

BAD RIVER BAND OF LAKE SUPERIOR TRIBE OF CHIPPEWA INDIANS

CHIEF BLACKBIRD CENTER

P.O. Box 39 • Odanah, Wisconsin 54861

RESOLUTION NO. 5-9-07-85

Approving the Bad River Head Start Policy Council By-Laws

WHEREAS: the Bad River Band of Lake Superior Tribe of Chippewa Indians ("Band") is organized under Section 16 of the Indian Reorganization Act of 1934, 25 §476, and the Bad River Tribal Council is the governing body of the Band pursuant to the Constitution of 1936, as amended; and

WHEREAS: Article VI, Section 1 (m) of the Bad River Tribal Constitution authorizes the Bad River Tribal Council to adopt resolutions regulating the procedure of Tribal agencies; and

WHEREAS: the Head Start Policy Council is required to implement By-laws in accordance with the Head Start Program Performance Standards at 43 CFR 1304.50(a)(1) through 1304.50(h); and

WHEREAS: the Bad River Head Start Policy Council By-Laws were approved by the Head Start Policy Council at a meeting held on 6-29-05; and

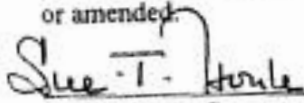
WHEREAS: the Tribal Council has determined that there is a need to adopt By-laws for the Bad River Head Start Policy Council, to comply with various federal regulations; and

WHEREAS: the Tribal Council has reviewed the by-laws and finds it is in the best interest of the Tribe to approve the attached Bad River Head Start Policy Council By-Laws.

NOW THEREFORE BE IT RESOLVED, that the Bad River Tribal Council hereby approves the Bad River Head Start Policy Council By-Laws found at Attachment A.

CERTIFICATION

I, the undersigned, as Secretary of the Bad River Band of the Lake Superior Tribe of Chippewa Indians, an Indian Tribe organized under Section 16 of the Indian Reorganization Act, hereby certify that the Tribal Council is composed of seven members, of whom 5 members, constituting a quorum, were present at a meeting hereof duly called, noticed, convened, and held on the 9th day of May, 2007; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members; _____ against; and _____ abstaining, and that the said resolution has not been rescinded or amended.


Sue T. Houle, Secretary
Bad River Tribal Council

Bad River Head Start Policy Council By-Laws

Article I Title

Bad River Head Start Policy Council also known as "PC"

Article II Purpose

The purpose of the Bad River Head Start Policy Council is to implement the required oversight as well as the development, review and approval of Head Start policy and procedures in accordance with Head Start Program Performance Standard and Other Regulations. See Governance Performance Standards 45 CFR 1304.50 (a)(1) through 1304.50(h), and Appendix A, in the Head Start Program Performance Standard and other applicable regulations.

In addition to oversight and implementation of Head Start Performance Standards, the Policy Council must perform the following functions directly:

- To provide parents and guardians of enrolled children the opportunity to participate in shared planning and decision making that shapes the character and quality of the Bad River Head Start Program.
- Serve as a link to the Parent Committee, Tribal Council, community organizations and the community the Head Start Program serves.
- Assist the Parent Committee in planning, coordinating and organizing program activities for parents with the assistance of staff.
- Assist in recruiting volunteer services from parents, community organizations and assist in the mobilization of resources to meet identified needs.

Article III Membership and Composition of the Policy Council

The overall composition of the Policy Council members must be comprised of two types of representatives: at least 51 % of parents or legal guardians of currently enrolled children and community representatives. [45 CFR 1304.50(b)(2)]

Policy Council representatives will be elected by the Parent Committee, which is exclusively composed of parents or primary care givers (foster parents, guardians or the person with whom the child has been placed for purposes of adoption pending a final adoption decree), of children currently enrolled in the Bad River Head Start Program.

Five parents or primary care givers (foster parents, guardians or the person with whom the child has been placed for purposes of adoption pending a final adoption decree), will be elected by the Parent Committee at one of the first three (3) Parent Committee meeting that constitute a Parent Orientation to Head Start Program.

The Parent Committee must make sure, in its election of Policy Council representatives they elect parents representing each classroom to insure all ages are represented of the enrolled children. A fifth current parent or guardian Policy Council Representative will be elected a large from the Parent Committee.

Community representatives must be drawn from the local community: businesses, public or private community, civic and professional organizations; and others who are familiar with resources and services for low-income children and families including, for example, the parents of formerly enrolled children. Parents are involved for selecting community representatives according to discussions of the issues of interest and types of community representatives needed in the coming year. [45 CFR 1304.50.(b)]

No grantee (a public or private nonprofit agency or organization to operate a head Start program that has been approved) or members of their immediate families may serve on Policy Councils, except parents who occasionally substitute for Head Start staff [45 CFR 1304.50(b)(6)]

The Bad River Tribal Council will rotate selection/or select a Tribal Council Member(s) to attend Policy Council Meetings to serve as a non-voting member and link between the Head Start Policy Council, Head Start Program and Governing Body (Tribal Council) for the purposes of:

- Insuring ongoing, effective and accurate two-way communication between Policy Council and Governing Body.
- Provide for efficient and appropriate resolution of problems/errors* and misunderstandings that might occur.
- Reflect the Policy Council intent and concern honestly and without bias.

