

Simplified Parliamentary Procedure

Parliamentary procedure exists to facilitate the transaction of business and to promote cooperation and harmony. Policy groups and governing bodies can use this resource as a guide for implementing parliamentary procedures for running effective meetings.

I. ORDER OF BUSINESS

- A. Call to order
- B. Roll call
- C. Minutes, read and approved or corrected
- D. Report of committees
 1. Standing committees
 2. Special committees
- E. Unfinished or old business
- F. New business
- G. Announcements
- H. Adjournment

II. PROPER PROCEDURE FOR HANDLING A MOTION

- A. Member rises or signifies they would like to speak and addresses chairperson
- B. Chairperson recognizes member by saying name or nodding
- C. Member states motion
- D. Chairperson asks for a second if one is not offered voluntarily
- E. Chairperson states the motion.
- F. Chairperson asks for discussion if it a debatable motion.
- G. When discussion ceases, chairperson restates motion and asks for a vote.
- H. Chairperson gives results of vote and declares the motion passed or failed. (Some motions do not require all 8 steps see section III for variations).

III. MOTIONS MOST OFTEN USED DURING A MEETING

Motions have rank or precedence, those of lower rank yield to those of higher rank, resulting in more than one motion of the floor at one time. A higher ranking motion can be moved during the discussion period of the motion before the assembly. The following motions are listed according to their rank, starting with the lowest.

- A. The main motion
 1. Phraseology: *"I move..."*
 2. Rules for procedure:
 - a. Requires the 8 steps as described in proper procedure, section II.
 - b. Majority vote
- B. Amendment (a change in a motion by adding, subtracting or substituting words)
 1. Phraseology: *"I move we amend the motion by..."*
 2. Rules for the procedure:
 - a. Requires 8 steps in as described in proper procedure
 - b. Majority vote
 3. An amendment to an amendment changes or modifies the original amendment. Say, *"I move we amend the amendment by..."*. Use same rules for procedure as above for the original amendment.

C. Refer to committee

1. Phraseology: *"I move we refer this matter of..."*
2. Rules for procedure:
 - a. Requires the 8 steps in proper procedure
 - b. Majority vote

D. Postpone to a certain day

1. Phraseology: *"I move we postpone consideration of this motion until..."*
2. Rules for procedure:
 - a. Requires 8 steps in proper procedure
 - b. Majority vote

E. Close debate (to stop discussion upon the motion)

1. Phraseology: *"I move we close debate and vote immediately on the pending question."*
2. Rules for procedure:
 - a. Requires 7 steps of the proper procedure - omit discussion (step F)
 - b. Two-thirds vote

F. Lay on the table

1. Phraseology: *"I move we table this motion concerning..."*
2. Rules for procedure:
 - a. Requires 7 steps of the proper procedure - omit discussion (step F)
 - b. Majority vote
3. Motion to take from the table is the method used to bring the motion back on the floor for discussion after a period of time has elapsed, Say, "I move we take from the table the motion..." The same rules as for lay on the table apply.

IV. OTHER USEFUL MOTIONS

A. Withdraw a motion (to retract, recall or take back a proposed motion)

1. Phrase: *"I wish to withdraw the motion concerning..."* This is made by the originator of the motion.
2. Rules for procedure:
 - a. If a member objects to the withdrawal, a motion by another member is in order.
 - b. Requires 7 steps of the procedure- omit requirement of a second. (step D)
 - c. Majority vote.

B. Reconsider (motion to bring an old motion on to the floor)

1. Phrase: *"I move we reconsider the vote on the motion..."*
2. Rules for procedure:
 - a. Requires 6 steps of the proper procedure - omit interruption of speaker (step A) and recognition by chairperson (step B)
 - b. Majority vote

C. Point of order (member indicates an error in parliamentary procedure)

1. Phrase: *"I rise to a point of order."*
2. Rules for procedure:
 - a. May interrupt a speaker; does not need recognition; does not need a second
 - b. Decision made by chairperson

D. Parliamentary inquiry (member asks if an error has been made in procedure)

1. Phrase: *"I rise for parliamentary inquiry."*
2. Rules for procedure: same as for point of order

E. Division (to obtain an accurate account of the vote)

1. Phrase: *"I call for division."*
2. Rules for procedure: same as for point of order

F. Questions of privilege (matters concerning personal comfort)

1. Phrase: *"I rise to a question of privilege,"*
2. Rules for procedure: same as for point of order
3. Variation: individual raises hand of request and states "personal privilege."

G. Adjourn (motion to end the present meeting)

1. Phrase: *"I move we adjourn."*
2. Rules for procedure:
 - a. Requires 7 steps in proper procedure - omit discussion
 - b. Majority vote

How to attempt to pass a motion

1. Second the motion immediately.
2. Give arguments for it during the discussion.
3. Vote for the motion.
4. Vote against any motion to postpone the original motion indefinitely.
5. Move to amend it, to perfect or improve it.
6. Vote against the motion to close debate in order to continue to discuss the motion's good points.
7. Vote against the motion to table.
8. Vote against the motion to recess.
9. Vote against the motion to reconsider.
10. Carry out motions immediately, so the motion to rescind cannot be used.
11. Vote against motion to adjourn.
12. The only way to carry a motion is to get the votes. Have your supporters at the meeting and encourage them to vote your way.

