KANSASWORKS STATE BOARD BYLAWS

ARTICLE I – NAME, SERVICE AREA

Section 1. Name of the Board
The name of the organization shall be the **KANSAS**WORKS State Board (KWSB).

Section 2. Legal Authority for Board
The **KANSAS**WORKS State Board is organized in accordance with the Workforce Innovation and Opportunity Act (WIOA) and by the Governor's Executive Order No. 15-06.

Section 3. Duties of the Board
The **KANSAS**WORKS State Board was created by the Governor to assist in establishing and coordinating workforce programs in the State of Kansas, including, but not limited to, the implementation of the Workforce Innovation and Opportunity Act, including the requirements of Section 101(d) of the Workforce Innovation and Opportunity Act.

Section 4. Area Served
The area to be served by the **KANSAS**WORKS State Board shall be the state of Kansas and the labor markets and economic regions contained therein.

Section 5. Staff/Board Address
The Kansas Department of Commerce, Workforce Services Division, shall be responsible for providing staff to the **KANSAS**WORKS State Board, along with assistance as needed from other state agencies and boards.

The official office location and mailing address shall be: **KANSAS**WORKS State Board, Kansas Department of Commerce, 915 S.W. Harrison, Suite 250, Topeka, KS, 66612-1505.

ARTICLE II – OFFICERS, TERMS OF OFFICE, AND APPOINTMENTS

Section 1. Officers
The Officers of the **KANSAS**WORKS State Board shall be the Chair and Vice Chair.

Section 2. Terms of Office
The Chair and Vice Chair serve at the pleasure of the governor.

Section 3. Appointment of Officers
The Governor shall appoint the Chair and Vice Chair in accordance with the federal WIOA regulations and Kansas State Law. The Chair and Vice Chair shall represent the private-sector business community and serve at the pleasure of the Governor.

ARTICLE III – MEMBERSHIP OF BOARD

Section 1. Nomination Process
WIOA specifies that certain entities may nominate potential members for representative categories, e.g., business, labor, and community-based organizations. In addition, members of the KWSB may nominate individuals to the KWSB through the Nominating Committee as established in Article 5, Section 6 of these Bylaws. Nominations must take into consideration all requirements of WIOA Sec. 101. Further, per 20 CFR 679.110(d)(7), the Governor has determined that the KWSB shall not consider nominations of current or recent Local Workforce Development Board members.

Nominations to the KWSB may be submitted to: WorkforceSvcs@ks.gov.

Section 2. Terms of Membership
Members serve at the pleasure of the Governor.

Section 3. Vacancies
As vacancies occur, KWSB staff will solicit nominations from the KWSB Nominating Committee and other entities as described in Article 3, Section 1, to forward to the Governor for appointment.

ARTICLE IV – MEETING PROCEDURES, VOTING RIGHTS, CONFLICT OF INTEREST, AND BOARD ACTION

Section 1. Meeting Procedures
Notice of KWSB meetings shall be emailed or delivered personally to each member of the **KANSAS**WORKS State Board prior to the meeting.

Regular attendance is expected of each board member. If a member is unable to attend, he/she shall notify the Chair or board staff at least twenty-four hours in advance of a meeting. In an emergency, the member shall contact the Chair or staff as soon as reasonably possible. Failure to notify shall be recorded as an unexcused absence.

Any member who fails to attend two consecutive meetings, whether regular or special, shall forfeit the KWSB appointment unless the member is prevented from attending by business necessity, or by the serious illness of the member or the family of the member, or for any cause that, in the judgment of the Governor, constitutes a valid reason for failing to attend.

Participation by teleconference or other available technology is allowed and may be scheduled from time to time to complete the business and purpose of the KWSB.

Section 2. Proxy and alternative designee
KANSASWORKS State Board does not recognize proxy or alternative designees in representation, discussion, or voting.

Section 3. Voting Rights
Voting rights are reserved for duly appointed members of the **KANSAS**WORKS State Board only. Members may cast one vote on any question.

Section 4. Conflict of Interest

A. All board members, committee members, and staff members must avoid both the occurrence and appearance of a conflict of interest in any matter of business or discussion before the KWSB.

