

Local Workforce Development Area (LWDA) 51

Calcasieu Parish Consortium

Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, and Vernon Parishes

# Workforce Development Board (WDB) Bylaws

Established 11/12/15 for Workforce Innovation and Opportunity Act of July 22, 2014, implemented July 1, 2015.  
Revisions made on May 16, 2019, May 21, 2019 and June 25, 2020.

## ARTICLE I ESTABLISHMENT

**SECTION 1 PURPOSE OF WORKFORCE DEVELOPMENT BOARD:** The Calcasieu Parish Consortium Workforce Development Board (WDB) is established in compliance with Section 107 of the Workforce Innovation and Opportunity Act (WIOA)(PL 113-128). The purpose of the WDB shall be to ***“strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States and to promote individual and national economic growth, and for other purposes”*** in the local workforce development area covering Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, and Vernon Parishes. Regional Activities are commensurate with the local workforce area.

The WIOA Regulations at §679.300 provide the vision and purpose of the local WDB as follows:

- (a) The **vision** for the WDB is to serve as a strategic leader and convener of local workforce development system stakeholders, partner with employers to develop policies and investments supporting strategies for regional economies, develop effective approaches including partnerships and career pathways, and high quality, customer-centered service delivery approaches;
- (b) The **purpose** of the Local Board is to –
  - (1) Provide strategic and operational oversight in collaboration with partners and stakeholders to develop a comprehensive, high-quality workforce development system in the region;
  - (2) Assist in the achievement of the State’s strategic and operational vision and goals as outlined in the Combined State Plan; and
  - (3) Continue to improve to maximize quality and effective services and customer satisfaction.

Limitation on Authority – Nothing in this Act shall be construed to provide a local board with the authority to mandate curricula for schools.

## SECTION 2 ORGANIZATIONAL STATEMENT

The Calcasieu Consortium Workforce Development Board (WDB) for Local Workforce Development Area 51 (LWDA51), incorporating the 6 civil parishes in southwest Louisiana, also considered as Region 5, including Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, and Vernon was organized in a meeting of a quorum of 4 of the 6 Police Jury Presidents on September 1, 2015 at 10:00 a.m. in the Calcasieu Parish Police Jury’s Conference Room.

The Application for Re-designation was submitted to the Workforce Investment Council of the Louisiana Workforce Commission and was approved on September 15, 2015 in Baton Rouge, LA.

## ARTICLE II MEMBERSHIP

**SECTION 1** The chief elected official in a local area is authorized to appoint the members of the local board for the area, in accordance with the State criteria established under subsection (b). (107 (c)(1)(a))

Multiple units of Local Government in Area – The local area includes more than 1 unit of local government; therefore, the 6 chief elected officials of the area have executed a Multi-Jurisdictional Agreement specifying the roles of the chief elected official.

- (I) in the appointment of members of the local board from the individuals nominated or recommended to be such members in accordance with the criteria established under subsection (b) and
- (II) in carrying out any other responsibilities assigned to such officials under this title.

**SECTION 2** EXTENUATING CIRCUMSTANCES – Members may be recommended for removal for good cause by a majority vote of the members present. Good cause is defined as any voluntary termination, or failure to attend three (3) consecutive meetings. Extenuating circumstances should be considered in removing a member for any reason. A letter will be sent to the member and to the nominating authority of the Board's action for removal. A written response will be requested from the member asking if there were any extenuating circumstances involved in the absenteeism. The Executive committee shall review the response and make a recommendation to remove or excuse to the full WDB at their next meeting.

**SECTION 3** **MAJORITY:** A majority of the members of the WDB shall be representatives of the private sector or business in the local area who have been nominated by either Business Organizations such as Chambers of Commerce OR Business Trade Associations.

**SECTION 4** **CHAIRPERSON:** The local board shall elect the chairperson and the vice-chair from among the representatives of **private sector** business in the local area. The secretary may be from either public or private sector with preference to the Public sector.