How to attempt to defeat a motion

1. Do not second the motion.
2. Give arguments against it during the discussion.
3. Vote against the motion.
4. Move to postpone indefinitely in an attempt to "kill" it.
5. Move to amend it to make it undesirable or complicated.
6. Move to refer it to a committee to delay action.
7. Move to postpone it to the next meeting to delay action.
8. Move to close debate to stop further discussion of good points.
9. Move to table the motion.
10. Move to take a recess to delay the discussion and vote.
11. If opponents win, move to reconsider the motion.

12. If opponents win and action has not been taken, move to rescind it.

13. Move to adjourn in order to prevent voting.

NOTE: Parts I and II of this outline are referenced most often.

REFERENCES

Cann's Keys to Better Meetings: Parliamentary Procedure Simplified , Majorie Mitchell Cann, HB Publications, 1990.

Robert's Rules of Order-Newly Revised, General Henry M. Robert, The Scott, Foresman and Company, 1990.

The New Robert's Rules of Order, Mary A. De Vries, Signet, 1990.

Robert's Rules of Order, Batam Book, 1982.

Robert's Rules of Order Revised, General Henry M. Robert, Morrow Quill Paperbacks, 1979.

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Simplified Parliamentary Procedure. University of Wisconsin-Stout. Involvement and Leadership Center, Student Life Services. 2003. English.

Tip Sheet of Parliamentary Procedures for Policy Groups

Tips on general rules and procedures for policy-making groups to conduct business are delineated. This tip sheet can be used by program staff and policy groups in furthering their understanding of basic parliamentary procedures and tips for conducting effective meetings.

Parliamentary Procedures exist to facilitate the transaction of business and to promote cooperation and harmony among its members.

1. All members have equal rights, privileges, and obligations.
2. The majority has the right to decide.
3. The minority has rights, which must be protected.
4. A **Quorum** must be present for the group to act.
5. Full and free discussion of every motion considered is a basic right.
6. Only one question at a time can be considered at any given time.
7. No member can speak until recognized by the Chairperson.
8. The Chairperson should be strictly impartial.

Suggestions for Effective Meetings

1. Effective meetings require planning in advance, both on the part of the person who chairs them and of the people who participate.
2. Do not have meetings unless it is necessary.
3. Don't engage in political game playing or parliamentary maneuvering. Members must commit themselves to the group purpose.
4. Listen to what others at the meeting have to say.
5. Make sure you understand the reason for a meeting and do your homework in accordance with this understanding.
6. Actively engage in the discussion.
7. Recognize that five kinds of knowledge are all needed for a successful meeting participant:
 - Knowledge of the subject matter at hand
 - Knowledge of parliamentary rules of order
 - Knowledge of the power to persuade
 - Knowledge of problem solving and decision-making
 - Knowledge of human social-emotional dynamics
8. Be sure the purpose of each meeting, and each item on the agenda, is clear to the members:
 - To share ideas and information only
 - To brief members before action
 - To generate new ideas
 - To make a decision
 - To make a recommendation
9. Be sensitive to the physical, informational, and social needs of others.
10. Suggest committee work when an issue is too big for the group or the group hasn't adequately considered the topic. Demand hard work and good reports from the committee.

Motions and Voting

Steps:

1. Member makes a motion.

2. Another member seconds the motion.
3. The Chairperson states the question on the motion.
4. Debate/ Discussion of the motion.
5. The Chairperson puts the question to a vote by restating the question, asking "All in favor, say aye", then "Those opposed, say nay."
6. The Chairperson announces the results of the vote.

Source: Evanston Head Start

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Tip Sheet of Parliamentary Procedures for Policy Groups. Evanston Head Start, Childcare Network of Evanston, IL. n.d. English.

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Choosing the Right Officers

Involvement in the Policy Council and Policy Committee and the local Parent Committees empowers the active participation of parents and other community representatives. This resource can be used by program directors, policy groups and governing bodies in establishing procedures for choosing officers.

Choosing the right officers doesn't begin when the nominating committee is given the membership list and instructed to find members to serve. It really begins when a member joins the organization.

Every member has the possibility of serving in some leadership position if allowed to grow and develop with the organization. But the first thing the other members have to do is recognize the abilities and talents of other members.

If a few people are doing all the work in an organization, then there needs to be some soul searching and self-examination. Members might ask the following questions:

Are we giving new members an orientation where we explain the purpose and goals of the organization?

Do we explain what the officers do? What the various committees do?

Do we tell the new members what we expect of them?

Do we assign a new member a mentor?

Do we get to know the member and his talents so that he can be assigned to the right committees?

Do we give new members any information about basic parliamentary knowledge so that they can make motions at meetings and follow the business at the meetings?

Do we assign them to committee work immediately or do we make them wait awhile?

Do the members think that only certain individuals can do things?

Is there an inner circle in the organization so that others feel excluded?

If someone isn't doing their job well do we criticize or offer to help them?

Do committee chairmen allow the committee members to have input or do they run the entire show and just order the committee members around?

Does the president allow members to present business and participate in discussion? Or does the president act as a tyrant?

How an organization answers these questions will determine the kind of organization and what happens to new members.

The successful organization that retains members is active and growing, is the one that recognizes and uses the talents of all the members. Those organizations that have an inner circle or just a few people doing the work will no doubt not exist within a few years.

Organizations must encourage all members to work and develop their skills. The older students should mentor the younger students so when they graduate, the remaining students are prepared to take over. This not only means in carrying out the day to day duties of the organization but also in such matters as parliamentary competition. Continuity is the key factor. The organization is an entity in and of itself. Members come and go. By having mentors, training sessions, and a constant appreciation of everyone's work and talents, the organization will survive the transition of graduating seniors and incoming freshman.

