

Raising the Low-Income Voice

Case Studies in Democratic Selection Procedures



Community Action, Inc. (CAI)

Data-driven recruitment, development of local leaders, and competitive elections

CAI Overview

Location:	Haverhill, MA
Staff Size:	140 employees
Annual Revenue:	\$15,000,000
Service Area:	11 cities and towns
Chief Executive:	Kerri Sheeran Perry
Board Size:	21 seats
Major Programs:	Head Start/Early Head Start; family child care; parent support; adult education; heating and weatherization assistance; homelessness and housing services; consumer services; WIC nutrition
Appendices:	Democratic selection procedures; sample recruitment letter; candidate registration form; bylaws excerpt

At one time, CAI publicized and recruited for the community representative sector of its board by mailing out nomination papers to all of the clients in its Low-Income Home Energy Assistance Program—an impressive feat, considering the more than 7,000 households served by the program. Recently, however, CEO Kerri Sheeran Perry has explored ways to reduce the financial and administrative cost of the election while maintaining the spirit and integrity of the democratic process. Her organization has settled on a process that does just that.

Apart from a seat that is filled by CAI's Head Start policy council, all of the agency's community representative sector board

members represent specific neighborhoods within the service area. When a community representative seat is up for reelection, CAI uses its case management software to pull a random sample of at least 10% of low-income households from that neighborhood. Staff prepare a letter to potential candidates briefly explaining board roles and responsibilities and then mail this letter, along with a candidate registration form, to all of the randomly selected households. The registration form asks for basic demographic information, a description of why the candidate wants to be on the board, and a short biography. See Appendices 2 and 3 for a sample recruitment letter and registration form.



HOLDING THE ELECTION

Once the deadline for receipt of candidate registration forms has passed, the Governance Committee of CAI's board of directors reviews the forms, removes any ineligible candidates, and conducts interviews with the remaining candidates to give them an opportunity to learn about board roles and responsibilities. The board and staff then prepare ballots to be sent to the same random sample of neighborhood residents. This mailing includes a 200-word biography written by each of the vetted candidates and informs residents of the voting deadline. Once the deadline has passed, the candidate that has received the highest number of votes is presented to the full board for selection.

SELECTING THE BOARD MEMBER

The final step in the democratic selection process is when CAI's board votes to select the elected candidate. This step is an important one, as it allows the board to retain the ability to manage board membership, when necessary, and provides one last check to ensure that all members are fully qualified. This step also ensures that the board can remove a member, since some state laws only allow a board member to be removed by those that selected them. However, the board does not engage in substantive evaluation of the candidate at this stage. To retain the democratic spirit of the process, CAI board members limit their actions to ensuring that a candidate meets the basic qualifications for board service, such as residence in the neighborhood represented by the seat, and that members maintain compliance with board policies, such as conflict of interest and attendance.

ENGAGING AND RETENTION

CAI's recruitment, publicity, and election procedures have produced strong results. In a recent election, 14 residents completed and returned ballots for the Haverhill city-wide seat. However, CAI has found that engaging and retaining board members can take as much effort as electing them. Its board has an active Governance Committee tasked with keeping low-income sector members engaged. The Governance Committee's interviews with candidates help to set realistic expectations about the responsibilities and obligations of board service. The committee also keeps track of attendance and, if necessary, enforces the board's rule, set out in its bylaws, that allows for removal if any member misses three or more consecutive meetings.

To mitigate the disruption that often comes with a vacancy, CAI has developed an interim board member policy that follows what is permissible under the state's CSBG regulations. When a vacancy occurs, the seat can be filled by selecting the runner-up from the most recent election. If that person is not available or willing to serve, the remaining community representative sector board members can select a replacement, as is permitted by the Massachusetts CSBG regulations.

