

# Advisory Boards for Child and Adult Care

WHERE DO YOU GO when you need advice? Can you hold your advisers legally responsible for their advice? Read on to learn the difference between a governing board of directors and an advisory board. Which kind of board is legally responsible for the advice it gives?



## Objective:



Compare different types of boards of directors and their purposes.

## Key Terms:



advisory board  
bylaws  
figurehead board  
honorary board

legally governing board  
management  
monitoring  
policies

quorum  
working board

## Governing Boards and Advisory Boards

It is important to understand the difference between governing and advisory boards. Their roles and responsibilities are not exactly the same.

## TYPES OF BOARDS

When a new organization legally incorporates, it must complete required federal and state paperwork and meet other requirements. For instance, the organization establishes a board of directors while completing incorporation. A board of directors is a group of experienced professionals whose job is to guide the strategy, decisions, and operations of a care center—child

and adult care. Some types of board of directors are legally governing, figurehead, working, honorary, and advisory.

### **Legally Governing Board**

A **legally governing board** is a group of people elected by the organization, as the bylaws require, who govern it. **Bylaws** are the rules (that include important state and federal requirements) that the organization creates when it becomes a legally recognized entity.

### **Figurehead Board**

A **figurehead board** is a group of people serving as part of the governing body because it is legally required. However, the board members are inactive and do not do much for the organization. A figurehead board is elected through the bylaws, so it is still legally and ethically responsible for the organization even though members are not actively involved.

### **Working Board**

A **working board** is a group of people with members who commit time, actively participate, and complete important tasks for the organization. The members are elected through the bylaws. Therefore, the working board is legally and ethically responsible for the organization.

### **Honorary Board**

An **honorary board** is a group with well-known and respected people to help with the credibility of the organization or to reward someone for the work he or she has done for the organization. An honorary board is usually not required in the bylaws. Therefore, honorary board members are ethically, not legally, responsible.

### **Advisory Board**

An **advisory board** is a group in which individuals consult with organizations and offer important guidance, expertise, and advice on a range of topics.

## **BOARD RESPONSIBILITIES**

The governing board of directors oversees different areas and activities of an organization. Areas of responsibility include policy, monitoring, management, board development, committees, and work teams.

### **Polices**

**Policies** are guidelines and boundaries for how an organization will operate. One example of policy is setting budget policy. Setting budget policy includes deciding wages and benefits of preschool teachers and staff at adult care homes. Also, setting budget policy includes deciding



## ON THE JOB...

### CAREER CONNECTION: What to Look for in a Board Member

When selecting board members, a few important areas should be considered. First, does the board candidate have experience working in the field? For example, a board member of a childcare organization should have experience working in childcare. Second, does the board candidate have the appropriate level and type of education? Often board members have Ph.D. degrees in the field relevant to the organization. For instance, a board member of a school may have an Ed.D. Also, has the potential board member published in the field? Many board members have written books or professional articles on subject matter relevant to the organization. Board members, since they are giving important guidance to childcare or adult care centers, are selected based on their experience and contributions to the human services fields.

how much to spend on teaching materials or medical equipment and what types of food to purchase and serve for meals and snacks.

### **Monitoring**

**Monitoring** is keeping track of how policies are implemented and how regulations are being met. Monitoring of budget spending is essential. Is the organization receiving and paying out budget items according to the planned budget? In addition, monitoring regulations is necessary. Does the food meet nutritional regulations that the preschool and adult care facility are required to follow?

### **Management**

**Management** is the act of handling or planning and working with different departments and projects in the organization. For instance, the board works with human resources to plan the hiring process, making sure to follow regulations when hiring new teachers and staff members. The board hires, trains, and works with the principal or executive director of childcare and adult care centers.

### **Board Development**

Board development is another area where the board takes responsibility. Board members complete special training to develop needed skills. Also, board members give presentations (e.g., how to make team decisions) that help the board work better together.

### **Committees and Work Teams**

Committees and work teams are other areas of responsibility for the board. A fundraising committee manages a special fundraising event. The committee can be made of board members and non-board members. In addition, a renovation work team manages a project to rede-

sign living space in an adult care center. The work team can be made of board members and non-board members.

## THE DIFFERENCE BETWEEN GOVERNING AND ADVISORY BOARDS

By definition, governing boards are different from advisory boards. A governing board is required through the bylaws. The board members take on legal and ethical responsibilities while governing the organization. In contrast, an advisory board typically is not required through the bylaws. So advisory board members are not legally responsible to the same degree as elected board members, but they are ethically responsible. Typical tasks of an advisory board are fundraising, networking, and improving public relations and credibility.

