



A Guide for Board Members

Produced by the Executive Office of Elder Affairs

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KNOW YOUR MISSION

AUTHORIZATION

A Council on Aging (COA) is a department of municipal government, authorized under Chapter 40 Section 8B of the Massachusetts General Laws. The law states that a council on aging may be established for the purpose of coordinating or carrying out programs designed to meet the needs of the aging in conjunction with programs of the Office of Elder Affairs.

RESPONSIBILITY

As a Council on Aging board member, you are responsible to the elected body of your town or city government and ultimately to the citizens of your community. Understanding the community's charge to your Council on Aging becomes your first responsibility. Is there a legal charter that established your Council board? If there is, it may specify what your responsibilities are as a board member. This legal charter may define the mission of the Council on Aging; if not, the Council on Aging should have a stated mission of its own to guide its activities.

MISSION

Understanding the mission is essential to your agency's success. Why does your Council on Aging exist? What makes the Council unique? Everything your Council does, every decision you make as a board member should further that mission through identifying unmet needs, developing, implementing and/or coordinating programs and services that meet those needs, educating local residents and advocating on behalf of seniors. Board members can improve the effectiveness of the COA by being familiar with agency's programs – outside of board meetings – to help ensure continuity and responsiveness to local elder needs.

YOUR LEGAL OBLIGATIONS

Your Council on Aging is a governmental body. Therefore, you must work within the framework of your municipality. As a COA board member, it is important for you to understand the laws that affect you. Some laws are state statutes that affect every Council on Aging board member throughout Massachusetts. Your municipality may set other requirements and constraints.

Because you have a public responsibility, you share many of the legal and ethical obligations of elected officials. The following apply to every COA and to you as a board member:

Open Meeting Laws—Massachusetts General Laws, Chapter 39, Sections 23A-C states that "All meetings of a governmental body shall be open to the public and any person shall be permitted to attend any meeting except as otherwise provided..." This statute requires that meeting notices and agendas be posted publicly a specified number of days before the meeting.

Public Records Law—Massachusetts General Laws, Chapter 4, Section 7 states that "Any person has an absolute right of access to public records." Although that phrase continues to include items such as minutes and financial statements, an amendment to the COA enabling legislation (Ch. 40, s. 8b) in 2002 precludes access to records containing personal identifying material such as name, address, telephone, e-mail or participation in specific programs/services.

Conflict of Interest Laws—Massachusetts Conflict of Interest Law, Chapter 268A of the General Laws "sets a minimum standard of ethical conduct for all municipal employees and officials." This applies to city and town officials and employees whether elected or appointed, full, part-time, paid and unpaid positions; anyone who serves local government. The purpose of the law is "to ensure that

public employees' private financial interests and personal relationships do not conflict with their public obligations." This includes even the perception and appearance of conflict. It provides for full disclosure of any conflicts of interest and abstention of voting on such matters. *

Solicitation of political contributions by employees. In the eyes of the state you are considered a municipal employee, therefore, you cannot solicit funds for a political candidate.

Fundraising is not permitted. Massachusetts General Laws, Chapter 44, Section 53 E ½ does authorize the use of revolving funds to permits Councils on Aging to retain and expend program revenues; such revolving funds must be approved annually by the municipality. Nonprofit "501(c)(3)" organizations called Friends of the Council on Aging often raise funds on behalf of Councils on Aging.

Fair Information Practices Act-Massachusetts General Laws, Chapter 66A, S.2. The Commonwealth has very strict regulations regarding the confidentiality of client records and information. Be very careful that information you may have learned about COA clients is not disclosed to others. Council on Aging records that disclose identifying details such as name, address, telephone, e-mail or even which particular programs s/he attended are no longer a matter of public record.

Your bylaws are a legal document and you are required to abide by them. It is important to read them and understand what they say. They should be in compliance with your municipal bylaws or ordinances. Bylaws define how the board is structured and how the organization conducts its business. They include qualifications of members, duties, nominating procedure, termination, powers and responsibilities of officers, terms of office, quorums, standing committees, conflict of interest policy, frequency of meetings, and procedures for amendment.

* *A Practical Guide to the Conflict of Interest Law for Municipal Employees*: Massachusetts State Ethics Commission.

YOU AND THE DIRECTOR

EMPLOYMENT and EVALUATION PRACTICES

The selection/hiring, evaluation and/or termination of the COA director differs from community to community, but this responsibility typically belongs to the appointing authority – the chair of the selectboard, mayor or manager/administrator, with varying degrees of input from the Council on Aging. The board may assume an advisory role with respect to these actions depending on local administrative practices. (See also “Policy and Management” below).

PARTNERSHIP

No matter how your director is hired or evaluated, whether paid or volunteer, the relationship of the Council on Aging board to the director characterizes the effectiveness of the organization. The relationship is strategic, embracing a shared vision, goals and responsibility for the organization's future. A mutually supportive framework is essential.

POLICY AND MANAGEMENT

COAs are primarily advisory (not governance) boards. As a board member, you help set/review policies and objectives with the director who, in turn, manages daily operations. Boards and directors need to share in the development and support of program/ service goals, but the director is ultimately responsible for ensuring day-to-day functioning. In large part your role is to advise and support the director, and assume management roles only in the absence of a director or coordinator.

BOARD AND SERVICE VOLUNTEERS

In many--if not most--COAs, board members also serve as program volunteers. When this occurs, you are performing two separate roles for the organization: as a board member, you share in the leadership of the organization and provide support to the director. However, as a program volunteer, you carry out your work under the supervision of the director. The director (or her/his designee) must ultimately assume responsibility for managing the service and support of paid staff and unpaid volunteers.