CULTIVATING COMMUNITY LEADERS AND A PIPELINE FOR BOARD SERVICE

Since becoming CEO, Kerri has concentrated her efforts on developing a large pool of potential community representative sector board members. In addition to the recruitment letters that are sent in response to a vacancy, CAI has started sending letters proactively, approximately every two years, to gauge the interest of community members and promote awareness of the democratic selection process. In the future, Kerri says, she'd like to make the recruitment letters an annual effort.

CAI also taps into the talent developed under some of its local programs for board recruitment. Make-It Haverhill, a neighborhood leadership development, educational, and economic opportunity initiative, provides a point of

contact between the agency and community members who are interested in taking an active role in giving back.

MAINTAINING THE POLICIES AND PROCEDURES

A summary of CAI's democratic selection procedures is found in the agency's bylaws, and a set of detailed, step-by-step procedures are memorialized in a separate document. These are included as Appendix 4 and Appendix 1, respectively.

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Community Action, Inc. Appendices

Table of Contents

Appendix 1, Low-Income Election Procedures	5
Appendix 2, Sample Recruitment Letter	6
Appendix 3, Candidate Registration Form	7
Appendix 4, Bylaws Excerpt	8

Appendix 1, Low-Income Election Procedures

Based on 6/6/14 Bylaws Amendment

When a Community Representative Seat terms out the Governance Committee will instruct CAI staff to begin the election process to fill the vacancy.

Community Rep Seats: Amesbury, Newburyport, Merrimac/Groveland = 1 seat each
Haverhill – Acre and Mt. Washington = 1 seat each
Haverhill – City-wide = 2 seats
Total = 7 Community Rep seats

- A. Staff will be instructed to implement the use of a random sample of eligible households in the CAI Octopia database for the specified location above.

A minimum sampling of 10% or more will be extracted from the Octopia database for use in selecting household for filling the vacancy.

The following process is used in determining the random percentage. The 10% is selected automatically using a query that was designed by CAI's Octopis software company, Community Networks.

The process will work as follows:

1. Using Octopia a report is generated that pulls every family from the requested town.
 2. The data is then downloaded from this report into Access
 3. In Access using the query designed by Community Networks the specified percentage is extracted. The query uses an algorithm that preps the data and then uses a random number generator to pull the necessary info.
 4. Finally the results from the query is put in an excel spreadsheet that is converted to labels.
- B. Staff will prepare a letter and include a candidate registration form that will be sent to the random list of households selected for the vacancy to be filled.
- C. Nominations must be received by a specified date and the candidates must live in the geographic area s/he has been nominated.
- D. The board shall review those nominated, and may remove any candidate whom it determines does not meet the qualifications set by the board.
- E. The board shall instruct staff to prepare a ballot that will be sent out to the same random sampling of eligible households for them to vote and return by a specified date.
- F. The name of the candidate with the highest number of votes will be presented to the board for vote.
- G. In the event of a tie, the board shall conduct a run-off election by mailing a new ballot with the names of the candidates who are tied to the individuals who voted in the election that produced the tie.
- H. The board will further direct staff to seek out specific under-represented groups or types of groups as an option for selecting low-income board members when deemed appropriate through discussion among members of the governance committee and remaining low-income representatives who will present a recommendation to the full board for its approval.

Appendix 2, Sample Recruitment Letter

August 1, 2014

Dear Resident,

Community Action, Inc. (CAI) has an upcoming vacancy on its Board of Directors for a volunteer community representative for low-income persons residing in the **Mt. Washington** area of Haverhill. We are looking for nominees who have a sincere interest in the needs of low-income people. Low-income people are facing many critical issues. We need strong, active Board members to strengthen our Board. Candidates must live in the **Mt. Washington** area, but they do not have to be low-income to be a community representative.

The Board seat is for a term of four (4) years. The Board meets one evening a month (generally the last Wednesday) to discuss policy issues and to participate in the planning for the agency. In addition, Board members have an opportunity to serve on various committees.

