

# Network Board Development Guide

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## Rural Health Network Technical Assistance

September 2016



NATIONAL RURAL HEALTH RESOURCE CENTER

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This is a publication of [Rural Health Innovations, LLC](#) (RHI), a subsidiary of the [National Rural Health Resource Center](#). The Technical Assistance for Network Grantees Project is supported by Contract Number **HSH250201400024C** from the U.S. Department of Health and Human Services, Health Resources and Services Administration, Federal Office of Rural Health Policy.

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## BACKGROUND AND PURPOSE

Rural Health Innovations (RHI), LLC, is a subsidiary of the National Rural Health Resource Center (The Center), a non-profit organization. Together, RHI and The Center are the nation's leading technical assistance and knowledge centers in rural health. The National Cooperative of Health Networks Association Inc. (NCHN) is the only national organization whose sole focus is on health networks. NCHN's mission is to support and strengthen health networks.

The main purpose of any nonprofit board of directors is to guide the direction of the organization in a fiduciary manner to ensure the staff are able to carry out the organization's mission. RHI and NCHN have developed this *Network Board Development Guide* to support rural health networks in their efforts to establish, maintain, and improve the effectiveness of their boards. The benefits of using this guide include an improved understanding of how to identify and recruit board members, the roles and responsibilities of board members, how to manage effective board meetings, and quick access to resources on board development. The intended audience for this guide includes network leaders and boards of directors of rural health networks. This guide is designed as part of a toolkit that also includes sample documents.

## GLOSSARY OF TERMS

The following are terms used throughout the board development materials. Taking time to read through these terms creates a better frame of reference for the board development of your network.

- **Articles of Incorporation:** The terms of the Articles of Incorporation are typically defined by state law, and the state of corporation would control this document. The articles are a statement of the name, activities, stock or non-stock status, and the other basic attributes of a corporation filed with the state corporate regulator to start the process of incorporation (i.e., the creation of the legal entity).
- **Board Development:** The process of identifying, recruiting, training, retaining, and succession planning board members to most effectively meet the needs of the organization.
- **Bylaws:** Bylaws are the written rules established to direct the way in which the board functions and governs the internal operations of the organization. In simple terms, bylaws are the “day-to-day operational road map.”
- **Communication Plan:** A written document that addresses all types of the organization’s communications, including written materials, social media, electronic and spoken means. This plan addresses the purpose of the communications, the intended audience, the tools and methods to be used, and a way to measure the effectiveness of the organization’s communications.
- **Governance:** The systems of management and controls exercised in the stewardship of your organization.
- **Network:** A collaboration of at least three like-minded entities (each must have their own Federal Identification Number or FIN) that join together to improve health outcomes for rural communities and advance a common mission.
- **Organizational Chart:** A diagram depicting an organization’s structure, staff positions, and hierarchy.

## GETTING STARTED WITH BOARD DEVELOPMENT

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Establishing the “right” board of directors for your organization is integral to the organization’s functioning and ability of managers and all staff to carry out the organization’s mission. Utilizing tools, resources, and written policies with your board members will assist in formalizing the board’s structure and activities. Here are some key elements related to board development.

### **Board Orientation**

Providing written information to new board members regarding their roles and responsibilities, as well as a meeting schedule and rules, establishes expectations for their participation. Additionally, the network leader and board president holding an orientation call or meeting with a new member is important to helping them feel welcomed and have a better understanding of the organization’s purpose. It also provides an opportunity for new members to ask questions to better prepare themselves for their new role.

### **Bylaws**

In essence, bylaws are your organization’s written operating manual. They must provide clear instructions on such things as the size and makeup of the board, member term limits, how the board will function, roles and responsibilities of the directors and officers, meeting procedures, standing committees, and any additional aspects related to governance.

### **Code of Ethics**

Your organization’s Code of Ethics is a written document defining the values, principles, and standards that govern the rules of behavior for persons carrying out any aspect of the organization’s activities, from board members to direct line staff and volunteers. The Code of Ethics supports policies related to decision making, service provision, and human resources.

