

Board Functions and Duties

The following chapter is devoted to listing the duties and functions of county boards and the Baltimore City Commission as stated in the Annotated Code of Maryland, Article 88A, Sections 14 and 14A and the Charter of Baltimore City, Section 48(d) of Article VII. All references to boards, board chairpersons or board members are meant to include the Baltimore City Commission of Social Services except when the provisions of Section 14 of Article 88A do not apply to Baltimore City (see Article 88As 14(f)) or where otherwise indicated.

The chapter sets forth the entire contents of Maryland law establishing local boards (Article 88A, Sections 14 and 14A) then repeats each subsection with an explanation.

Sections denoted by "s", capital letters, and numerals that are in bold print, are direct quotes from the law.

The narrative following the quotes from the law includes some regulations governing aspects of local boards. In addition, there are illustrations of ways in which some local boards are carrying out their responsibilities. Illustrations are by way of example and not in limitation. A board may develop its own methods to carry out the functions and duties prescribed to it by law. It is not expected that each individual board member carry out all the suggestions in this section. Board members bring with them their own expertise and knowledge. A board member's own interest and desires could lead that member to become knowledgeable about one specific aspect of the Local Department. In this way, a board member can work as part of a team to improve the delivery of service to their community.

ARTICLE 88A: SECTION 14

Section 14. Local County Boards Generally. (Excluding Baltimore City Commission)

(a) Composition: salaries and expenses; chairman

(1) The local department in each county shall have a board, appointed as hereinafter provided and herein referred to as the local board. The local board shall be composed of eight members until June 30, 1968 and of nine members thereafter. The members shall receive no salary for their services, but their reasonable expenses incurred in attending meetings or performing other official duties shall be paid. Each local board shall select its own chairman on July 1st of each year.

(2) Each local board chairman shall serve as liaison between the local board and the State Board.

(b) Ex Officio member.

One member of each local board shall be a member of the local governing authority of the county involved and shall serve as an ex-officio member of the local board. On July 1st of each year the local governing authorities shall designate which of its members shall so serve, and, in the event of a vacancy occurring, shall designate another of its members to serve as the ex-officio member of the local board for the remainder of the unexpired term.

(c) Appointment and terms of members; vacancies.

(1) The other members of the local board shall be appointed by the local governing authority. The local governing authority shall seek out and appoint persons with a high degree of

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interest, capacity and objectivity, and who in the aggregate give a countywide representative character to the local board.

(2) Except as provided in paragraph (3) of this subsection, members of the local board shall be appointed for three-year terms, to expire on June 30 of the respective years of expiration, or until their successors are appointed. Upon the expiration of two consecutive full terms the appointee shall be ineligible, for one year thereafter, for reappointment.

(3) In Charles County, a member shall be appointed for a 4 year term.

(4) A vacancy occurring for any reason during a term, shall be filled by appointment for the remainder of the unexpired term.

(d) Non-attendance at meetings. Any member of any of the local boards who shall fail to attend at least fifty percent of its meetings during any period of twelve consecutive months may be considered to have resigned, and the chairman of the board shall, in his discretion, declare that a vacancy exists and proceed to have it filled by appointment for the remainder of the unexpired term in the manner provided in the foregoing subsection (c).

(e) Candidacy for or acceptance of public offices. If any member of any of the local boards, except the ex-officio member serving thereon under the provisions of subsection (b) of this section, becomes a candidate for political office, or accepts public office by election or appointment during his tenure of office on the local board, such candidacy for or acceptance of public office shall be considered as his resignation as a member of the local board, and the chairman of the local board shall declare that a vacancy exists on the local board and proceed to have it filled by appointment for the remainder of the unexpired term in the manner provided in the foregoing subsection (c).

(f) Application of section. The provisions of this section apply in the twenty-three counties and not in Baltimore City.

ARTICLE 88A: SECTION 14A

Duties and Functions of local boards in counties and local commission in Baltimore City.

