

GOVERNANCE COMMITTEE MEETING

Via Skype
June 24, 2020
10:04 am

ATTENDANCE

Dr. Aldo Jackson
Tyrone Clark
Jill Foys
Brittany Eisenman

ABSENT

Dr. Ray Feroz
Gary Shaw
Steven Davis

GUESTS

Carmine Camillo

PFP STAFF

Deb O'Neil
Erin Shaffer
Julie Price
Carrie Symes
Jackie Hamilton

WELCOME/ROLL CALL

Dr. Jackson called the meeting to order at 10:04 am. Roll call was taken. It was noted there was a quorum.

VISITOR RECOGNITION/PUBLIC COMMENT

Visitors introduced themselves. There was no public comment.

APPROVAL OF MINUTES – SEPTEMBER 18, 2019 AND APRIL 22, 2020

The Governance Committee minutes for the September 18, 2019 and April 22, 2020 meetings were presented for approval.

MOTION

It was moved by Mr. Clark and seconded by Ms. Eisenman to approve the Governance Committee Meeting minutes dated September 18, 2019 and April 22, 2020 as presented. All were in favor. Motion passed and carried.

REVIEW OF PREVIOUS ACTION ITEMS (NONE)

WDB MEMBERSHIP UPDATE

Ms. O'Neil reported that upon receipt of the board certification monitoring report it was noted that four board members do not meet the criteria for membership, the CLEOs asked for an extension of the board certification through the end of the program year. No response has been received. Mr. Tisdale and Mr. Decker's appointments conclude on June 30, 2020 and are expected to be reappointed. Dr. Feroz' appointment concludes on December 31, 2020, but Commissioner Abramovic has opted to reappoint him effective July 1, 2020 to align his appointment with the majority of the members, which expire at the end of a program year. The committee asked who the four board members in question were, and Ms. O'Neil stated that Mr. Clark, Mr. Chevalier, Dr. Miller, and Mr. Shaw all had nomination letters that were not sufficient evidence of being in high priority or in demand occupations. Once a state response is received, the CLEOs will consider options for board membership going forward.

PY18 STATE MONITORING REPORT BYLAWS DISCUSSION

Ms. O'Neil noted that the board staff recently received a state monitoring report for the PY18 monitoring. There are several findings and concerns, but no response was requested, likely due to the late timing of this report. Board staff referred to the attachment and went over each item and the board staff's course of action

to address the items in preparation for another monitoring. Related to the report, Ms. O'Neil noted two issues that may prompt the consideration for bylaws revisions: (1) the number of terms a board member may serve; and (2) public meeting notices. The bylaws do not state whether there is a limit to the number of terms a member may serve, and the Sunshine Law Act states that a meeting must be advertised in a publication, but the bylaws implies multiple newspapers which is incongruous with practice. The committee was concerned with whether advertising in one publication was sufficient for the entire local area, and asked board staff to consider low-to-no-cost options for additional advertising online. The committee also asked board staff to acquire quotes for advertising. Advertising remaining meetings for the year should be considered for both options. The Governance Committee also recommended that the Executive Committee be asked to consider a schedule of meetings for the remainder of the program year to advertise once and save on notice publication costs. The Governance Committee suggested addressing term limits in the bylaws with language like "no limit to the number of terms, consecutive or nonconsecutive."

Mr. Clark concurred with the language but asked why there were no limit to the number of terms. Ms. O'Neil stated that it continues to be challenging to find people to participate in board meetings and activities that meet the criteria for membership. The learning curve associated with the workforce system is significant and historical knowledge is beneficial in participating in the oversight of the system. She added that the CLEOs struggle to identify new members in alignment with the required membership composition, and especially union members since so many do not have local offices. The Governance Committee asked that the Executive Committee or the full board be surveyed for an opinion on a limit to the number of terms a board member may serve.

Ms. O'Neil asked for clarification on addressing public notices in the bylaws and the committee asked for the "S" at the end of "newspapers" to be removed. Ms. Eisenman asked about the process for changing bylaws and Ms. O'Neil noted that the board staff will create a revised draft of the bylaws and present them to the Governance Committee, who may make recommend additional changes. The Executive Committee will also review and have the opportunity to recommend changes before the final version is considered for approval by the full board. The amended bylaws must be provided to the board for review at least five days prior to the board meeting and once approved, posted on the website. The CLEOs will also have the opportunity to approve the amended bylaws.

MOTION

It was moved by Mr. Clark and seconded by Ms. Foy to recommend to the following change to the bylaws for a future revision: remove the "s" on "newspapers" regarding public meeting notice. The Executive Committee will be surveyed about limit to the number of terms. All board meetings for the remainder of the program year should be advertised. All were in favor. Motion passed and carried.

