OFFICE OF THE GOVERNOR
HAGÅTÑA, GUAM 96910
U.S.A.

EXECUTIVE ORDER NO. 2015-05

RELATIVE TO RECINDING EXECUTIVE ORDER NO. 2005-22 AND EXECUTIVE ORDER NO. 2005-11; AND PLACING THE SERVE GUAM COMMISSION, A COMMISSION ON NATIONAL AND COMMUNITY SERVICE, WITHIN THE OFFICE OF THE GOVERNOR

WHEREAS, under the National and Community Service Act of 1990, as amended (hereinafter "NCSA," or "the Act," 42 U.S.C. 12501 *et seq.),* the Corporation for National and Community Service ("Corporation") makes grants to help establish, operate and expand national service programs such as AmeriCorps. In addition, the Corporation, through the National Service Trust, provides education awards to, and certain interest payments on behalf of, AmeriCorps participants who successfully complete a term of service in an approved national service position. Further, AmeriCorps provides training and technical assistance to national service programs; and

WHEREAS, on February 27, 2004, President Bush issued Executive Order No. 13331 which aimed at making national and community service programs better able to engage Americans in volunteering, to be more responsive to National and State needs, to be more accountable and effective, and to be more accessible to faith-based and grassroots organizations. E.O. 13331 directed the Corporation to review and modify its policies as necessary to accomplish the goals of said E.O.; and

WHEREAS, on August 30, 2004, the National Director of AmeriCorps informed Guam that Guam was encouraged to establish a Commission on National and Community Service as Guam's vehicle to apply for and manage national service programs, to include AmeriCorps programs; and

WHEREAS, the Serve Guam Commission ("Commission") was originally established in Guam by Executive Order No. 2005-22. The Commission presently administers six (6) AmeriCorps program sites around Guam. In total, these programs involve one hundred eighty (180) members and receive $1.6 million in federal funding. Guam AmeriCorps has received over $15 million in federal funding and recruited over 1,681 members over the course of nine (9) years in Guam; and

WHEREAS, *I Maga'Låhen Guåhan*, Governor of Guam, seeks to meet Guam's pressing human, educational, environmental and public safety needs through service, and to reinvigorate the ethic of civic responsibility on Guam; and

WHEREAS, the Commission is necessary to advise and assist the Office of the Governor of Guam in the development of a comprehensive, island-wide service plan for promoting volunteer involvement and civic responsibility; and

WHEREAS, the Commission will continue to build on the enthusiasm, dedication and combined expertise of individual citizens and public safety needs through service and to reinvigorate the ethic of civic responsibility on Guam.

NOW, THEREFORE, I, EDDIE BAZA CALVO, *I Maga'Låhen Guåhan*, Governor of Guam, by virtue of the authority invested in me by the Organic Act of Guam, as amended, and the laws of Guam, and to strengthen the ability of programs authorized under the national service laws to build and reinforce a culture of service, citizenship, and responsibility throughout our island and to institute reforms to improve accountability and efficiency in the administration of those programs, do hereby order as follows:

SECTION I. SERVE GUAM COMMISSION.

(a) Establishment of the Serve Guam Commission.

(1) There is hereby established a commission of not less than fifteen (15) members, not to exceed twenty-five (25), to be known as the **"SERVE GUAM COMMISSION."**

(2) The purpose of the Commission is to engage people of Guam of all ages and background in community-based service and

volunteerism as a means of addressing urgent community needs in our island and to promote participation in national and state service programs.

(3) The Commission is hereby authorized to create duties as necessary, and defined to carry out this Executive Order.

(4) Commission Members shall comply with standards concerning any conflict of interest and other standards of conduct.

(5) The Commission shall be placed under and within the Office of the Governor, with its establishment of a separate account number (0233).

(b) Composition requirements and other requirements, restrictions or guidelines for the Serve Guam Commission.

(1) **Size of the Commission and terms of service of the Commission members.** Pursuant to 45 C.F.R. 2550.50, the chief executive officer of a State must appoint 15 to 25 voting members to the State Commission (in addition to any non-voting members he or she may appoint). Voting members of a State Commission must be appointed to renewable three-year terms, except that initially a chief executive officer must appoint a third of the members to one year terms and another third of the members to two-year terms.

(2) The members of the Commission are to be appointed by *I Maga'Låhen Guåhan*, Governor of Guam, within sixty days (60) day of the effective date of this Executive Order.

(c) Executive Director. The Commission shall recommend and *I Maga'Låhen Guåhan*, Governor of Guam, shall appoint, an individual to serve as Executive Director who shall serve at the pleasure of the Governor.

(d) Required voting members on the State Commission. Each of the following categories must be represented on the Commission, and a member must represent one, or more than one, category:

(1) A representative of a community-based agency or organization;

(2) The head of the Department of Education or his/ her designee;

(3) The president of the Mayor's Council of Guam or his/ her designee;
(4) A representative of local labor organization in Guam;
(5) A representative of a locally owned business;
(6) An individual between the ages of 16 and 25, inclusive, who is a participant or supervisor of a service program for school-age youth, or of a campus-based or national service program;
(7) A representative of a national service program;
(8) An individual with expertise in the educational, training, and development needs of youth, particularly disadvantage youth;
(9) An individual with experience in promoting the involvement of older adults (age 55 and older) in service and volunteerism; and
(10) A representative of the Volunteer Sector.