**SECTION 5** **NOMINATION PROCESS FOR MEMBERS:** Members shall be appointed by the Chief Elected Official (CEO) in the local area, from nominations received in accordance with State criteria.

**Nomination Process:**

Consistent with the Multi-Jurisdictional Agreement, the Nomination Process for Workforce Development Board members is as follows:

1. The Calcasieu Parish Police Jury designates the nominating agencies as stipulated in the Workforce Development Board Handbook by taking official action at a public meeting. Any changes in the nominating agencies must be presented to the Calcasieu Parish Police Jury for official action.
2. **Private Sector Nominating Agencies** include the Chambers of Commerce from the 6-parish area for a total of 17 members as follows:
  - (1) Calcasieu Parish: The Southwest Louisiana Economic Development Alliance shall nominate 7 Private Sector Members. The West Cal Chamber of Commerce shall nominate 1 private sector member from west Calcasieu Parish.
  - 2) Cameron Parish has relinquished their nomination of 1 private sector member to the SWLA Economic Development Alliance who will appoint a business from Cameron Parish. The Cameron Chamber is inactive at this time. This seat will return to Cameron Parish Chamber should the agency become active.

- (3) The Jefferson Davis Chamber of Commerce will nominate 2 private sector businesses who are members of the Jeff Davis Chamber of Commerce.
  - (4) The Vernon Parish Chamber of Commerce will nominate 3 private sector businesses who are members of the Vernon Chamber of Commerce.
  - (5) For Allen Parish, The Kinder Chamber of Commerce will nominate 1 private sector member.
  - (6) The Beauregard Chamber of Commerce shall nominate 2 private sector members.
3. **Public Sector Nominating Agencies** include agencies designated by the Louisiana Workforce Commission, Office of Workforce Development for a total of 9 members as follows:
- (1) Louisiana Economic Development Director of Workforce Initiatives LED Fast Start shall nominate the member to represent Economic development.
  - (2) Board of Regents Commissioner of Higher Education by Dr. Lisa Vosper shall nominate the representative from the Community College (SOWELA)
  - (3) Adult Education/Literacy Executive Director of WorkReady U will nominate the representative from Adult Ed/Literacy.
  - (4) Department of Children and Family Services Regional Administrator for LA DCFS Division of Programs will nominate the representative from TANF. (Temporary Assistance to Needy Families).
  - (5) The AFL/CIO President of the Louisiana AFL-CIO will nominate the 2 labor/apprenticeship representatives.
  - (6) Louisiana Rehabilitation Services will nominate the representative of LRS.
  - (7) The member of Wagner-Peyser will nominate the representative of the Employment Service.
  - (8) The member of the Community Services Block Grant will nominate the representative of CSBG.
4. **Grant Recipient/Calcasieu Parish Police Jury** will nominate a total of 5 members as required to represent Economic Development, Economic Development Agency, K-12 Education, Veterans, and Department of Correction/Prison System.
5. The nomination forms shall be presented to the Calcasieu Parish Police Jury for official action at a public meeting to appoint the nominees. Each agency may nominate 3 individuals for each position. The Police Jury will appoint their choice. Members may be re-nominated or replaced at the end of the three-year term.
6. **Formality of Appointment** A copy of the Resolution from the Calcasieu Parish Police Jury documents the appointment. Members are instructed to present themselves before a qualified official and be sworn in. This information is presented to both the Police Jury and the Secretary of State.

**SECTION 6 CERTIFICATION:** The membership and composition of the WDB shall be certified by the Governor.

**SECTION 7 REPLACEMENTS:** Replacement members shall be appointed in accordance with these procedures.

***All membership vacancies or changes in membership must be filled within 60 Calendar days.***

**SECTION 8 LENGTH OF APPOINTMENT:** Following the staggered term-length during organization, members shall be appointed for 3 years, and shall continue to serve until

they are replaced. Terms shall be staggered so that no more than one-half of the members are appointed each year. Members may be reappointed to a new term through the proper replacement procedures by the Chief Elected Official (CEO). In the event a member vacates the position, a replacement shall be appointed by the Calcasieu Parish Police Jury to fill the unexpired term of the vacating member, thereby retaining the 3-year terms.