How the Nominating Committee Should Select the Nominees

The purpose of a nominating committee is to find the best people for each office. One might say that this is a screening committee for the organization. This committee is to find the best nominees for this office and to see if the person is willing to serve. So the when the members elect someone they know that the person is qualified and has said that he or she will serve.

When the nominating committee is selected, they should be given a list of all the eligible members and what the specific needs of the organization are at that time. Officers should be selected to fill those needs. For example if the organization needs to set up a new computerized system for keeping track of dues, expenditures and that would give detailed reports, then the nominee should possess the skills to do that. If the organization wants to start working with other clubs, and they want the president to be the emissary, then the committee should select someone that is outgoing and knows how to work well with others. It is important for the committee members to be unbiased and select the best people for office and not just their friends. They should also consider how the new slate would work together. If they know that two people have personality conflicts, then it might not be wise to have them on the same slate.

Passing the Torch

After the election it is important that the previous officers meet with the new ones. The outgoing officers should give the incoming officers their files and go over the information with them. If at all possible there should be a training session for the new officers. The new president should be trained

in parliamentary procedure, how to conduct a meeting, prepare an agenda, and other necessary information needed to fulfill his duties.

The treasurer should be brought up to date with the financial records of the organization. If these are on the computer, then he or she should be made familiar with the program and how to give reports. The secretary should be trained in how to take the minutes, what to include in them and the correct way of writing the minutes and keeping them in a permanent book.

If the officers comprise the executive committee or board then they should be brought up to date with the activities of the previous one and what is expected of them in this new position. The more new officers are trained and mentored the easier the transition will be. This will also ensure continuity.

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Choosing the Right Officers. McConnell, Robert. Parliamentary Internet Newsletter. Volume 11, Issue 1. 2006. English.

E - Program Governance

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E – 002 Can individuals serve as voting members of both the Governing Board and the Policy Council?

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E – 006 45 CFR Part 1304.50(f) states that Head Start programs must enable low-income members of the program's Policy Council, Policy Committee or Parent Committee to participate fully in their group's responsibility, including, if necessary, reimbursements for reasonable expenses incurred by the members. Are programs mandated to provide reimbursements to over-income members?

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E – 012 Are "policies", "plans" and "procedures" interchangeable terms in the Program Performance Standards, or do they have different meanings? Are programs required to have separate documents on file to demonstrate compliance with requirements for these three activities when the Program Performance Standards say they must be "written"? Please explain.

E – 013 What should the content of child abuse training for Head Start staff include? Who should conduct the training? Who should receive the training?

E – 014 We operate an Early Childhood Education Center on an Indian Reservation that includes both an Infant Toddler program funded with federal and Tribal dollars, and a Preschool Program funded with federal Head Start and Tribal dollars. Both programs follow the Head Start Performance Standards and there is a single Policy Council that serves both programs. The Policy Council has 11 members. Six members (55 %) are parents of enrolled Head Start children, three are parents of children enrolled in the Infant Toddler program, and two are appointed representatives of our local school board and the tribal council. Is the composition of our Policy Council in compliance with the Head Start Performance Standards?

E – 015 If a current staff person applies for a vacant position within the program and this is considered to be a lateral transfer or promotion, and the staff person is determined to be the successful candidate, is Policy Council approval necessary?

E – 016 Can a Head Start Director terminate staff without getting an approval from the Policy Council or the Board?

E – 017 Are Head Start agencies at will to develop employee policies and procedures or are there standards/guidelines that must be followed?

E – 018 If a parent committee officer has misused funds from a fundraiser for the center and has a felony charge for fraud, can they be an officer the next upcoming year?

E – 019 By the end of August at the delegate agency where I work, Parent Involvement coordinators will be establishing the Parent Committees in each of the centers and the Policy Committee. Our written procedures gives the opportunity to Parent Committees to organize with a board even if this parent elected to the board is a staff or member of their immediate families. BUT they are not permitted to serve on the Policy Committee. Only parents that are not staff or are not members of their immediate families CAN serve on the Policy Committee.

My question is if this procedure is in compliance with the regulation below 1304.50(b)(6)

(6) No grantee or delegate agency staff (or members of their immediate families) may serve on Policy Councils or Policy Committees except parents who occasionally substitute for regular Early Head Start or Head Start staff. In the case of Tribal grantees, this exclusion applies only to Tribal staff who work in areas directly related to or which directly impact upon any Early Head Start or Head Start administrative, fiscal or programmatic issues.

E – 020 Can a Head Start center change its hours without parents' input?

E – 021 What are the membership requirements of the governing body?

E – 022 Are tribal governments exempt or excluded from the governing body composition requirements?

E – 023 Concerning the new requirements for Board Members, what constitutes a background and expertise? Do they have to have a Bachelor

degree in the area or work experience or what?

E – 024 May a governing body form an advisory committee (or sub-board) to oversee responsibilities related to program governance?

E – 025 Do community representatives on the Policy Council now have to be elected by the parents?

E – 026 We have the following questions regarding the governing body licensed attorney requirement:

1. Does "licensed attorney" include an attorney who is licensed in a state other than the one in which the Head Start program is located?
2. Does "licensed attorney" include an attorney who is retired, and registered with the state bar but no longer required to maintain continuing legal education courses?

E – 027 What are the governing body membership requirements?

E – 028 What are the selection and election requirements concerning members of the Policy Council?

E – 029 What is a "conflict of interest" in a Head Start agency? What guidance can the Office of Head Start (OHS) provide to Head Start agencies trying to address possible conflict of interest situations involving governing body members?

E – 030 Can members of the governing body be reimbursed for child care and/or mileage expenses for attending board and committee meetings?