### **Communication Plan**

A written communication plan guides the organization’s daily operations in all aspects of its communication and marketing efforts. This formal tool assists in making your communications more effective and efficient, stating what information is to be shared with whom, by whom, when, and why. The plan should give consideration to the audiences, channels, timelines, and parties responsible for each message. More information on creating a communication plan as part of the strategic planning process can be found in the [Strategic Planning Template for Rural Network Allied Health Training Networks](#).

## **Confidentiality**

Board members are expected and required not to share any board-related information, discussions, and decisions to non-board members. Efforts to ensure all board members maintain confidentiality is important. The organization should have a written Confidentiality Policy and process for all board members. A written statement of notice and understanding verifying they are aware of, understand, and agree to adhere to the policy should be signed each year by all board members.

## **Conflict of Interest Policy**

A Conflict of Interest Policy provides written instruction requiring board members with a conflict, or potential conflict, to report that information and be prohibited from voting on any item related to "said" conflict/potential conflict. Conflicts typically involve circumstances where a board member will or could potentially benefit (usually financially) from the board's actions. For example, board member "X" owns an office equipment store, and the board is considering the purchase of new office equipment. Like the Confidentiality Policy, it is advisable to require all board members and potential board members to sign a statement of notice and understanding and indicate either (A.) I do not have a potential conflict or (B.) I do have a potential conflict, and document what that conflict is.

## **Document Management Policy**

A written Document Management Policy describes the process for the maintenance and disposal of the organization's records and documents, adhering to any regulatory requirements. This policy provides clear instructions for all persons involved at any level of the organization and all types of records, including paper, electronic, and digital recordings and images.

## **Evaluation of the Network Director/Leader**

Like any staff, evaluating the performance and effectiveness of the network director/leader is a key task of the board of directors. The network director/leader operationalizes and implements the board's decisions to carry out the day-to-day activities supporting the organization's mission. Regular performance evaluation assists the network director/leader by identifying areas for improvement and recognizing strengths and accomplishments. Evaluation and performance feedback foster continued growth and improved effectiveness of this leadership position.

## **Gift Acceptance Policy**

A written Gift Acceptance Policy provides guidance to the board and staff on what types of gifts are accepted by the organization and how the acceptance or declination of a gift is to be handled. Following this policy safeguards the organization's liability and reputation by ensuring gifts do not impact the organization in negative ways financially, legally, or in reputation.

## **Orientation Policy**

A Board Orientation Policy describes the way in which new board members will be introduced to the board, the board's function, and their roles on the board. This provides a formal way for new board members to begin acclimating to this particular board, what will be expected of them, and what they need to know to be an effective board member. Individuals may have board member experience but not with this particular board, and it is important for them to understand the uniqueness of the network board and the functioning of the organization.

## **Whistleblower Policy**

According to the instructions on the IRS Form 990, "A whistleblower policy encourages staff and volunteers to come forward with credible information on illegal practices or violations of adopted policies of the organization, specifies that the organization will protect the individual from retaliation, and identifies those staff, board members or outside parties to whom such information can be reported." A written Whistleblower Policy portrays sound risk management skills while encouraging people to report information about practices detrimental to the organization.



## BOARD DEVELOPMENT IN DEPTH

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### Board Orientation

New board members should be oriented to their roles and responsibilities within the organization early in their term of appointment or election. It is also good management practice to do a basic board orientation annually with the board to refresh all members on their roles and responsibilities.

