

NDCA Governance Policies

Introduction

NDCA's Strategic plan states that NDCA models excellence and innovation for the field. It sustains its gains through self-reflection, evaluation and continuous improvement. Its innovative partnerships open doors to greater influence and impact, increase its efficiency, and leverage its resources. This directly affects the Board and its work, requiring it to:

- Maintain a culture of productive partnerships with staff, among directors, and between the two; as well as rewarding work and honoring the investment of board and staff
- Build external relationships that meet the field where they are, engaging the arts community directly
- Deepen partnerships and relationships as a go-to advisor to elected and business officials, local and state agencies, and communities
- Maintain clarity and consistency of purpose by recruiting knowledgeable board members, supporting excellent governance, and actively engaging in the field

Appointment to the Board

Authority & Process

The Governor is responsible for appointing individuals to the NDCA board as outlined in NDCC 54-54-02.

Century Code 54-54-02. The North Dakota council on the arts consists of nine members, broadly representative of all fields of the performing and fine arts, who are to be appointed by the governor as provided in this chapter, from among the citizens of the state who are widely known for their competence and experience in connection with the performing and fine arts. In making these appointments, due consideration must be given to the recommendations made by representative civic, educational, and professional associations and groups, concerned with or engaged in the production or presentation of the performing and fine arts generally.

The Governor's web page allows the public to search for board members and provides an overview of the NDCA board here: www.governor.nd.gov/boards/BoardDetails.aspx?boardid=10. Individuals wanting to be considered for appointment can apply here: www.governor.nd.gov/boards/AppForm.aspx. However, NDCA plays an active role in cultivating future board members and recommending candidates to the governor. Qualities of a Board member should include:

1. Availability to the Executive Director and time to devote to the position;

2. Ability to work with NDCA members and staff, maintain objectivity, and understand fiscal reports and statements;
3. A deep commitment to arts and culture throughout the state and willingness to advocate for NDCA to the public.

Terms & Staffing

Century Code 54-54-03. The term of office of each member is five years; provided, however, that of the members first appointed after August 1, 1995, three must be appointed for terms of two years, three for terms of three years, and three for terms of five years. If a vacancy to be filled occurs otherwise than by the expiration of the term of office of a member of the council, the appointment must be made for the balance of the term only. Other than the chairman, no member of the council who serves a full five-year term is eligible for reappointment during a one-year period following the expiration of the term. The governor shall designate a chairman and a vice chairman from the members of the council who shall serve at the pleasure of the governor. The chairman is the chief executive officer of the council. ...

Century Code 54-54-04. The chairman with the approval of the council may employ such officers, experts, and other employees as may be needed to carry out the provisions of this chapter. The executive director shall serve at the pleasure of the chairman and the chairman shall fix the compensation of the executive director.

Recognizing that the Century Code remains in full force, NDCA's *board-agreed practice* is as follows:

- The term of the Chair is the same as for other members (five years).
- The Chair is eligible for reappointment for one additional term before a required gap of at least five years. (This is separate and apart from any prior service as a Regional representative or At-Large member of the Board.)
- Unless otherwise stated, the Chair delegates all day-to-day activity of NDCA.
- The Board elects a Vice Chair from within as nominated by the Chair.

Roles & Responsibilities

The Board

The Board is the policy-making body of the agency. It is the role of the Board to:

1. Interpret the statute under which NDCA operates;
2. Provide financial oversight for the agency;
3. Review NDCA budgets developed by staff and adopt as appropriate;
4. Periodically review and reevaluate NDCA policy, operational and program guidelines;
5. Approve the program structure and delegate authority to staff for project approval within approved programs;
6. Set operational policies and guidelines;
7. Advocate and educate for the agency and its work; and
8. Understand and follow the Open Meeting Laws as defined by the ND Attorney General's Office.

Century Code 54-54-05. The duties of the council are:

1. To stimulate and encourage throughout the state the study and presentation of the performing and fine arts and public interest and participation therein.
2. To make such surveys as may be deemed advisable of public and private institutions engaged within the state in artistic and cultural activities, including but not limited to, music, theater, dance, painting, sculpture, architecture, and allied arts and crafts, and to make recommendations concerning appropriate methods to encourage participation in and appreciation of the arts to meet the legitimate needs and aspirations of persons in all parts of the state.
3. To take such steps as may be necessary and appropriate to encourage public interest in the cultural heritage of our state and to expand the state's cultural resources.
4. To encourage and assist freedom of artistic expression essential for the well-being of the arts.
5. To determine the artistic value of property as provided by section 1-08-04.1.

Individual Members

The Board is the appointed group that governs NDCA. Board members represent the people of the state and their region. They are committed to the well-being of the arts in their state. Individuals may not commit NDCA or members on behalf of NDCA to any action without authorization. Individual Board members shall:

1. Actively Engage

- a. Prepare for Board meetings by reviewing available materials in advance;
- b. Attend and actively participate in meetings including panel participation, field presence, and events;
- c. Participate in NDCA activities between meetings as requested;
- d. Actively mentor peer members, participate in a committee, and fulfill duties as described;
- e. Be acquainted with North Dakota's cultural resources and their geographic regions in particular;

2. Commit to Excellence

- a. Respect reporting relationships (Executive Director to the Chair and staff to the Executive Director);
- b. Keep confidential information that is confidential;
- c. Exercise Board authority only when acting in a meeting with the full Board or as officially delegated;
- d. Act without self-interest despite identification with a particular region, discipline or organization;

3. Advocate for NDCA and the Field

- a. Positively support all actions taken by Board even when in a minority position on such actions;
- b. Honor their commitment to the agency and its work.

Committees

The NCCA Board has four committees. The Chair is a member of all four, *ex officio*, and may exercise that prerogative as appropriate.

	Composition	Purpose	Commitment
Executive	Chair Vice-Chair Third Member <i>(elected from the board)</i>	Assist in developing NCCA policies Assist in strategic planning procedures Advise Chair and Executive Director Oversee Executive Director hiring, performance and compensation	Annual work plan Complete assignments Meet in advance of each Board meeting and as needed during the year
Finance	Chair Second Member <i>(elected from the board)</i>	Assist in budget preparation and legislative planning	Lead relevant discussion through presentation of their work at each meeting
Nominating	2 Members	Responsible for the nomination and appointment, onboarding, mentorship of all Board members	Remain informed about:
Program	2 Members	Assist in formulating program policies Advise on research and program evaluation	<ul style="list-style-type: none"> • NCCA requirements • Physical office needs • Salaries and benefits