be, in a modified form which is not identical to that described or set forth in the notice of such meeting. Formal adoption or repeal shall require the approval of the Policy Council, the Chairperson and the Commissioner's Court (Grantee Board) and such approval shall be set forth in writing by the Chairperson and the Commissioner's Court (Grantee Board).

These by-laws shall supersede all prior related action.

Policy Council Chairperson: \_\_\_\_\_ Date: \_\_\_\_\_

**GRANTEE BOARD (COMMISSIONERS' COURT)**

Hidalgo County Judge: \_\_\_\_\_ Date: \_\_\_\_\_

County Commissioner, Pct. 1 \_\_\_\_\_ Date: \_\_\_\_\_

County Commissioner, Pct. 2 \_\_\_\_\_ Date: \_\_\_\_\_

County Commissioner, Pct. 3 \_\_\_\_\_ Date: \_\_\_\_\_

County Commissioner, Pct. 4 \_\_\_\_\_ Date: \_\_\_\_\_

## **ATTACHMENT A**

### **RULES OF PROCEDURE**

**NOTE: ALL APPLICABLE FEDERAL AND STATE LAW MUST BE CONSIDERED WHEN ADOPTING MEETING POLICIES!!**

#### **SECTION A. - Regular Meeting**

The Policy Council should hold at least one (1) regular meeting each calendar month. The date, time and place of the regular Policy Council meeting shall be established by Policy Council action which shall be announced to the public. (See Section D, "Public Notice", below)

#### **SECTION B. - Special or Emergency Meetings**

The Policy Council Chairperson may call a special meeting at any time by giving actual notice to each Policy Council member of the time and place of the meeting and the subjects to be considered. If reasonable efforts to give each member actual notice do not succeed, written notice in advance should be given to each member. Public notice of special meetings shall be given as required for regular meetings.

#### **SECTION D. - Public Notice**

Any meeting of a quorum of the members of the Policy Council held for the purpose of formulating policy, discussing business, or taking action within the authority of the Policy Council, or at which the discussion or adoption of any proposed resolution, rule, regulation, or formal action occurs shall be held only after reasonable notice to the public. Meetings shall be posted at least seventy-two (72) hours in advance at the County and at the Hidalgo County Head Start Program buildings.

#### **SECTION E. - Agenda**

The Policy Council Chairperson, in cooperation with the Executive Director, shall prepare an agenda for each meeting.

Any Policy Council member may, by a timely request, submit an item for consideration and placement on the agenda after review by the Policy Council Chairperson, legal counsel and the Executive Director. It shall be the duty of the Executive Director to have information related to agenda items sent to Policy Council members in advance of the meeting.

The Agenda for each Policy Council Meeting shall be posted for public review no later than seventy-two (72) hours in advance of the meeting time.

### **SECTION F. - Public Address to the Policy Council**

Any individual or group, desiring to address the Policy Council may do so in the Public Comments of the meeting where the information may be presented but not discussed. An individual or group must register in writing for the Public Comment section with the Executive Director immediately preceding the meeting. If the comment relates to an item on the Agenda, the Policy Council shall determine, at the meeting, whether it will hear the individual or group or if a response is in order.

### **SECTION G. - Open and Closed Meetings**

All Policy Council meetings shall be open to the public at all times unless an exception exists to permit a closed meeting. A closed meeting may be held to discuss:

1. Issuance, suspension, renewal, or revocation of a license, except that any licensing hearing at which evidence is offered or rebutted must be open and all final actions on the issuance, suspension, renewal or revocation of a license must be taken at an open meeting.
2. Limited personnel matters, which are defined as the discussion of hiring, promotion, demotion, dismissal, assignment, or resignation of or the investigation or consideration of complaints or charges against any individual employee. Final actions on personnel must be taken at an open public meeting.
4. Meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the Policy Council is or may become participant; and
5. The discussion of the purchase, acquisition, or disposal of real property or water rights.

In order to conduct a closed meeting the Policy Council shall follow the following procedure:

1. If a convened open meeting is to be closed, a majority vote of the members present, based on a motion which states an authorized reason

for closing the meeting, is necessary. The vote of each member shall be noted in the minutes. Only those subjects announced or voted upon prior to closure by the Policy Council may be discussed in the closed meeting.

2. If a closed meeting is to be called when the Policy Council is not otherwise in session, the Policy Council shall give notice according to its public notice policy. Such notice shall state an authorized reason for closing the meeting.

