

San Juan Unified School District

Resolution No. 2949

**SHARED DECISION-MAKING, INTERNAL DISPUTE RESOLUTION AND IMPASSE PROCEDURES  
BETWEEN THE SAN JUAN UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION AND THE SAN  
JUAN UNIFIED SCHOOL DISTRICT HEAD START/EARLY HEAD START POLICY COMMITTEE**

THIS AGREEMENT, dated for convenience May 28, 2019, is made and entered into by and between the San Juan Unified School District Board of Education and the San Juan Unified School District Head Start/Early Head Start Policy Committee.

WHEREAS, the Federal Head Start Act (42 U.S.C. §9801, *et seq.*) authorizes a local public or non-profit agency to be designated as a Head Start Agency and to serve as a Head Start Delegate Agency to provide services to Head Start eligible children and families in a designated community; and,

WHEREAS, San Juan Unified School District Board of Education is the Delegate Board for San Juan Unified School District Head Start; and,

WHEREAS, the Head Start Act implementing regulation (45 C.F.R. Part 1304) requires that each Delegate establish a policy committee comprised of at least 51% parents of children currently enrolled in the program who have been elected by the parents of children currently enrolled in the program, plus representatives of the community; and,

WHEREAS, the Head Start/Early Head Start Policy Committee has been established as the Policy Committee for San Juan Unified School District Head Start; and,

WHEREAS, the Head Start regulations further require that the Board of Education and Policy Committee establish written procedures describing how the Board of Education and the Policy Committee will implement shared decision-making and how they will resolve internal disputes, including impasse procedures; and,

WHEREAS, the Policy Committee has approved this Agreement and authorized its Chairperson to execute it at a meeting duly noticed and held on March 21, 2019; and,

WHEREAS, the Board of Education has approved this Agreement and authorized its Chairperson to execute it at a meeting duly noticed and held on May 28, 2019.

NOW, THEREFORE, the parties agree as follows:

1. Action of the Board of Education and the Policy Committee with respect to all shared decision matters shall be implemented as follows:
  - A. The Policy Committee shall make initial decisions with respect to all shared decision matters and shall refer those decisions to the Board of Education for concurrence.
  - B. The Board of Education then considers the decision reached by the Policy Committee and either concurs with, modifies or rejects the Policy Committee's decision. If the Board of Education concurs, the joint decision shall become the decision of San Juan Unified School District Head Start. If the Board of Education modifies or rejects the decision of the Policy Committee, the matter shall be referred back to the Policy Committee, in writing within two weeks, for concurrence. If the Policy Committee concurs, the joint decision shall become the decision of San Juan Unified School District Head Start. If, for any reason, the Board of Education and the Policy Committee are unable to reach concurrence with respect to a shared decision matter, the matter shall proceed to the Impasse Committee as outlined in Section 2, below.
2. When the Policy Committee and the Board of Education fail to concur with respect to any shared decision matter, the following impasse procedures shall be utilized to resolve the matter.
  - A. The Program Manager shall arrange within 30 days of impasse an Impasse Committee to address the matter. All meetings of the Impasse Committee shall be held consistent with the Ralph M. Brown Act.
  - B. The Board of Education and the Policy Committee shall appoint two (2) members to serve on the Impasse Committee, which shall meet and discuss the matter to reach resolution. Once the Impasse Committee has reached agreement on a recommended course of action, the recommendation shall be submitted to the Policy Committee and then to the Board of Education for acceptance and concurrence. If either the Policy Committee or the Board of Education rejects the Impasse Committee recommendation, the matter shall be referred back to the Impasse Committee for further decision and recommendations. This process shall be continued until the Policy Committee and the Board of Education mutually agree on an acceptable resolution of the matter. Such mutual agreement shall constitute the final action of San Juan Unified School District Head Start regarding the matter.

- C. In the unlikely event that these impasse procedures fail to result in an agreement, the parties shall resolve the matter as provided in the Head Start Program Performance Standard §1301.6.
3. No final decision resulting from this process shall be implemented in any manner that is arbitrary, capricious or illegal.

Executed in Sacramento, California on the dates appearing below.

Dated: 6-3-19

**SJUSD HEAD START POLICY COMMITTEE**

  
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Chairperson

Dated: May 28, 2019

**SJUSD Board of Education**

  
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Vice President