### Fundraising

An advisory board helps with fundraising by personally donating money; recruiting other donors; placing names on letterhead or other fundraising materials to enhance credibility; or offering knowledge, strategies, and resources for fundraising.

### Networking

An advisory board helps with networking by connecting the organization to other helpful people and resources (e.g., resources for meeting regulations and accreditation standards). Typically the members are selected because of their specialized knowledge and connections within the field of child welfare. For example, an advisory board member of a preschool has extensive background knowledge in childhood development, running a school, and meeting school regulations and standards.



FIGURE 1. Boards have many responsibilities.



FIGURE 2. Advisory boards help with networking by connecting the organization to other people and resources.

## **Public Relations and Credibility**

An advisory board helps with public relations and credibility by having its members act as spokespersons for organizations; speak at public events or news outlets to help with the reputation of the organization; and speak to politicians and local leaders to educate them about the mission and challenges of the organization.

## **Differences in Legal and Ethical Responsibilities**

Bylaws articulate how many board members there will be as well as how often and when board elections or appointments take place. Legally elected board members are ethically and legally responsible for the organization, which relies on the board to make ethical and legal decisions.

An advisory board typically is not included in the bylaws and, therefore, does not have the same legal obligation as the governing board of directors. However, an advisory board is ethically responsible.

## **Deciding and Recommending**

There is a difference between deciding and recommending. A legally governing board decides what an organization must do. A formal voting process requires a quorum to take a vote. A **quorum** is a situation in which a majority of the board of directors is present. Therefore, it is legal to have a meeting and to vote on organizational issues. An advisory board makes recommendations to an organization about what is best, but it does not participate in legal votes.

## **Hiring, Firing, and Supporting the Executive Director**

There is a difference between hiring, firing, and supporting the executive director. A legally governing board has the duty to hire, train, and fire the executive director of the organization. An advisory board cannot hire or fire an executive director, but it can give advice and support to him or her.

## **Attendance and Participation**

Attendance and participation do not mean the same thing. Legally governing board members are required to attend and participate in periodic and annual meetings. Advisory board members are not required to participate and attend periodic and annual meetings, though advisory board members can be invited.

## **Examples of Larger Communitywide Advisory Boards**

Larger communitywide advisory boards exist to help multiple organizations.

Example #1: Delaware Early Childhood Council is a state childcare advisory board. Members of the advisory board are appointed by the governor. The advisory board's mission is to

improve delivery of early childhood care (birth to eight years old), to recommend systemic support to enhance delivery of services, and to enhance compliance with regulations. The advisory committee is there to work with early childhood organizations across the state.

Example #2: The Nursing and Adult Care Home Community Advisory Committee is a countywide advisory committee working with nursing homes and adult care facilities. Advisory

board members are county citizens appointed to the board by the county board of commissioners. The advisory board's mission is to protect the rights of adults living in nursing homes and care centers and to connect and educate the local community with the services and needs of the adult care facilities. The advisory board works with adult care centers in Moore County, North Carolina.



**FIGURE 3. An advisory board works more like a volunteer organization.**

## **Summary:**



A board of directors is a group of experienced professionals whose job is guiding the strategy, decisions, and operations of childcare and adult care centers. Creating governing boards is legally required for a new organization. Other categories of boards are figurehead, working, honorary, and advisory. Responsibilities of boards include making policies, monitoring operations, helping with management, developing the board, and participating on committees and work teams.

Advisory boards typically help with fundraising, networking, and public relations and credibility. Some key differences between legally governing and advisory boards are legal and ethical responsibilities; deciding versus recommending; hiring, firing, and supporting the executive director; and participation and attendance expectations. There are larger communitywide advisory boards, too. These larger advisory boards help support a number of organizations spread over a community.

## **Checking Your Knowledge:**



1. What is the difference between a figurehead board and a working board?
2. What are differences between an honorary and an advisory board?
3. What are three examples of work done by a legally governing board?

4. What are three examples of work done by an advisory board?
5. What are four differences between a legally governing board and an advisory board?

## **Expanding Your Knowledge:**



Contact the executive director of a childcare center to conduct an interview about how the advisory board is helpful to the organization.

## **Web Links:**



### **Advisory Board vs. Board of Directors**

<http://www.nonprofitlawblog.com/home/2011/04/advisory-board-v-board-of-directors-a-distinction-with-a-difference.html>

### **Delaware Early Childhood Council**

[http://www.doe.k12.de.us/infosuites/students\\_family/earlychildhood/decc.shtml](http://www.doe.k12.de.us/infosuites/students_family/earlychildhood/decc.shtml)

### **An Effective Advisory Board**

<http://www.stengelsolutions.com/tips19.htm>