

AN ORDINANCE 2008-02-21-0142

RENAMING THE "HEAD START POLICY COMMISSION" THE "HEAD START POLICY COUNCIL," IN ACCORDANCE WITH FEDERAL REGULATIONS AND APPROVING AMENDED BYLAWS, TO BE EFFECTIVE UPON ADOPTION BY THE HEAD START POLICY COUNCIL.

* * * * *

WHEREAS, the City of San Antonio is the Head Start Program grantee for San Antonio and Bexar County; and

WHEREAS, Parent Child, Incorporated (PCI), as the City's delegate agency, has operated the Head Start Program since 1979; and

WHEREAS, in response to a 2004 U.S. Department of Health and Human Services/Administration for Children and Families Program Review Instrument for Systems Monitoring (PRISM) Review, it became necessary for the City Council to create a governing body to participate in policy making and other decisions about the Head Start Program; and

WHEREAS, because a governing body given the name of "Head Start Policy Council" already existed at the delegate agency level, the U.S. Department of Health and Human Services (HHS)/Administration for Children and Families (ACF), Region VI, Office of Head Start, advised the City to allow the policy council of the delegate agency to retain its name and the policy council of the City of San Antonio be named the "Head Start Policy Commission" in order to avoid confusion; and

WHEREAS, pursuant to said advice, City Council created a Head Start Policy Commission and appointed the Commission members through Ordinance No. 100987, passed and approved on June 2, 2005; and

WHEREAS, in a recent federal review by HHS/ACF, the City was cited for failing to establish a "policy council;" and

WHEREAS, the City of San Antonio desires to rename its "Head Start Policy Commission" the "Head Start Policy Council" and to approve amended bylaws effective upon adoption by the Head Start Policy Council in order to comply with federal requirements; and

WHEREAS, the amended bylaws reflect the change in name, reduce the number of members that are needed to constitute a quorum, revise the number of members needed to carry a vote and clarify other provisions; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The "Head Start Policy Commission" is hereby renamed the "Head Start Policy Council.

SS/
02/21/08
Item # 22

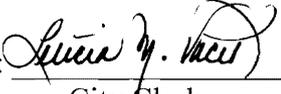
SECTION 2. The Head Start Policy Council By-laws, as amended, which are attached hereto and incorporated herein as Attachment I, are hereby approved effective upon adoption by the Head Start Policy Council.

SECTION 3. This Ordinance shall become effective immediately upon passage by eight (8) affirmative votes of the entire City Council; otherwise, said effective date shall be ten (10) days from the date of passage hereof.

PASSED AND APPROVED this 21st day of February, 2008.



M A Y O R
PHIL HARBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney

Agenda Item:	22						
Date:	02/21/2008						
Time:	12:10:29 PM						
Vote Type:	Motion to Approve						
Description:	An Ordinance renaming the "Head Start Policy Commission" the "Head Start Policy Council," in accordance with federal regulations and approving amended Bylaws, to be effective upon adoption by the Head Start Policy Council. [Frances A. Gonzalez, Assistant City Manager; Dennis J. Campa, Director, Community Initiatives]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Sheila D. McNeil	District 2	x					
Jennifer V. Ramos	District 3	x					
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x			x	
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				



Head Start Program Governance

February 21, 2008

Purpose

- Reconstitute the Head Start Governance Structure
- The City Council Quality of Life Committee becomes the Governing Body of the Head Start Program
- Change the name of the Policy Commission to the Policy Council
- Amend the bylaws to reflect the name change

Background

- In April 2007, HHS conducted its triennial monitoring review of the Head Start Program, COSA and PCI
- Exit meeting cited verbal potential non compliances. DCI began to address those issues
- On October 4, 2007, DCI received official report from HHS on triennial monitoring review outlining areas of non-compliance, including the lack of a COSA Policy Council

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Action Plan

To address HHS Regulation CFR 1304.50, the following will be implemented:

- City Council Quality of Life Committee becomes the Governing Body of COSA's Head Start Program
 - More active role in governance to include program oversight
 - Monthly reports from COSA's Head Start Policy Council (PC) with items for review, discussion and approval
- Head Start Center visits
- Coordination with Head Start Policy Council



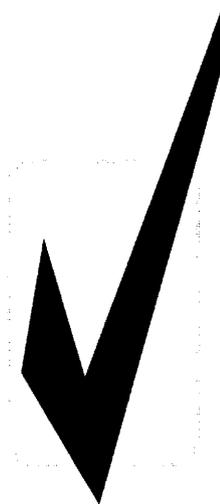
Action Plan

- Rename the Head Start Policy Commission to the Head Start Policy Council
 - Current members of the Policy Commission become the Policy Council and governing body for Head Start Program
- PCI's Policy Council will be abolished
- PCI will create a Policy Committee which will operate in accordance with Federal Regulations

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Agenda Item #22

**Staff recommends
approval of this
ordinance**



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CITY OF SAN ANTONIO
HEAD START POLICY ~~COMMISSION~~COUNCIL
AMENDED BY-LAWS

ARTICLE I

Name

- a) The name of this organization shall be the Head Start Policy ~~Commission~~Council, hereinafter designated as the HSPC.
- b) This organization is constituted as a nonprofit, nonpartisan organization with the full authority and purposes stated in Article II and Article III respectively.

ARTICLE II

Authority

An ordinance (No. 100987) establishing the HSPC ~~and~~ was passed by the City Council of the City of San Antonio on June 2, 2005 which states in Section ~~35~~, "A Head Start Commission comprised of fifteen (15) members, authorized to act as the Policy Council for San Antonio and Bexar County, in accordance with Head Start federal regulations, is established. The Head Start Commission shall be seated as determined by the San Antonio City Council in accordance with Head Start federal regulations. The appointments of members to the Head Start Policy Commission shall be authorized in a subsequent ordinance in accordance with Head Start ~~Federal federal Regulations~~regulations."

An ordinance (No. 2008-02-21-___) changing the name of the organization to the "Head Start Policy Council" and amending these bylaws was passed and approved by the City Council of the City of San Antonio on February 21, 2008.

ARTICLE III

Purposes

The HSPC shall:

- a) Provide governance with the authority and opportunity to participate in shared decision-making with the governing body or its representatives (Quality of Life Committee of City Council) concerning Head Start program design and implementation.
- b) Ensure delivery of quality services to eligible and currently enrolled families and children in the Head Start program.
- c) Be familiar with and comply with program policies and procedures as outlined by the United States Department of Health and Human Services (HHS) ~~and~~ particularly Appendix A to 45 CFR Part 1304 ~~and~~ Governance and Management Responsibilities.

- d) Assist in the development and approval/disapproval of procedures for planning and assessment of community strengths and needs.
- e) Approve/disapprove the selection of delegated agency (or agencies) and subsidiary partnerships to maximize services ~~of~~ to eligible children and families in the identified service areas of the community.
- f) Assist in the development, and approval/disapproval of criteria for defining recruitment, selection and enrollment priorities for eligible children according to 45 CFR Part 1305 of the Head Start ~~Regulations~~ regulations.
- g) Assist in the development and approval/disapproval of all funding applications, amendments and proposed work plans prior to submission to DHHS/ACF (Administration for Children and Families).
- h) Be involved in the annual Head Start program self-assessment of the grantee and delegate subsidiary agencies, and approve/disapprove recommendations for quality improvement, or any other actions resulting from ~~Federal~~ federal monitoring review, prior to submission to DHHS/ACF Head Start Bureau.
- i) Be familiar with the contract between the City of San Antonio and the delegate agency (or agencies).
- j) Be familiar with legal challenges to the Head Start program as they occur.
- k) Assist in the development of dispute resolution procedures in accordance with federal regulations. ~~ing resolution procedures.~~