OHS – PC – E – 001

Is the term of a Policy Council member limited to three years total even if the individual relocates to another area/program?

If a member of the Policy Council completes three years of service on a Policy Council for one program, it should prevent the individual from serving on another Policy Council if that individual should relocate to another area.

The Head Start Program Performance Standards at 45 CFR 1304.50(b)(5) has determined that Policy Councils and Policy Committees must limit the number of one-year terms any individual may serve on either body to a combined total of three terms.

Requirement

45 CFR 1304.50(b)(5)

July 11, 2006

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OHS – PC – E – 002

Can individuals serve as voting members of both the Governing Board and the Policy Council?

Programs have flexibility when deciding Board and Policy Council membership procedures and rules. The regulations state that the Board and Policy Council cannot have identical membership but that does not mean that a member of the Board is prohibited from being a voting member of the Policy Council and conversely a Policy Council member could also be a voting member of the Board as long as such an arrangement is in the by-laws of the Board and the Policy Council.

Informal Guidance

March 15, 2007

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OHS – PC – E – 003

How can a Policy Council participate in the hiring and termination of staff who are employed by a school district?

With the increase of Head Start – State Pre-Kindergarten partnerships, there have been numerous instances of shared human, fiscal and material resources by Head Start agencies and local school districts. In some cases, these partnerships pose new challenges for the implementation of shared governance.

The Head Start philosophy and regulations support the participation of parents through shared governance in decisions about their local Head Start program. For example, the Policy Council must approve decisions to hire or terminate any person who "works primarily for the Early Head Start or Head Start program of the grantee or delegate agency". If a Head Start agency pays the school district for the services of the district's employees (or claims the value of their services as non-federal share), the Head Start agency should determine whether the dollar amount constitutes more than half of the particular individual's compensation. If it does, the Policy Council shares approval authority with the governing body and key management staff over the hiring and termination of the school district employee's employment, in so far as it involves working in the Head Start program.

In addition, whether or not the employee meets the "works primarily for" criteria, a Policy Council still has a role to play in participating in decisions about the status of school district employees playing significant roles in the Head Start program. When a Head Start agency transfers the performance of substantive programmatic work, such as teaching or administration, to a third party, such as a school district, that transfer constitutes a "change in scope". A "change of scope" requires the prior approval of the Regional Office. In order to obtain prior approval, a grantee

must submit to the Regional Office in its annual grant application (or proposed modification) a description of proposed collaboration. Consistent with the provisions of 45 CFR Part 1304.50(d), this grant application must be approved by the Policy Council. Grantees that are pursuing cooperative relationships with school districts are encouraged to involve the Policy Council early on in any discussions with the school so that issues can be addressed as the agreement is being developed and all parties involved will have a clear understanding of the nature of the collaboration.

Informal Guidance

April 23, 2007

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OHS – PC – E – 004

How can a Head Start program hire an individual in an emergency situation during which it is not possible to first obtain Policy Council approval?

A decision by a Head Start grantee (or delegate agency) to hire or terminate any person who works primarily for the Head Start program requires the approval of the program's Policy Council (or Policy Committee). However, there may occasionally be situations that necessitate a program finding a suitable replacement for an important staff position before it is possible to obtain Policy Council approval. For example, a key member of the staff who performs critical functions for the program might be involved in a serious accident during a weekend. Such situations, although uncommon, do occur and pose risks to the continuing capacity of the Head Start program to provide uninterrupted services to children and families. The Office of Head Start expects all Early Head Start and Head Start grantees and delegate agencies to develop policies and procedures for the emergency hiring of personnel. These policies and procedures should be included in the agency's personnel policies or bylaws, or both. The policies and procedures should address emergency hiring procedures, including a discussion of how to assure the Policy Council is afforded a timely opportunity to fulfill their staff hiring and termination approval responsibilities.

Head Start agencies are reminded that before employing an individual they are required to obtain a criminal background check.

See ACF-PI-HS-08-04.

Informal Guidance

April 23, 2007

Revised September 25, 2008

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OHS – PC – E – 005

What training should governing body members receive?

This Policy Clarification is currently under review.

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OHS – PC – E – 006

45 CFR Part 1304.50(f) states that Head Start programs must enable low-income members of the program's Policy Council, Policy Committee or Parent Committee to participate fully in their group's responsibility, including, if necessary, reimbursements for reasonable expenses incurred by the members. Are programs mandated to provide reimbursements to over-income members?

No. Programs are mandated to provide reimbursement only to low-income families. Programs, at their discretion, may, however, provide reasonable reimbursement to all members.

Requirement

45 CFR 1304.50(f)

June 19, 2007

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OHS – PC – E – 007

What approval decisions must be made by Policy Councils?

This Policy Clarification is currently under review.

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OHS – PC – E – 008

If a parent is a Policy Council alternate, but does not actually vote for anything during an entire program year, must the grantee still count that as one of the three terms that the parent is allowed to serve on a Policy Council?

No. If a parent alternate does not actually cast a vote during a program year, that individual did not actually serve as a Policy Council member. He/she would be allowed to serve up to three terms as a Policy Council member if elected or re-elected.

Requirement**45 CFR 1304.50(b)(5)**

July 3, 2007

[Top▲](#)**OHS – PC – E – 009****How many terms can the President of the governing body serve?**

45 CFR 1304.50(g)(1) requires the governing bodies of Head Start grantees and delegate agencies to have written policies that define the roles and responsibilities of the governing body members. However, neither the Head Start statute nor regulations govern such issues as limitations on the number of terms an officer or member of the governing body may serve. Such term limits remain an internal organizational matter.