B. An individual has an 'interest' if that person or a member of their family has, through employment, business, investment, affiliation, or association, an opportunity to benefit either directly or indirectly from any action of the KWSB.

A member or staff of the **KANSAS**WORKS State Board or its committees shall:

(1) when met with an actual or potential conflict of interest, publicly announce the nature of the potential conflict prior to taking any action thereon; and
(2) abstain from participating in any discussion or debate on the issue out of which the conflict arises; and
(3) abstain from voting on the matter under any circumstances.

A member of the **KANSAS**WORKS State Board shall not engage in any other activity determined by the Governor, Kansas statute, WIOA federal statute, or federal regulation to constitute a conflict of interest.

Section 5. Majority Requirement
To transact business at a **KANSAS**WORKS State Board meeting, a simple majority of the board members present, either physically or by electronic means, is required to approve any motion.

ARTICLE V – GENERAL PROVISIONS

Section 1. Board Operations
Executive Order #15-06 designates the **KANSAS**WORKS State Board as the State Workforce Development Board and describes minimal operational requirements.

In addition to the Executive Order requirements, the **KANSAS**WORKS State Board shall operate within applicable state and federal laws, including, but not limited to, WIOA and the Kansas Open Meetings Act (KOMA).

Section 2. Non-Member Participation in Meetings
KANSASWORKS State Board meetings are open to the public. However, only **KANSAS**WORKS State Board members and designated staff may actively participate in the meeting. All non-members are limited to observing the proceedings and may not engage in discussion or other participation.

The Chair may allow at his or her discretion:
A. Non-members to present regularly scheduled agenda items that call for reports or participation by non-members; or
B. Allow comment or other participation by non-members that is deemed relevant to any matter before the **KANSAS**WORKS State Board.

Section 3. Action Items
The **KANSAS**WORKS State Board needs to take action at each meeting, by a majority of the members present, to make timely recommendations to the Governor on critical workforce matters. Because such action may affect multiple partners and parts of the workforce system, the **KANSAS**WORKS State Board shall ensure, to the extent possible, that actions before the board have been discussed fully and openly prior to taking action. The **KANSAS**WORKS State Board may postpone any action on any particular item until the next regular meeting or refer the item to the Executive Committee for final action.

Section 4. Staff Role in Implementing Governor-Approved Policies
The **KANSAS**WORKS State Board staff implements the policies, goals, and activities recommended by the **KANSAS**WORKS State Board and approved by the Governor. The staff shall make regular reports to the **KANSAS**WORKS State Board on implementation. **KANSAS**WORKS State Board staff shall be responsible for preparing and distributing an agenda, minutes, and other documents in keeping with these bylaws.

Section 5. Executive Committee
The Executive Committee shall be a three to five-member committee, consisting of the Chair and Vice-Chair of the **KANSAS**WORKS State Board and additional board members designated by the Chair. The majority of members of the Executive Committee shall represent the private sector.

The Executive Committee shall be empowered to take action on behalf of the **KANSAS**WORKS State Board when circumstances necessitate such action (e.g. taking action when time pressures do not allow the issues to be addressed at a regularly scheduled **KANSAS**WORKS State Board

meeting). The Executive Committee will meet in person or by electronic means. A majority vote of the Executive Committee members present is required for all committee actions. Any actions of the Executive Committee shall be reviewed by the full **KANSAS**WORKS State Board at the next regularly scheduled board meeting.

Section 6. Other Committees

The **KANSAS**WORKS State Board Chair may, from time to time, establish other standing or ad hoc committees to assist the **KANSAS**WORKS State Board in maintaining compliant KWSB membership; to develop KWSB strategic plans; to assist staff with the development of the WIOA State Plan; to convene workforce system stakeholders; to broker relationships with a diverse range of employers; and to leverage support for workforce development activities. Such other committees shall be chaired (or co-chaired) by KWSB board members and shall include other interested stakeholders as appropriate.

Section 7. Bylaw Changes

These bylaws may be amended, repealed or new bylaws enacted by an affirmative vote of two-thirds (2/3) of the **KANSAS**WORKS State Board Members present at any regularly scheduled meeting.