(e) Appointment of other non-voting members. Any remaining voting members of the Commission are appointed at the discretion of the Governor; however, although this list should not be construed as exhaustive, the following types of individuals are suggested:

(1) Educators, including representatives from institutions of higher education and local education agencies;
(2) Experts in the delivery of human, educational, environmental, or public safety services to communities and persons;
(3) Out-of-school or at-risk youth; and
(4) Representatives of programs that are administered or receive assistance under the Domestic Volunteer Service Act of 1973 ("DVSA"), as amended (42 U.S.C. 4950 *et seq.*).

(f) Appointment of ex officio, non-voting members.

(1) The Governor may appoint as ex officio, non-voting members of the Commission officers or employees of the government of Guam (agencies operating community service, youth service, education, social services, senior service, or job training programs.)
(2) **The role of the Corporation representative.** This individual must be included as an ex-officio member on the Commission, which the Corporation may designate one of its employees to serve as a representative to the Commission.

(g) **Other composition requirements.** To the extent possible, the Governor of Guam shall ensure that the membership of the Commission is balanced with respect to race, ethnicity, age, gender, and disability characteristics. Not more than fifty percent (50%) plus one (1) of the members of the Commission may be from the same political party. In addition, the number of voting members of the Commission who are officers or employees of the government may not exceed 25% of the total membership of the Commission.

(h) **Selection of Chairperson.** The voting members of the Commission shall elect the chairperson. To be eligible to serve as chairperson, an individual must be an appointed, voting member of the Commission.

(i) **Vacancies.** If a vacancy occurs on the Commission, a new member must be appointed by the Governor to serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy will not affect the power of the remaining members to execute the duties of the Commission.

(j) **Compensation of Commission members.** A member of the Commission may not receive compensation for his or her services, but may be reimbursed for travel expenses in the same manner as employees intermittently serving the government.

(k) **Term of Service.** Voting members of the Commission shall serve for a term of three (3) years.

(l) **Attendance.** Any Commission member missing more than (3) consecutive meetings are subject for termination and shall be replaced within 30 days, to be appointed by the Governor.

SECTION 2. DUTIES OF COMMISSION. Functions described in paragraphs (a) through (d) of this Section require policymaking. Paragraphs (e) through (j) of this Section are non-policymaking and may be delegated to another government agency or nonprofit organization. The duties of the Commission are as follows:

(a) **Development of a Statewide Comprehensive Plan.** Develop and establish a Guam statewide comprehensive plan ("Plan") by adapting the Corporation's Strategic Plan, a five–year comprehensive national and community service plan, with the Governor's state priorities. In doing so, the Commission shall ensure that the Guam plan is consistent with the NCSA and with the Edward M. Kennedy Serve America Act of April 21, 2009, in the focus areas of Education, Economic Opportunity, Environmental Stewardship, Disaster Preparedness, Healthy Futures, Veterans and Military Families, and Capacity Building on Volunteerism and Retention. The Plan shall meet the following minimum requirements:

(1) The Plan must be incorporated and developed with the Guam Workforce Investment Board ("GWIB") through an open and public process (such as through island forums or hearings) that provides for maximum participation and input from national service programs within the island, and from other interested members of the public.

(2) The community outreach process must, to the maximum extent practicable, include input from representatives of established service programs, representatives of diverse, broad-based community organizations that serve underserved populations, and other interested individuals, including young people; the Commission should do so by creating state networks and registries or by utilizing existing ones.

(3) The Plan may contain such other information, as the Commission considers appropriate and must include such other information as the Corporation may require.

(4) The developed Plan and any updates shall be posted on the Commission's website.

(b) **Pre-Selection to AmeriCorps Subtitle C programs** and preparation of application to the Corporation from Serve Guam Commission must:

(1) Administer a competitive process to select national service programs to be included in any application to the Corporation for funding; and

(2) Prepare an application to the Corporation to receive funding and/or educational awards for the programs selected pursuant to paragraph (b) (l) of this section.

(c) Preparation of AmeriCorps Notice of Funding Opportunity (NOFO) applications.

(d) Administration of the Grants Program. After AmeriCorps subtitle C and community-based AmeriCorps subtitle B funds are awarded, the Commission will be responsible for administering the grants and overseeing and monitoring the performance and progress of funded programs.

(e) Evaluation and monitoring. The Commission, in concert with the Corporation, shall be responsible for implementing comprehensive, non-duplicative evaluation and monitoring systems.

(f) Technical assistance. The Commission will be responsible for providing training and technical assistance to local nonprofit and other entities in planning programs, applying for funds, and in implementing and operating high quality programs. The Commission should encourage proposals from underserved communities.

(g) Program Development Assistance and Training. The Commission must assist in the development of AmeriCorps subtitle C programs; such development might include staff training and technical assistance, curriculum materials, and other relevant materials and activities; A description of such proposed assistance must be included in the statewide comprehensive Plan referred to in paragraph (a) of this section. The Commission may apply for additional AmeriCorps subtitle C programs training and technical assistance funds to perform these functions. The Corporation will issue notices of availability of funds with respect to training and technical assistance.

(h) Recruitment and placement. The Commission, as well as the Corporation, will develop mechanisms for the recruitment of people interested in participating in national service programs.

(i) **Benefits.** The Commission shall assist in the provision of health and child care benefits to AmeriCorps subtitle C program participants, as well as be specified in the regulations implementing the subtitle C programs.

(j) **Activity ineligible for assistance.** The Commission may not directly operate or run any national service program receiving financial assistance, in any form, from the Corporation.

(k) **Make recommendations to the Corporation** with respect to priorities within the island for programs receiving assistance under Domestic Violence.

SIGNED AND PROMULGATED at Hagåtña, Guam, this **13th** day of February, 2015.

EDDIE BAZA CALVO
I Maga'Låhen Guåhan
Governor of Guam