The following items may be useful to include on a board orientation agenda:

- New Board Member Orientation Agenda – [Sample](#)
- Update and Discussion of Members' Responsibilities
  - Confidentiality
    - Confidentiality Policy – [Sample](#)
    - Disclosure Statement - [Sample](#)
  - Conflict of Interest
    - Conflict of Interest Policy – [Sample](#)
    - Conflict of Interest, Notice of Understanding/Conflict Declaration - [Sample](#)
  - Legal Responsibilities – Check state law for any specifics
  - Roles and Responsibilities of the Board Member
    - Board Member Roles and Responsibilities – [Sample](#)
  - Signed Statement of Affirmation or Acknowledge of Being Informed
    - Statement of Affirmation – [Sample](#)
- Your Organization
  - Overview of the History of your Organization
  - Governance Structure
    - Bylaws – [Sample](#)
    - Current organizational chart
    - Committee descriptions
  - Financial Information
    - Most recent end of year financial report
    - Current budget
    - Current contracts the organization has in place
  - Staffing - [Sample](#)
    - Compensation manual or handbook
    - Network leader job description
    - Other staff job description(s)
  - Membership Benefits and Services
    - Current membership list
    - Membership brochure
    - List of all membership benefits
    - List or brochure outlining/describing network services
  - Strategic Plan and/or current Work Plan for the organization
    - Strategic Planning - [Sample](#)
  - Whistleblower Policy - [Sample](#)

# Effective Meeting Management

## Meeting Facilitation

Preparing yourself and your board members and standardizing the meeting process will result in more productive, efficient board meetings.

Prior to Meeting:

- Set the agenda, requesting input from board members
- Send meeting materials to all board members at least one week in advance:
  - Agenda
  - Prior meeting minutes
  - Corresponding materials, such as financial reports or business bids
- In that same correspondence, you may indicate:
  - Assigned responsibilities
  - Key decisions to be made
  - Priority topics to be discussed
  - How to communicate input if a board member is unable to attend the meeting
  - Changes in meeting location, time, or call-in number, if applicable

Meeting Day:

- Begin and end on time
- Ensure someone is taking minutes (usually the board secretary)
- Ensure action item details are captured (may not be the same person taking minutes)
- Follow the agenda
- Summarize decisions and tasks to be completed prior to the next meeting

Post Meeting:

- Communicate decisions and next steps to all board members
- Disseminate any requested follow-up information

## Board Packets

A thoughtful packet provides each board member with the information needed for the meeting, increases board confidence in the staff, and strengthens the board-staff relationship. Board members appreciate information needed to discuss various agenda items as well as enough time to read through the materials in the packet.

Packets should include details on meeting location, directions if a new meeting location, a phone number for emergency contact, and an annotated agenda – who will be making a report and what action is expected. Other content includes brief updates on priority matters, especially financial status (e.g., is the organization financially sound or should the board be worried, program updates, funding

updates, special news, etc.). Some of these can be included in the network leader's written report. If journal articles are included, indicate what they should be looking for in the supporting documents and if it is background information for an upcoming organizational decision.

## **Meeting Schedule Distribution**

If possible, a schedule of board meetings for the fiscal year should be developed and distributed with the first meeting packet. Each meeting agenda can include a reminder of the next meeting date on the bottom of the agenda.

## **Agenda Format**

An organized meeting needs a well-written agenda. By sticking to a detailed, yet flexible agenda, the board chair can keep the meeting focused and ensure all the goals of the meeting are met in the shortest amount of time. The agenda should have a title that will inform readers what they are viewing. Include who, where, and when in the header or at the top of the agenda. Include a brief statement of the meeting objective(s).

The next component of the agenda should be a schedule outlining the main elements of the meeting. It is helpful if an estimated block of time for discussion on each topic is included on the agenda. This will assist the chair in managing the time allowed for discussion before moving to the next item. Leave some extra time at the end of the meeting for questions and answers and/or for members to share news from their organizations. A sample agenda can be found on page 10 of the *Network Board Development Samples*.

## **Consent Agenda**

A consent agenda is used to expedite approval of non-controversial business that comes before the network board. It is a handy tool to take care of agenda items that need formal board approval, but are routine in nature or have been thoroughly discussed during previous meetings. Such items included in the consent agenda section are meeting minutes, financial reports, network leader report, routine correspondence, and change in policy or other matters that have been discussed and need board approval. These items can be bundled together and approved all at once by adopting the consent agenda in one motion. If the network leader wishes an item removed from the consent agenda, that item is removed and placed on the regular agenda where it would have appeared if presented on its own. The consent agenda is placed at the beginning of the agenda.