WATCHING THE BUDGET

The budget is important in that it is a financial reflection of the Council's program goals and objectives. The budget lets the community know what resources are available (and needed!) to carry out your services and programs. Therefore, as the stewards of community funds, Council on Aging boards have a fiduciary responsibility to:

Understand and **approve** the budget.

- Are there sufficient revenues to carry out the programs, services and activities?
- Are we getting the most resources to the elders in need?

Advocate for the budget's acceptance through your municipal budgeting process.

Monitor the budget throughout the year. Expenses compared to the budget should be reviewed monthly, or at least quarterly, by the board. You don't need to know how many paper clips are being bought, but you should be satisfied that expenses and revenues are in line with the budget.

Be accountable to your municipality, the elders and the rest of the community. Be confident the money is being used properly.

YOUR PLANNING ROLE

All Council on Aging boards should be involved with the director in planning both annually and for the long term. Planning translates your mission into specific programs and services. It tells you what resources are needed. While implementation of the plan is a staff function, you have the responsibility for developing and monitoring the plan. Your role includes:

- Understanding each of the programs your Council offers and how they fulfill the mission of the Council. Ask if the programs are doing what they are supposed to be doing? Are they still the right activities? Do they still serve a need? How do you know?
- Identifying problems and **unmet** needs of the elders in your community on a regular basis to see that the programs you are offering are sufficient.
- Setting goals on what you plan to achieve and what problems you will solve.
- Defining the strategies to determine how you will achieve the goals.
- Developing an action plan to show you how to get there.
- Making sure the plan is in line with the budget.
- Communicating with your elected officials and department heads about what you are accomplishing and keeping them informed: this helps create and maintain visibility.
- Reviewing the plan on a regular basis and repeating the cycle periodically.

HOW WELL ARE YOU DOING?

EVALUATE YOUR PROGRAMS AND SERVICES.

A Council on Aging board needs to monitor how well it is implementing its annual and long-range plan. It should regularly ask itself:

- What are we doing well?
- How do we know that?
- Are the programs and services cost effective?
- What are we doing poorly?
- What improvements do we need to make?
- Could it work better?

Please remember that you are accountable to the municipality and its citizens. Never assume your programs are good. Ask for reports from staff, committees and volunteers. Visit or participate in the programs yourself! Ask elders that use the programs what they think. Never be satisfied with the status quo. A COA board must always assure itself that the programs and services are still meeting the needs of its elder constituency. Needs may change. Programs may have to be altered or eliminated. You need not continue a service just because you've been conducting it for a number of years.

Provide your municipality with the results of your program monitoring and evaluation. This helps assure them that the money is being well spent and can strengthen the community's commitment to its elders.

EVALUATE OF YOUR VOLUNTEER LEADERSHIP.

A strong, supportive board can be instrumental to the success of your mission. Although the selection process may vary from community to community, you should ensure rotation of board (and officer!) membership to ensure a balance of experience and continuity, while providing for fresh perspectives and new vitality. In addition, your board should be diverse, representative of different backgrounds, generations and experiences. Your bylaws should identify the nominating procedure and clarify expectations regarding committee service and length of terms (unless prohibited by municipal bylaws).

IS YOUR BOARD EFFECTIVE?

EVERY COUNCIL ON AGING BOARD SHOULD SEE THAT EACH NEW MEMBER:

- receives a complete orientation to the Council;
 - is provided a job description;
 - knows the bylaws under which the Council operates;
 - understands the different roles of volunteer and staff;
 - has a clear understanding of the board's responsibilities.
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THE COUNCIL SHOULD HAVE A CLEAR MISSION AND WRITTEN POLICIES AND PROCEDURES WHICH ENSURE:

- program goals and objectives are set;
 - services are described;
 - programs fulfill the mission;
 - resources are used appropriately;
 - effectiveness is monitored and periodically evaluated.
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THE CHAIR(MAN) SHOULD RUN THE BOARD MEETINGS EFFICIENTLY AND EFFECTIVELY BY:

- planning the agenda with the director ahead of time;
- sending out the agenda and appropriate written information in advance;
- starting and ending board meetings on time;
- inviting broad participation and allowing for adequate discussion;
- determining what action should be taken;
- making use of an appropriate and effective committee structure.

WHAT ARE YOUR INDIVIDUAL RESPONSIBILITIES?

All responsibilities discussed previously were related to the Council on Aging board: knowing the mission; understanding the legal obligations; working with the director; watching the budget; the planning and monitoring role; and having an effective board. However, you, as an individual, have additional responsibilities. These are to:

- Maintain a commitment to the mission;
- Attend all board meetings and participate;
- Prepare for meetings by reviewing the agenda and reading all material sent out;
- Know the issues and be prepared to ask questions;
- Vote and do not be reluctant to dissent if you are opposed;
- Understand the budget;
- Serve on at least one committee;
- Keep informed;
- Support the board and the director;
- Enhance the public image by being an ambassador to the community for the Council on Aging;
- Advocate on behalf of the elders in your community.

ACKNOWLEDGMENTS

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MCOA Review Committee

DAVID STEVENS, MCOA Executive Director

RON BROWN, MCOA Small and Rural Town Committee

Chair, Shelburne COA Director

KATHY BRYANTON, MCOA Resources Chair, Director,

Cohasset COA

PAM HANSON, MCOA Education Chair, Program Director,

Carlisle and Acton COAs

JOAN HOEL, Former MCOA Chair, Executive Director,

Age Center Worcester

MARY KELLY, Training Institute Chair, Director, Danvers COA

Other Interviewees

JOANNE BALZARINI, COA Director, Bernardston and Northfield

KATHY BOWLER, Director, Holyoke COA

JOELLE CULLEN DEANE, Former Director, Erving COA

AL EVASIUS, Director, Brimfield COA

ANN LANGFORD, Director, Greenfield COA and Board Member,

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