ARTICLE IV

Membership

Section 1- Composition

The Head Start Policy ~~Commission~~ Council shall be composed of a minimum of 51% of parents of currently enrolled students in accordance with 45 CFR 1304.50 (b)(2). The delegate agency (or agencies) will oversee the yearly elections of eight (8) voting parent ~~delegates~~ members and 4 alternates. Seven (7) at-large Community Representatives will be appointed by the City Council. Total composition of the Policy ~~Commission~~ Council shall be fifteen (15) members. The Policy ~~Commission~~ Council is to be seated and hold its first scheduled meeting of the year no later than November 31st.

Section 2 - Term of Membership

- a) Elected Parent Members: The delegate parent committee(s) shall elect eight (8) parents and four (4) alternates of currently enrolled student for a term of one (1) year.

They may be re-elected to serve a second one (1) year term if their child(ren) continues to be enrolled.

- b) Appointed Community Members: Community representatives will be appointed by the City Council for a term of one (1) year.
- c) No member shall serve on the Head Start Policy ~~Commission~~Council for more than a total of three (3) years combined in accordance with 45 CFR 1304.50(Bb)(5).

Section 3- Termination of Membership

- a) If (a) an HSPC member's attendance at regularly scheduled meetings ~~(a)~~ falls below 50%. or (b) an HSPC member misses three (3) regularly scheduled consecutive meetings, the member will be automatically removed from the HSPC and a replacement will be sought.
- b) A Community Member who is automatically removed from the HSPC for failure to meet the attendance requirement is ineligible to seek appointment to the HSPC for a period of one (1) calendar year from the date of the Community Member's automatic removal.
- c) All Community Members serve at the pleasure of City Council and may be removed from office at the discretion of the City Council without cause, such removal to be evidenced by passage of an ordinance.
- d) A Community Member may be removed from office for cause by the City Council for the following reasons:
 - 1. Criminal indictment of the Community Member, or
 - 2. Credible evidence of prohibited interests as determined by the City Attorney's Office.

ARTICLE V

Salaries and Compensation

HSPC members shall receive no salaries or compensation for their services.

ARTICLE VI

Resignation

- a) Parent members who are unable to complete their term of office shall immediately inform the Chairperson in writing. The delegate agency (or agencies) will submit names for replacement of elected members. ~~The City Council will appoint replacement community members.~~
- b) Community Members must submit resignations in writing, filed with the Office of the City Clerk, and state the specific date of resignation from the HSPC. All resignations shall take effect without any further action by the City Council. The vacancy created by such resignation shall be advertised and a Community Member appointed in accordance with Ordinance No. 100199, passed and approved on December ~~17~~, 2004.₇

ARTICLE VII

Meetings

- a) HSPC meetings shall be conducted in accordance with the Texas Open Meetings Act. At any regular or special meeting of the Head Start Policy ~~Commission~~Council, a quorum shall consist of at least fifty percent (50%) of the membership. For the purpose of determining a quorum, vacant positions are not counted. Alternate parents will be considered as part of the quorum in all matters upon which the HSPC may vote. In all matters upon which the HSPC may vote, a majority of the members in attendance at the meeting shall be necessary for adoption.
- b) The HSPC shall meet on a regular basis as frequently as necessary and allowable in accordance with Texas Open Meetings Act stipulations, but not less than every other month.
- c) If the anticipated discussion moves toward matters that may be discussed in closed session pursuant to the Texas Open Meetings Act, on personnel issues and legal matters arise, any member may make a motion that the meeting go into executive session, requiring all nonmembers to leave the room until the Council votes to end the executive session. The motion requires a second and a majority vote to pass.
- d) The Department of Community Initiatives (DCI), HSPC liaison shall prepare and maintain minutes of HSPC meetings. Minutes shall be maintained in accordance with the City's Records Retention Schedule. All records are subject to the provisions of the Texas Public Information Act.
- e) If an HSPC member must be absent from a regularly scheduled meeting, s/he will notify City staff or HSPC chairperson prior to the meeting.
- f) If a quorum of the HSPC is not in attendance, the regular meeting shall not continue and a subsequent meeting date will be set. Failure to achieve a quorum during two consecutive meetings shall result in the immediate call for a Special Meeting at the earliest possible time. Notice of said ~~special~~ Special meeting Meeting shall be set forth in accordance with the posting requirements of the Texas Open Meeting Act.

