



## MINNESOTA BOARD OF FIREFIGHTER TRAINING AND EDUCATION

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# BY LAWS

### **Mission Statement:**

The mission of the Minnesota Board of Firefighter Training and Education is to promote excellence in the fire service by funding standardized training and through the licensing of firefighters in Minnesota.

### **Our Vision**

The Minnesota Board of Firefighter Training and Education supports every firefighter's training and preparation to perform at the highest level in service to their communities.

### INTRODUCTION

The Board of Firefighter Training and Education (the Board) was established by the Minnesota Legislature in Minnesota Statutes, Chapter 299N. Its function is to: (1) review fire service training needs and make recommendations on training to Minnesota fire service organizations; (2) establish standards for educational programs for the fire service and develop procedures for continuing oversight of the programs; (3) establish qualifications for fire service training instructors in programs; and (4) establish standards under which reimbursement will be provided for training and education.

## **ARTICLE I - MEMBERSHIPS**

### **Section 1 - Appointments**

299N.02 BOARD OF FIREFIGHTER TRAINING AND EDUCATION. Subdivision 1.

#### **Membership**

Notwithstanding any provision of chapter 15 to the contrary, the Board of Firefighter Training and Education consists of the following members:

- (1) five members representing the Minnesota State Fire Department Association, four of whom must be volunteer firefighters and one of whom may be a career firefighter, appointed by the governor;
- (2) two members representing the Minnesota State Fire Chiefs Association, one of whom must be a volunteer fire chief, appointed by the governor;

(3) two members representing the Minnesota Professional Firefighters Association, appointed by the governor;

(4) two members representing Minnesota home rule charter and statutory cities, appointed by the governor;

(5) two members representing Minnesota towns, appointed by the governor;

(6) the commissioner of public safety or the commissioner's designee; and

(7) one public member not affiliated or associated with any member or interest represented in clauses (1) to (6), appointed by the governor.

The Minnesota State Fire Department Association shall recommend five persons to be the members described in clause (1), the Minnesota State Fire Chiefs Association shall recommend two persons to be the members described in clause (2), the Minnesota Professional Firefighters Association shall recommend two persons to be the members described in clause (3), the League of Minnesota Cities shall recommend two persons to be the members described in clause (4), and the Minnesota Association of Townships shall recommend two persons to be the members described in clause (5). In making the appointments the governor shall try to achieve representation from all geographic areas of the state.

#### **Subd. 2. Terms; Chair; Compensation**

Members of the board shall serve for terms of four years and elect a chair from among the members pursuant to statute. Terms and filling of vacancies are subject to section 15.0575, subdivisions 2, 4, and 5. Members serve without compensation.

#### **Subd. 3. Powers and Duties**

(a) The board shall:

(1) review fire service training needs and make recommendations on training to Minnesota fire service organizations;

(2) establish standards for educational programs for the fire service and develop procedures for continuing oversight of the programs;

(3) establish qualifications for fire service training instructors in programs established under clause (2); and

(4) license full-time firefighters and volunteer firefighters under this chapter.

(b) The board may:

(1) hire or contract for technical or professional services according to section 15.061;

(2) pay expenses necessary to carry out its duties;

- (3) apply for, receive, and accept grants, gifts, devises, and endowments that any entity may make to the board for the purposes of this chapter and may use any money given to it consistent with the terms and conditions under which the money was received and for the purposes stated;
- (4) make recommendations to the legislature to improve the quality of firefighter training;
- (5) collect and provide data, subject to section 13.03;
- (6) conduct studies and surveys and make reports; and
- (7) conduct other activities necessary to carry out its duties

### **Section 2 – Reports and Recommendations**

The Chair will appoint committees as needed. The committees will provide reports back to the Board and Executive Committee.

### **Section 3 – Designation of Officers**

Officers of the Board are elected by and from the membership of the Board and include a Chair, Vice Chair, Secretary, Treasurer, and one At-Large Officer. Officers have all rights conferred on other Board members. No person may hold more than one Officer’s position at any given time or serve more than two consecutive terms as an Officer. The Chair position is elected biennially per MN Statute 299N.02 subd. (2).

### **Section 4 – Board**

#### **Roles and Responsibilities**

The Board shall exercise its powers and fulfill its duties as established by law. The role of the Board is to provide set policy and establish goals to be carried out by the Executive Director and staff.

#### **Membership Terms**

The Board consists of the individuals appointed pursuant to Minnesota Statutes, Section 299N.02.

#### **Appointments/Terminations**

Appointments of Board members are governed by Minnesota Statutes, Section 15.0575

## **ARTICLE II – MEETINGS OF THE MINNESTOA BOARD OF FIREFIGHTER TRAINING AND EDUCATION**

### **Section 1 - Committees and Work Groups**

All committees shall be appointed by the Chairperson of the Board, unless provided herein.