#### **SECTION H. - Presiding Officer**

The Chairperson shall preside at the Policy Council meetings. To address the Policy Council, a member must be recognized by the Chairperson. The Chairperson shall have the following power:

1. To rule on motions in or out of order, including the right to rule out of order any motions patently offered for obstructive or dilatory purposes.
2. To determine whether a speaker has gone beyond reasonable standards of courtesy in his remarks and to entertain and rule on objections from other members on this ground.
3. To entertain and answer questions of parliamentary law or procedure.
4. To call a brief recess at any time.
5. To adjourn in an emergency.

#### **SECTION I. - Presiding Officer When the Chairperson is in Active Debate**

The Chairperson shall preside at Policy Council meetings, unless he/she becomes actively engaged in debate on a particular proposal, in which case he may designate another Policy Council member to preside over the debate. The Chairperson shall resume the duty to preside as soon as action on the matter is concluded.

#### **SECTION J. - Action by the Policy Council**

The Policy Council shall proceed by motion. Any member, except the Chairperson, may make a motion.

## **SECTION L. - One Motion at a Time**

A member may make only one (1) motion at a time.

## **SECTION M. - Substantive Motion**

A substantive motion is out of order while another substantive motion is pending.

## **SECTION N. - Adoption by Simple Majority Vote**

A motion shall be adopted by a simple majority of the votes cast, a quorum being present, unless otherwise required by these rules of the laws of this State. The Chairperson is permitted to vote on all motions. All motions are final unless specific instructions are provided for reconsideration.

## **SECTION O. - Debate**

The Chairperson shall state the motion and then open the floor to debate on it. The Chairperson shall preside over the debate according to the following general principles:

1. The introducer (the member who makes the motion) is entitled to speak first.
2. A member who has not spoken on the issue shall be recognized before someone who has already spoken.
3. To the extent possible, the debate shall alternate between opponents and proponents of the measure.

## **SECTION P. - Procedural Motions**

In addition to substantive proposals, the following procedural motions and no others shall be in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority vote for adoption.

In order of priority (if applicable), the procedural motions are as follows:

1. To adjourn. The motion to adjourn may be made only when action on a pending matter concludes; it may not interrupt deliberation of a pending matter.
2. To take a recess.

3. Call to follow the agenda. The motion must be made at the first reasonable opportunity or it is waived.
4. To suspend the rules. For adoption, the motion requires a vote equal to the number required for a quorum.
5. To divide a complex motion and consider it by paragraph.
6. To defer consideration. The Policy Council may vote to defer action or consideration of a pending matter indefinitely. A substantive motion consideration of which has been deferred expires one-hundred (100) days thereafter unless a motion to revive consideration is adopted.
7. Call of the previous question. The motion is not in order until there has been debate and every member has had an opportunity to speak.
8. To postpone to a certain time or day.
9. To refer to committee. Sixty (60) days after a motion has been referred to a committee, the introducer may compel consideration of the measure by the entire Policy Council, regardless of whether the committee has reported the matter back to the Policy Council.
10. To amend. An amendment to a motion must be pertinent to the subject matter of the motion, but it may achieve the opposite of the motion's intent. The motion may be amended, and the amendment may be amended, but no further amendments may be made.
11. To revive consideration. The motion is in order anytime for one-hundred (100) days after a vote to defer consideration. A substantive motion consideration has been deferred expires one-hundred (100) days thereafter unless a motion to revive consideration is adopted.
12. To reconsider. The motion must be made by a member who made the motion or seconded the motion. It must be made at the same meeting as the vote was taken; it cannot interrupt deliberation on a pending matter, but is in order at any time before actual adjournment.
13. To rescind or repeal.
14. To ratify.
15. To prevent reconsideration for six (6) months. The motion is in order immediately following the defeat of a substantive motion and no other time. For adoption, the motion must receive a vote equal to the number

required for a quorum. It is valid for six (6) months or until a new Policy Council member is appointed, whichever occurs first.

**SECTION Q. Renewal of Motion**

A motion that is defeated may not be renewed at any subsequent meeting unless the approved motion directly affects specific program operations

**SECTION R. - Withdrawal of Motion**

A motion may be withdrawn by the introducer at any time before a vote.

**SECTION S. - Duty to Vote**

Every member must vote unless excused by the remaining members. No member shall be excused from voting except on matters involving his own financial interest or official conduct. In all other cases, a failure to vote by a member who is physically present shall be recorded as an affirmative vote unless excused for reasons of conflict of interest.

