

**CHARTER AND BYLAWS
NORTH DAKOTA WORKFORCE DEVELOPMENT COUNCIL – COMMISSION ON
NATIONAL AND COMMUNITY SERVICE**

CHARTER

The North Dakota Workforce Development Council – Commission on National and Community Service (State Commission) was authorized under Executive Order 2002-02.3 signed by Governor John Hoeven, July 19, 2002.

The North Dakota Workforce Development Council – State Commission on National and Community Service’s purpose is to foster a bi-partisan, state-level commitment to advancing service initiatives in North Dakota. The State Commission plays a leadership role in developing and communicating a statewide vision and ethic of service and promoting that vision throughout the State.

**BYLAWS OF THE
NORTH DAKOTA WORKFORCE DEVELOPMENT COUNCIL- STATE COMMISSION
ON NATIONAL AND COMMUNITY SERVICE**

**ARTICLE I
NAME**

The name of this organization shall be the North Dakota Workforce Development Council – State Commission on National and Community Service referred to in this document as the “State Commission”.

**ARTICLE II
PURPOSE**

The State Commission seeks to renew the ethic of civic responsibility by encouraging citizens to engage in service, involving youth in the life and work of communities, and expanding service opportunities for all North Dakotans.

**ARTICLE III
MISSION**

The State Commission’s mission is to provide opportunities for North Dakotans of all ages and backgrounds to engage in service that addresses the state and nation’s educational, public safety, environmental, and other human needs to achieve direct and demonstrable results and to encourage all North Dakotans to engage in such service. In doing so, the State Commission will foster civic responsibility, strengthen the ties that bind us together as a people, and provide educational opportunity for those who make a substantial commitment to service.

ARTICLE IV MEMBERSHIP

- a. **State Commission:** Shall consist of sixteen voting members and two Ex-Officio non-voting members:

Voting members on the State Commission:

1. *One Representative of a community-based agency or organization;*
2. *The head of the State education agency;*
3. *One Representative of local government;*
4. *One Representative of local labor organizations in the state;*
5. *Three Representative(s) of business;*
6. *One Individual with experience in promoting the involvement of older adults (age 55 and older) in service and volunteerism;*
7. *One Individual between the ages of 16 –25, inclusive, who is a participant or supervisor of a service program for school-aged youth, or of a campus-based or national service program;*
8. *One individual who is a representative of a National Service Program;*
9. *Five Individuals with expertise in the educational, training, and developmental needs of youth, particularly disadvantaged youth;*
10. *One Representative from Indian Tribes;*
11. *Other composition requirements. To the extent possible, the chief executive officer of a state shall ensure that the membership of the State Commission is balanced with respect to race, ethnicity, age, gender, and disability characteristics. Not more than 50% plus one of the members of a State Commission may be from the same political party. In addition, the number of voting members of a State Commission who are officers or employees of the state may not exceed 25% of the total membership of that State Commission;*
12. *The Chairperson and Vice-Chairperson are elected by the voting members of the State Commission. To be eligible to serve as a Chairperson, an individual must be an appointed, voting member of the Commission. All voting members of the State Commission shall be eligible to serve as and to vote for the Chairperson and Vice-Chairperson of the Commission. In the event that a Chairperson or Vice-Chairperson is elected to fill a vacant term, the newly elected Chairperson or Vice-Chairperson will complete the original three year term of service of the office being filled;*
13. *Eligible voting members of the State Commission may be elected to consecutive terms as Chairperson and/or Vice-Chairperson.*

Ex-Officio, non-voting members of the State Commission:

1. *Corporation Representative*
2. *Commission Executive Director*

- b. **The Governor shall make appointment to the State Commission.** The terms of service shall be for three year terms. The Governor when filling vacant memberships may make an appointment for the remainder of the vacant term plus three additional years. Appointees will serve at the pleasure of the Governor.

- c. **Vacancies** shall be filled in the same manner as the original appointment. The appointment shall be for the remainder of the vacant term.
- d. **Attendance and participation** in State Commission and subgroup activities is important to the efforts of the State to foster civic responsibility, strengthen the ties that bind us together as a people, and provide educational opportunity for those who make a substantial commitment to service. Two consecutive absences from State Commission and subgroup meetings shall be cause for a recommendation by the Executive Committee, to the Governor, for forfeiture of appointment.

ARTICLE V RESPONSIBILITIES

The **State Commission** as a whole shall have the authority to design, approve, and implement all necessary duties and functions without oversight of another appointed body.