The board of each department of social services in the counties and the local commission of the department of social services in Baltimore City has the following duties and functions (specifically, by way of example and not in limitation):

(1) To advise the local director as to the local application of State policies or procedures;

(2) To be well informed on local departmental activities;

(3) To communicate to the residents of the counties and of Baltimore City, as the case may be, broad and comprehensive information as to the objectives, policies, programs and problems of local social services and public assistance administration;

(4) To review the periodic evaluation of local department which has been prepared by the State Administration and to consult with the local director as to the proper implementation of these recommendations, and of such other recommendations as may result from evaluation made by the local board or local commission of the operation of its local department;

(5) To review the annual report of the local director as to the activities of the local department, together with any changes in policies or procedures recommended by the local board, and to transmit it to the Secretary of Human Resources and to its local governing authority;

(6) To review and make suitable recommendations in connection with the annual estimate of funds needed for social services and public assistance purposes in the counties and in Baltimore City, as the case may be;

(7) To consult with the local director with respect to any new service that might be instituted by said director or by the local board or local commission to meet an unmet need in the county and in Baltimore City, as the case may be, and to approve or disapprove the local director's evaluation of the readiness of the local department to take on the new service and the propriety of it within the State plan; and to present to the State Administration suggested new services that it approves, whether these originate from the local director or from the local board or local commission, together with the recommendations of both the local director and the local board or local commission;

(8) To take active steps to secure the appropriation of local funds by the local governing authority to meet needs not financed by or available through any other federal, State or local plan, project or program, and which are not in conflict with the State plan;

(9) To meet with the Secretary of Human Resources periodically, as may be requested by the Secretary of Human Resources or at the request of the local board or local commission; and

(10) To establish and maintain effective liaison with the respective local governing authority.

(11) To serve as an advocate, in conjunction with the State Department of Human Resources, for social services programs on the local, State, and federal level;

(12) To work to identify private, State, and federal grant sources for social services programs;

(13) To develop and implement, in conjunction with the State Department of Human Resources, an educational and public relations program for the public and elected officials on the local, State, and federal level; and

(14) To evaluate, in conjunction with the State Department of Human Resources and the county or Baltimore City, the director of the local department of social services and make recommendations, based on the evaluation, with regards to the local director to the Secretary of Human Resources.

EXPLANATION OF BOARD DUTIES AND FUNCTIONS

ARTICLE 88A: SECTION 14

(a) Composition: salaries and expenses; chairman

(1) The local department in each county shall have a board, appointed as hereinafter provided and herein referred to as the local board. The local board shall be composed of eight members until June 30, 1968 and of nine members thereafter. The members shall receive no salary for their services, but their reasonable expenses incurred in attending meetings or performing other official duties shall be paid. Each local board shall select its own chairman on July 1st of each year.

(2) Each local board chairman shall serve as liaison between the local board and the State Board.

Members of local boards of social services are eligible for reimbursement of the reasonable expenses they incur in performing their function as board members. Reimbursement for expense is in accordance with State Standard Travel regulations.

Expenses will be allowed for attendance at regular board meetings and for other official purposes for members of local boards of social services when the local board or DHR requests such travel. Mileage, parking fees and tolls reimbursement can be requested for the round trip cost of travel involving board business.

The cost of meals necessary to permit a board member to attend a meeting of that board is also reimbursable at the following rate: Breakfast \$6, Lunch \$8.50, and Dinner \$15.50. Reimbursement for the loss of wages caused by attendance at meetings and cost for babysitting, not to exceed \$1.35 per hour may also be claimed. Long distance calls concerning board business are also reimbursable.

Reimbursement for hotel expenses is only possible when the board member is on travel status. Overnight travel status is not authorized for participation in agency sponsored conferences, meetings, or seminars when the meeting location is within a fifty mile radius of the board member's residence (even in situations requiring attendance of the participants at formal or informal evening sessions). Meals, while on travel status, are covered under the regulation depending on the time travel status started and ended. Travel advances are allowed if the expected cost is to exceed \$25. Your local director can provide information on how to request an advance. The advance is authorized by the local department.