**SECTION 9 REMOVAL OF MEMBERS:** Members may be recommended for removal for good cause by a majority vote of the members present. Good cause is defined as any voluntary termination, or failure to attend three (3) consecutive meetings. Extenuating circumstances should be considered in removing a member for any reason. A letter will be sent to the member and to the nominating authority of the Board's action for removal.

**SECTION 10 TERM LIMITS:** The Chairman of the WDB shall be limited to serve two consecutive terms.

## ARTICLE III ORGANIZATION

**SECTION 1 OFFICERS:** The officers of the WDB shall be the Chairperson, Vice-Chairperson, and Secretary. Officers shall be selected by a majority vote of the members. The Chairperson and the Vice-Chairperson shall be selected from the representatives of the Private sector. The Secretary may be selected from either private or public sector. This listing of the order of officers determines the individual who may chair the meeting in the absence of the chair. *Officers shall serve until replaced.*

**SECTION 2 COMMITTEES:** The WDB has designated the following standing committees to provide information and to assist the WDB in carrying out activities under this Section as well as expanding the opportunity for stakeholders to participate in WDB activities. The committees will be chaired by a business-led member of the WDB and shall include other members of the WDB. Committees may include other individuals appointed by the WDB who are not members of the WDB but have appropriate experience and expertise.

The WDB has established the following Standing Committees:

- (1) Executive Committee: A standing committee to deal with issues between meetings of the WDB. All members of the Executive Committee are elected by the full WDB in regular session. The Executive Committee may meet in Executive Session to deliberate a variety of issues and report the findings to the full WDB in order for official action to be taken. An Executive session is not a public meeting.

The Executive Committee shall consist of the 3 officers of Chairman, Vice-Chairman and Secretary plus a representative of labor, youth, economic development and the private sector business. The chairs of the standing committees will also serve on the Executive Committee. Committees may be reappointed each year and may include the newly appointed members to the Board even though their official term does not begin until July 1. The Executive Committee is responsible for developing the Local Plan and a Budget for each funding stream, reviewing and recommending funding awards for comprehensive Youth Service Providers, review and recommending funding awards to the One Stop Operator, negotiate performance measures with WDB Staff and LWC Staff and other appropriate activities.

- (2) Youth Committee: A standing committee to provide information and to assist with planning, operational, and other issues relating to the provision of services to youth, which shall include community-based organizations with a demonstrated record of

success in serving eligible youth. This Committee will replace the Youth Council from the Workforce Investment Act (WIA). There shall be 3 members on the Youth Committee. A member of the private sector will chair the committee. Other Board and non-board members who meet the criteria may be appointed. The Youth Committee may make visits to the premises where the Youth Services are being provided.

- (3) Disability Committee: A standing committee of 3 members to provide information and assist with operational and other issues relating to the provision of services to individuals with disabilities, including issues relating to compliance with WIOA Section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding programmatic and physical access to the services, programs, and activities of the one-stop delivery system, as well as training for staff on providing supports or accommodations and finding employment opportunities.
- (4) Additional Committees: The WDB may designate other standing committees as deemed essential as either a standing committee, a task force or an ad hoc committee.

The Chairperson shall serve as the Executive Committee Chair and appoint the committee chairs for all standing committees and task-forces of the WDB.

All Committees of the WDB must follow the Bylaws of the WDB (WDB Certification, P.10 Membership Requirements.)