If you feel that you would be a good candidate for this volunteer community representative seat and would like to become involved, ***please complete and return the enclosed Candidate Registration Form by August 22nd***. Feel free to contact me at 978-373-1971 should you have any questions or need help.

We look forward to hearing from you.

Sincerely,

Marge Hooper
Election Certification
Committee Member

Appendix 4, Bylaws Excerpt

Permit use of a random sample of program participants to elect low-income representatives amended 6/6/2014.

Role of Alternate Head Start Low-Income Representative delineated, 2/27/13

Residency requirement for board seats representing geographic areas added 4/25/12

Re-written and adopted 7/27/2011

(Last full version approved as amended, Wednesday 4/30/03)

*Incorporated as "Haverhill Community Action Commission" on 11/3/65. Amended to "Northern Essex Regional Community Action Commission" on 7/22/75. Again changed to "Community Action, Inc." on 2/28/78.
(Information in italics added by Board vote on 3/26/03)*

Article 1 - Name and Purposes

- A. Name. The corporation's name shall be as stated in its articles of organization.
- B. Purposes. The corporation's purposes shall be as stated in its articles of organization.

Article 2 - Board of Directors

- A. Authority and Responsibility of the Board of Directors. The corporation's board of directors shall supervise, control and direct the business and affairs of the corporation. The board shall fully participate in the development, planning, implementation and evaluation of the programs offered by the corporation in its service of low income individuals and families.
- B. Number of Directors. The board of directors shall consist of twenty-one (21) directors. The number of directors may be decreased (but not to fewer than fifteen (15) from time to time by resolution of the board.
- C. Tripartite Board Structure.
 - 1. Public Sector Directors. One-third of the directors shall be elected public officials, holding office on the date of selection, or their representatives, except that if the number of such elected officials reasonably available and willing to serve on the board is less than one-third of the membership of the board, appointive public officials or their representatives may be counted in meeting such one-third requirement (Public Sector Directors);
 - 2. Low-Income Sector Directors. At least one-third of the directors shall be 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 (Low-Income Sector Directors); and
 - 3. Private Sector Directors. The remainder of the directors shall be officials or members of business, industry, labor, religious, law enforcement, education, or other major groups and interests in the community served (Private Sector Directors).
- D. Head Start Board Composition Requirements. At least one director shall have a background and expertise in fiscal management or accounting. At least one director shall have a background and expertise in early childhood education and development. At least one director shall be a licensed attorney familiar with issues that come before the governing body. However, if a person described in any one of the three preceding sentences is not available to serve as a director, the board shall use a consultant, or another individual with relevant expertise, with the required qualifications, who shall work directly with the board.

Additional directors shall: (1) reflect the community to be served and include parents of children who are currently, or were formerly, enrolled in Head Start programs; and (2) be selected for their expertise in education, business administration, or community affairs.
- E. Selection Generally. Following are the procedures to be used to select board members in each of the three board sectors. By resolution, the board may, from time to time, adopt additional selection procedures, provided that they are consistent with the selection procedures specified in these bylaws. After each prospective director has been selected to serve on the board through the appropriate selection process described below for the sector in which s/he proposes to serve, and has been determined by the board (or a committee thereof) to meet the qualifications set by the board from time to time for service as director, the board of directors shall vote whether to elect him or her to the board.
- F. Public Sector Directors. The board of directors shall select elected public officials to serve as Public Sector Directors. If the number of elected officials reasonably available and willing to serve on the

board is less than one-third of the board, the corporation may select appointed public officials to serve. If a public official selected by the board of directors cannot serve him- or herself, s/he may designate a representative, subject to approval of the corporation's board, to serve as a Public Sector Director; the representative may, but need not be, a public official. Should a public official fail, within the period specified by the corporation's board, to accept the seat him- or herself or to designate a representative to serve, the corporation's board shall select another public official to fill the seat or to appoint a representative, subject to approval of the corporation's board, to fill the seat.

