

CAPND BOARD TRAINING

July 29, 2022

AGENDA



Overview and Reminders



Promise of Community Action



Board Survey Results



Next Steps: Planning for Board Retreats & Outreach



Board and Executive Director Partnership



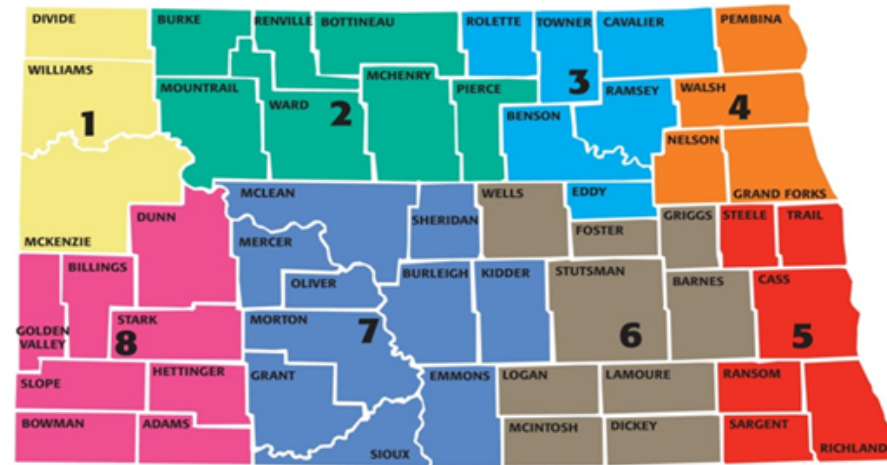
Future training and additional resources



“Community Action changes people’s lives, embodies the spirit of hope, improves communities, and makes America a better place to live. We care about the entire community and we are dedicated to helping people help themselves and each other.

**THE PROMISE OF
COMMUNITY ACTION**

COMMUNITY ACTION AGENCIES IN NORTH DAKOTA



- Region 1 - Community Action Partnership - Williston/Dickinson
- Region 2 - Community Action Partnership - Minot
- Region 3 - Dakota Prairie Community Action - Devils Lake
- Region 4 - Red River Valley Community Action - Grand Forks
- Region 5 - Southeastern ND Community Action Agency - Fargo
- Region 6 - Community Action Program Region VI - Jamestown
- Region 7 - Community Action Program Region VII - Bismarck
- Region 8 - Community Action Partnership - Dickinson/Williston

- CAPND and ND Dept of Commerce conduct quarterly Board trainings
- Audience = Board Members from Community Action Agencies across North Dakota
- Schedule and recordings of previous trainings available at www.capnd.org



OVERVIEW AND REMINDERS

WHY BOARD TRAININGS:

We know this investment in leadership is important and trainings will help Board members gain the appropriate tools to assist them in the Board room.

Board trainings ensure members are current on their roles and responsibilities and have confidence in their leadership abilities while lending their expertise and knowledge to our network.

On-going training is vital and makes our CAA Boards informed, knowledgeable, and strong.

BOARD MEMBER SURVEY RESULTS: MAY-JUNE 2022

Board members were asked to complete a survey to identify their current training and technical assistance needs. A total of 31 Board members and 6 Executive Directors responded. Feedback will be used to establish agendas for both future trainings and Board retreats.

Tenure of Board Members:

- 40% of respondents had been a Board member for 0-3 years while 37% had been on the Board for 10 years or more.
- Essentially a 50/50 split in experience levels.

Highest Training Needs:

- Human Resource Issues for Boards
- Executive Transition/Succession Planning
- Strategic Planning

Second Highest Training Needs:

- Conducting an Agency Risk Assessment
- ROMA for Boards
- Analyzing Financial Data for Decision Making
- Financial Responsibilities of Board Members

NEXT STEPS: PLANNING FOR BOARD RETREATS AND OUTREACH

CAPND and DCS will start planning logistics of the trainings and recruiting speakers.

Working towards a culmination of:

- Conducting in-person Board Retreats (perhaps one on the West and one on the East)
- Using survey feedback to drive our online training via our already scheduled Board trainings
- Adding online Moodle courses where Board members can complete trainings on their own time/own pace.
- Including National partners

Work in progress from now until September 2023. Stay tuned for details!