All travel forms are available through the local department. Expenses that exceed \$1 must be supported by a receipt. Once the form is completed, it should be submitted to the local department for payment. The local director will provide information on when these forms must be submitted to ensure reimbursement.

(b) Ex Officio member.

One member of each local board shall be a member of the local governing authority of the county involved and shall serve as an ex-officio member of the local board. On July 1st of

each year the local governing authority shall designate which of its members shall so serve, and, in the event of a vacancy occurring, shall designate another of its members to serve as the ex-officio member of the local board for the remainder of the unexpired term.

This member is a voting member of the local board.

(c) Appointment and terms of members; vacancies.

(1) The other members of the local board shall be appointed by the local governing authority. The local governing authority shall seek out and appoint persons with a high degree of interest, capacity and objectivity, and who in the aggregate give a county wide representative character to the local board.

(2) Except as provided in paragraph b (3) of this subsection, members of the local board shall be appointed for three-year terms, to expire on June 30 of the respective years of expiration, or until their successors are appointed. Upon the expiration of two consecutive full terms the appointee shall be ineligible, for one year thereafter, for reappointment.

(3) A member in Charles County shall be appointed for a 4 year term.

NOTE: Effective July 1, 1988, terms of Charles County members are for 4, rather 3, years. They continue to be staggered, so only a portion of the terms expire in any one year. The method of appointment is not changed.

(4) A vacancy occurring for any reason during a term, shall be filled by appointment for the remainder of the unexpired term.

Local Boards should ascertain from their appointing authority the process used in that

particular jurisdiction, solicitations for prospective board members are made through public announcements to the media. Some local jurisdictions actively solicit potential board members year round. Other jurisdictions make announcements of vacancies only as they occur.

Local Boards, with the cooperation of the appointing authority, can impact on the selection of candidates to fill vacancies. One way is to encourage potential candidates to apply for vacancies. Another option is to offer to screen candidates for the appointing authority. If the offer is accepted, a subcommittee of board members can be formed to interview candidates for the vacancies.

If a board participates in the selection process, a subcommittee or individual member should interview prospective members to determine:

- a. Interest in the work of the local department.
- b. Commitment to its objectives.
- c. Knowledge of social welfare issues and interest in learning about them.
- d. Respect in the community.
- e. Capacity for growth as a board member.
- f. Ability to influence public opinions in important areas in the community.
- g. Ability to work in concert with others and ask questions, offer criticism and make suggestions.

Sample questions are:

- a. What do you know about how social welfare operates in your county?
- b. What do you know about the Social Services Administration, the Income Maintenance Administration or the Department of Human Resources?
- c. Have you ever been involved with the Department of Human Resources as a client, advocate, taxpayer, or professional?
- d. Are you familiar with the local board?

(1) What do you think the local board does?

(2) What would you like to do if you were to become a member of this board?

e. Approximately how many hours per month can you give to local board activities?

f. The local board meets once a month, on (day) at (time). Can you attend these meetings?

g. What is your feeling about the current social welfare system in your community?

h. Explain your philosophy of social welfare and the possible methods you might use to implement or achieve the goals associated with this philosophy.

i. Are you currently involved in community affairs or with community organizations?

After the interviews have been completed, names of prospective board members (with recommendations) should be given to the governing authority for appointment consideration.

(d) Non-attendance at meetings.

Any member of any of the local boards who shall fail to attend at least fifty percent of its meetings during any period of twelve consecutive months may be considered to have resigned, and the chairman of the board shall, in his discretion, declare that a vacancy exists and proceed to have it filled by appointment for the remainder of the unexpired term in the manner provided in the foregoing subsection (c).

Efforts to contact the absent board member should be attempted, before a declaration by the board chairperson that a vacancy exists.