**SECTION 3 STAFF:** Section 107 (f) of the Workforce Innovation and Opportunity Act provides directives on Staff as follows:

- (1) In General – The local board may hire a director and other staff to assist in carrying out the functions described in subsection (d) using funds available under sections 128(b) and 133(b) as described in section 128(b)(4).
- (2) Qualifications – The local board shall establish and apply a set of objective qualifications for the position of director, that ensures that the individual selected has the requisite knowledge, skills, and abilities, to meet identified benchmarks and to assist in effectively carrying out the functions of the local board.
- (3) Limitation on Rate – The director and staff described in paragraph (1) shall be subject to the limitations on the payment of salaries and bonuses described in section 194(15)

## ARTICLE IV RESPONSIBILITIES

**SECTION 1 RESPONSIBILITIES:** The WDB, in cooperation with local elected officials, shall perform the functions as set forth in Section 107 (d)(1)-(13) of the Act which shall include, but not be limited to the following:

***The LWDB has entered into a formal agreement with the Chief Elected Official clearly detailing the partnership between the two entities for the governance, review and oversight of Local Workforce Development Activities.***

**The functions of the Local Board (Sec 107 (d) (1)-(13)) as follows**

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| (1) <u>Local Plan</u>  | (8) <u>Program</u>  |
| (2) <u>Workforce Research and Regional Labor Market Analysis</u> | <u>Oversight</u>  |
| (3) <u>Convening, Brokering, Leveraging</u>                      | (9) <u>Negotiation of Local Performance Accountability Measures</u> |
| (4) <u>Employer Engagement</u>                                   |   |
| (5) <u>Career Pathways Development</u>                           |   |
| (6) <u>Proven and Promising Practices</u>                        |   |
| (7) <u>Technology</u>  |   |

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| (11) | (10) Selection of Operators and Providers    | (12) <u>Budget and Administration</u> | (13) <u>Accessibility for Individuals with Disabilities</u> |
|      | <u>Coordination with Education Providers</u> |                                       |   |

**SECTION 2 INDEMNIFICATION:** The WDB, in cooperation with CEO, shall be protected from liable through insurance for that purpose. The cost of this insurance will be paid from WIOA administrative funds.

**SECTION 3 AWARD LIMITATIONS:** The WDB, with the CEO, shall award funds to service providers in accordance with the procurement policies of the State of Louisiana as amended by the Calcasieu Parish Police Jury. The Board shall not award funds without approval of the Calcasieu Parish Police Jury, because of the liability of the Grant Recipient regarding disallowed costs.

**SECTION 4 ELECTRONIC SIGNATURES:** The WDB acknowledges that it will accept electronic signatures for approvals or authorizations needed for the purpose of conducting business as legally binding and equivalent to a handwritten signature.

## ARTICLE V MEETINGS

**SECTION 1 BOARD MEETINGS:** The WDB shall meet a minimum of at least (four (4) meetings per fiscal year, preferably one (1) official meeting each quarter. Other meetings may be called at the discretion of the Chairperson. Other than the Chairperson, if at least 20% (7) of the members determine that a meeting needs to be conducted, the Chairperson will call the meeting at their request.

**SECTION 2 NOTICE OF MEETING:** All regular meetings of the Board shall be open to the general public, except items relating to matters protected under the open meetings law.

Notice of all meetings shall be posted and conducted pursuant to the requirements of Louisiana's open meetings law, unless such Board meetings are exempt.

Notice of the time and place of each meeting shall be emailed to each member at least seven (7) days prior to the meeting, together with an agenda and such other material as necessary.

A notice will be placed in the public meeting section of the Newspaper of the date, time and location of the meeting with the invitation for the public to attend. A notice will also be placed on the Calcasieu Parish Police Jury's Webpage. The same notice shall be forwarded to each of the Police Juries in the Workforce area to ask them to do the same with a notice that will be sent to them. At this notice, the Agenda and Agenda attachments will be made available through the WDB Staff.

Notice will also be given through publication of a comment period for input requested prior to a given date, etc. regarding submission of the plan, membership, designation and certification of the one-stop operator(s), consistent with the combined State Plan, regarding the award of grants or contracts to eligible providers of youth activities, as well as minutes of formal meetings of the WDB.

**SECTION 3 AGENDA:** The agenda shall be prepared by the Chairperson with the aid of WDB Staff to reflect the principal business of the WDB. Any Staff or member may request that an item be added to the agenda. With a majority vote of the members, any add-on item may be considered at the time of the meeting.

