

ORDINANCE NO. 13786

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE,
PART II, CHAPTER 2, BY ADDING ARTICLE IX,
CHATTANOOGA DEPARTMENT OF EARLY LEARNING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA,
TENNESSEE:

SECTION 1. That Chattanooga City Code, Part II, Chapter 2, be amended by adding Article IX, Chattanooga Department of Early Learning as follows:

ARTICLE IX. CHATTANOOGA DEPARTMENT OF EARLY LEARNING¹

Sec. 2-641. Created; purpose.

There be and is hereby created and established the Department of Early Learning. This department will manage the City of Chattanooga Head Start and Early Head Start programs, manage the City of Chattanooga Foster Grandparent program, and manage partnerships with Hamilton County Schools and early learning centers throughout Chattanooga.
(Code 1986, § 2-441; Ord. No. 11103, § 2, 11-28-00; Ord. No. 12736, § 1, 7-2-13)

Sec. 2-642. City council designated policy body; powers.

The city council is hereby appointed as the policy body for human services programs. Such body shall also have the power to grant final approval of all programs, proposals, and budgets; to enforce compliance with all conditions made by federal agencies; and to determine, subject to such federal regulations and policies, the rules of procedure for the policy-making body.
(Code 1986, § 2-442; Ord. No. 9654, § 57, 1-6-92; Ord. No. 11103, § 2, 11-28-00)

Sec. 2-643. Head Start Governing Board—Created; function; composition.

- (a) As part of the Department of Early Learning, there is hereby created the Head Start Governing Board (the “Board”). Pursuant to the Head Start Act, 42 USC § § 9801, *et seq.*, this Board shall: 1) be the governing body for the City of Chattanooga Head Start and Early

¹Cross reference(s)—City relief bureau, § 2-9 *et seq.*; fair housing regulations, § 21-81 *et seq.*

Head Start Programs; 2) be directly responsible for overseeing the legal and fiscal affairs of the City of Chattanooga Head Start and Early Head Start programs; and 3) fulfill the responsibilities and requirements set forth in 42 USC § 9837 and other applicable federal, state, and local laws, rules, and regulations.

- (b) The Board shall be composed of fifteen (15) members. The Mayor of the City of Chattanooga (also referred to herein as the “City Mayor”) shall appoint five (5) members to the Board, each member of the City Council shall appoint one (1) member to the Board, and the Hamilton County Mayor shall appoint one (1) member to the Board. Prospective members who are appointed by City Council shall live in the district of the Council member who appointed them. The prospective Board members appointed by the City Mayor and by each City Council member shall be subject to confirmation by a majority of the City Council.
- (c) Not less than one (1) member shall have a background and expertise in fiscal management or accounting; not less than one (1) member shall have a background and expertise in early childhood education and development; and not less than one (1) member shall be a licensed attorney familiar with issues that come before the Board. 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 from the following categories: private social service agencies; educational institutions; child services; business organizations; veteran organizations; religious institutions; and low income residents of the City. At any meeting of this Board eight (8) members shall constitute a quorum to conduct business.

(Code 1986, § 2-443; Ord. No. 9496, § 2, 12-11-90; Ord. No. 11103, § 2, 11-28-00; Ord. No. 12148, § 1, 7-22-08; Ord. No. 12736, § 1, 7-2-13)

Sec. 2-644. Same—Terms; vacancies.

The terms of the members of the Head Start Governing Board shall be for two (2) years. Initially, the members of the Board shall be appointed so that they hold office for staggered terms. The members appointed from City Council districts 1, 3, 5, 7, and 9, and three (3) of the City Mayor appointments shall be initially appointed for one (1) year terms. The members appointed from City Council districts 2, 4, 6, and 8, and two (2) of the City Mayor appointments and the one (1) County Mayor appointment shall be initially appointed for two (2) year terms. Upon the expiration of the term of any appointed member, a successor shall serve a term of two (2) years. The failure of any member to attend two (2) consecutive meetings or three (3) meetings within any calendar year shall be the basis for removal by the City Mayor and reappointment of another member by the City Mayor, subject to the confirmation of a majority of the City Council. Should any vacancy occur on the Board by death, resignation, or removal of a member, the member's unexpired term shall be filled by appointment of a member residing in the same district as the member vacating the Board, if possible. No member, other than an elected official or his designee, may serve more than two (2) consecutive terms on the Board.

