

CHAPTER 6
REGIONAL ADVISORY BOARDS

877—6.1(84A,PL105-220) Definitions.

“*Board*” means a regional advisory board in a workforce development region.

“*Chief elected official*” means the units of local government joined through a 28E agreement for the purpose of sharing liability and responsibility for the WIA-funded programs.

“*Department*” means the department of workforce development.

“*Local elected officials*” means the county supervisors and mayors of the region’s cities with a population of more than 50,000.

“*One-stop operator*” means the entity or consortium of entities selected by the local elected officials and regional advisory board to coordinate workforce development service providers within a region.

“*Regional workforce investment board*” means the regional advisory board within a workforce development region.

“*WIA*” means the federal Workforce Investment Act of 1998 (P.L. 105-220).

877—6.2(84A,PL105-220) Number of boards. The governor, in consultation with chief elected officials, shall appoint a regional advisory board in each workforce development region of the state.

877—6.3(84A,PL105-220) Composition.

6.3(1) *Voting members.* Each regional advisory board shall have an equal number of members from business and labor and shall include a county elected official, a city official, a representative of a school district, and a representative of a community college.

6.3(2) *Alternates.* Members appointed to a regional advisory board may send an alternate if the member cannot attend a meeting. The alternate shall not have voting privileges or be counted as present for the member in determining meeting quorum.

6.3(3) *Nonvoting members.* The board may appoint ex officio, nonvoting members. The board must solicit periodic, regular and meaningful input from persons with disabilities, older workers, regional or local economic development groups, and the region’s one-stop partners. It is recommended that the board appoint the following four ex officio members to meet this requirement. If ex officio members are not appointed, the board must describe an alternate process to gain input from these groups in their local annual plan for workforce investment act services.

a. A person with a disability nominated by an organization that represents or serves persons with disabilities.

b. An older worker nominated by a senior community service employment program service provider.

c. An individual nominated by a regional or local economic development organization.

d. An individual nominated by the regional one-stop partners.

For other community-based organizations that have an interest in workforce development, provide workforce development services in the region and are not a one-stop partner, and are not represented on the regional advisory board by either a voting or nonvoting member, the local annual plan must describe how their input will be solicited.

6.3(4) *Members in region 8.* In workforce development region 8, which consists of the counties of Audubon, Carroll, Crawford, Greene, Guthrie, and Sac, a regional workforce investment board will be selected by the chief elected officials, using the nomination processes described in subrules 6.3(3) and 6.4(1) to 6.4(5). Fourteen members of the regional workforce investment board will constitute the regional advisory board. These members shall be selected using the process described in subrule 6.4(6) and rule 6.5(84A,PL105-220). The majority of the regional workforce investment board members shall represent business, and the chairperson shall represent the business sector.

6.3(5) *Members in region 11.* In workforce development region 11, which consists of the counties of Boone, Dallas, Jasper, Madison, Marion, Polk, Story, and Warren, a new regional advisory board will

be appointed. Nominations and appointments to the new board must conform to the requirements of this chapter and be submitted to the governor by August 9, 1999.

877—6.4(84A,PL105-220) Nomination process for voting members. The following procedures shall be used in soliciting nominations for voting members.

6.4(1) All nominations for members which represent business shall be made by local or regional business organizations or trade associations. Business representatives should be owners of businesses, chief executive or operating officers of business and other business executives or employers with optimum policy-making or hiring authority and represent businesses with employment opportunities that reflect the employment opportunities of the region.

6.4(2) All nominations for members which represent labor shall be made by appropriate local federations of labor, union councils, or state federations of labor.

6.4(3) All nominations for members which represent local school districts or community colleges shall be made by local school districts or community colleges, respectively.

6.4(4) All nominations for members who are county or city officials shall be made individually or collectively by the region's county boards of supervisors or mayors and city councils, respectively.

6.4(5) All nominations shall be made in writing with the signed approval of the required nominating organization.

6.4(6) The overall membership of the board shall be balanced by gender and political affiliation consistent with Iowa Code sections 69.16 and 69.16A. To the extent possible, the members should represent all counties within a region served by the board and both voting and nonvoting members should represent persons with disabilities, minorities and older workers of the region.

6.4(7) Existing and future regional advisory board members that represent business, labor or education do not have to be renominated as outlined in this subrule unless required to do so by the local elected officials of a region.

6.4(8) Nominations are valid for an unlimited time period unless the local elected officials of a region set a specific time limit in the local annual plan.