**SECTION 4 ORDER OF BUSINESS:** The regular order of business at all meetings of the WDB shall be:

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| <ol style="list-style-type: none"> <li>1. Call to order</li> <li>2. Introduction of Members and Guests</li> <li>3. Consideration on add-on agenda items</li> <li>4. Review of Minutes</li> </ol> | <ol style="list-style-type: none"> <li>5. Consideration on Business of the Day</li> <li>6. Upcoming meetings</li> <li>7. Adjournment</li> </ol> |
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**SECTION 5 RULES:** Robert's Rules of Order shall be followed in conducting all Board and Committee meetings except where the Public Meeting Laws are more restrictive.

**SECTION 6 VIDEO/TELEPHONE MEETINGS:** In case of a disaster or an emergency meeting is needed, the WDB will have the flexibility to conduct Meetings with Video and/Telephone Conferencing Software. A quorum of fifty percent plus one will still be required to conduct official business during this virtual meeting.

## ARTICLE VI QUORUM AND VOTING

**SECTION 1 QUORUM:** A quorum of the WDB shall consist of fifty percent plus one. A quorum of all other committees shall consist of a majority of the committee members.

Only the members of the WDB may be counted for a quorum. Although a member of the WDB may be informally represented, that representative is without any authority to act in any formal capacity on behalf of the absent member or be counted toward a quorum or to vote. Public Meeting Law.

**FAILURE TO ACHIEVE QUORUM:** When there is business of a timely manner to be conducted by the WDB, and WDB staff learn by a telephone poll of members that to obtain a quorum of members is not possible for an upcoming meeting OR when a past meeting has failed to achieve a quorum of members, the Grant Recipient, a partner in the provision of WIOA services may include the item(s) on its agenda and take the appropriate action and provide notice to the Board of the action that was taken. The Board will ratify the action at its next meeting when a quorum is present.

**SECTION 2 VOTING:** Each member of the WDB, except for the Chairperson, shall be entitled to one (1) vote. Members must attend the meeting in order to vote. The Chairperson will not cast a vote unless it is necessary to break a tie.

No member shall cast a vote on the provision of services by that member (or any organization which that member directly represents) or vote on any matter which would provide direct financial benefit to that member or any organization they represent.

**SECTION 3 CONFLICT OF INTEREST:**

**Conflict of Interest Policy**

**Purpose:** To provide guidance to Local Workforce Development Boards (LWDBs), whose members are entrusted with public funds. Members shall not personally or professionally benefit from the award or expenditure of such funds according to Louisiana law R.S. 42:1124.2.1 and Workforce Innovation and Opportunity Act (WIOA) Section 107 (h).

**Policy:** All members of the WDB and Standing Committees serve a public interest and trust role and have a clear obligation to conduct all affairs in a manner consistent with this concept. All decisions of the Board are to be based on promoting the best interest of the state and the public good.

Workforce Innovation and Opportunity Act Section 107 (h) states that a member of the WDB, or a member of a standing committee, may not:

- (1) Vote on a matter under consideration by the Board
  - (A) regarding the provision of services by such member (or by an entity that such member represents); or
  - (B) that would provide direct financial benefit to such member or the immediate family of such member; or
- (2) engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the combined State plan.

Each WDB shall adopt in its bylaws a conflict of interest policy that includes the minimum requirements of state and federal laws and regulations.

The WDBs conflict of interest policy may be even more restrictive than state and federal requirements. All Workforce Development Board Directors are required to maintain and enforce this policy. Board members must become familiar with the local policy.

The following are additional guidelines for LWDB members.