ARTICLE VIII

Voting

- a) Each HSPC member appointed and elected will have one vote in all action items of the Council.
- b) Alternate members may participate in all discussion but may vote only in the absence of another Parent ~~member~~ Member from their area division. The maximum number of members voting is 15.

c) Proxy votes will not be allowed.

~~d) If a vote is deemed pressing and there is not a quorum, the members present may request City Staff to poll members by phone and report the vote by email or phone within one working day of the completed vote calls.~~

d) ~~e)~~ Passing vote will be considered that which is adopted by a majority of members in attendance at the meeting.

ARTICLE IX

Officers

Section 1 – Officers

The officers of the HSPC shall consist of:

1. Chair
2. Vice-Chair
3. Secretary

Section 2 - Electoral Process

The HSPC shall elect all officers from their membership.

- a) Election of officers shall be held in December of each year.
- b) Nominations for candidates will be made from the floor by voting members and shall be elected by majority vote.
- c) No write-in vote or absentee ballots will be accepted for or by any member.

Section 3- Term of Office

- a) Each officer will be elected to serve a one_(1) year term. No officer shall hold the same elected position for more than two_(2) consecutive terms.
- b) Outgoing officers shall serve in an advisory capacity to the newly Elected Executive Committee for a period of two (2) months in a non-voting manner. These officers shall be known as Head Start Policy ~~Commission~~Council Mentors.

Section 4 - Duties of Officers:

1. The Chairperson shall:

- a) Preside at all meetings of the HSPC.
- b) Appoint Special Committee Chairperson and/or committee members from the HSPC or community-at-large with the approval of the HSPC.
- c) Call meetings as deemed necessary and allowable under the Texas Open Meetings Act.
- d) Should a vacancy occur in the office of the Chair, the Vice-Chair will move to elect a new Chairperson.

2. The Vice-Chairperson shall:

Perform the duties of the Chair in the absence of the Chairperson.

3. The Secretary shall:

- a) Conduct the official correspondence of the HSPC as designated by the Chairperson.
- b) Keep and maintain a current list of the names, addresses and contact information of the membership with the assistance of the City Staff.

ARTICLE X

Subcommittees

1. HSPC establishes the following Standing Committees

- a) Application and Budget: The Application and Budget Committee responsibilities include but are not limited to attaining a detailed, specific understanding of the Head Start funding application process; identifying areas for performance improvement within the budget and relaying that information and any recommendations to the ~~Commission Council~~ HSPC; reviewing and maintaining a familiarity with the timeline for application approval to allow for timely ~~Commission Council~~ HSPC input; researching and identifying areas for ~~Commission Council~~ HSPC education and growth with respect to the application; identifying areas for potential policy revision that will move the Head Start program toward identified ~~Commission Council~~ HSPC goals and objectives as established by the Future Planning Committee and approved by the ~~Commission Council~~ HSPC.