877—6.5(84A,PL105-220) Appointment process.

6.5(1) In making appointments to the boards, the chief local elected officials shall submit a list of nominees for a board vacancy to the department within 45 days of the vacancy. Chief elected officials shall submit at least two nominees for each vacancy for the governor to review.

6.5(2) The governor shall review the list, add or delete nominees from the list, and return the revised list to the chief elected officials within 45 days of receipt of the list by the department.

6.5(3) The chief elected officials will review the revised list and make the final selection of a person to fill a vacancy from the revised list. If the revised list of candidates is not acceptable to the chief elected officials, the chief elected officials may submit new candidates to the governor for consideration within 45 days and repeat the process specified in subrules 6.5(1) and 6.5(2) until a candidate is appointed.

6.5(4) The chief elected officials will send an appointment letter to the person selected to fill the vacancy on behalf of the chief elected officials and the governor within 30 days of receipt of the revised list and send a copy of the letter to the department.

6.5(5) If the chief elected officials fail to submit nominations for a vacancy within the 45-day time period or fail to reach agreement locally on appointments to the board, the governor may appoint a person to fill the vacancy.

877—6.6(84A,PL105-220) Meetings. The board shall meet in May of each year for the purpose of electing one of its voting members as chairperson and one of its voting members as vice chairperson. The chairperson and vice chairperson shall not be of the same political party. The board shall meet at the call of the chairperson or when a majority of the members of the board file a written request of the chairperson for a meeting. Written notice of the time and place of each meeting shall be given to each member of the board. A majority of the voting members constitutes a quorum.

877—6.7(84A,PL105-220) Duties. The board shall perform the following duties and other functions as necessary and proper to carry out its responsibilities.

6.7(1) Conduct a needs assessment to identify the workforce development needs of the region.

6.7(2) Recommend to the state workforce development board and the department of workforce development awards of grants and contracts administered by the department in the region.

6.7(3) Monitor the performance of grants and contracts awarded in the region.

6.7(4) File an annual report with the department as required by Iowa Code section 84A.1B.

6.7(5) Recommend to the state workforce development board and department of workforce development the services to be delivered in the region.

6.7(6) Fulfill the responsibilities of a local workforce investment board as required by the Workforce Investment Act of 1998, subsequent amendments and all related regulations.

6.7(7) Enter into an agreement with the region's chief elected officials board to delineate their respective duties related to administration of the Workforce Investment Act of 1998.

877—6.8(84A,PL105-220) Board certification. Each board will be certified by the governor every two years based upon:

1. The extent to which the board's composition complies with rule 6.3(84A,PL105-220), and

2. The extent to which the board has ensured the workforce development activities carried out in a region have enabled the region to meet local performance measures.

The first certification shall be conducted by the governor by July 1, 2000, on the basis of 6.8“1” only. Certifications after July 1, 2000, will be based upon both criteria.

877—6.9(84A,PL105-220) Board decertification. The governor may decertify a board for:

1. Failure to achieve certification as outlined in rule 6.8(84A,PL105-220); or

2. Fraud or abuse; or

3. If the region fails to meet performance measures for two consecutive program years.

If the governor decertifies a board for any of the above reasons, the governor may require a new board be appointed and certified through a reorganization plan developed by the governor in conjunction with the chief elected official of the region.

877—6.10(84A,PL105-220) Member travel expenses. Board members may be reimbursed for actual and necessary travel expenses for board meetings and other authorized board travel. Expenses will be reimbursed according to guidelines issued by the department of revenue.

877—6.11(84A,PL105-220) Records. Agendas, minutes, and materials presented to the board are available from the Division of Workforce Development Center Administration, Department of Workforce Development, 150 Des Moines Street, Des Moines, Iowa 50309, except those records concerning closed sessions which are exempt from disclosure under Iowa Code subsection 21.5(4) or which are otherwise confidential by law. Board records contain information about persons who participate in meetings. This information is collected pursuant to Iowa Code section 21.3 and subsection 96.11(6). These records are not stored in an automated data processing system and may not be retrieved by a personal identifier.

Rule-making records may contain information about persons making written or oral comments on proposed rules. This information is collected pursuant to Iowa Code section 17A.4. These records are not stored in an automated data processing system and may not be retrieved by a personal identifier.

These rules are intended to implement Iowa Code section 84A.4 and the federal Workforce Investment Act of 1998 (P.L. 105-220).

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