No member of the Local Workforce Development Board and Standing Committee shall:

- (1) Cast a vote or participate in any decision-making capacity on any matter under consideration regarding the provision of services by such member (or by an entity that such member represents); or that would provide direct financial benefit to such member or the immediate family of such member.
- (2) Engage directly or indirectly in any business transactions or private arrangement for profit which accrues from or is based upon his or her official position or authority on the WDB.
- (3) Participate in the negotiation of or decision to award contracts or grants, the settlement of any claims or charges in any contracts or grants, the certification of any eligible providers or the establishment of any designation of local workforce investment areas or the establishment of any one-stop delivery systems, with or for any entity in which he or she has a financial or personal interest.
- (4) Utilize any WDB equipment, supplies or properties for his or her own private gain or for other than official designated purposes.

#### **SECTION 4 ETHICS TRAINING AND FINANCIAL DISCLOSURE**

All Board members will utilize the on-line computer training OR the one-hour seminar to receive the annual Ethics training. A copy of the Certificate will be emailed to the WDB Staff to forward to the Calcasieu Parish Police Jury and to keep on file at the WDB Office.

WDBs, through its Director, must develop and maintain bylaws that include a local Conflict of Interest Policy for the WDB. As a provision of this policy, all existing and new WDB Members must complete a State of Louisiana Personal Financial Disclosure form that will be kept on file at the WDB Office.

#### **SECTION 5 WDB EXECUTIVE COMMITTEE VOTING AND RATIFICATIONS**

A quorum of the WDB Executive Committee shall consist of a majority of the committee members. Each member of the Committee shall be entitled to one (1) vote. Members must attend the meeting in order to vote. No member shall cast a vote on the provision of services by that member (or any organization which that member directly represents) or vote on any matter which would provide direct financial benefit to that member or any organization they represent. Each agenda item that the Executive Committee approves will be ratified and adopted by the full WDB at its next scheduled meeting.

## **ARTICLE VII PUBLIC INFORMATION**

**SECTION 1 OFFICIAL PRONOUNCEMENTS:** The Chairperson is the only member of the WDB authorized to make official pronouncements for the WDB. However, the WDB Director is authorized to speak for the WDB and its constituents with respect to any policy matters that have been approved by the WDB and administrative matters entrusted by the WDB.



**SECTION 2 RELEASES AND GENERAL INFORMATION:** The WDB Director may issue news releases, general information, and other communication regarding the business of the WDB and its committees which will serve its interest.

**SECTION 3 AGENCY OR ORGANIZATION RELEASES:** Members of the WDB or its committees shall be responsible for releases and information issued from their agencies regarding matters pertaining to the WDB or its committees. Members shall be responsible for releases of information internally to their agency or organization staff members.

## **ARTICLE VIII OPEN AND PUBLIC MEETINGS**

**SECTION 1 PUBLIC BUSINESS:** Workforce Development Boards (WDB) exist to serve the public interest. Meetings of the WDB, its committees and task forces shall be conducted in an open manner and shall be publicly announced in advance. However, the WDB or its committees, at the direction of the chairperson or at its own election may meet in Executive Session; provided that all resolutions, rules, regulations, contracts, or appropriations shall be finally approved in open session.

Section 107 (e) Sunshine Provision – The Board shall make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the Board, including information regarding the local plan prior to submission of the plan, and regarding membership, the designation and certification of one-stop operators, and the award of grants or contracts to eligible providers of youth workforce investment activities, and minutes of formal meetings of the Board.

In order to comply with the Sunshine Provisions, each WDB must do the following:

- (1) Take official action and engage in deliberations only at meetings open to the public. "Official action" includes making recommendations, establishing policy, making decision, and/or voting on matters of WDB business necessary in order to reach decisions.
- (2) Ensure that all meetings are held in an accessible location for the disabled and that all information is provided in accessible and alternate formats.
- (3) Give public notice of meetings in accordance with applicable state law provisions, including public notice in advance of any special meeting or rescheduled regular meeting. No public notice need to be given of an emergency meeting called to deal with a real or potential emergency involving a clear and present danger to life or property.
- (4) Ensure that votes of WDB members be publicly cast and it is recommended that they will be recorded accordingly. Acceptance of minutes of previous meetings may be held in voice fashion. It is recommended that all other roll call votes will be recorded.
- (5) Keep written minutes of all public meetings, including date, time and place of the meeting, members present, the substance of all official actions, a record of votes, and the names of any citizens who appeared and provided testimony.
- (6) All written minutes of all public meetings will be electronically sent to LWC/OWD within 14 calendar days of the meeting to [wioa@lwc.la.gov](mailto:wioa@lwc.la.gov). In the subject of the e-mail, indicate: WDB Draft Minutes or Youth Standing Committee Minutes, etc. The minutes shall also be retained for public view on the Calcasieu Parish Police Jury's Website for two years at [www.calcasieuparish.gov/wdbminutes](http://www.calcasieuparish.gov/wdbminutes).
- (7) Review and comply with Louisiana State Statutes RS 42:14 and 20 regarding WDB meetings.

CLOSED EXECUTIVE SESSIONS – may be used according to Louisiana State Statues RS 42:16 & 17. Such sessions may be held during or after an open meeting or may be announced for a future time. If closed session is not announced for a specific time, WDB

members must be notified 24 hours in advance of the date, time, location and purpose of the session. The reason for holding an executive session must be announced at the open meeting either immediately prior or subsequent to the executive session.

OFFICIAL ACTION on any matter discussed at an executive session must be taken at an open meeting.

**ARTICLE IX CERTIFICATION**

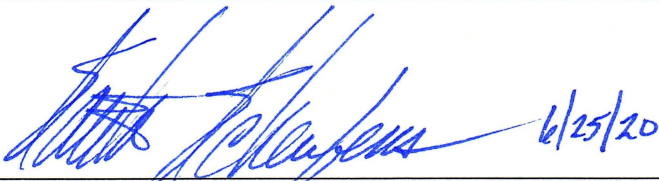

**SECTION 1** The Governor shall, once every 2 years, certify 1 local board for each local area in the State. Such certification shall be based on criteria established under subsection (b), and for a second or subsequent certification, the extent to which the local board has ensured that workforce investment activities carried out in the local area have enabled the local area to meet the corresponding performance accountability measures and achieve sustained fiscal integrity, as defined in section 106(e)(2).

**SECTION 2 DECERTIFICATION –**

- (A) **FRAUD, ABUSE, FAILURE TO CARRY OUT FUNCTIONS –** Notwithstanding paragraph (2), the Governor shall have the authority to decertify a Board at any time after providing notice and an opportunity for comment, for--
  - (i) fraud or abuse; or
  - (ii) failure to carry out the functions specified for their local board in subsection (d)
- (B) **nonperformance –** Notwithstanding paragraph (2), the Governor may decertify a local board if a local area fails to meet the local performance accountability measures for such local area in accordance with section 116(c) for two consecutive program years.
- (C) **REORGANIZATION PLAN –** If the Governor decertifies a Board for a local area under subparagraph (A) or (B), the Governor may require that a new Board be appointed and certified for the local area pursuant to a reorganization plan developed by the Governor, in consultation with the chief elected official in the local area and in accordance with the criteria established under subsection (b).

**ARTICLE X AMENDMENTS**

**SECTION 1 METHOD:** These Bylaws may be amended or repealed at any regular meeting of the WDB, by a two-thirds affirmative vote of the Board provided that copies of such amendments shall be submitted in writing to each member at least seven (7) days prior to the meeting at which time they are to be proposed and acted upon. *“A two-thirds vote is clarified as follows: Once a quorum (50% plus 1) of members is present, then at least two-thirds of those members present shall constitute the two-thirds vote.”*

WORKFORCE DEVELOPMENT BOARD		CALCASIEU PARISH POLICE JURY	
			
Ms. Sarita Scheufens, WDB Chair Calcasieu Parish Consortium Workforce Development Board (WDB)	Date 6/25/20	Mr. Tony Guillory, CPPJ President Calcasieu Parish Police Jury Chief Elected Official (CEO)	Date 06/25/2020