## **Action Items**

The agenda is the framework that supports the meeting. An agenda helps the board achieve a desired outcome. The agenda should be created with input of members. You may want to ask for agenda items for the next meeting at the end of the

current meeting. Each of the items on the agenda should begin with an action word (a verb). This helps frame the expectations of the board members. Commonly used action words are: decide, discuss, review, select, finish. Some organizations will include an "Action" section at the top of the agenda under the Consent Agenda, which includes specific items that need formal board approval during the meeting.

## Managing and Maintaining Meeting Minutes

### Minutes

The record of proceedings of a deliberative assembly (the network board) is usually called the minutes. Board meeting minutes are an important, but often undervalued form of recordkeeping of organizations. Minutes provide a memorialized chronology of key information about the organization's board actions, elections of officers and/or directors, and reports from committees and staff. Meeting minutes could have an important legal significance in an IRS examination or as evidence in court, if an action of the board is challenged. Anyone reading the minutes should be able to easily understand what actions were taken and how they were approved.

Board minutes should include some basic information, such as:

- Date and time of meeting
- Whether the meeting is special or regular
- Whether notice was given or a waiver of notice was signed by all board members
- Names of board members in attendance and names of board members who are absent
- Names of other guests in attendance
- Whether a quorum was established
- Any board action: approvals, delegations of authority, directives to staff

### Legal Requirements

The duration of record retention can vary widely depending on the type of record. The IRS has indicated in its compliance guides that board minutes of 501(c)(3) organizations and other tax-exempt organizations should be kept permanently by the organization. Several references indicate that other forms of organizational structures should also retain meeting minutes permanently.

### Storage

Copies of all meeting minutes should be stored together in a notebook or folder and in a safe place.

## Network Governance

### **Bylaws**

Bylaws regulate the manner in which the organization is run. They are the written rules adopted by the organization to guide its governance. They must be written with enough specificity for the board and staff to have clear direction in how to carry out their roles, yet fluid enough to allow organizational activities to take place and fluctuate as needed to ensure the operation of day-to-day activities.

Bylaws include such items as organizational governance structure, member term limits, roles and responsibilities, how meetings are conducted, how decisions are made, and the size and structure of the board. Bylaws are required to be adopted by an organization once it is in existence. State corporate laws will dictate what may and what must be in bylaws. Typically, there is more flexibility in the wording of bylaws, as well as being easier to amend, than the articles of incorporation. Bylaws cannot contradict state law.

An example of a restrictive statement: If the bylaws state that board meetings will occur on the 4<sup>th</sup> Friday of the month at 7:00 PM, then you cannot hold board meetings at any other time without amending the bylaws. So, to provide guidance and time commitment related to board meetings yet preserve flexibility, your bylaws might state instead that board meetings will be held monthly.

As every organization is different, your bylaws need to be inclusive of items determined to be useful to the organization's governance. A checklist of the most common items to be addressed in the bylaws can be found on page 2 of the *Network Board Development Samples*.

### **Committees**

A committee is established on an annual basis to address a particular area of board responsibility. If a committee is needed to address an area on an ongoing basis, that committee would be a standing committee. For example, a common standing committee is a budget or finance committee.

### **Task Force**

A task force is created as needed to work on specific issues which are anticipated to take only a few meetings to reach a recommendation to provide the board or a committee. For example, a task force may be established to research and make recommendations on webinar platforms.

## Membership Definitions

The network should have a definition of the type of membership categories and stated requirements of who can be a member of the organization. The definition is sometimes included in the bylaws of the organization. The organization can have voting members, non-voting members, associate members, or other categories of membership that work for the mission of the organization. The definition should include the following components.

### **Membership Classes**

Membership classes or categories, e.g., voting members, associate members, non-voting members.

### **Conditions of Voting Membership**

States who may be admitted as a voting member of the organization and what are the conditions of membership, e.g., application for membership, acceptance into membership, who decides on approval of membership, and/or dues or any payment of fees.