All parent members of Policy Council and all Community Representatives also must stand for re-election annually and must limit the number of one (1) year terms any individual may serve to a combined total of three (3).

Article IV Powers

In addition to Head Start Performance Standards found at 45 CFR 1304 Appendix A , the PC has the powers, duties and responsibilities outlined in this section.

(1) The Policy Council must work in partnership with key management staff and the Tribal Council to develop, review, and approve or disapprove the following policies and procedures:

(i) All funding applications and amendments to funding applications for Early Head Start and Head Start, including administrative services, prior to the submission of such applications to the U.S. Department of Health and Human Services;

(ii) Procedures describing how the Tribal Council and the Policy Council will implement shared decision-making;

(iii) Procedures for program planning in accordance with these by-laws and the requirements of 45 CFR 1305.3;

(iv) The program's philosophy and long- and short-range program goals and objectives (see 45 CFR 1304.51(a) and 45 CFR 1305.3 for additional requirements regarding program planning);

(v) The selection of their service areas. (see 45 CFR 1305.3(a) for additional requirements about service area selection);

(vi) The composition of the Policy Council and the procedures by which policy group members are chosen;

(vii) Criteria for defining recruitment, selection, and enrollment priorities, in accordance with the requirements of 45 CFR part 1305;

(viii) The annual self-assessment of the Tribe's progress in carrying out the programmatic and fiscal intent of its grant application, including planning or other actions that may result from the review of the annual audit and findings from the Federal monitoring review (see 45 CFR 1304.51(XI) for additional requirements about the annual self-assessment);

(ix) Program personnel policies and subsequent changes to those policies, in accordance with 45 CFR 1301.31, including standards of conduct for program staff, consultants, and volunteers;

(x) Decisions to hire or terminate the Early Head Start or Head Start Director; and

(xi) Decisions to hire or terminate any person who works primarily for the Early Head Start or Head Start program.

(2) In addition, Policy Councils and Policy Committees must perform the following functions directly:

(i) Serve as a link to the Parent Committees, Tribal Council, public and private organizations, and the communities they serve;

(ii) Assist Parent Committees in communicating with parents enrolled in all program options to ensure that they understand their rights, responsibilities, and opportunities in Early Head Start and Head Start and to encourage their participation in the program;

(iii) Assist Parent Committees in planning, coordinating, and organizing program activities for parents with the assistance of staff, and ensuring that funds set aside from program budgets are used to support parent activities;

(iv) Assist in recruiting volunteer services from parents, community residents, and community

- organizations, and assist in the mobilization of community resources to meet identified needs; and
- (v) Establish and maintain procedures for working with the Tribal Council to resolve community complaints about the program.
- (f) The Policy Council must enable low-income members to participate fully in their group responsibilities by providing, if necessary, reimbursements for reasonable expenses incurred by the members.
- (g) The Policy Council must have written policies that define the roles and responsibilities of the governing body members and that inform them of the management procedures and functions necessary to implement a high quality program.
- (h) The Policy Council must ensure that appropriate internal controls are established and implemented to safeguard Federal funds in accordance with 45 CFR 1301.13.
- (iv) Internal Dispute resolution. The Policy Council and tribal Council jointly must establish written procedures for resolving internal disputes, including impasse procedures, between the two bodies.

Article V Voting and Quorum

1. Each Policy Council member shall have one vote
2. No proxy voting will be permitted
3. There shall be a minimum of three members present in order to conduct official business as a quorum of the Policy Council
4. In the event of a tie, the Chairperson elected by the Policy Council membership shall cast the deciding vote.
5. The Tribal Council Member Representative is a non-voting member of the Policy Council.

Article VI Officers, Duties of Officers and Terms of Office

1. The membership of the Policy Council shall elect officers no later than its second meeting. The Policy Council shall elect a Chairperson, Vice Chairperson and Secretary/Treasurer to serve a term of one year.
2. No member of the Policy Council including the Community Representative shall serve longer than three terms total.
3. The Policy Council shall not dissolve until the new Policy Council is elected and seated
4. The Chairperson shall call the meeting to order on time and provide leadership at each meeting and insure that all members have an opportunity to contribute to matters being discussed
5. The Vice-Chairperson shall assist the Chairperson and conduct business in the absence of the Chairperson
6. The Secretary shall record minutes for each meeting that includes persons attending, motions, votes and otherwise decisions of the group. Minutes of the meeting will be