

ORDINANCE No.

110999

COUNCIL BILL No.

103490

AN ORDINANCE terminating that certain agreement with King County for joint administration of the Seattle-King County Head Start Program, abolishing the City-County Head Start Policy Board and the Head Start Administrative Group, and repealing Ordinance 102712.

W.P. Linc Department

COMPTROLLER FILE No.

Introduced: JAN 24 1983	By: EXECUTIVE REQUEST
Referred: JAN 24 1983	To: H' E C S
Referred:	To:
Referred:	To:
Reported: JAN 31 1983	Second Reading: JAN 31 1983
Third Reading: JAN 31 1983	Signed: JAN 31 1983
Presented to Mayor: FEB 1 1983	Approved: FEB 8 1983
Returned to City Clerk: FEB 8 1983	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

REC'D OMB FEB 0 1 1983



The City of Seattle--Legislative Department

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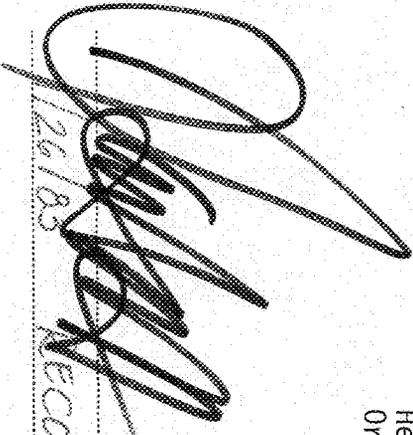
MR. PRESIDENT:

Your Committee on Housing & Community Services
to which was referred

Date Reported
and Adopted
JAN 31 1983

C. B. 103490

AN ORDINANCE terminating that certain agreement with King County for joint administration of the Seattle-King County Head Start Program, abolishing the City-County Head Start Policy Board and the Head Start Administrative Group, and repealing Ordinance 102712.



Chairman

Chairman

126/83

RECOMMEND - PA SS -

Committee

Committee

JGB:lf
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AN ORDINANCE terminating that certain agreement with King County for joint administration of the Seattle-King County Head Start Program, abolishing the City-County Head Start Policy Board and the Head Start Administrative Group, and repealing Ordinance 102712.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. To conform with King County's impending repeal of Ordinances 1796 and 1814 and its withdrawal from continued administration of the program, the joint administration of the Seattle-King County Head Start Program is terminated; Ordinance 102712, entitled:

"AN ORDINANCE authorizing an agreement with King County for administration of the Head Start grant."

is repealed; and the City-County Head Start Policy Board and the Head Start Administrative Group are abolished.

Section 2. Termination of the program, abolition of the Policy Board and the Administrative Group, and abrogation of offices and positions implementing the program as of the close of business on January 31, 1983, are hereby ratified and confirmed.

(To be used for all Ordinances except Emergency.)

Section...3... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 31st day of January, 1983,
and signed by me in open session in authentication of its passage this 31st day of
January, 1983. Jessie Williams
President of the City Council.

Approved by me this 8th day of February, 1983.
Charles Roper
Mayor.

Filed by me this 8th day of February, 1983.
Jim Hill
Attest: City Comptroller and City Clerk.

(SEAL)

Published.....
By Theresa Dunbar
Deputy Clerk.

City of Seattle

Executive Department-Office of Management and Budget

John D. Saven, Director
Charles Royer, Mayor



January 19, 1983

Honorable Jeanette Williams, President
Seattle City Council
City of Seattle

Dear Councilmember Williams:

As I indicated in my memorandum of January 14, King County has decided to terminate the joint City-County Head Start Program. It intends to repeal the County ordinances establishing the program effective January 31, 1983, when the federal grant ends. Since the agreement for joint operation was executed through parallel City and County ordinances, the two governments should take the same action in dissolving the program.

Attached is an ordinance drafted by the Law Department terminating the agreement and repealing the original City Head Start ordinance. I request the Council's consideration and passage by the end of January.

Head Start services to children in Seattle-King County, of course, will not be terminated as a result of this action. The County's grant will end and the joint administrative structure will dissolve, but the federal government will grant funds directly to the agencies in the community which currently provide Head Start services.

Thank you for your assistance. Please let me know if you have questions.

Sincerely,

A handwritten signature in cursive script that reads "John Saven".

JOHN SAVEN
Budget Director

JS/rp/la

City of Seattle

Executive Department-Office of Management and Budget

John D. Saven, Director
Charles Royer, Mayor



MEMORANDUM

Date: January 14, 1983

To: Honorable Jeanette Williams, President
Seattle City Council

From: John Saven JS

Subject: Seattle-King County Head Start Program

As you know, King County has been considering several actions bearing on the future of the joint City-County Head Start Program. The County's decisions will soon require the attention of the City because we are a joint sponsor. I wanted to be sure you were aware of these developments before formal City Council action is needed.

