

**BY-LAWS**

**OF THE**

**WORKFORCE**

**INVESTMENT**

**BOARD**

**YOUTH COUNCIL**

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## **ARTICLE I**

### **NAME**

**Section 101.0** The name of this Council shall be the New River/Mount Rogers Workforce Investment Board Youth Council, hereinafter referenced as Youth Council, appointed by the New River/Mount Rogers Workforce Investment Board, hereinafter referenced as WIB.

## **ARTICLE II**

### **PURPOSE**

**Section 201.0** The purpose of the Youth Council is to work in conjunction with the Workforce Investment Board to develop strategies and programs to ensure the maximization of resources and services to youth residing in the local workforce area.

## **ARTICLE III**

### **GOALS**

**Section 301.0** The goals of the Youth Council shall be:

- 301.01** Insure continuity of contact with caring adults.
- 301.02** Focus on the essential nature of work.
- 301.03** Bona fide connections to employers.
- 301.04** A variety of contextual education options for competency certification.
- 301.05** Opportunities for leadership development.
- 301.06** Positive peer support.
- 301.07** Opportunities for postsecondary education and training.
- 301.08** Chances to serve the community.
- 301.09** Follow-up support over a sustained period.

## ARTICLE IV

### CONFLICT OF INTEREST

#### Section 401.0

A conflict of interest exists if the basis of selections is (i) by reason of ownership in that business; (ii) annual income or salary derived from such entity; (iii) other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by such entities submitting RFPs (Request for Proposals) and/or IFBs (Invitations for Bids). An interest also exists if a relative by blood, adoption, or marriage receives favorable treatment, or if a close personal friend and associate receives favorable treatment. In addition, a potential conflict of interest exists through foreseeable direct or indirect benefit of detriment to a Youth Council member, as a result of Youth Council recommendation on a proposal or bid. No actions should adversely impact the integrity of WIA. The following minimum conflict of interest provisions will apply to all Youth Council members:

- A. All members of the Youth Council are subject to the provisions of the State and Local Government Conflict of Interest Act.
- B. A member of the youth council must neither cast a vote on, nor participate in, any decision-making capacity on the provision of services by such member (or by an organization that such member directly represents); nor on any matter which would provide any direct benefit to such member or the immediate family of such member.
- C. Immediate family means (1) a spouse and (2) any other person residing in the same household as the member, who is a dependent of the member or of whom the member is a dependent. Dependent means any person, whether or not related by blood or marriage, who received from the member, or provides to the member, more than one-half of his financial support.
- D. Any council member (or specific entity represented by that member) who participates in the development of contract specifications or

standards is prohibited from receiving any direct financial benefit from any resulting contract.

- E. Any council member who participates in a council decision relating to specific terms of a contract, the determination of specific standards for performance of a contract, the development of Invitations for Bid (IFB) or Requests for Proposals (RFP) or other such bid processes leading to a contract, or any similar decisions is prohibited from receiving any direct financial benefit from any resulting contract. In addition, no corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust, foundation, or other entity shall receive the contract if it would create a conflict of interest for the council member who participated in this manner.
- F. Each Youth Council member shall file a statement of economic interest as a condition of assuming membership and then, annually while serving as a council member. The Chief Local Elected Officials shall determine the composition of the statement of economic interest.
- G. Any council member with a potential or actual conflict of interest must disclose that fact to the Local Workforce Investment Board as soon as the potential conflict is discovered and, to the extent possible, before the agenda for the meeting involving the matter at issue is prepared. If it should be determined during a meeting that a conflict of interest exists, the member must verbally declare such conflict of interest, such declaration must be clearly noted in the minutes, and such member must excuse himself/herself from the remainder of the discussion and voting on that item. Each council member is responsible for determining whether any potential or actual conflict of interest exists or arises for him or herself during his/her tenure on the board/council.