**SECTION T. - Public Hearings**

Public hearings required by law or deemed advisable by the Policy Council shall be organized by a special order, which is adopted by a majority vote, that sets forth the subject, date, place and time of the hearing as well as any rules regarding the length of time each speaker will be allowed, etc. At the appointed time the Chairperson or his designee shall call the hearing to order and then preside over it, unless a hearing officer is chosen to preside. When the allotted time expires or when no one wishes to speak who has not already done so, the Chairperson or his designee shall declare the hearing ended.

**SECTION U. - Minutes**

Written minutes shall be kept of all public Policy Council meetings and all minutes shall be open to public inspection. Draft minutes shall be prepared within ten (10) working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present. Draft minutes may be inspected by members of the public after completion in final draft form, but shall not become official until approved by the Policy Council.

Minutes shall include the following:

1. The nature of the meeting (regular, special, or emergency), the date, time, place, members present, and members absent.
2. The substance of all proposals considered.
3. A record of any decisions made.
4. A record of all votes taken which shows how each member voted.

In lieu of a recording of the closed session, the Policy Council shall keep a Certified Agenda as defined in Texas Government Code 551.103.

### **SECTION V. - Appointments**

The Policy Council shall use the following procedure to make appointments to various subordinate offices:

The Chairperson shall open the floor to nominations. At this time, the names of possible appointees shall be put forward by the members and debated. When the debate ends, the Chairperson shall call the roll of the members, and each member shall cast his vote. The votes shall not be tallied until all members have voted.

## **ATTACHMENT B**

### **SECTION I. IMPASSE PROCEDURES** (Head Start Performance Standards, Section 1301.6)

*(a) To facilitate meaningful consultation and collaboration about decisions of the governing body and the policy council, each agency's governing body and policy council jointly must establish written procedures for resolving internal disputes between the governing board and policy council in a timely manner that include impasses procedures. These procedures must:*

- (1) Demonstrate that the governing body considers proposed decisions from the policy council and that the policy council considers proposed decisions from the governing body.*
- (2) If there is a disagreement, require the governing body and the policy council to notify the other in writing why it does not accept a decision; and,*
- (3) Describe a decision-making process and a timeline to resolve disputes and reach decisions that are not arbitrary, capricious, or illegal.*

*(b) If the agency's decision-making process does not result in a resolution and an impasse continues, the governing body and policy council must select a mutually agreeable third party mediator and participate in a formal process of mediation that leads to a resolution of the dispute.*

*For all programs except American Indian and Alaska Native programs, if no resolution is reached with a mediator, the governing body and policy council must select a mutually agreeable arbitrator whose decision is final.*

## ATTACHMENT C

### SECTION I. CODE of CONDUCT - Hidalgo County Head Start Program Policy Council

1. Will respect and promote the unique identity of each child, family, employee, Council and Board member and refrain from stereotyping on the basis of gender, race, ethnicity, culture, religion, or disability.
2. Must uphold the Program's confidentiality guidelines stated as follows:
  - a. No information regarding children and families of children enrolled with Hidalgo County Head Start Program is to be discussed outside of the work setting or Policy Council meetings;
  - b. Information is to be discussed within the work setting and at Policy Council meetings only as is necessary and related to program operations/business or decision-making;
  - c. No information learned at Policy Council meetings or while conducting Policy Council business may be discussed or used in any way outside of Policy Council activities;
  - d. No information reviewed or discussed during "Closed Session" may be discussed outside the "Closed Session".
3. Will support and participate in a TEAMWORK approach to decision making.
4. Will demonstrate professional respect and courtesy toward parents, staff, fellow members of the Policy Council, the Grantee Board (Commissioners' Court) and others affiliated with the Program while participating on the Policy Council or representing the organization within the community.
5. Must have an interest and concern for children and their families.

6. May not accept gifts and/or gratuities as stated in the Hidalgo County Head Start Program Personnel Policy Manual.
7. Is prohibited from using his/her position on the Policy Council for purposes which are, or give the appearance of being, motivated by a desire for private gain for himself/herself or others, such as those with family, business or other ties.
8. Must not make public statements under the auspices of the Policy Council, the Grantee Board, or the staff without the approval of the respective entity.
9. Will follow all Hidalgo County Head Start Program general operating procedures.
10. Will not organize or meet with, or contact other Policy Council members to conduct the business of the Program outside the established policies and procedures for action by the Policy Council or outside the scope of the responsibilities defined in the By-laws.

DRAFT