

	<p align="center">COUNTY OF SAN BERNARDINO</p> <p align="center">PRESCHOOL SERVICES DEPARTMENT</p> <p align="center">POLICY</p>	<p>NO. 01 PDM ISSUE 3</p> <p align="right">PAGE 1 of 3</p> <p>EFFECTIVE: 11-19-2012 Updated</p>
<p>SUBJECT: GOVERNANCE INTERNAL DISPUTE RESOLUTION/IMPASSE POLICY</p>		<p>APPROVED BY: <i>Elizabeth Almud</i> Policy Council: 11-19-2012 Shared Governance Board: 10-22-2012</p>
<p>PURPOSE: Commitment to Resolve Issues in Good Faith Effective January 1998, the revised Head Start Program Performance Standards required that each grantee and delegate agency establish written procedures for resolving internal disputes, including impasse procedures, between the governing body and policy group.</p> <p>POLICY: To resolve all differences between the Shared Governance Board as representatives of the San Bernardino County Board of Supervisors and the San Bernardino County Head Start Policy Council through normal channels or the use of the formal procedures noted in this document.</p> <p>REFERENCE 1304.50 Appendix A: Governance and Management Responsibilities.</p> <p>PROCEDURE: This standing agreement assumes the commitment of the Shared Governance Board and the Head Start Policy Council to make every good faith effort to resolve differences on an amicable basis. This step includes using all internal agency communications systems available to reach agreement and avoid impasse.</p> <p>If necessary, this includes the Shared Governance Board and the Head Start Policy Council commitment to fully cooperate in all aspects of the established internal dispute and impasse process in order to resolve issues in the best interest of the children and families being served.</p> <p>When the Shared Governance Board and the Head Start Policy Council cannot jointly approve proposed actions, the dispute will formally be referred to the Dispute Resolution Committee.</p> <p><u>STEP 1. ESTABLISHMENT OF THE DISPUTE RESOLUTION COMMITTEE</u></p> <p><u>PURPOSE:</u> The purpose of the Dispute Resolution Committee is to resolve disputes between the Shared Governance Board and the San Bernardino County Policy Council.</p> <p><u>MEMBERSHIP:</u> The Dispute Resolution Committee shall be composed of four (4) members. The Shared Governance Board and the Policy Council shall each designate two (2) of its members to sit on the Committee. Each governing body will determine</p>		

selection and alternative procedures of members.

TERM OF MEMBERSHIP: The Committee members will each serve a two (2) year term subject to the continued membership on the appointing governing body. The Committee members can be removed from the Dispute Resolution Committee by a majority vote of the designating governing body.

STEP 2: FILING THE COMPLAINT

Within five (5) County business days of the governing bodies not being able to jointly approve proposed action(s), either of the disputing parties may formally lodge a complaint with the San Bernardino County Head Start Director requesting that the Internal Dispute Resolution and Impasse Policy and Procedures be formally initiated.

STEP 3: NOTIFICATION OF COMPLAINT

The San Bernardino County Head Start Director will have three (3) days from the date the complaint was filed to formally notify the non-complaining policy group that the other has asked that the Internal Dispute policy be invoked. The Director will have will have five (5) days from the date that the complaint was officially filed to notify the members of the Dispute Resolution Committee of the complaint and to provide the governing bodies and the Committee a written statement of the issue(s).

STEP 4: DISPUTE RESOLUTION COMMITTEE MEETING

The Committee will have five (5) working days after being notified of the complaint to convene a meeting. The first priority of business will be to determine if the complaint falls within the scope of the shared decision making procedures as specified in the Head Start Performance Standards and the approved Shared Governance Board and Policy Council approves procedures.

The Committee may request additional information from the Head Start Director, Shared Governance Board or Policy Council.

STEP 5: TIME LIMITATION

The Committee has ten (10) County business days from the first meeting convened to determine the validity of the issue(s) as a shared decision making infraction to provide a written solution to the Shared Governance Board, Policy Council and the San Bernardino County Head Start Director.

STEP 6: PROPOSED RESOLUTION DISPUTE RECOMMENDATION

The Shared Governance Board or the Policy Council may reject the proposed dispute resolution by providing a written notification to the Dispute Resolution Committee and the other party.

STEP 7: FAILURE OF DISPUTE RESOLUTION COMMITTEE TO REACH CONSENSUS

If the majority of the Committee does not reach consensus, the Committee shall inform both governing bodies and the PSD Head Start Director.

STEP 8: FAILURE TO RESOLVE INTERNAL DISPUTE

The Governing bodies agree that failure to resolve the internal dispute by the Dispute Resolution Committee will result in mediation. If the mediation process does not resolve the internal dispute both governing bodies agree to binding arbitration.

- A. **MEDIATION:** This procedure requires the intervention into the dispute of an acceptable, impartial and neutral third party who has no decision-making authority. The objective of this intervention is to assist both parties to voluntarily reach an acceptable resolution of the issue in dispute. The selected mediator will work with the Resolution Dispute Committee in order to make a final decision regarding the dispute issue(s).

COMPOSITION: Both governing bodies agree to the utilization of the services of a professional mediator agency or association.

TIME LIMITATIONS: The mediation process must take place within fifteen (15) days from the written notification by the Resolution Dispute Committee that consensus could not be reached or written notification from either policy group that they will not accept the Committee's proposed dispute resolution. The mediation process must have a written proposed resolution within ten (10) days from beginning the process.

- B. **ARBITRATION:** Requires the presentation of the dispute to an impartial or neutral (arbitration panel) for issuance of a binding decision. The Shared Governance Board and the Policy Council agree that they will be bound by the decision of the arbitration panel.

COMPOSITION: The Arbitration Committee is an ad-hock committee to be convened when an impasse situation is evident. The Committee consists of three (3) members, all of whom must be from outside the governing bodies and immediate family members from these same policy groups. Each governing body will select one member and these two members will mutually agree upon the selection of the third member.

TIME LIMITATIONS: The arbitration process must take place within fifteen (15) days from the written notification that the mediation process was not able to reach consensus or that the governing bodies did not accept the Committee's recommendation(s).