

Big Sandy Area C.A.P., Inc. - HEAD START
Program Policies and Procedures

SUBJECT:

Internal Dispute Resolution

POLICY:

To resolve internal dispute including impasse procedures between the governing body and policy group.

- *This policy relates to [Head Start Performance Standards 45 CFR Part 1301.6](#)*

PROCEDURE:

After informal discussion, if the Board of Directors believes that the Policy Council will not approve it's decision and the agency wants to formalize the approval process, it should notify the Policy Council in writing. The notice will contain a statement of the reasons in support of the proposed decision or action.

Within ten (10) days after the receipt of the notice, the Policy Council will hold a special meeting for consideration of the Agency proposed decision or action.

Immediately after the special meeting, the Policy Council shall notify the Agency in writing of it's approval or disapproval of the proposed decision or action. If it is a notice of disapproval, it will contain a statement of reason.

In the event of disapproval, and if the Agency desires further consideration of the matter, it shall initiate a meeting between itself and the Policy Council for the purpose of attempting to resolve their differences.

If after these efforts, the Agency and Policy Council are unable to reach an agreement, the Agency must invoke the arbitration procedures:

MEMBERSHIP

The arbitration panel will consist of three members.

1. A member will be designated by the Policy Council.
2. A member will be designated by the governing body.

3. A member will act as chairperson of the arbitration panel and shall be selected by the Agency. This member must be acceptable to both parties.

The arbiters shall be members of the community and not be associated with the Head Start program. None of the arbiters shall be relatives of any of the parties and shall Serve without compensation.

NOTICE OF ARBITRATION:

When the Agency decides to submit the impasse to arbitration, it shall notify the Policy Council and the board of Directors in writing that the impasse is to be resolved by binding arbitration. The notice shall include:

1. A statement of the issue on which the groups are at impasse.
2. A request of both parties to submit (within seven (7) days) the names and addresses of their selection member to serve on the arbitration panel.

Failure by the Policy Council or Governing Board to designate an arbiter within seven (7) days of the receipt of the Notice of Arbitration shall be a default, and shall be considered to be approval of the proposed decision or action.

The Arbitration Panel shall schedule the hearing within twenty (20) calendar days. The hearing shall be conducted at a place acceptable to the panel members. The agency shall notify all members of the panel as to time and place and shall assume any expenses incurred by the arbitration and shall provide clerical and other support as needed.

The proceedings of the Arbitration Panel shall follow Parliamentary Procedures and consist of;

- . oral presentation from both parties;
- . response by both parties including questions;
- . additional presentation and written materials as deemed necessary (this may or may not include witnesses).

It is the responsibility of the Agency to provide the panel with needed materials such as budget, regulations, or other materials of that nature.

STANDARD OF CONDUCT

Both parties are obligated to act in good conduct before and during the proceedings. Neither party may communicate with the arbitrations once the panel has been selected unless all parties are present.

Arbitration does not preclude the parties from compromising their differences as long as no decision as been issued by the Panel.

On conclusion of the hearing, the Panel shall issue the decision in writing within fifteen (15) days after the Panel meeting. **The final decision shall be binding on all parties and there shall be no appeal.**

Approved by Policy Council: September 2018