Informal Guidance

July 13, 2007

[Top▲](#)**OHS – PC – E – 010****Can a parent member of the Policy Council be hired as a temporary or regular part-time employee of the Head Start agency?**

In accordance with 45 CFR 1350(b)(6), an individual may not serve on the Policy Council and also be hired as a temporary or regular employee of the Head Start agency.

However, there is one exception permitted. A parent member of the Policy Council may "occasionally substitute for regular Early Head Start or Head Start staff."

Requirement**45 CFR 1350(b)(6)**

July 13, 2007

[Top▲](#)**OHS – PC – E – 011****What can you do if you suspect that a member of the governing body is receiving or taking advantage of Head Start funds?**

Any allegations of misuse of Head Start grant funds or concerns about the use of such funds should be addressed to the Regional Office and should include as much factual detail and specificity as possible.

Informal Guidance

July 13, 2007

[Top▲](#)**OHS – PC – E – 012****Are "policies", "plans" and "procedures" interchangeable terms in the Program Performance Standards, or do they have different meanings? Are programs required to have separate documents on file to demonstrate compliance with requirements for these three activities when the Program Performance Standards say they must be "written"? Please explain.**

The terms "policies", "plans" and "procedures" are all concerned with directing or guiding present and future action by the governing body and Policy Council, management, and staff of the Head Start program. These terms are not interchangeable. Although they have some similarity, the three terms are progressively more specific in their focus.

The governing body and Policy Council have responsibility for developing or approving policies for a Head Start program. When the program leadership decides what organizational goals to achieve and chooses a definite course of action, they explain through policy what the program's course of action is and will be. Policy determines or guides future decisions important to the Head Start mission. Policies are statements of ways that an organization intends to achieve its mission and various goals.

Plans may be the responsibility of the governing body and Policy Council, management or staff. Plans are concerned with breaking down what needs to be done to accomplish a goal into a series of steps to be carried out over a specified period of time, by particular assigned individuals, in a particular location(s). Plans typically include schedules of events or activities. They tend to focus on when, where and who will carry out the series of steps necessary to achieve the goal.

Procedures may be the responsibility of the governing body and Policy Council, management or staff. Procedures focus on how individuals and groups are to perform their responsibilities, in carrying out specific steps or protocols. A set of instructions may detail the sequence, timing and

execution of specified actions necessary to complete a task(s) or step(s). Procedures are a particular way to get something done for the organization.

A particular policy may require a plan(s) and procedures. The Program Performance Standards do not prescribe that these be separate or integrated documents. Written policies, plans, and procedures may be separate documents, or they may be integrated, at the discretion of each program.

Informal Guidance

July 31, 2007

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OHS – PC – E – 013

What should the content of child abuse training for Head Start staff include? Who should conduct the training? Who should receive the training?

Child abuse and neglect training for Head Start staff is particularly important due to the serious consequences for Head Start children when it occurs, and also when it goes undetected or unaddressed by the adults who are involved with those children directly impacted. The individual(s) who trains Head Start staff must be qualified to train on the local, state, and federal requirements concerning child abuse and neglect. The knowledge, skills and experience in the field of child abuse and neglect generally resides in the local child protective services agency. Head Start programs should collaborate with child protective services agencies to determine the appropriate training content and qualifications of trainers. The child protection agency may directly provide the training to Head Start staff, or they may co-train with appropriate Head Start staff trainers. If a particular child protection agency is over-burdened, the Head Start program should request referral to another qualified training resource(s) available in the community. For example, in some areas the local school district has qualified social workers to train school personnel on child abuse and neglect identification and reporting. These trainers may be made available to Head Start through partnership agreements. There may be other qualified trainers available as well. The Head Start program must document agreements and decisions concerning training content, and trainer qualifications. Programs should maintain an ongoing record of training conducted, names and qualifications of trainers, and names and positions of trainees.

At a minimum, the content of training should include identification and reporting of child abuse and neglect, State statute requirements concerning child abuse and neglect, the Head Start program's plan, including procedures for responding to suspected or known child abuse and neglect, and any collaborative agreements between Head Start and the child protective services agency. Training should also include policies and procedures for the identification and reporting of child abuse and neglect allegedly committed by Head Start agency personnel.

Since all Head Start staff come in contact with Head Start children and their families in the course of performing their various responsibilities, the training should be provided to all Head Start staff. The governing body and Policy Council should also be provided appropriate training on child abuse and neglect to ensure that they have the necessary knowledge to provide oversight to Head Start management on the implementation of local, State and federal requirements.

Requirement

45 CFR 1304.52(k)(3)(i)

July 31, 2007

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OHS – PC – E – 014

We operate an Early Childhood Education Center on an Indian Reservation that includes both an Infant Toddler program funded with federal and Tribal dollars, and a Preschool Program funded with federal Head Start and Tribal dollars. Both programs follow the Head Start Performance Standards and there is a single Policy Council that serves both programs. The Policy Council has 11 members. Six members (55 %) are parents of enrolled Head Start children, three are parents of children enrolled in the Infant Toddler program, and two are appointed representatives of our local school board and the tribal council. Is the composition of our Policy Council in compliance with the Head Start Performance Standards?

This Policy Clarification is currently under review.

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OHS – PC – E – 015

If a current staff person applies for a vacant position within the program and this is considered to be a lateral transfer or promotion, and the staff person is determined to be the successful candidate, is Policy Council approval necessary?

