

Head Start Program Governance Reference Book



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Head Start Act of 2007
Governing Body
In General and Composition
Sec. 642 (c)

(c) Program Governance- Upon receiving designation as a Head Start agency, the agency shall establish and maintain a formal structure for program governance, for the oversight of quality services for Head Start children and families and for making decisions related to program design and implementation. Such structure shall include the following:

(1) GOVERNING BODY-

(A) **IN GENERAL**- The governing body shall have legal and fiscal responsibility for the Head Start agency.

(B) **COMPOSITION**—The governing body **shall** be composed as follows:

(i) Not less than 1 member **shall** have a background and expertise in fiscal management or accounting.

(ii) Not less than 1 member **shall** have a background and expertise in early childhood education and development.

Head Start Act of 2007
Governing Body
Composition *(continued)*
Sec. 642 (c)(1)(B)

(iii) Not less than 1 member **shall** be a licensed attorney familiar with issues that come before the governing body.

(iv) Additional members **shall**—

- (I) reflect the community to be served and include parents of children who are currently, or were formerly, enrolled in Head Start programs; and
- (II) are selected for their expertise in education, business administration, or community affairs.

(v) Exceptions **shall** be made to the requirements of clauses (i) through (iv) for members of a governing body when those members oversee a public entity and are selected to their positions with the public entity by public election or political appointment.

(vi) If a person described in clause (i), (ii), or (iii) is not available to serve as a member of the governing body, the governing body shall use a consultant, or another individual with relevant expertise, with the qualifications described in that clause, who **shall** work directly with the governing body.



Head Start Act of 2007
Governing Body
Conflict of Interest
Sec. 642 (c)(1)(C)

(C) CONFLICT OF INTEREST—Members of the governing body **shall**:

- (i) not have a financial conflict of interest with the Head Start agency (including any delegate agency);
- (ii) not receive compensation for serving on the governing body or for providing services to the Head Start agency;
- (iii) not be employed, nor shall members of their immediate family be employed, by the Head Start agency (including any delegate agency); and
- (iv) operate as an entity independent of staff employed by the Head Start agency.



Head Start Act of 2007
Governing Body
Exceptions
Sec. 642 (c)(1)(D)

(D) **EXCEPTION**—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 such individual has any conflict of interest described in clause (ii) or (iii) of subparagraph (C)--

- (i) such individual shall not be prohibited from serving on such body and the Head Start agency shall report such conflict to the Secretary; and
- (ii) if the position held as a result of public election or political appointment provides compensation, such individual shall not be prohibited from receiving such compensation.

Head Start Act of 2007
Governing Body
Responsibilities
Sec. 642 (c)(1)(E)(i)-(iv)(II)



(E) **RESPONSIBILITIES**—The governing body **shall**—

(i) have legal and fiscal responsibility for administering and overseeing programs under this subchapter, including the safeguarding of federal funds;

(ii) adopt practices that assure active, independent, and informed governance of the Head Start agency, including practices consistent with subsection (d)(1), and fully participate in the development, planning and evaluation of the Head Start programs involved;

(iii) be responsible for ensuring compliance with Federal laws (including regulations) and applicable state, tribal and local laws (including regulations); and

(iv) be responsible for other activities, including—

(I) selecting delegate agencies and the service areas for such agencies;

(II) establishing procedures and criteria for recruitment, selection, and enrollment of children;



Head Start Act of 2007

Governing Body

Responsibilities *(continued)*

Sec. 642 (c)(1)(E)(iv)(III-VI)

(III) reviewing applications for funding and amendments to applications for funding for programs under this subchapter;

(IV) establishing procedures and guidelines for accessing and collecting information described in subsection (d)(2);

(V) reviewing and approving all major policies of the agency, including—

(aa) the annual self assessment and financial audit;

(bb) such agency's progress in carrying out the programmatic and fiscal provisions in such agency's grant application, including implementation of corrective actions; and

(cc) personnel policies of such agencies regarding the hiring, evaluation, termination, and compensation of agency employees;

(VI) developing procedures for how members of the policy council are selected, consistent with paragraph(2)(B);



Head Start Act of 2007

Governing Body

Responsibilities *(continued)*

Sec. 642 (c)(1)(E)(iv)(VII – VIII)

(VII) approving financial management, accounting, and reporting policies, and compliance with laws and regulations related to financial statements, including the—

(aa) approval of all major financial expenditures of the agency;

(bb) annual approval of the operating budget;

(cc) selection (except when a financial auditor is assigned by the State under State law or is assigned under local law) of independent financial auditors who shall report all critical accounting policies and practices to the governing body; and

(dd) monitoring of the agency's actions to correct any audit findings and of other actions necessary to comply with applicable laws (including regulations) governing financial statements and accounting practices;

(VIII) reviewing results from monitoring conducted under section 641A(c) including appropriate follow-up activities;



Head Start Act of 2007

Governing Body

Responsibilities *(continued)*

Sec. 642 (c)(1)(E)(iv)(IX – XI)

(IX) approving personnel policies and procedures, including policies and procedures regarding the hiring, evaluation and compensation, and termination of the Executive Director, Head Start Director, Director of Human Resources, Chief Fiscal Officer, and any other person in an equivalent position with the agency ;

(X) establishing, adopting, and periodically updating written standards of conduct that establish standards and formal procedures for disclosing, addressing, and resolving—

(aa) any conflict of interest, and any appearance of conflict of interest, by members of the governing body, officers and employees of the Head Start agency, and consultants and agents who provide services or furnish goods to the Head Start agency; and

(bb) complaints, including investigations, when appropriate; and

(XI) to the extent practicable and appropriate at the discretions of the governing body, establishing advisory committees to oversee key responsibilities related to program governance and improvement of the Head Start program involved.