## **ARTICLE V**

### **OPERATIONAL PROCEDURES**

- Section 501.0** The Youth Council shall develop and prepare the youth portion of the five (5) year strategic plan pursuant to the WIA. The local operating procedures shall be as follows:
- Section 502.0** Recommendations for youth program plan activities and funding under WIA will be initiated by the Youth Council to the WIB.
- Section 503.0** The duties of the Youth Council may include but not be limited to the following:
- Section 503.1** Developing and recommending local youth employment and training policy and practice;
- Section 503.2** Broadening the youth employment and training focus in the community to incorporate a youth development focus;
- Section 503.3** Establishing linkages with other organizations serving youth in the local area;
- Section 503.4** Taking into account a range of issue that can have an impact on the success of youth in the labor market; and
- Section 503.5** The local Youth Council is responsible for the following activities:
- 503.51** Coordinating youth activities in the local area.
  - 503.52** Developing the portions of the local plan related to eligible youth.
  - 503.53** Recommending eligible youth service providers, including One-Stop operators subject to approval of the WIB.
  - 503.54** Carrying out other duties, as authorized by the Chairperson of the local WIB, such as establishing linkage with educational agencies and other youth activities.
  - 503.55** The local Youth Council, in conjunction with the local WIB, is required to submit a strategic plan detailing how the Workforce Investment Act programs will be developed and executed for youth in the local workforce area.

**503.56** The local Youth Council, in collaboration with the local WIB, will be responsible for meeting specific performance standards negotiate under the Workforce Investment Act.

## **ARTICLE VI**

### **MEMBERSHIP**

- Section 601.0** The Youth Council shall consist of members appointed by the local WIB consisting of representatives from the following organizations or categories:
- 601.01** Members of the local WIB who have special interest or expertise in youth policy.
  - 601.02** Members who represent service agencies, such as juvenile justice and local law enforcement agencies.
  - 601.03** Members who represent local housing authorities, including housing authority employees and/or tenant organizations.
  - 601.04** Parents of eligible youth seeking assistance under Subtitle B of Title I of WIA.
  - 601.05** Individuals, including former participants, and members who represent organizations, that have experience relating to youth activities.
  - 601.06** Members who represent the Job Corps.
  - 601.07** Youth Councils may include other individuals, whom the Chair of the local WIB, in cooperation with the chief elected officials, determines to be appropriate.
- Section 602.0** The membership of the Youth Council shall be numbered not to exceed thirteen (13).
- Section 603.0** Vacancies on the Council shall be filled in the same manner as original appointments.
- Section 604.0** Youth Council members will be expected to carry out the following:
- Section 604.1** Attend meetings regularly.

- Section 604.2** Be available to receive inquiries and information from individuals, organizations, business, industry and labor in the local workforce investment area and make available, as representatives of their significant segments, information to and from that segment.
- Section 605.0** Staff support shall inform the Youth Council Chairperson in any instance when an appointed member is absent from three (3) consecutive, regularly scheduled meetings of the Youth Council. The Youth Council Chairperson shall then call the absences to the attention of the member in writing.
- Section 605.1** If the member is absent from the next regularly scheduled meeting, after written notice, the member shall be dropped. The WIB shall be advised to initiate the appointment process to fill the vacancy.
- Section 605.2** If the Youth Council determines that a member of the Youth Council fails to execute his or her responsibility as a member of Council, the Chairperson shall recommend to the WIB removal of that person from the Membership of the Youth Council. The member may be replaced only with the concurrence of the WIB. If, because of this removal, the Youth Council no longer meets the membership requirements set forth by the By-laws, the WIB shall initiate action to assure that the Youth Council membership fulfills the requirements. The Youth Council Chairperson will notify the WIB, with recommendations from the Youth Council for all additions or deletions from the membership of the Youth Council.
- Section 606.0** Members of the Youth Council shall be appointed by the WIB, to staggered term of two – four years. Any and all Youth Council appointments by the WIB, will be made at such times, so that to the extent possible, one-third of the appointments may expire each year. Youth Council appointments shall be for two – four year terms, except appointments for vacancies which shall be for the unexpired term. Any member of the Youth Council may be reappointed by the WIB, one or more times to serve another term of office, upon the expiration of his/her current term. If at the end of any term of office a successor thereto shall not have been appointed by the WIB, then the member whose term of

office shall have expired shall continue to hold office until his/her successor is appointed.

**Section 606.1** Each member may appoint a representative or alternate to attend meetings in his/her absence if the appointment is provided in writing to the Youth Council Chairperson and represents the same segment of Youth Council composition as does the member making the appointment.

**Section 606.2** Voting membership shall become effective upon submission to the Governor's office.

**Section 606.3** A member of the Youth Council who has a conflict of interest in regard to a proposal/contract shall not participate in any way as a Youth Council member, including discussion, and this action is set forth as a matter of public record.

**Section 607.0** Youth Council members shall submit information concerning all committees, boards, etc., of which they are a member or represent.

**Section 607.1** Youth Council members will notify the WIB within 90 days of any changes or new committee appointments they may receive.