NEXT STEPS: PLANNING FOR BOARD RETREATS AND OUTREACH

CAPND Outreach Plan: May 2022 – September 2023 (17 months)

May – July	Workforce Recruitment
August	Sportsmen Against Hunger Processors Recruitment
September – November	Sportsmen Against Hunger Program Promo
December – February	Client Outreach, including rural
March – April	Board Member Recruitment
May – September	COVID Response Story

Engaged, informed and enthusiastic executive directors and board members working as a team are essential to the success of a Community Action Agency (CAA). Cultivating a positive, open and flexible relationship is an ongoing task for all board members and executive directors. Because of a CAA's unique tripartite board structure, preserving and growing such a relationship can sometimes be challenging. However, maintaining a balance of duties perpetuates good governance practices and ensures that the organization is engaged in activities that further its mission and achieve its funding source goals.

BOARD AND EXECUTIVE DIRECTOR PARTNERSHIP

A. ROLES AND RESPONSIBILITIES

- A. Clarifying Roles at Board and Committee Meetings
- B. Understanding Board Executive Sessions
- C. Setting the Tone at the Top
- D. Managing Risk and Compliance
- E. Managing Employee Grievances, Employment Actions, and Whistleblower Claims
- F. Overseeing and Managing the CAA's Financial Well-Being
- G. Creating the Annual Budget
- H. Authorizing Expenditures and Executive of Transactions
- I. Establishing Roles Around the Audit
- J. Preparing for and Responding to a Monitoring
- K. Generating Funds

Tripartite Boards – Composition and Selection



Standard 5.1: Nonprofit/Public

- The org.'s governing board/advisory body is structured in compliance with the federal CSBG Act.

Standard 5.5: Nonprofit/Public

- Governing board/advisory body fills board vacancies as set out in its bylaws

Both the Executive Director and the Board with its committees fulfill distinct roles for an organization:

The Board and its committees focus on organizational oversight and developing policies that the executive director is then charged with implementing.

Board = *Organizational Oversight and Developing Policies*

Executive Director = *Charged with Implementation*

A. CLARIFYING ROLES AT BOARD AND COMMITTEE MEETINGS

B. UNDERSTANDING BOARD EXECUTIVE SESSIONS



An executive session is subject North Dakota's open meeting laws which recognizes that certain sensitive matters that arise at board meetings are best discussed in a private forum.



Open meeting laws usually permit boards to adjourn to an executive session, which simply means the public is excluded from that portion of the meeting.



The Board may also ask staff to leave the meeting.



Check for your CAA bylaws and policy manual for details.



When in doubt, secure legal consultation.

C. SETTING THE TONE AT THE TOP

The “tone at the top” is the message about ethics and integrity that organization leaders send through their words and behavior. Visible commitment by the organization’s board and senior management is essential to cultivating a culture of compliance and high ethical standards.

While a code of ethics and organizational policies are important, compliance is more than just having these documents in place

If board members and the executive director ignore or override the organization’s policies, staff will get the message that the organization does not truly value compliance and ethical behavior

Although it is not involved in the day-to-day management of the CAA, the board plays a critical role in ensuring that the organization is operated ethically and in compliance with applicable laws, regulations and contract terms.

Conflict of Interest Forms signed within the last two years is an Organizational Performance Standard (5.6)

CAAs MUST TAKE ACTION ON REPORTS OF UNETHICAL BEHAVIOR OR COMPLIANCE CONCERNS!

Community Action Ethical Standards

We, as Community Action professionals, dedicate ourselves to eliminating poverty in the midst of plenty in this nation by opening to everyone the opportunity for education and training; the opportunity for work; and the opportunity to live in decency and dignity; and with respect for cultural diversity, commit ourselves to:

Recognize that the chief function of the Community Action movement at all times is to serve the best interests of the poor, thereby serving the best interests of all people.

Accept as a personal duty the responsibility to keep up to date on emerging issues and to conduct ourselves with professional competence, fairness, impartiality, efficiency, and effectiveness.

Respect the structure and responsibilities of the board of directors, provide them with facts and advice as a basis for their making policy decisions, and uphold and implement policies adopted by the board of directors.

Keep the community informed about issues affecting the poor; facilitate communication by the poor with locally elected public officials and the private sector.

Conduct our organizational and operational duties with positive leadership exemplified by open communication, creativity, dedication, and compassion

Exercise whatever discretionary authority we have under the law to promote the interests of the poor.

Lead the Community Action movement with respect, concern, courtesy, and responsiveness, recognizing that service to the poor is beyond service to oneself.

Demonstrate the highest standards of personal integrity, truthfulness, honesty, and fortitude in all our Community Action activities in order to inspire confidence and trust in the Community Action movement.

Serve in such a way that we do not realize undue personal gain from the performance of our professional duties.

Avoid any interest or activity that is in conflict with the conduct of official duties.

Respect and protect privileged information to which we have access in the course of official duties.

