

Raising the Low-Income Voice

Case Studies in Democratic Selection Procedures



INTRODUCTION

Since the inception of the Economic Opportunity Act, a fundamental goal of Community Action has been to provide low income individuals with a voice in the administration of its poverty alleviating programs. With the Community Service Block Grant's (CSBG) call to achieve "maximum participation" of the low income community in the development, planning, implementation, and evaluation of CSBG funded programs, a critical venue for the low income community's participation is through their representation on the tripartite board.

Despite the importance placed on maximum participation of the low income community, there is relatively little federal law that explains what this means in the context of democratic selection procedures. The federal CSBG Act requires that "(i) not fewer than 1/3 of the members [of the board] are persons chosen in accordance with democratic selection procedures adequate to assure that these members are representative of low-income individuals and families in the neighborhood served; and (ii) each representative of low-income individuals and families selected to represent a specific neighborhood within a community ... resides in the neighborhood represented by the member..."

The only further federal guidance comes in the [Information Memorandum \(IM\) 82](#) from the Office of Community Services (OCS). This nonbinding guidance advises Community Action Agencies (CAAs) to "assure that board members representing low-income individuals and families...have been selected on the basis of some form of democratic procedure either directly through election, public forum, or, if not possible, through a similar democratic process such as election to a position of responsibility in another significant service or community organization such as a school PTA, a faith-based organization leadership group; or an advisory board/governing council to another low-income service provider." IM 82 advises CAAs to ensure democratic selection procedures "directly through election [or] public form," but if that is not possible, it lists a number of alternatives. These case studies are focused on the "direct" democratic procedures. If a CAA determines that direct democratic procedures are not possible, it will likely be able to comply with the law by creating what may be called "micro" democratic selection procedures, whereby the CAA asks another entity comprised primarily of individuals elected from the low-income community (e.g., a tenants association from a local low income housing development) to select someone from their organization to sit on the CAAs board.



While it is clear that CAAs must establish some kind of democratic selection procedure, it is not clear from the federal law what those procedures should, or may, look like. Given this, it may come as no surprise that one of the more common questions asked of CAPLAW is, "How do we conduct a democratic selection process?" Therefore, we have created these case studies to help the Community Action network answer this question by learning from their peers.

Below you will find three case studies of CAAs across the country that have refined their democratic selection processes. In sharing their insights and practices with you, we hope to provide you with ideas for how to conduct the democratic selection process. It is CAPLAW's view that all of the practices contained in the case studies are consistent with federal law and guidance from OCS. However, it is critical to remember that each state may establish its own law regarding the administration of CSBG funds, including the composition and selection of board members. A CAA will need to follow its state law as long as its law is not in conflict with the federal CSBG Act. To ensure that your selection process is consistent with both federal and state law, CAPLAW recommends consulting an attorney who is licensed to practice in your state.

The selection procedures in these case studies may be employed by private or public CAAs, although public CAAs have the option to use "another mechanism specified by the State to assure decisionmaking and participation by low-income individuals in the development, planning, implementation, and evaluation of programs funded under [the federal CSBG Act]." Public CAAs should note that if they choose to employ a democratic selection process, the federal CSBG Act requires that low income board members "reside in the neighborhood served." This residency requirement does not exist for private, nonprofit entities.

CAPLAW hopes to continue to add to these case studies and encourages other CAAs to contact us with their democratic selection procedures.

ENDNOTES

1. 42 U.S.C. §9910(a)(2)(B)
2. 42 U.S.C. §9910(b)(2)
3. 42 U.S.C. §9910(b)(1)(B)
4. The only residency requirement imposed by the federal CSBG Act on private, nonprofit entities is that "each representative of low-income individuals and families *selected to represent a specific neighborhood within a community under clause (i)* resides in the neighborhood represented by the member." 42 U.S.C. §9910(a)(2)(B)(ii), emphasis added.

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SALT LAKE COMMUNITY ACTION PROGRAM (SLCAP)

A wide range of recruitment and publicity strategies, lively public forum elections, and a commitment to board engagement

SLCAP OVERVIEW

- Location:** Salt Lake City, Utah
- Staff Size:** 400 employees
- Annual Revenue:** \$21,000,000
- Service Area:** 2 counties, 7,700 square miles, 1.2 million total population
- Chief Executive:** Erin Trenbeath-Murray
- Board Size:** 18 seats
- Major Programs:** Head Start, housing stabilization, heat assistance, weatherization, adult education, nutrition assistance

BOARD MAKEUP

Soon after Erin Trenbeath-Murray began her tenure as CEO of Salt Lake Community Action Program (SLCAP), a wave of long-time board members retired. With two-thirds of the board departing in her first several months on the job, Trenbeath-Murray took this as an opportunity to renew and refresh the organization’s policies and procedures surrounding board composition and selection.

SLCAP’s board size is fixed at 18 members, with staggered three year terms and a two-term limit. The board only recently decided to stagger their terms, and they quickly realized they needed to address the problem of how to implement this new system—whose term would be up next year, in two years, and in three years? SLCAP settled on a creative and simple solution: drawing straws. The shortest straws had their terms up in one year, the middle straws up in two, and the longest straws up in three years.