(Code 1986, § 2-444; Ord. No. 9496, § 3, 12-11-90; Ord. No. 11103, § 2, 11-28-00; Ord. No. 12148, § 2, 7-22-08; Ord. No. 12736, § 1, 7-2-13)

Sec. 2-645. Same — Limited scope of Board function.

The governance authority of the Head Start Governing Board shall be limited to the City of Chattanooga Head Start and Early Head Start programs only. The Board shall not have any governance, administrative, nor operational authority over the Department of Early Learning, its administrator, directors, managers, or staff. All administrative and operational authority over the Department of Early Learning shall be vested in the City Mayor and in the administrator of the department, as set forth in Sec. 2-649 below, and her or his executive leadership team.

(Code 1986, § 2-445; Ord. No. 11103, § 2, 11-28-00; Ord. No. 12736, § 1, 7-2-13)

Sec. 2-646. Same—Bylaws; officers; executive committee.

The Head Start Governing Board shall adopt and may amend bylaws for the regulation of its meetings and proceedings. It shall also elect officers. At the same time officers are elected, the Board shall appoint an executive committee, not to exceed five (5) in number. The executive committee shall have as members the Board chairman, vice chairman, secretary, and two (2) members elected by the board from among its number. The executive committee shall have power to function between formal board meetings and power to act on behalf of the Board.

(Code 1986, § 2-446; Ord. No. 11103, § 2, 11-28-00; Ord. No. 12736, § 1, 7-2-13)

Sec. 2-647. Reserved.

(Ord. No. 11103, § 2, 11-28-00)

Sec. 2-648. Administrator.

There shall be an administrator of the Department of Early Learning who shall be appointed by the Mayor of the City of Chattanooga subject to confirmation by a majority of the City Council. If the administrator position becomes vacant, the vacancy shall be filled by the Mayor of the City of Chattanooga, and be subject to confirmation by a majority of the City Council.

(Code 1986, § 2-448; Ord. No. 9654, §§ 2, 59, 1-6-92; Ord. No. 11103, § 2, 11-28-00; Ord. No. 12736, § 1, 7-2-13)

Sec. 2-649. Administrative control of department; powers of mayor, administrator.

The City Mayor and the administrator of the Department of Early Learning shall have respective levels of administrative authority over the Department of Early Learning. The City Mayor shall be empowered to employ, discharge or suspend the administrator of the department subject to confirmation by a majority of the City Council. The administrator shall be empowered to employ, discharge or suspend all other employees of the department subject to confirmation of the mayor and city council.

(Code 1986, § 2-449; Ord. No. 9654, §§ 2, 59, 1-6-92; Ord. No. 11103, § 2, 11-28-00; Ord. No. 12736, § 1, 7-2-13)

Sec. 2-650. Financial affairs; receipts and disbursements.

All fiscal and financial affairs of the Department of Early Learning shall be conducted by the city finance officer. All receipts and disbursements shall be handled in accordance with the applicable provisions of the charter and ordinances of the city.


(Code 1986, § 2-450; Ord. No. 9654, § 8, 1-6-92; Ord. No. 11103, § 2, 11-28-00; Ord. No. 12736, § 1, 7-2-13)

Secs. 2-651—2-660. Reserved.

(Ord. No. 11103, § 2, 11-28-00)

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading: February 22, 2022



CHAIRPERSON
APPROVED: DISAPPROVED:



MAYOR

HGB/mem