State of South Carolina
Executive Department

FILED

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SECRETARY OF STATE 8

Office of the Governor

EXECUTIVE ORDER NO. 2007-24

WHEREAS, Governor Carroll Campbell established the South Carolina National and Community Service Commission ("State Commission") to allow the State to receive federal funding under the National and Community Service Act of 1990 ("Act") to support community service initiatives in the State; and

WHEREAS, Executive Order 98-30 reestablished the State Commission in 1998, by Executive Order 98-30 and designated the South Carolina Department of Education as the lead state agency for promoting service and volunteerism throughout South Carolina; and

WHEREAS, the Act permits the chief executive officer of a state to apply to the Corporation for National and Community Service ("Corporation") for approval to use an alternative administrative entity to carry out the duties otherwise entrusted to a state commission under the Act; and

WHEREAS, the United Way Association of South Carolina, Inc., a South Carolina charitable corporation, in collaboration with the State Commission, has been playing a key role in supporting and enhancing programs under the Act and has been approved by the Corporation for that purpose; and

WHEREAS, use of such an entity would promote private sector involvement with and management of community service initiatives contemplated by the Act; and

WHEREAS, the designation of United Way Association of South Carolina as the State's alternative administrative agency under the Act would facilitate the performance of the functions required of a state commission under the Act; and

WHEREAS, the effectiveness of the State Commission will be improved if the United Way Association of South Carolina is charged with the specific mission to recruit

and mobilize citizens for volunteer service by identifying service opportunities throughout the state and by recognizing citizen contributions as volunteers and participants in public service.

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina by 42 U.S.C. § 12638, I hereby order as follows:

Section 1. Executive Order 98-30 is rescinded in its entirety and is no longer legally effective.

Section 2. The United Way Association of South Carolina. is hereby designated an alternative administrative entity under 42 U.S.C. § 12638(a)(2) and subject to the requirements of 42 U.S.C. § 12638 and this Order; provided that this designation shall be effective only upon written notification by the United Way Association of South Carolina to the Governor that the United Way Association of South Carolina accepts such designation under and agrees to comply with the terms and conditions of this Order.

Dissolution of Current Commission

Section 3. Effective upon delivery by the United Way Association of South Carolina of notification, acceptance, and designation as specified in Section 2, the State Commission established pursuant to Executive Order No. 98-30, is hereby dissolved with appreciation from the Governor for their service.

Relocation of the Commission

Section 4. The State Commission is hereby re-established within the United Way Association of South Carolina. The United Way Association of South Carolina Board of Directors will serve as the interim South Carolina Commission on National and Community Service for the purpose of approving the new unified plan to be submitted to the Corporation for National and Community Service and such time as a new commission is appointed. All funding and equipment currently in possession of the State Commission shall be transferred to the United Way Association of South Carolina. The United Way Association of South Carolina shall assume and perform the duties specified in 42 U.S.C. § 12638(e).

Duties of the New Commission

Section 5. Consistent with state and federal law, the duties and responsibilities of the new State Commission shall include, but not be limited to:

(a) Recruiting and mobilizing citizens for volunteer service by identifying service opportunities throughout the state and by recognizing citizens for the contributions they make as volunteers and participants in public service programs;

(b) Serving as the State's lead agency for community service and volunteerism, informing the public of the value of and need for greater community service and volunteerism in South Carolina, calling upon all South Carolinians to become involved in community service, and challenging public and private institutions to create and support community service and volunteer opportunities;

(c) Partnering with other public agencies at the state, county and local levels and with the private and not-for-profit sectors to leverage greater resources and create more opportunities for service and volunteerism; and complying with the duties outlined in 45 C.F.R. § 2250.00.

Leadership

Section 6. The United Way Association of South Carolina shall structure its Bylaws to include organization and oversight of the State Commission's compliance with all of the following requirements:

(a) The State Commission shall consist of not fewer than fifteen nor more than twenty-five voting members;

(b) The Governor of the State shall designate two (2) voting members of the Commission as representatives of the Governor. One of the Governor's designated members shall serve as chairperson of the State Commission. In the event of a vacancy in the chairperson position, the vice-chairperson shall serve as the chairperson until a new chairperson is appointed by the Governor.

(c) The remaining voting members of the State Commission shall be elected through nominations provided by the United Way Association of South Carolina, local United Way entities, state and local faith-based organizations, private businesses and individuals interested in promoting an ethic of service in South Carolina, and in accordance with this Executive Order and the Bylaws of the United Way Association of South Carolina;

(d) The voting members of the State Commission shall include:

(i) An individual with expertise in the educational, training, and development needs of youth, particularly disadvantaged youth;
(ii) An individual with experience in promoting the involvement of older adults in service and volunteerism;
(iii) A representative of community-based agencies or community- based organizations within the State;
(iv) The head of the State's educational agency;
(v) A representative of local governments in the State;
(vi) A representative of local labor organizations in the State;
(vii) A representative of business;
(viii) An individual between the ages of sixteen and twenty-five who is a participant or supervisor in a program as defined by 42 U.S.C. § 12511; and
(ix) A representative of a national service program described in 42 U.S.C. § 12572(a), such as a youth corps program described in 42 U.S.C. § 12572(a)(2).

(e) Other persons to be elected as voting members of the State Commission may include:

(i) Local educators;
(ii) Experts in the delivery of human, educational, environmental, or public safety services to communities and persons;
(iii) Representatives of Indian tribes;
(iv) Out-of-school youth or other at-risk youth; or
(v) Representatives of entities that receive assistance under the Domestic Volunteer Service Act of 1973 (42 U.S.C. § 4950, et seq.).

(f) The representative of the Corporation designated under 42 U.S.C. § 12651f(c) for the State shall serve as an *ex officio* non-voting member of the State Commission;

(g) To the maximum extent practicable, the voting members of the State Commission shall be diverse with respect to race, ethnicity, age, gender, and disability characteristics.

(h) The voting members of the State Commission shall be elected without regard to affiliation with a political party; and

(i) The number of voting members of the State Commission who are officers or employees of the State shall not exceed twenty-five

percent (reduced to the nearest whole number) of the total membership of the State Commission.

(j) The voting members of the State Commission shall be divided into three groups of approximately equal size. Each member shall serve for a term of three years, and the terms of the three classes shall be staggered, so that the terms of one class of voting members shall expire each year; provided, that, voting Directors may be appointed for terms shorter than three years as necessary for the three classes of voting members to be of approximately equal size.

Construction

Section 7. This Order shall be construed consistently with and in furtherance of the purposes and definitions of the Act.

This Order shall take effect immediately.

GIVEN UNDER MY HAND AND THE SEAL OF THE STATE OF SOUTH CAROLINA, THIS 18 DAY OF DECEMBER, 2007.

MARK SANFORD
Governor

ATTEST:

MARK HAMMOND
SECRETARY OF STATE