Yes. In accordance with 45 CFR 1304.50(d)(1)(xi) Policy Council approval is required for hiring of any person who works primarily for the Early Head Start or Head Start program. This would apply to hiring a current staff person for a new position.

Requirement

45 CFR 1304.50(d)(1)(xi)

August 21, 2007

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OHS – PC – E – 016

Can a Head Start Director terminate staff without getting an approval from the Policy Council or the Board?

Staff cannot be fired without Policy Council approval. (The only exception is that if a grantee's personnel policies permit, a probationary employee can

be terminated without Policy Council approval.) If the Board has delegated, in writing, responsibility for decisions related to the termination of staff to the Executive or Head Start Director a staff member can be terminated without explicit authority from the Board. It is expected, however, that even when firing decisions have been delegated, the Board will be regularly apprised of any personnel changes.

Requirement

45 CFR 1304.50(d)(1)(xi)

September 26, 2007

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OHS – PC – E – 017

Are Head Start agencies at will to develop employee policies and procedures or are there standards/guidelines that must be followed?

Each Head Start grantee should develop its own policies and procedures that reflect that grantee's particular needs. However, grantees must assure any such policies and procedures conform to all relevant local, state and federal statutes such as, for example, compliance with the Fair Labor Standards Act.

Requirement

45 CFR 1301.31

September 26, 2007

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OHS – PC – E – 018

If a parent committee officer has misused funds from a fundraiser for the center and has a felony charge for fraud, can they be an officer the next upcoming year?

Head Start regulations governing Parent Committees at 45 CFR 1304.50(a)(1)(iii), 1304.50(a)(2), 1304.50(a)(3), and 1304.50(e) establish standards for Parent Committee structure and minimum responsibilities related to shared governance. However, specific operational procedures governing membership on Parent Committees—and mechanisms for removal—are assigned to the discretion of local programs. In the situation described, it is up to the local program as specified in Parent Committee procedures to determine the grounds for removal of a Parent Committee member or the conditions for serving as a Parent Committee officer. It remains, however, the expectation of ACF as the funding agency that local programs will take every measure to ensure Federal funds are safeguarded and not misused by Policy Councils, Policy Committees, or Parent Committees.

Informal Guidance

October 10, 2007

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OHS – PC – E – 019

By the end of August at the delegate agency where I work, Parent Involvement coordinators will be establishing the Parent Committees in each of the centers and the Policy Committee. Our written procedures gives the opportunity to Parent Committees to organize with a board even if this parent elected to the board is a staff or member of their immediate families. BUT they are not permitted to serve on the Policy Committee. Only parents that are not staff or are not members of their immediate families CAN serve on the Policy Committee.

My question is if this procedure is in compliance with the regulation below 1304.50(b)(6)

(6) No grantee or delegate agency staff (or members of their immediate families) may serve on Policy Councils or Policy Committees except parents who occasionally substitute for regular Early Head Start or Head Start staff. In the case of Tribal grantees, this exclusion applies only to Tribal staff who work in areas directly related to or which directly impact upon any Early Head Start or Head Start administrative, fiscal or programmatic issues.

Head Start regulations at 45 CFR 1304.50(b)(6) do not cover the composition of Parent Committees established at the center level as required by 1304.50(a)(1)(iii). Therefore, parents may serve on center-level Parent Committees even if they are also employed by the Head Start agency or members of their immediate families are so employed. Programs should keep in mind that 45 CFR 1304.50(a)(2) requires that Parent Committees be comprised "exclusively of the parents of children currently enrolled at the center level for center-based programs."

Requirement

45 CFR 1304.50(a)(2)

October 10, 2007

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OHS – PC – E – 020

Can a Head Start center change its hours without parents' input?

A change in the time a center is open would be considered a change in the program design and, as such, must be authorized by the OHS Regional Office through a revised budget request that requires Policy Council approval.

Requirement

45 CFR 1304.50(d)(i)

November 20, 2007

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OHS – PC – E – 021

What are the membership requirements of the governing body?

The governing body membership must include the following:

1. One or more members with a background and expertise in fiscal management and accounting.
2. One or more members with a background and expertise in early childhood education and development.
3. One or more licensed attorneys familiar with Head Start governing body issues.
4. Additional members who reflect the community and include parents of formerly or currently enrolled Head Start children.
5. Other members selected for their expertise in education, business administration, or community affairs.

Note: If a Head Start agency is unable to include members for any of the first three categories (1-3) above, the governing body must obtain the services of a consultant or other individual with the required background and expertise to work with the governing body instead.

Requirement

Sec. 642(c)(1)(B) of the Head Start Act

January 22, 2008

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OHS – PC – E – 022

Are tribal governments exempt or excluded from the governing body composition requirements?

Please refer to [OHS – PC – E – 027](#).

February 6, 2008

Revised February 23, 2009

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OHS – PC – E – 023

Concerning the new requirements for Board Members, what constitutes a background and expertise? Do they have to have a Bachelor degree in the area or work experience or what?

Section 642(c)(1)(B) of the Head Start Act establishes composition requirements for all Head Start agency governing bodies. In general, governing body membership should include at least one member with "a background and expertise in fiscal management or accounting" and at least one member with "a background and expertise in early childhood education and development." In addition, governing body membership should include "a licensed attorney familiar with issues that come before the governing body." It is our expectation that Head Start agencies will take action to include such individuals as members on their governing bodies. However, section 642(c)(1)(B)(vi) authorizes governing bodies to secure consultants or other individuals with the relevant expertise and qualifications described at section 642(c)(1)(B)(i)-(iii) to "work directly with the governing body" if individuals with the required background and expertise are not available to actually serve as members.