## **ARTICLE VII**

### **OFFICERS**

**Section 701.0** A Chairperson and Vice-Chairperson shall be elected annually by the membership of the Youth Council.

**Section 702.0** In the absence of the Chairperson, the Vice-Chairperson shall preside at meetings and perform such additional duties as are required by the Youth Council and necessitated by the absence of the Chairperson.

**Section 703.0** Prior to all funding recommendations to the WIB, the Chairman will alert all members present of the conflict of interest policy and the strict prohibition against interested parties engaging in discussion. Failure to so alert will not render any action invalid.

**Section 704.0** The Chairperson, shall represent the Youth Council at all WIB meetings. A specific time shall be set-aside on the WIB agenda for a report from the Chairperson. The Chairperson shall further be responsible for reporting

Youth Council action to WIB membership; prepare agenda information for meetings in coordination with support staff and notify members of regular and specifically called meetings.

**Section 705.0** The Vice-Chairperson shall assume the duties of the Chairperson in his/her absence and perform other duties as requested by the Chairperson.

## **ARTICLE VIII**

### **MEETINGS**

**Section 801.0** Meetings of the Youth Council will initially be held on a scheduled basis, but at least once monthly, during transition to WIA and subsequently held quarterly. Meetings shall be held on a regularly scheduled basis as determined by the Youth Council. All meetings held in variance with schedule shall be considered special meetings.

**Section 802.0** Special meetings (meetings other than those regularly scheduled) may be called by the Chairperson or may be called at the request of three (3) members.

**Section 803.0** One-half of the appointed members shall constitute a quorum to do business, and the decision may be made by the majority of those present and voting. The Chairperson shall determine and declare that a quorum is present prior to conducting business at any meeting. Representatives or alternates of members are to be counted in the determination of quorums.

**Section 804.0** When a quorum is not present at any meeting, those present may meet for the purpose of considering such matters as are on the agenda. Action taken at a meeting where a quorum is lacking shall not be final or official until it has been ratified by a majority vote of a quorum of the entire Youth Council.

**Section 805.0** Meetings of the Youth Council are open to the public. Members of the general public and public representatives may be heard by advance notice or at the discretion of the Youth Council. Members of the general public and public representatives may submit input for the Youth Council's information and/or for consideration by the Youth Council and must

request no later than one day prior to the meeting to be placed on the agenda. The Chairperson may use his or her discretion in waiving this request.

**Section 805.1** Executive sessions may be held to discuss items restricted under the Virginia Freedom of Information Act.

**Section 806.0** Staff will be responsible for preparing minutes of all regular and special meetings and forwarding a copy of the minutes to the Youth Council membership.

## **ARTICLE IX**

### **VOTING**

**Section 901.0** Each member of the Youth Council or designated alternate shall be entitled to one vote.

**Section 902.0** No member of the Youth Council shall cast a vote on any matter which has direct bearing on services to be provided by the member or any organization with which that member is associated. It shall be the responsibility of a member to inform the Chairperson of such direct interest prior to general discussion on the matter at issue and abstain from all discussion. When any member of members are excluded from voting as set forth above, the number of members needed to constitute a quorum shall be reduced by the number of members excluded from voting.

**Section 903.0** Matter brought before the Youth Council shall be resolved by a vote of a simple majority of the members present provided a quorum exists. On matters involving funding recommendations, a roll-call vote may be required by the Chairperson.

## ARTICLE X

### PARLIAMENTARY AUTHORITY

**Section 1001.0** The rules contained in the most recent edition of Robert's Rules of Order shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these By-laws and any special resolution the Board may adopt.

## ARTICLE XI

### STAFF ASSISTANCE

**Section 1101.0** Staff support shall be provided by the Grant Fiscal Agent.

**Section 1102.0** A clerical staff person of the Grant Fiscal Agent shall act as Secretary to the Youth Council.

## ARTICLE XII

### AMENDMENT OF BY-LAWS

**Section 1201.0** These By-laws may be amended at any regular meeting of the Youth Council by a two-thirds (2/3) vote of the Council membership, provided that the amendment has been submitted in writing at the previous regular meeting of the Youth Council and the proposed changes have been mailed to all members of the Youth Council and all proposed amendments have been approved by the WIB.

**Section 1202.0** These By-laws and any amendments thereto shall not be in conflict with any applicable State and Federal laws and regulations.

## ARTICLE XIII

### EFFECTIVE DATE

**Section 1301.0** These By-laws shall become effective once approved by membership of the WIB.