- 1. Development of a three year comprehensive national and community service plan and establishment of State priorities;
 - a. Plan must be developed through an open and public process;
 - b. Outreach process must include input from representatives of established State service programs, representative of diverse, broad-based community organizations that serve underserved populations and other interested people, including young people;
 - c. The plan must contain such information, as the State Commission considers appropriate and must contain such other information as the Corporation may require.
- 2. Review of subtitle C programs and preparation of application to the Corporation;
 - a. Administer a competitive grant process to select national service programs to include in any application to the Corporation for funding;
 - b. Prepare an application to the Corporation to receive funding and/or educational awards for the programs selected.
- 3. Preparation of Service Learning applications;
 - a. Assist State educational agency in preparing the application for subtitle B school-based service learning programs;
 - b. May apply to the Corporation to receive funding for community-based subtitle programs after coordination with the State Educational Agency.
- 4. Administration of the grant program;
 - a. After subtitle C and community-based subtitle B funds are awarded, will be responsible for administering the grants and overseeing and monitoring the performance and progress of funded programs.
- 5. Evaluation and monitoring;
- 6. Technical assistance;

- a. Provide technical assistance to local nonprofit organizations and other entities in planning programs, applying for funds and in implementing and operating high-quality programs.
7. Program development assistance and training;
 - a. Assist in development of Subtitle C programs (a description of such proposal assistance must be included in the State comprehensive plan).
8. Recruitment and placement;
9. Benefits;
 - a. Assist in the provision of health and child care benefits to Subtitle C program participants.
10. Activity ineligible for assistance;
 - a. A State Commission may not directly operate or run any national service program receiving financial assistance in any form.
11. Make recommendations to the Corporation;
 - a. Coordinate activities with other State Agencies;
 - b. Coordinate with volunteer service programs.

ARTICLE VI EXECUTIVE COMMITTEE

Purpose: Provide for the administration, continuity and good order of the State Commission as a whole and perform executive management tasks as may be determined by the State Commission membership.

Membership: State Commission Chairperson, State Commission Vice-Chairperson, Head of the state education agency, Representative of a National Service Program, Representative of the private sector and the State Commission Director.

Responsibilities:

- a. Propose an annual budget and work program (policy issues, special studies or plans) to the State Commission.
- b. Establish the meeting agendas for the State Commission.
- c. Track all outstanding actions of the State Commission and recommend actions that would assure successful completion of all tasks and objectives.
- d. Recommend policy positions for the State Commission's review and approval.
- e. Establish task groups when needed--design purpose and role, obtain and appoint members, designate chair and establish operating parameters, and

completion time subject to approval of the State Commission.

- f. Draft the State Commission's Annual Report for review and approval by the State Commission.
- g. Prepare the annual performance appraisal of the State Commission Director.

ARTICLE VII STAFF

The State Commission is authorized to obtain the services of such professional, technical, and clerical personnel as may be necessary to enable it to carry out its mission and responsibilities. The State Commission has the authority to contract for such services subject to the availability of funds and State personnel and contracting requirements.

ARTICLE VIII MEETINGS OF THE COUNCIL

Regular Meetings of the State Commission shall be held a minimum of four times annually, generally once a quarter, at a place specified by the Chairperson, or the Vice-Chairperson in the absence of the Chairperson. Normally, meetings of the State Commission will be coordinated to meet in conjunction with the meetings of the North Dakota Workforce Development Council. Notice will be given not less than ten (10) working days nor more than thirty (30) days prior to the date of the meeting. Meetings of the State Commission, may, by decision of the Executive Committee, be held via teleconference or electronic means. The fiscal year of the State Commission shall be July 1 through June 30.

Special Meetings of the State Commission may be called by the Chairperson upon the request of three or more members of the State Commission. Written notice of the time, place, and purpose of a special meeting and all other announcements shall be mailed to the members in accordance with the Notice of Meetings as specified in the Bylaws.

Notice of meetings shall be made by the Chairperson of the Commission, not less than ten (10) working days nor more than thirty (30) days prior to the meeting. Notification shall include, as a minimum, the date, time and place of the meeting, proposed agenda, and purpose of the meeting. Any formal notification of any meeting of the State Commission shall be proper if given to each member personally or by regular mail or electronic means.

Quorum: Fifty percent of members, less any vacancies, plus one shall constitute a quorum for meetings for the transaction of business of the State Commission. Attendance can be in person or by electronic means.

Agendas for every Regular and Special meeting of the State Commission, shall be approved at the beginning of each meeting.

Minutes shall be kept for all meetings of the State Commission. It shall be the responsibility of the State Commission's Director to see that adequate minutes are prepared and distributed for each authorized meeting. Review and approval of prior meetings shall be an agenda item for the State Commission.

Parliamentary Authority: Robert's Rules of Order, Newly Revised, shall be the parliamentary authority for conducting State Commission meetings except when they are inconsistent with the Bylaws of the State Commission. The Vice-Chairperson will be the State Commission's parliamentarian or the State Commission Director in the absence of the Vice-Chairperson.

ARTICLE IX AMENDMENTS

These Bylaws may be changed or amended and additional Bylaws adopted at any regular or special meeting of the State Commission's governing body provided that:

- a. A Notice of Intention to change or amend or add additional Bylaws, with the exact text of such change, amendment or addition was given in the notice of the meeting, and
- b. Such changes and amendments approved by the Executive Committee are also supported by the two-thirds of all other State Commission governing body members present at the regular or special meeting where approval of the Bylaws is introduced.

ARTICLE X ADOPTION OF CHARTER AND BYLAWS

This charter and bylaws shall be effective upon their adoption by the State Commission's governing body by two-thirds of the members present.

ADOPTED OCTOBER 19, 2005.