**Head Start Act of 2007
Policy Council
In General
Sec. 642 (c)(2)**

(2) POLICY COUNCIL-

- (A) **IN GENERAL**- Consistent with paragraph (1)(E), each Head Start agency shall have a policy council responsible for the direction of the Head Start program, including program design and operation, and long- and short-term planning goals and objectives, taking into account the annual communitywide strategic planning and needs assessment and self-assessment.



**Head Start Act of 2007
Policy Council
Composition and Selection
Sec. 642 (c)(2)(B)**

(B) COMPOSITION AND SELECTION—

(i) 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.

(ii) The policy council shall be composed of—

(I) parents of children who are currently enrolled in the Head Start program of the Head Start agency (including any delegate agency), who shall constitute a majority of the members of the policy council; and

(II) members at large of the community served by the Head Start agency (including any delegate agency), who may include parents of children who were formerly enrolled in the Head Start program of the agency.



Head Start Act of 2007
Policy Council
Conflict of Interest and Responsibilities
Sec. 642 (c)(2)(C)(D)(i-ii)

(C) **CONFLICT OF INTEREST**—Members of the policy council shall-

- (i) not have a conflict of interest with the Head Start agency (including any delegate agency); and
- (ii) not receive compensation for serving on the policy council or for providing services to the Head Start agency..

(D) **RESPONSIBILITIES**—The policy council **shall** approve and submit to the governing body decisions about each of the following activities:

- (i) Activities to support the active involvement of parents in supporting program operations, including policies to ensure that the Head Start agency is responsive to community and parent needs.
- (ii) Program recruitment, selection, and enrollment priorities.



Head Start Act of 2007

Policy Council

Responsibilities *(continued)*

Sec. 642 (c)(2)(D)(iii-viii)

(iii) Applications for funding and amendments to applications for funding for programs under this subchapter, prior to submission of applications described in this clause.

(iv) Budget planning for program expenditures, including policies for reimbursement and participation in policy council activities.

(v) Bylaws for the operation of the policy council.

(vi) Program personnel policies and decisions regarding the employment of program staff, consistent with paragraph (1)(E)(iv)(IX), including standards of conduct for program staff, contractors, and volunteers and criteria for the employment and dismissal of program staff.

(vii) Developing procedures for how members of the policy council of the Head Start agency will be elected.

(viii) Recommendations on the selection of delegate agencies and the service areas for such agencies.

Head Start Act of 2007
Policy Committees
Sec. 642 (c)(3)



- (3) POLICY COMMITTEES- Each delegate agency shall create a policy committee, which shall--
- (A) be elected and composed of members, consistent with paragraph (2)(B) (with respect to delegate agencies);
 - (B) follow procedures to prohibit conflict of interest, consistent with clauses (i) and (ii) of paragraph (2)(C) (with respect to delegate agencies); and
 - (C) be responsible for approval and submission of decisions about activities as they relate to the delegate agency, consistent with paragraph (2)(D) (with respect to delegate agencies).

Head Start Act of 2007
Program Governance Administration
Impasse Policies
Sec. 642 (d)(1)



(d) Program Governance Administration

(1) IMPASSE POLICIES- The Secretary shall develop policies, procedures, and guidance for Head Start agencies concerning--

(A) the resolution of internal disputes, including any impasse in the governance of Head Start programs; and

(B) the facilitation of meaningful consultation and collaboration about decisions of the governing body and policy council.



Head Start Act of 2007

Program Governance Administration

Conduct of Responsibilities

Sec. 642 (d)(2)(A-D)

(2) CONDUCT OF RESPONSIBILITIES—Each Head Start agency shall ensure the sharing of accurate and regular information for use by the governing body and policy council, about program planning, policies, and Head Start agency operations, including:

- (A) Monthly financial statements, including credit card expenditures;
- (B) Monthly program information summaries;
- (C) Program enrollment reports, including attendance reports for children whose care is partially subsidized by another public agency;
- (D) Monthly reports of meals and snacks provided through programs of the Department of Agriculture;



Head Start Act of 2007

Program Governance Administration

Conduct of Responsibilities *(continued)*

Sec. 642 (d)(2)(E-I)

(2) CONDUCT OF RESPONSIBILITIES—Each Head Start agency shall ensure the sharing of accurate and regular information for use by the governing body and policy council, about program planning, policies, and Head Start agency operations, including:

- (E) the financial audit;
- (F) the annual self-assessment, including any findings related to such assessment;
- (G) the communitywide strategic planning and needs assessment of the Head Start agency, including any applicable updates;
- (H) communication and guidance from the Secretary; and
- (I) the program information reports.



**Head Start Act of 2007
Program Governance Administration
Training and Technical Assistance
Sec. 642 (c)(3)**

(3) TRAINING AND TECHNICAL ASSISTANCE- Appropriate training and technical assistance shall be provided to the members of the governing body and the policy council to ensure that the members understand the information the members receive and can effectively oversee and participate in the programs of the Head Start agency.

Head Start Program Performance Standards
1304.50 – Program Governance

(b) Policy group composition and formation

(7) Parents of children currently enrolled in all program options must be proportionately represented on established policy groups.