### **Section 2 – Executive Committee**

There shall be an Executive Committee consisting of the Chairperson, Vice-Chairperson, Treasurer, Secretary and At Large Officer. The immediate Past-Chairperson also serves on the Committee as a non-voting member, during the time the individual remains on the Board as a member. The Chairperson of the Board shall be the Chairperson of the Executive Committee, notwithstanding any provision in these bylaws to the contrary. The Executive Committee should advise and assist the Chairperson on determining agenda items and the direction of the Board. The Executive Committee shall also evaluate proposed changes to these bylaws. The Executive Committee shall not act on policy, position, or opinion without authority of the

Board.

The Executive Committee is charged with ongoing review of Board operations procedures, assisting Board operations procedures, assisting Board members with ethical and legal obligations and Board development. In addition to any other authority granted herein, the Executive Committee may act on those issues delegated to it by Board resolution.

In addition, the Executive Committee may act on behalf of the Board in the case of an emergency, which requires the Chair to determine the action more quickly than an emergency meeting of the Board can be called. In such instances, the Chair shall report to members of the Board as soon as possible after the emergency and seek ratification of emergency actions at the next possible meeting.

In the event of administrative action that needs to take place in between meetings the Executive Director may contact the Board Chair regarding approval and decisions that need to be made in a timely manner. Any issues regarding the Board will be brought before the Board at the next regularly scheduled meeting.

### **Section 3 – Committees**

Sub committees of the Board may be formed to consider and report on subjects requiring special study. These committees shall be appointed by the Chairperson unless a motion to contrary is passed by an affirmative majority vote. In the event such a motion is passed, the members of the special committee shall be nominated and elected by the Board. The number of committee seats to be filled shall be determined by the Chairperson of the Board.

### **Section 4 - Conduct**

- The Board will conduct meetings according to the following principles:  
Meeting discussion should be limited to issues within the Boards purview.
  - Roll call and declaration of quorum
  - Minutes of the preceding meetings and actions thereon
  - Reports of officers and committees
  - Unfinished business
  - New business
  - Public comment
- Deliberation should be timely, fair, orderly, respectful, thorough, and efficient.
- The Board will comply with all state and federal statutes, rules, and regulations pertaining to open meetings, meeting notices, and meeting participation.

### **Section 5 - Reorganizational Meeting**

At the first meeting of the calendar year, the Board will establish regular meeting dates, elect Officers, and undertake other administrative tasks as necessary.

### **Section 6 - Special and Emergency Meetings**

Special and Emergency Meetings may be called by the Chair in accordance with law.

- Roll call and declaration of quorum
- Reports of officers and committees concerning the purpose for which the meeting is called

- Discussion on the purpose for which the meeting is called

### **Section 7 - Place of Meetings**

The Board shall hold all regular meetings in the State of Minnesota.

### **Section 8 - Quorum**

A majority of those holding appointments to the Board constitutes a quorum.

No official business may be acted on without a quorum. When a quorum is present, the Board may take action by a simple majority of those voting.

### **Section 9 – Agenda Items**

All agenda items shall be prepared by the Chairperson or any person appointed by the Chairperson. If a member desires to have an issue placed on the agenda, that member shall give (10) days' notice, either by mail, email, telephone, prior to the meeting for special approval to be added to the agenda, to the Chairperson. The notice shall state the topic to be placed on the agenda.

## **ARTICLE III – OFFICERS**

**The officers of the Advisory Committee shall be Chairperson, Vice-Chairperson and Secretary.**

### **Section 1 - Chair**

The Chair shall:

- Preside at Board and Executive Committee meetings
- Create and appoint members to working groups as needed to carry out the Board work plan
- In consultation with the Executive Committee, set an agenda for each Board meeting
- Call special or emergency meetings of the Board and Executive Committee as needed
- Fulfill other obligations designated by and exercise other authority as authorized by the Board
- Review all draft minutes to go for approval before the Board

### **Section 2 - Vice Chair**

The Vice Chair shall fulfill the duties and exercise the authority of the Chair when the Chair cannot. The Vice Chair shall fulfill other obligations designated by and exercise other authority as authorized by the Board.

### **Section 3 - Secretary**

The Secretary shall fulfill the duties and exercise the authority of the Vice Chair when the Vice Chair cannot. The Secretary shall fulfill other obligations designated by and exercise other authority as authorized by the Board.

**Section 4 - Treasurer**

The Treasurer shall fulfill the duties and exercise the authority of the Secretary when the Secretary cannot. The Treasurer shall be responsible for review of Board financial records and reports. The Treasurer shall fulfill other obligations designated by and exercise other authority as authorized by the Board.

**Section 5 – At Large Officer**

The At-Large Officer shall fulfill the duties and exercise the authority of the Treasurer when the Treasurer cannot. The At-Large Officer shall fulfill other obligations designated by and exercise authority as authorized by the Board.

**Section 6 - Terms of Office**

The term of office for each Officer and Secretary is two calendar years. Terms will commence upon election and end upon election of a successor. No person may serve more than two (2) consecutive terms in that Officer position. The Chair position is elected biennially, per MN Statue 299N.02 subd (2). The members holding the office of Chairperson and Vice-Chairperson shall be voting members in good standing.

