

**West Orange-Cove Consolidated
Independent School District
North Early Learning Center
Head Start Program**

2010 - 2011

**Internal Dispute Resolution Procedure
And Impasse Procedures**

It is the practice of the West Orange-Cove Consolidate ISD Head Start Program to resolve all disagreements between any parties in its executive leadership fairly and expeditiously. Whenever possible, disagreements will be resolved through processes of mediation and conciliation, through discussion, compromise and consensus seeking among parties. If the parties agree that a mediation solution is possible, professional mediation may also be employed. Failure of mediation, ether formal or informal, to produce agreement will result in binding arbitration.

Definitions

Executive Leadership. Includes the West Orange Cove CISD Board of Trustees, the Superintendent, the Head Start Policy Council and the Head Start Director.

Disagreement. An internal dispute exists when two or more groups or individuals who share the formal approval disapproval function as defined in Appendix A (1304.50 b) of the Head Start Program Performance Standards fail to agree.

Impasse. A situation resulting when formal and/or informal processes of mediation fail to produce agreement.

Procedure

The business of the Board of Trustees and Policy Council in formal approval/disapproval of recommendations shall be conducted using parliamentary procedures. Parliamentary Procedures shall ensure that the majority rules and ensures the rights of the minority to be heard.

Notification of disagreement. When two parties fail to agree, it shall be the responsibility of the individual or chairperson of the group which acts last to notify the other(s) within two (2) working days by telephone, mail or electronic means that a disagreement exists.

Informal Communication. Within five (5) working days of notification, representatives of the disagreeing parties shall meet to discuss informally the disagreement. Each entity shall choose two (2) representatives to meet as a work group to attempt to achieve consensus or compromise. The Superintendent and the Head Start Director may also

attend the meeting. During a meeting not to exceed three (3) hours, the group shall attempt to resolve the disagreement by informal mediation, compromise, consensus seeking, or conciliation. If an agreement is reached, representation will return to their respective entity with the proposed solution. Failure to reach an agreement may result in a decision by the work group to engage in professional mediation or turn the process over to binding arbitration.

Formal mediation. If a majority vote of the group involved in informal communication agrees that professional mediation is warranted, a professional mediator will be contacted. Costs for this service, if any, will be borne equally by the Head Start Program and the grantee. Mediation should begin within five (5) working days of the decision to pursue formal mediation. If an agreement is not reached through the formal mediation process after no more than four (4) hours of mediation, an impasse shall be said to occur and the disagreement shall be bound over for arbitration.

Notification of impasse. It shall be the responsibility of the Executive Director to notify in writing or electronically the chairperson of the group(s) and/or individuals involved within two (2) working days that an impasse exists and the matter will be resolved through binding arbitration. If the impasse has the likelihood of leading to termination or denial of refunding of the Head Start grant, the Executive Director will notify the Region VI Administration for Children and Families of the impasse within ten (10) working days.

Arbitration. Where there is an impasse between individuals or groups within the executive leadership of West Orange Cove and the Head Start Program, the parties shall submit the dispute to binding arbitration in accordance with the following rules and procedures:

Composition of Arbitration Panel. The arbitration shall be conducted by a panel of three (3) arbiters. In the case of an internal dispute, one arbiter shall be the Board Chairperson (or designee) and the other the Head Start Policy Council Chairperson (or designee). Each party shall select its arbiter within five (5) working days of notification of impasse and submit the names, address and other contact information to the Executive Director. Failure of either party to designate an arbiter within specified period shall be a default and shall be considered to be agreement with the other part's action.

The third arbiter, who will chair the panel will be appointed and not related or have any affiliation with any parties involved and shall serve without compensation and shall not be currently associated with the Head Start Program of West Orange-Cove CISD.

If the parties involved are not able to reach an agreement within four (4) hours, the decision of the impartial arbitrator shall be binding.