The major question before the County has been whether to continue as the grantee for the Seattle-King County Head Start Program for the period February 1 - October 31, 1983, the balance of the 1983 program year. Earlier the County had accepted a grant renewal for only three months, November 1, 1982 - January 31, 1983, indicating that it intended to propose changes in program structure and budget before seeking the full year's grant. In December, the County decided to reapply but under conditions that required the grantor, the federal Department of Health and Human Services (DHHS) to waive certain federal regulations. The DHHS regional office has refused to grant the requested waivers. The County, therefore, is expected to withdraw as grantee at the end of January and abrogate the agreement with the City to operate a joint program. The City may need to take the same action.

Background

For some time, the anomalous structure of the Head Start program has been a matter of concern to King County. While the DHHS holds the County responsible as the official grantee, County government has not been in a position to exercise close control over the program. By agreement between the City and County, most operational authority was delegated to the joint "Policy Board," to which the City Council, the County Council, the Mayor and the County Executive each appoint two members. Under federal regulations, this authority must be shared with the "Policy Council," a separate body composed of parents (more than 50%) and community representatives. Direct service to children is delivered through "delegate agencies" under contract with the County. Central administrative staff have been under the Policy Board's supervision and were never located in, or responsible to, any County Department. The resulting confusion of responsibilities and procedural difficulties impelled the County and Policy Board to consider changes in the program's structure.

Before agreement on appropriate changes could be reached, the County received a preliminary report from the State Auditor questioning the legality of the existing structure. The audit, which also recommended disallowance of \$69,000 in costs, found

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that County officials exercised inadequate administrative control of the program, that parent (i.e., Policy Council) participation in conduct of the program was inadequate, and that the structure, therefore, was out of compliance with federal regulations. The DHHS also raised questions about structure and operations. As a condition of grant renewal, it asked the County to submit plans for improving the administrative structure.

The County commissioned Cindy Maisel to study the program, recommend improvements that would respond to issues raised by the auditor and DHHS, clarify responsibilities of the several entities involved in conduct of the program and prepare plans for restructuring the program for submittal to DHHS. These plans had to consider potential legal difficulties arising from the distribution of authority within the program under federal regulations. Those regulations assign real authority to the parent-citizen body, the Policy Council, in certain areas where local or State law gives full authority to local government. The County Prosecutor was asked to advise on the legality of complying with regulations that required County officials to share decision-making powers in those areas with a non-governmental body.

Ms. Maisel's restructuring plans were shaped in part by the Prosecutor's conclusion that "literal compliance with federal regulations" would be inconsistent with the County Charter and applicable State law. In particular, the Charter appeared to conflict with regulations that gave the Policy Council a "veto" power over personnel policies (established by County ordinance) and budget modifications. The Policy Council's approval/disapproval authority over removal of staff also presented some difficulty. Taking this opinion and the auditor's findings into account, the Maisel report both clarified and proposed changes in the division of authority and responsibility among the County Executive, County Council, Policy Council and Head Start "Coordinator." In effect, this new assignment of authority eliminated the Policy Council's "veto" power over personnel policies and budget modifications and qualified its authority over firing of staff. It was clearly understood that these changes would require DHHS agreement to waive or reinterpret some of its regulations.

The Maisel report also concluded that:

1. The joint City-County program and joint Policy Board should be dissolved.
2. The County Council and Executive should be the governing authority or "Board" of the restructured program.
3. The program should be placed within a County department.
4. Program administration should be simplified and the number of staff reduced.
5. Administrative cost savings should be used to increase direct services to children.

On January 3, the County submitted its plan for restructuring the program, based on the Maisel report, to DHHS. At that time it requested waivers or written understandings that would eliminate the apparent conflicts between federal requirements and the County Charter, indicating that it could not otherwise continue as grantee. On January 4, the DHHS regional office replied that it could not waive regulations. It also required Policy Council approval of the County's plan for continued operation. And on January 5, the Policy Council voted to disapprove the County's plan.

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Current Status

It now appears certain that the County will terminate its program by January 31. The DHHS is likely to ask one of the existing delegate agencies to manage the program on an interim basis after that date while it seeks a single, permanent grantee. As you will recall, DHHS expressed some interest earlier in considering an application from the City, if the County decided not to reapply. Now that the County has at last made that decision, the City can consider the possibility of seeking the grant.

The Department of Human Resources will prepare an analysis of pertinent issues and assess the feasibility of City operation of a countywide Head Start program. Depending on the results of this analysis, we may want to consider a grant application later in the year. Meanwhile, we have asked the Law Department to advise on the appropriate action to be taken immediately with respect to termination of the joint City-County program. The County Council intends to repeal the ordinances establishing the program by January 31. Since the City passed a similar ordinance creating the joint program, it should probably be rescinded in some fashion as well. Assuming the Law Department concurs, we will be submitting draft legislation on January 19 with a request for Council action on the 31st.

Should you have questions, please let me know or call Rick Painter at x4581.

RP/dcc

cc: Charles Royer
All Councilmembers
Theresa Valdez, Director, DHR
Jack Collins
Tom Byers