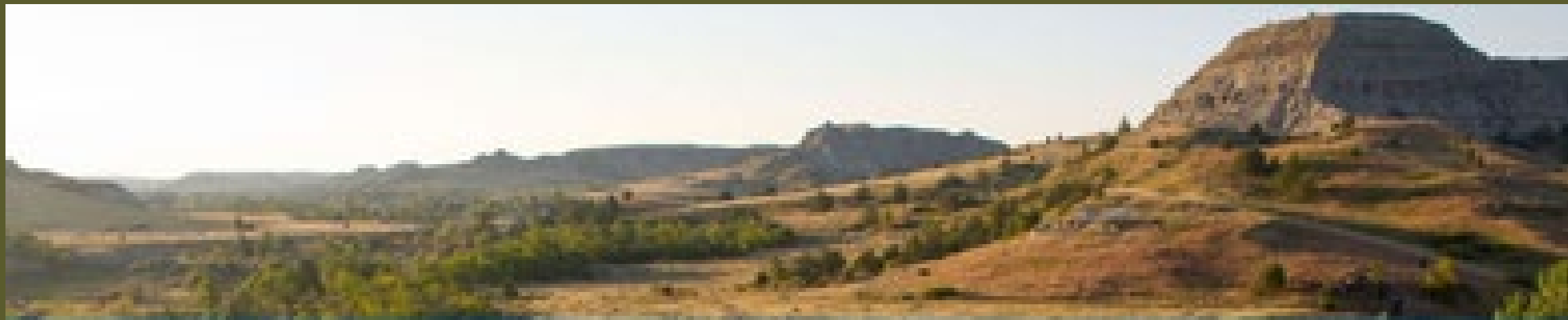
Strive for professional excellence and encourage the professional development of our associates, including those seeking to become certified Community Action professionals.

MANAGING EMPLOYEE GRIEVANCES, EMPLOYMENT ACTIONS, AND WHISTLEBLOWER CLAIMS

- Org Standard 7.7 requires a whistleblower policy
 - *A whistleblower is a person who exposes any kind of information or activity that is deemed illegal, unethical, or not correct within an organization that is either private or public. The Whistleblower Protection Act was made into federal law in the United States in 1989*
- Staff grievance policies exist at each CAA and should be followed
- CAAs should be careful about involving Board members in an employee complaint and/or employment action. Doing so may result in the board micromanaging the organization when its focus should be on governance and oversight.
- Moreover, employment laws are complex and ever-changing and few board members are likely to have experience in navigating and working with those laws in relation to employee complaints and employment actions such as terminations.
- CAPLAW generally recommends that the board delegate the authority to handle employee actions and complaints to the executive director who will then work with his/her staff

MANAGING EMPLOYEE GRIEVANCES, EMPLOYMENT ACTIONS, AND WHISTLEBLOWER CLAIMS

- Employees with grievances may try to contact individual board members. The board should have a policy in place that educates the board on who fields these kinds of complaints (e.g., board chair) and the best way for a contacted board member to respond to them.
- CAPLAW recommends that a CAA limit its organization's personnel policies to current employees because once an employee has been terminated, there are legal avenues available if he or she believes a termination was illegal.
- A distinction is often made between **employee grievances** and **reports of illegal or unethical activities** (such as fraud or misuse of funds or property). The latter type of complaint will typically be made pursuant to the organization's whistleblower policy which is intended to capture complaints of suspected fraudulent or dishonest use of or misuse of organizational resources or property by staff, board members, consultants, volunteers or clients.
- Often times in a whistleblower policy, there will be the option to report complaints to the executive director, board committee or board chair; however, this option is usually limited to when a person finds it difficult to report a concern to another designated member of the management team, such as a compliance officer, fiscal director, or human resources director.



September 13-14, 2022

Community Action Partnership of North Dakota Conference

ROOSEVELT GRAND DAKOTA HOTEL | DICKINSON, ND



ADDITIONAL RESOURCES

<https://blueavocado.org/board-of-directors/the-nonprofit-board-s-role-in-hr/>

https://communityactionpartnership.com/wp-content/uploads/2018/08/3_Dynamic-Duo-Board-and-ED-Relationship.pdf

<https://www.caplaws.org/resources/PublicationDocuments/TopNotchToolkit.html>

<https://blueavocado.org/board-of-directors/should-staff-contact-with-the-board-be-restricted/>

<https://www.capnd.org/events/2021-cao-board-training.html>

<https://vimeo.com/caplaws/download/618226652/144bae73cb> (Board Chair)

<https://vimeo.com/618225816> (Fiduciary Duties of Tri-Partite Boards)

October 28, 2022

12:00 pm CT/11:00 am MT

[Register Here](#) or at www.capnd.org

Board Retreats – Dates TBD



NEXT TRAINING

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