- G. Low-Income Sector Directors. To fill one low-income sector community representative seat, the board shall request that the corporation's Head Start Policy council elect two Head Start parents from among its members to serve on the board, one as the regular representative and the second as an alternate. The Head Start Policy Council Alternate can serve, sit-in and communicate what happened to the regular Representative, but cannot vote, does not count towards determining CAI Board of Directors quorum, nor can the Alternate be an officer of the Board. To fill the remaining seven low-income sector community representative seats, the board shall direct staff to mail nomination papers and ballots to a random sample of eligible household in its integrated database in the communities of Haverhill, Amesbury, Newburyport, Merrimac and Groveland, seeking respectively nominations for election to: one seat representing Amesbury; one seat representing Newburyport; one seat jointly representing Merrimac and Groveland; one seat representing the Acre neighborhood of Haverhill; one seat representing the Mt. Washington neighborhood of Haverhill; and two seats representing the balance of low-income Haverhill residents. To be eligible to be nominated for, to be elected to and to hold one of these seats, an individual must reside in the geographic area s/he has been nominated and, if applicable, elected, to represent. After receiving back all nomination papers within a specified period, the board shall review those nominated, and may remove any candidate whom it has determined does not meet the qualifications set by the board from time to time for service as a director. The board will then direct the staff to mail ballots to the same random sampling of eligible households in the corporation's integrated database in each community/neighborhood listing the individuals nominated for each respective seat. Unless a waiver has been granted by the Massachusetts Department of Housing and Community Development, only persons at or below 175% of the poverty line shall be permitted to vote in these selection processes. The name of each individual receiving the highest number of ballots for each respective community/neighborhood within a specified period of time shall be submitted to the board for the vote described in Section E of this article.. In the event of a tie, the board shall conduct a run-off election by mailing a new ballot with the names of the candidates who are tied to the individuals who voted in the election that produced the tie.

The board will further direct staff to seek out specific under-represented groups or types of groups as an option for selecting low-income board members when deemed appropriate through discussion among members of the governance committee and the remaining low-income representatives who will present a recommendation to the full board for its approval.

- H. Private Sector Directors. To fill Private Sector Director seats, the board of directors shall select organizations representing business, industry, labor, religious, law enforcement, education, or other major groups and interests in the corporation's service area (Private Sector Organizations) to designate, from among their officials or members, individuals to serve on the corporation's board of directors. Each such organization shall be entitled to designate one individual, subject to approval of the corporation's board, to serve as a Private Sector Director. Should such an organization fail, within the period specified by the corporation's board, to designate an individual to serve as a Private Sector Director, the corporation's board shall select another organization to designate such an individual.
- I. Petitions for Board Representation. A low-income individual, community organization, or religious organization, or representative of low-income individuals that considers its organization, or low-income individuals, to be inadequately represented on the board may submit a petition for representation to the board. The petition must be signed by at least 15 individuals, unless

the chairperson determines that it is appropriate to waive this requirement in a particular case. A written statement of the board's action on the petition shall be provided to the petitioning individual or group (and, if required by law, regulation or government funding source policy, a copy of the statement shall be sent to the appropriate government funding source(s)). Should it decide to provide representation to the petitioning organization or interest, the board shall take any actions necessary to provide that representation while ensuring that the board's composition meets the requirements of the federal Community Services Block Grant Act, the federal Head Start Act, and any other applicable laws or regulations.

J. Terms of Office. Each Low-Income Sector and Private Sector director shall serve for a four-year term, or until he or she sooner dies, resigns, is removed, or becomes disqualified. Each Public Sector Director shall serve for a one-year term, and a public official shall serve as a Public Sector Director only while s/he continues to hold public office. A representative of a public official shall serve as a Public Sector Director only while the public official who designated him/her continues to hold public office. An individual designated by either a Low-Income Organization to serve as a Low-Income Sector Director or by a Private Sector Organization to serve as a Private Sector Director shall so serve only while s/he continues to be associated with the organization that designated him or her. Directors may serve consecutive terms.