RECRUITMENT AND PUBLICITY

SLCAP uses a variety of methods to recruit candidates for their low-income sector election, including advertising on their website, posts on social media, and distributing “old school fliers—thousands and thousands of them.” SLCAP also has great success with traditional face-to-face interactions, talking to clients who come through their housing and food pantry programs and discussing the election with Head Start parents.

Individuals who show an interest in running for board membership are asked to fill out an application. The application asks for a brief bio, in which the candidates describe their background and their reasons for seeking a seat on the board of directors. An election date is scheduled and the self-made bios are placed on the organization’s website and social media.

HOLDING THE ELECTION

SLCAP's most recent election illustrates the success of their recruitment and publicity efforts: 70 voters showed up to the election forum to vote on six candidates for four seats. SLCAP staff spoke to many voters at the forum, and they were inspired by their enthusiasm and engagement. "There were people there that I had such an enjoyable time meeting," says Trenbeath-Murray. "There were clients that wanted to see what this is all about, who wanted to get their two cents in...There were folks there that had never participated in that kind of process before."

Another success of SLCAP's recruitment process was the diversity of candidates at this election. While most of the candidates were currently low-income, the election also attracted former clients—including an attorney and a financial planner—who grew up in poverty and, due in part to SLCAP's programs and services, were now economically self-sufficient. This diversity of candidates raised a number of important questions for their board to consider, including: What is considered "low-income"? Do you have to be low-income to serve on the board? Do we verify income for this sector of the board?

ALWAYS IMPROVING

SLCAP has set its sights on a number of opportunities to grow and improve the democratic selection process, many of which involve close collaboration between staff and board. Trenbeath-Murray says she would like to see management take a more active role in cultivating low-income board members by identifying clients who may be interested in serving and ensuring they are educated about the process. In this way, the next time an election comes up, there is a pool of clients who understand board membership and are prepared to run.



To CAAs struggling to find individuals to run for election to the low-income sector, Trenbeath-Murray has some advice. She suggests thinking about the strategies you use to recruit private sector directors or to cultivate donors, and then considering using those same strategies with the low-income population—whether those strategies are focused on outreach, networking, or something else. The approach is the same, says Trenbeath-Murray, but the goal is: "How do you cultivate folks to be involved in their community?"

ENGAGEMENT AND RETENTION

While some CAAs experience problems with frequent turnover in their low-income sector, SLCAP encountered something different. When Trenbeath-Murray came on as CEO, the board's low-income sector members had all been on the board for many years and were routinely reelected, with little to no competition involved in the election. With the democratic selection process revitalized, SLCAP's board has seen the loss of some long-time directors. This transition came with some difficulties, but Trenbeath-Murray sees the benefit of a meaningful and competitive process. The new board members feel like "they earned the spot on the board...that this is a prestigious thing to be a part of," says Trenbeath-Murray. "It made them really appreciate and want to be more active and participate on the board."

Keeping an eye on attendance is another way SLCAP keeps its board engaged. The board's bylaws allow for removal after three consecutive absences. Just recently, a board member missed several meetings, and the board decided to follow up. A productive conversation ensued, which not only allowed the board member to explain why he had missed the meetings, but also allowed the rest of the board to emphasize their expectations of active engagement. In the end, the board member stayed on, and came back to the meetings with an attitude that, in the words of Trenbeath-Murray, board membership "is a privilege. You need to be there—it's not enough just to be on the roster."

Trenbeath-Murray is aware of the tradeoffs involved in this kind of approach to board membership. Enforcing the board's ethos that membership is not just about "being on the roster" means being willing to risk important relationships with big donors or connected politicians. "In the end," says Trenbeath-Murray, "we agreed we wanted

a really active, engaged board,” and she believes the benefits have been worth the risks.

Ultimately, active engagement means participating in the meeting, not just showing up to it. SLCAP realizes the challenges to low-income folks who may feel intimidated to speak up at board meetings. The board has prioritized encouraging low-income directors to make their voice heard, because their voice is invaluable. What this voice adds, according to Trenbeath-Murray, is the ability “to get a more realistic perspective on what families and people are dealing with, and understanding what it’s like to live in our community and be low income.”

SLCAP’s board transformation has been so successful that there is now a waiting list of low-income individuals who hope to serve on the board.

LOOKING FORWARD

SLCAP has made many improvements to its democratic selection process over the last 18 months, and they hope to maintain that momentum by implementing the following strategies:

1. Using their staff of case managers to be the “eyes and ears” of the recruitment process, identifying clients who may be able and willing to serve on the board;
2. Inviting prospective low-income directors to serve in an advisory capacity on existing board committees, as a testing ground—for both the prospective director and the board—for future board membership; and
3. Asking low-income clients to lead management or directors on tours of the low-income community to find folks who are already leaders in their community and outreach about SLCAP board membership.

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