****ACTION****

- **Board staff will survey the Executive Committee about a limit to the number of terms.**
- **Board staff will make the necessary bylaws revisions and provide the bylaws for approval at a future meeting.**
- **Board staff will advertise all board meetings for the remainder of the program year.**

RECOMMENDATION OF UPDATED PARTNER MOU

Ms. O'Neil noted that the Partner MOU is required under WIOA and has a three-year life. The committee is being asked to review the language of the MOU due to be in place by July 1, 2020 and in effect through June 30, 2023. Board staff continues to collect signatures and appendices from the partners listed in the agreement. The attachment provided for recommendation includes highlighted changes from the previous draft, and these changes also include suggestions from the OVR partner regarding accessibility, as well as including the

attachment of the Accessibility Protocol. As these changes were received after some partners had signed the agreement, a second revision of the agreement was sent out to all partners to ensure that those who already signed consented to the additional changes. There have been no major issues or unresponsiveness from any partner; however, board staff is still collecting the documentation required for the agreement.

Additionally, Mr. Hewitt volunteered to provide training and document review assistance to help keep partners compliant with the accessibility language in the agreement.

MOTION

It was moved by Ms. Foys and seconded by Mr. Clark to approve the Updated Partner MOU as presented. All were in favor. Motion passed and carried.

RECOMMENDATION OF NEW AND REVISED POLICIES

ITA POLICY (REVISED)

SYSTEM OF RECORD/FILE MANAGEMENT POLICY (NEW)

Ms. O’Neil referred the attachment and explained that ITA Policy language was revised to add flexibility with assessments due to the pandemic, which has presented a capacity issue for conducting CASAS assessments. Group settings are not permitted for assessments and they must be conducted on a case by case basis. Some participants may not need the assessment, or in extreme circumstances, may use the CASAS Academy in ResCare Academy as an alternative assessment tool to determine if the participant should enter into an ITA, along with case manager monitoring progress. Mr. Clark asked if the Title I contractor had an issue with these changes and Mr. Camillo replied that he has been working with Title II on this solution, and noted that Title III and Trade also require assessments which are conducted by Title II. It was Mr. Camillo’s opinion to reserve the limited one-on-one opportunities for assessments for those participants that the contractor was most uncertain of their ability to success in an ITA. Mr. Clark and Dr. Jackson noted that they were aware that Mr. Shaw had some issues with assessment timing and asked if he was part of the discussion for this solution. Ms. O’Neil noted that she was not familiar with any issues brought forth by Mr. Shaw, but he was a member of this committee and received the agenda and its attachments, including the draft policy. Dr. Jackson noted that the revised policy gives flexibility in a difficult situation, but still maintains the original standard for assessments.

Ms. O’Neil stated that the System of Record/File Management Policy is a new policy and is a requirement of monitoring and the Local Planning process. The state’s revised system of record policy is out for public comment and has significant changes; however, there is no timeline for a final policy from the state and this policy must still be in place locally. If the state’s final policy requires changes the local policy, it will be brought before the committee and board for additional changes. In the meantime, Ms. O’Neil recommended the committee consider moving forward with the presented policy language to remain compliant with current requirements.

MOTION

It was moved by Mr. Clark and seconded by Ms. Foys to approve the ITA and System of Record/File Management Policies as presented. All were in favor. Motion passed and carried.

RESCARE UPDATE (POLICY-RELATED DISCUSSION ONLY)

Mr. Camillo referred to the previous conversation about the CASAS assessment. He also noted that there were over 200 job postings from 56 employers participating in the virtual job fair scheduled for the next day. This fair is broken out by county.

OTHER BUSINESS

The committee noted no further business and Ms. O'Neil noted that she will continue to monitor policy and compliance concerns and reach out to the Governance Committee as needed.

REPORT FOR EXECUTIVE COMMITTEE

The committee asked that the Executive Committee be advised of their recommendations.

REVIEW OF ACTION ITEMS

- 1. Board staff will survey the Executive Committee about a limit to the number of terms.**
- 2. Board staff will make the necessary bylaws revisions and provide the bylaws for approval at a future meeting.**
- 3. Board staff will advertise all board meetings for the remainder of the program year.**

ADJOURNMENT

MOTION

It was moved by Ms. Foys and seconded by Mr. Clark to adjourn the meeting. All were in favor. Motion passed and carried.

There being no further business, the meeting adjourned at 11:10 am

Respectfully submitted,
Jackie Hamilton
NWPA Job Connect