### **Voting Member's Rights**

Clarifies what organizational business voting members are permitted to participate with in terms of having voting rights, e.g., election of directors and/or officers, bylaw changes, other matters that should properly come before the organization.

### **Notification of Membership**

Process of notifying and orienting a new member to the network.

### **Termination of Voting Membership**

Introduction on how a member can end their membership in the organization, as well as events or situations that could lead to the termination of the membership by the organization.

## Organizational Structure

### MOAs

A Memorandum of Agreement (“MOA”), sometimes known as a memorandum of understanding, is a written document used to describe an agreement between two or more entities. The main purpose of an MOA is to clearly document the understanding of the terms of the agreement by the parties. An MOA may be followed by a more detailed agreement or contract if beneficial to the parties.

### Job Descriptions

Job descriptions are written statements that describe the duties, responsibilities, required qualifications, and reporting relationships of a particular job position. The network should develop and implement job descriptions for all major management positions of the organization. Job descriptions clarify and formalize the responsibilities of board members, network leaders, and staff. The job description should include expectations of the individual, expectations of the board as a whole, and legal responsibilities of board members. Job description samples can be found on pages 18-25 of the *Network Board Development Samples*.

### Legal Forms

**Nonprofit:** A nonprofit organization is not permitted to distribute its earnings to those who control it (e.g., members, officers, directors, or trustees). Although tax-exempt nonprofit organizations may take many forms, the most common types fall under Section 501(c)(3) of the United States Internal Revenue Code. The tax-exempt designation allows donors to make tax-deductible gifts to the organization. It also exempts the organization from paying federal taxes on its financial surplus. This legal structure requires a board of directors which is legally responsible for the organization. It also requires profits to be kept in the organization to continue work toward the organization’s mission. The application for 501(c)(3) status is filed with the Internal Revenue Service (IRS). Some networks will engage legal services to assist with the application development and submission.

**Cooperative:** A legally structured organization that is owned by and operated for the benefit of those using its services whose profits are distributed among the members. Most often a board of directors is elected from the membership to manage the cooperative’s activities with non-board members retaining voting power to control the cooperative’s direction.

**For-Profit:** A legal structure designed to make money for the organization’s owners. The owners can choose to keep the profits themselves or reinvest some or all of the profits into the organization. A for-profit organization’s board is usually comprised of paid members with the chief executive officer often sitting on the board.



**LLC:** A Limited Liability Corporation legal structure is a hybrid legal structure combining the benefits of a partnership and a corporation. The owners are largely motivated by having their personal assets legally separate from the organization, thus protecting them personally from the business's liabilities. An LLC is not required to have a board of directors.

## ADDITIONAL RESOURCES

The accompanying *Network Board Development Samples* document provides examples of many of the topics covered in this guide, including board meeting agendas, job descriptions, bylaws information, and network structure.

For additional materials related to board development and governance, the resources and tools below may be useful to your network.

**America Society of Association Executives (ASAE):** A professional membership organization for trade associations and individual membership societies that represents almost every sector of the economy and countless professions. Some resources related to board development and governance are accessible for free. <https://www.asaecenter.org/about-us>

**Blue Avocado:** A free semi-monthly newsletter of American Nonprofits, a membership organization that provides practical financial information and support to 501(c)(3) nonprofit organizations, staff, stakeholders, and volunteers. It is created by and for community-based nonprofits. Blue Avocado is published six times per year. <http://blueavocado.org/>

**BoardEffect:** Was founded when a common thread among nonprofits and educational institutions was identified: the need to make the work of boards of directors easier, more efficient, and more effective. Their site has accessible tools including a blog and white papers. <http://www.boardeffect.com/about/>

**BoardSource:** A national organization working to strengthen nonprofit board leadership. Their mission is to inspire and support excellence in nonprofit governance and board and staff leadership. They are a membership organization and have various levels of membership, including organizational and individual. In addition, they have a free daily update that you can subscribe to that usually includes at least one item related to board development or governance. <https://www.boardsource.org/eweb/>