K. Removal of Directors.

1. Grounds for Removal.

- a. Incapacity. The board may remove a director, if in the opinion of the board, the director is incapacitated or otherwise unable to carry out the duties of his/her office.
- b. Cause. The board of directors may remove a director for cause for one or more of the following reasons: conduct the board deems contrary to the best interests of the corporation; misappropriation of assets of the corporation; violations of the corporation's articles of organization, bylaws, conflict of interest policy, board resolutions or other policies; absence from three (3) or more consecutive board meetings; repeated disruptions of board and/or committee meetings; conviction of a crime of moral turpitude; false statements on documents completed in connection with service as a director or officer of the corporation; or any other justifiable cause as determined by the board.

2. Removal Procedures. The board shall provide all directors, including the director proposed to be removed, with at least 14 days' notice of the meeting at which the removal is to be considered. The notice must specify that a purpose of the meeting is to consider removal of the director. The director proposed to be removed shall be entitled to an opportunity to be heard at that meeting. A vote of 2/3 of the directors present and voting is required to remove the director.

Representatives of public officials may be removed by the board; public officials may not be removed before the expiration of their term on the board while they still hold public office.

L. Resignation of Directors. A director may resign by delivering his or her written resignation to the chairperson, to a meeting of the directors or to the corporation at its principal office. The resignation shall be effective upon receipt unless specified to be effective at some other time. A director who has ceased to meet the qualifications for service as a director, as specified in these bylaws and by the board from time to time, and/or for the board seat to which s/he was elected, is deemed to have resigned as of the date s/he ceased to meet those qualifications.

M. Vacancies. The board shall take steps to ensure that vacant seats are filled in a timely manner. After each prospective director has been selected to fill a vacancy on the board through he appropriate

selection process described below for the sector in which s/he proposes to serve, and has been determined by the board (or a committee thereof) to meet the qualifications set by the board from time to time for service as a director, the board of directors shall vote whether to elect him or her to the board.

When a vacancy occurs in a Public Sector board seat held by a public official, the board of directors shall select another public official to serve as a replacement director or to appoint a representative, subject to board approval, to so serve. When a vacancy occurs in a Public Sector board seat held by the representative of a public official, the board shall request that the public official either take the seat him- or herself or name another representative, subject to approval by the board, to serve as a replacement director. If the public official fails to take the seat him- or herself or to name another representative within the period specified by the board, the board shall select another public official to serve as a replacement director him- or herself or to appoint a representative, subject to board approval, to so serve.

A vacancy in the Low-income Sector Head Start Policy Council seat shall be filled, subject to approval of the corporation's board, by the Policy Council Alternate, if that person available and willing to serve at the time of the vacancy. If such Alternate is unavailable, the vacancy will be filled, subject to approval of the corporation's board, by election of the Head Start Policy Council from among its parent members. Vacancies in the remaining seven Low-Income Sector seats shall be filled, subject to approval by the corporation's board, by the next highest vote recipient for the vacant seat if that person is available and willing to serve at the time of the vacancy, and, if such a person is not available and willing to serve, the remaining low income representatives may select a replacement who, to the maximum extent possible represents the same constituency as the original representative.

When a vacancy occurs in a seat held by an individual designated by a Private Sector Organization, the board shall ask the Private Sector Organization that designated that individual to designate another individual, subject to approval by the corporation's board, to fill the vacancy. Should that Private Sector Organization fail, within the period specified by the corporation's board, to designate an individual to fill the vacancy, the corporation's board shall select another Private Sector Organization to designate an individual, subject to approval of the corporation's board, to fill the vacancy. Each successor shall hold office for the unexpired term of his/her predecessor or until the successor sooner dies, resigns, is removed or becomes disqualified.