- b) Assessment: The Assessment Committee responsibilities include but are not limited to ensuring the completion of the Community Assessment and the Self-Assessment for the grantee and delegate agency (or agencies) as set forth by federal regulations. The committee will be informed of periodic reviews and assessments as conducted by the Department of Community Initiatives and they shall provide input into that process to ensure public and community concerns are adequately represented.
- c) Future Planning Committee: The Future Planning Committee responsibilities include but are not limited to developing short- and long-range program goals; developing and maintaining a 12-month "roadmap" to track anticipated deadlines as well as documenting progressive visions of program enhancement and continuity; envisioning future early education needs of San Antonio children and families; identifying the potential avenues for growth and expansion of early childhood education; identifying opportunities for creating and/or enhancing community partnerships; and making recommendations to the ~~Commission Council~~ HSPC.
- d) The HSPC chairperson will appoint a chairperson to each standing committee. The membership of the standing committees will be approved by a majority of the HSPC. Standing Committees will be comprised of no less than 3 Head Start Policy ~~Commission Council~~ Members and no more than 5. The committee may also include other members of the community-at-large who are deemed to have pertinent skills or knowledge.
- e) Each Standing Committee Chairperson will keep the HS Policy ~~Commission Council~~ informed of ongoing projects through written or verbal reports at each regularly scheduled HSPC meeting.
- f) Each Standing Committee will meet as needed to discuss issues.
- g) On issues requiring a vote by the HSPC, the Committee Chairperson shall present a recommendation and supporting rationale to the HSPC.

2. Special Committees

- a) HSPC may establish Special Committees to review and address issues such as policies and procedures that may arise during regular HSPC meetings that require more time for analysis prior to consideration by the HSPC. For record keeping purposes, Special Committees will be given a descriptive name for the duration of the issue at hand.
- b) The HSPC Chairperson will appoint a Chairperson to the Special Committee and obtain approval by a quorum of the HSPC. Any Special Committee will be comprised of no less than 3 HSPC Members and no more than 5, and may also include other members of the community-at-large who have skills or knowledge pertinent to the issue at hand.

- c) Each Special Committee shall keep a record of its activities and findings and shall report updates to the HSPC at each regular meeting.
- d) Each Special Committee shall be responsible for establishing operational procedures specific to their assigned task. Those procedures shall be in keeping with established HSPC policies and procedures, and shall be made available for review by the HSPC Chairperson or the HSPC if required.

3. Standing and Special Committees (Subcommittees)

- a) The size of a subcommittee's membership will be 3 to 5 members.
- b) The chair of the subcommittee shall be a member of the HSPC. Subcommittees shall be created for a specific purpose and shall operate for a specific time period. A subcommittee will automatically dissolve upon completion of its charge or the time prescribed by City Council, without any further action by the City Council.

ARTICLE XI

Reporting

- a) The HSPC Chair or designee, with assistance of City Staff, shall submit a report to the Quality of Life Committee of the City Council on a monthly basis.
- b) The HSPC may be called upon at any time to report to the Quality of Life Committee of the City Council or the Mayor at the Mayor or City Council's discretion.

ARTICLE XII

Ethics Code

- a) All HSPC members shall be subject to the requirements set forth in the City's Ethics Code, as applicable to City Officials.
- b) All Community Members must file a Financial Disclosure Report with the Office of the City Clerk upon appointment, and annually thereafter, throughout the member's term. Failure to file a Financial Disclosure Report within the time required by the City's Ethics Code will be considered an automatic removal, and therefore the member will be ineligible to hold office.
- c) A Community Member who is automatically removed from the HSPC for failure to file a Financial Disclosure Report is ineligible to serve on the HSPC or any other board or commission for a period of one (1) calendar year from the date of the Community Member's automatic removal.

ARTICLE XIII

Amendments

These By-Laws may be amended at any regular meeting by a vote of a -majority of members and shall become effective at the close of said meeting.

ARTICLE XIV

Boards and Commissions Ordinance

The HSPC shall operate in conformance with City Council Ordinance No. 100987 passed and approved on June 2, 2005, and by Ordinance No. 2008-02-21 _____. Copies A copy of said ordinances are-is attached hereto and incorporated herein for all purposes as Attachments I and II.

I hereby certify that this is a true and correct copy of the amended Head Start Policy ~~Commission~~Council By-Laws as approved by a ~~quorum~~ of said ~~Commission~~Council on the date indicated below.

Date: _____