**The Bridgespan Group:** A nonprofit advisor and resource for mission-driven organizations and philanthropists. They collaborate with social sector leaders to help scale impact, build leadership, advance philanthropic effectiveness, and accelerate learning. <http://www.bridgespan.org/Publications-and-Tools/Nonprofit-Boards.aspx>

**Center for Nonprofit Excellence:** A program of the United Way of Central New Mexico. They offer training and networking opportunities to build the capacity of nonprofits in central New Mexico. They are included because they have an extensive library on board development. <https://www.centerfornonprofitexcellence.org/>

**GrantSpace:** Foundation Center's learning community for the social sector. GrantSpace provides easy-to-use, self-service tools and resources to help

nonprofits worldwide become more viable grant applicants and build strong, sustainable organizations. <http://grantspace.org/tools/knowledge-base/Nonprofit-Management/Establishment/developing-a-nonprofit-board>

**Is Your Hospital's Board Prepared to Govern?:** Examines the structural, leadership, and educational needs of rural hospital boards, as viewed by rural hospital board chairs and chief executive officers. Many of the lessons learned can be applied to rural health network board development. Source: South Carolina Rural Health Research Center <http://rhr.sph.sc.edu/report/%288-1%29%20Rural%20Acute%20Care%20Hospital%20Boards%20of%20Directors.pdf>

**Life Stages of Non Profit Boards:** Source: Board Passages: Three Key Stages in a Nonprofit Board's Life Cycle, National Center for Nonprofit Boards [Http://www.wwcc.edu/CMS/fileadmin/PDF/Learning\\_Center/Stages\\_of\\_bd\\_development.pdf](Http://www.wwcc.edu/CMS/fileadmin/PDF/Learning_Center/Stages_of_bd_development.pdf)

**National Council of Nonprofits:** A trusted resource and advocate for America's charitable nonprofits. They have a powerful network of State Associations, making them the nation's largest network of nonprofits. They serve as a central coordinator to help nonprofits achieve greater collective impact in local communities. They are a membership organization with several membership categories, including organizational and individual. <https://www.councilofnonprofits.org/about-us>

**Nonprofit Expert:** Provides free tools, guides, and advice to nonprofits. <http://www.nonprofitexpert.com/board-development/>

**Nonprofit Quarterly (NPQ):** An independent nonprofit news organization that has been serving nonprofit leaders, charitable foundations, educators, independent activists, and others involved in the civil sector for more than fifteen years. NPQ publishes the latest nonprofit news and trends affecting philanthropy, charities, nonprofit, and 501(c)(3) organizations. The newsletter is free. Their website includes a section on Board Governance Policy and Management. <https://nonprofitquarterly.org/about-us/>

**Principles of Rural Health Network Development and Management:** Primer on the principles of rural health network development and management. Intended to help physicians, community leaders, health care service administrators, and network staff and board members develop successful rural health networks. Source: Academy Health <http://www.academyhealth.org/files/ruralhealth/bonk.pdf>

**RWHC Hospital Trustee Manual:** A series of brief articles covering hospital governance that includes: meeting ground rules, responsibilities and liabilities of nonprofit directors, board self-assessment, ensuring quality, health information technology, leadership and advocacy for rural health. Edited by Tim Size, Executive Director, Rural Wisconsin Health Cooperative. Source: Rural Wisconsin Health Cooperative

<http://www.rwhc.com/Portals/0/papers/RWHC%20Trustee%20Manual%20-%202013.pdf>

**SmartBrief:** A leading digital B2B media company. By combining technology and editorial expertise, SmartBrief delivers each day's most relevant industry news to more than 5.8 million senior executives, thought leaders and informed industry professionals. They have a selection of free newsletters in health care. Subscribers can select the ones that relate to their role in the healthcare system.

<http://smartbrief.com/>

**Tools and Strategies for Managing Health Networks:** A website developed and managed by NCHN (National Cooperative of Health Networks). The site is designed to assist health network leaders and staff locate resources, sample documents, and other tools they need to manage their networks.

<http://www.networktools.nchn.org/>