The Head Start Act does not define or describe "a background and expertise" by reference to educational qualifications or credentials. It is reasonable, however, for us to expect Head Start agencies to secure the membership or services of individuals with demonstrated experience in fiscal management or accounting, early childhood education and development, and legal issues that routinely come before Head Start governing bodies. All Head Start agencies should bear in mind that their Head Start governing bodies are required by the Head Start Act to "have legal and fiscal responsibility for administering and overseeing programs" under the Head Start Act.

Requirement

Section 642(c)(1)(A)(B) and (E)(i) of the Head Start Act

February 6, 2008

[Top▲](#)**OHS – PC – E – 024****May a governing body form an advisory committee (or sub-board) to oversee responsibilities related to program governance?**

Yes, provided the advisory committee (or sub-board) does not supplant the governing body's legal and fiscal responsibilities related to program governance. Head Start agency governing bodies may, at their discretion, establish advisory committees (or sub-boards) to oversee key responsibilities related to program governance and program improvement, as follows:

(a) A Head Start governing body should have policies and procedures to ensure that, in establishing an advisory committee (or sub-board), it retains legal and fiscal responsibility for the Head Start agency as required under section 642(c)(1) of the Head Start Act (the Act). Such policies and procedures should include:

- (1) a written agreement specifying the specific duties, actions, and obligations the proposed advisory committee (or sub-board) is responsible for in overseeing responsibilities related to program governance and Head Start program improvement;
- (2) procedures describing the membership of the advisory committee (or sub-board), the responsibilities of each member, and the process and procedures for their selection; and
- (3) procedures describing how the advisory committee (or sub-board) will provide the governing body with sufficient and timely information about its activities and decisions in order to enable the governing body to exercise their legal and fiscal responsibilities for administering and overseeing Head Start programs including safeguarding of Federal funds as required by section 642(c)(1)(E)(i) and (d) (2) of the Act.

(b) Prior to establishing an advisory committee (or sub-board), the governing body should notify the responsible OHS official in order for OHS to assure that the proposed arrangement is appropriate.

Informal Guidance

July 21, 2008

Revised September 18, 2008

[Top▲](#)**OHS – PC – E – 025****Do community representatives on the Policy Council now have to be elected by the parents?**

Yes. In accordance with Section 642(c)(2)(B)(i) of the Head Start Act, the policy council members must be elected by the parents of children who are currently enrolled in the Head Start program of the Head Start agency.

Requirement**Section 642(c)(2)(B)(i) of the Head Start Act**

October 29, 2008

[Top▲](#)**OHS – PC – E – 026****We have the following questions regarding the governing body licensed attorney requirement:**

1. Does "licensed attorney" include an attorney who is licensed in a state other than the one in which the Head Start program is located?
2. Does "licensed attorney" include an attorney who is retired, and registered with the state bar but no longer required to maintain continuing legal education courses?

As long as the individual is licensed to practice law and is "familiar with issues that come before the governing body," including issues under the laws of the state in which the grantee operates, he or she will be considered to have met the requirements of the Head Start Act.

Requirement**Section 642(c)(1)(B)(iii) of the Head Start Act**

December 1, 2008

[Top▲](#)**OHS – PC – E – 027****What are the governing body membership requirements?**

Section 642(c)(1)(B)(i)-(iii) of the Head Start Act requires governing bodies of Head Start agencies to assure that at least one member has a background and expertise in fiscal management or accounting, one member has a background and expertise in early childhood education and

development, and one member is a licensed attorney familiar with the issues that come before the governing body. Should an agency choose to have additional members on its board it must assure that those additional members reflect the community to be served, include parents of children who are currently or were formerly enrolled in the Head Start program and further assure that additional members are selected for their expertise in education, business administration, or community affairs.

If a Head Start agency cannot find an individual with fiscal management expertise, early childhood education expertise or a licensed attorney to serve as a board member, the agency may use a consultant with relevant expertise to work with the Board. In addition, if an individual is holding a position on the governing body of a public entity as the result of public election or political appointment, the individual is not required to have a background and expertise in fiscal management or accounting, early childhood education and development and law (a licensed attorney familiar with the issues that come before the governing body) or meet the other requirements for membership under section 642(c)(1)(B)(iv), as required under section 642(c)(1)(B)(vi).

Can a staff member of a Head Start agency serve as a member of a governing body?

No, Section 642(c)(1)(C)(iii) prohibits staff members from membership in the governing body.

Can a staff member serve as a consultant to a governing body?

There is no legal prohibition against a staff member of a Head Start agency serving as a consultant to the governing body. Each Head Start governing body must make its own choice about which, if any, consultants to use in order to assure that board members are provided with accurate, objective and complete information.

Do the public entity governing body membership exceptions apply to Indian Tribes?

The public entity governing body exceptions in Section 642(c)(1)(B)(v) of the Head Start Act applies to governing bodies of Federally-recognized Indian tribes whose members are publicly elected or politically appointed when the tribal governing body also serves as the governing body for the tribe's Head Start program.

Can governing body members be compensated for serving on the governing body or for providing services to the Head Start agency?

Governing body members, with the exception discussed below, cannot be compensated for serving on the governing body or for providing services to the Head Start agency, as required by Section 642(c)(C)(ii).

What exceptions are allowed for governing body member compensation?

In accordance with Section 642(c)(1)(D), if an individual holds a position as a result of public election or political appointment, and such position carries with it a concurrent appointment to serve as a member of a Head Start agency governing body, and the position held as the result of public election or political appointment provides compensation, that individual shall not be prohibited from receiving compensation.