**Section 7 - Election of Officers**

At the first regular meeting of each odd number year the Chair will request nominations from the Board for a new Chair, Vice Chair and Secretary. At the first regular meeting of each even-numbered year, the Chair will request nominations from the Board for a new Treasurer and At-Large Officer.

Elections will be by simple majority vote of those present.

**Section 8 – Removal of an Officer**

Upon a two thirds (2/3) majority vote of all Board members, any officer can be removed from that office.

**ARTICLE IV - ATTENDANCE****Section 1 - Removal for missing meetings**

A member of the Board absent from two (2) consecutive Board meeting shall receive notice that indicates their membership may be terminated if their attendance does not improve.

If a committee member is absent from two (2) consecutive committee meetings the Board Chair shall re-appoint another Board member to replace that member on that committee.

**ARTICLE V - VOTING****Section 1 – Votes**

Each member of the Board shall receive one (1) vote.

**Section 2 – Ex-Officio Members**

Ex-Officio members do not have voting privileges.

**Section 3 – Proxy Voting**

Proxy voting shall be prohibited. US Mail or electronic (email) voting is permitted. The vote should be sent to the Chairperson or Chairperson Designee one (1) week prior to the scheduled meeting.

**Section 4 – Administrative Resolutions**

All administrative resolutions shall require a two-thirds (2/3) majority vote and be consistent with the amendment provisions of these bylaws.

**ARTICLE VI – RECORD KEEPING AND COMMUNICATION****Section 1 - Record of Proceedings**

Minutes will be kept of all Board and committee meetings and will be submitted to the Executive Director and Board Chair for review prior to submission to the Board members for approval. It is approved by the Board that all meetings and all committee meetings may be taped for administrative purposes only.

**Section 2 - Record Retention**

The Board has a record retention policy established to adhere to.

**Section 3 - Communications**

Official communications to the Board on policy matters should be presented to the Executive Committee for review and consideration as an agenda item.

A Board or committee member who receives a communication from any party that is potentially appropriate for Board consideration should immediately forward it to the Chair, who may consult with the Executive Committee as appropriate.

A Board or committee member who becomes aware that a person may have a complaint regarding a possible violation of law regarding the activities of the Board, committee or any member should ask the person to submit the complaint in writing to the Chair or Secretary.

A Board or committee member who becomes aware that a person other than a member would like the Board or committee to consider an issue at a meeting should ask the person to submit the request in writing to the Chair. Whenever possible, members will be provided in advance the information necessary to properly consider any items to be acted on at a Board meeting.

**Section 4 - Confidentiality/Privacy Protection**

The collection, creation, receipt, maintenance and dissemination of data maintained by the Board or committees are governed by the Minnesota Government Data Practices Act.

**Section 5 - Conflict of Interest**

A Board or committee member will not participate in proceedings or vote on matters in which the member has a prohibited conflict of interest.

**Section 6 - Code of Conduct**

Board and committee members will adhere to Respectful Workplace Policy.

**Section 7 - Execution of Contracts**

Contracts must be executed by the Board Chair or Executive Director.

**Section 8 – Approval of Invoices**

Invoices must be approved before payment by the Executive Director, which the Board has granted permission to make the decision based on approval.

**Section 10 – Executive Director**

The Board may hire or contract for an Executive Director pursuant to Minnesota Statutes, Section 299N.02, subdivision 3(b)(1). The Executive Director shall have such duties and authority as designated by the Board. The Executive Director may contract with other persons for performance of Board work as authorized by the Board.

The Board gives permission to the Executive Director to make administrative decisions on a daily basis without conferring with the full Board. When a decision is needed that calls for a Board discussion, the Executive Director will contact the Board Chair to set up a special meeting, if necessary, or put on the agenda for the next upcoming meeting.

**Section 11 – Executive Director**

The Executive Committee will evaluate the Executive Director in December of each year. All Board members will be given the opportunity to complete an evaluation form that will be provided to the Executive Committee prior to its evaluation of the Executive Director.

The Executive Director reports to the Board, through the Executive Committee, and no individual Board member shall attempt to exercise individual authority over the Executive Director or any other person retained by the Board.

**Section 12 - Amendments to Bylaws**

Any member may propose an amendment to these bylaws provided such a proposal is submitted to the Chairperson thirty (30) days prior to any meeting.

- All proposed amendments shall be reviewed by the Executive Committee and submitted to the entire membership at least thirty (30) days prior to being placed on the agenda for approval
- Proposed bylaw amendments must be passed by two-thirds (2/3) affirmative vote at any regularly scheduled meeting

A failure to comply with any provision in these Bylaws will not impair the validity of any action taken by the Board and no person shall have the right to enforce compliance with the provisions of these Bylaws. To the extent that any provision of these Bylaws conflicts with any law, rule, or regulation, the law, rule, or regulation shall have precedence.

Adopted by Board August 16, 2016