Can consultants be compensated for providing services to the governing body or for providing services to the Head Start agency?

If an individual with the required background and expertise is not available to serve as a member, a grantee may compensate a consultant or another individual with the relevant expertise for providing services to the governing body or for providing services to the Head Start agency. If the consultant or other individual with relevant expertise contributes their services, the agency may claim that contribution as non-federal share.

Requirement

Section 642 (c) (1) (B), (C) and (D) of the Head Start Act

February 17, 2009

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OHS – PC – E – 028

What are the selection and election requirements concerning members of the Policy Council?

The governing body is responsible under section 642(c)(1)(E)(iv)(VI) for developing procedures for how all members of the policy council are selected, **consistent with section 642(c)(2)(B)**. Section 642(c)(2)(B) states that all members of the policy council shall be elected by the parents of children who are currently enrolled in the Head Start program of the Head Start agency.

The Policy Council is responsible under section 642(c)(2)(D)(vii) for developing procedures for how members of the policy council of the Head Start agency will be elected. Once the Policy Council has approved the procedures, they submit the procedures to the governing body for its approval.

While the **Head Start Act** (the Act) requires that Policy Council members be elected by parents of children enrolled in the program, the Act gives the governing body authority over the process of selecting Policy Council members. The Policy Council has a role in recommending how procedures will be developed by the governing body for the election of Policy Council members. The governing body determines the system for election of the Policy Council. This may include, for example, how such individuals are nominated, how elections are conducted and the qualifications for membership.

Requirement

Section 642(c)(1)(E)(iv)(VI) and section 642(c)(2)(D)(vii) of the Head Start Act

May 13, 2009

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OHS – PC – E – 029

What is a "conflict of interest" in a Head Start agency? What guidance can the Office of Head Start (OHS) provide to Head Start agencies trying to address possible conflict of interest situations involving governing body members?

A conflict of interest refers to a clash between the private interests and the official duties and obligations of a person occupying a position in a Head Start agency. The Head Start Act lists specific conditions as conflicts of interest that, unless eliminated, would prohibit an individual from serving on a governing body. There are some other conditions where a conflict of interest may be of a limited nature and the conflict of interest may be addressed through the individual's recusal from participation in discussions and votes on matters affected by the conflict.

Can an individual who has a relative who is employed by the Head Start agency serve as a member of the governing body?

Section 642(c)(1)(C)(iii) of the Head Start Act prohibits individuals from serving on the governing body if members of their "immediate family" work for the Head Start agency. The definition of "immediate family" generally includes the spouse, parents and grandparents, children and grandchildren, brothers and sisters, mother-in-law and father-in-law, brothers-in-law and sisters-in-law, daughters-in-law and sons-in-law, and adopted and step family members.

Section 642(c)(1)(D) of the Act allows an exception if the individual holds a position as a result of public election or political appointment, and such position carries with it a concurrent appointment to serve as a member of a Head Start agency governing body. In such cases, the Head Start agency is required to report the conflict of interest to OHS.

Can a member of a governing body provide services to the Head Start agency in return for compensation?

Section 642(c)(1)(C)(ii) of the Head Start Act prohibits members of the governing body from receiving compensation for serving on the governing body and providing services for compensation to the Head Start agency. As a decision-maker, a governing body member is expected to act in the best interest of the Head Start grantee. As a vendor who provides services to the agency, an individual has an interest in continuing a beneficial relationship with the grantee. These interests are in conflict and this situation is prohibited by the statute.

Section 642(c)(1)(D) of the Act allows an exception if the individual holds a position as a result of public election or political appointment, and such position carries with it a concurrent appointment to serve as a member of a Head Start agency governing body. In such cases, the Head Start agency is required to report the conflict of interest to OHS.

Can an individual serve as a member of a governing body if he or she has a "personal relationship" with the Head Start Director or another member of the staff?

Section 642(c)(1)(C)(i) of the Head Start Act prohibits persons with a "financial conflict of interest with the Head Start agency" from serving as a member of the governing body. In the case of a governing body member with a close and continuing relationship with a staff member, the financial interests of the staff member in continued employment with the grantee and possible preferential treatment may be imputed to the governing body member with whom the staff member has the relationship if justified by the circumstances. The conflict can either be addressed through the exclusion of the member with the conflict from the governing body, or the member's recusal from discussion of, and voting on, issues that would have a direct and predictable effect on the staff member in question. The situation should be evaluated based in part on the staff member's position in the agency. In cases in which the staff member is not in a managerial position, the grantee should consider whether the situation can be addressed through the governing body member's recusal, as described in this Policy Clarification.

What general advice can OHS provide on procedures a Head Start agency should follow in conflict of interest situations?

OHS suggests that Head Start agencies faced with a conflict of interest situation should examine the facts, analyze the issues, and make a determination about how the situation will be handled. The agency is advised to make a record of the conflict of interest situation, how it was resolved, and why it was resolved in a particular way.

Requirement

Section 642(c)(1)(C) and (D) of the Head Start Act

May 13, 2009

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OHS – PC – E – 030

Can members of the governing body be reimbursed for child care and/or mileage expenses for attending board and committee meetings?

Head Start and delegate agencies may establish policies and procedures for reimbursement of governing body members for reasonable costs actually incurred by members, such as transportation and child care, associated with their participation in board and committee meetings. Reimbursement may be limited to low-income members at the discretion of the agency.

Requirement

2 CFR Part 230, Appendix B(52)(OMB Circular A-122)

September 1, 2009

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