(e) Candidacy for or acceptance of public offices. If any member of any of the local boards, except the ex-officio member serving thereon under the provisions of subsection (b) of this section, becomes a candidate for

political office, or accepts public office by election or appointment during his tenure of office on the local board, such candidacy for or acceptance of public office shall be considered as his resignation as a member of the local board, and the chairman of the local board shall declare that a vacancy exists on the local board and proceed to have it filled by appointment for the remainder of the unexpired term in the manner provided in the foregoing subsection (c).

This provision is mandatory and must be carried out as quickly as possible.

(f) Application of section. The provisions of this section apply in the twenty-three counties and not in Baltimore City.

ARTICLE 88A: SECTION 14A

(1) To advise the local director and the State Director as to the local application of State policies or procedures;

Board members should educate themselves as to the services and the organization of the local department in order to make sure that the needs of the citizens are being served. They should know about other social agencies in their locality and encourage and help maintain a cordial liaison with them. For example, a board member may opt to serve on an interagency committee. The local director and/or staff and/or board members are encouraged to serve on intra-county coordinating and planning bodies such as the Council of Social Agencies. As local policies and procedures change, board members should be aware of any positive or negative impact on clients. Reactions should be reported at the next board meeting. The board's recommendation on how any problems may be alleviated should be forwarded to the appropriate entity.

(2) To be well informed on local departmental activities;

To be well informed on local department activities, members need background information in a number of areas that impact directly on departmental functioning. In addition, board members need ongoing information related to program utilization that they can use periodically to evaluate the department and the local director. There also needs to be a knowledge of federal, state and local trends and directives that give emphasis and direction to local programs, administration and staff.

To obtain background information, board members when appointed should engage in the following:

(a) Request an orientation by the director. This should include a discussion of the department's purpose, goals and objectives; its structure and organization; and an overview of programs. The director should also share information on functional relationships with other state and community agencies. New members need to know that the support of and working relations with other agencies is primary to enable social services to function effectively. Following these discussions, a tour of the department would provide an opportunity to meet staff;

(b) Attend board meetings where periodic presentations will be made by staff on specific programs. This will provide more indepth knowledge of programs and an opportunity to again meet staff and discuss concerns. In order to provide these presentations for new members, yet not duplicate experiences for older members, new members could attend regular board meetings on half-hour early, older members one half-hour late. This would allow one hour for program presentation and discussion; and

(c) Participate in departmental staff meetings on a scheduled, rotating basis.

(d) To sharpen knowledge about department programs, board members could:

(1) Develop a list of questions they periodically want answered. The director should arrange for responses to these questions in monthly and annual reports. Evaluating these reports would increase knowledge of program status. Awareness of community needs, however, is necessary to determine local program effectiveness.

(2) Request a periodic evaluation of the department by the DHR.

(e) To become informed on federal and state trends and directives that impact on program, board members should:

(1) Attend workshops and seminars provided by DHR, the Maryland Association of Social Services Boards, the Maryland Conference on Social Concerns, colleges, churches, and community agencies;

(2) Elect to follow a specific issue or program by researching printed resources, and by interviewing professionals; and

(3) Share communications from DHR at regular board meetings. These include circular letters and proposed regulation changes.

(3) To communicate to the residents of the counties and of Baltimore City, as the case may be, broad and comprehensive information as to the objectives, policies, programs and problems of local social services and public assistance administration;

Local boards should seek ways to improve communication with community residents and to raise the level of community knowledge

regarding social services and public assistance. A variety of methods can be used for this purpose. These include but are not limited to:

(a) direct communication with community residents through the media regarding developments, achievements, problems and misconceptions regarding local department clientele and operations;

(b) invitations to representatives of local citizen and community groups to participate in local board meetings, subcommittee meetings and other activities of the board;

(4) To review the periodic evaluation of the local department which has been prepared by the State Administration, and to consult with the local director as to the proper implementation of these recommendations, and of such other recommendations, as may result from evaluation made by the local board or local commission of the operation of its local department;

Local board members should review and assess the quarterly local performance indicator reports, state and local budget requests, reports from the Foster Care Review Board(s), reports on programs, reports of Client Relations (Client Advisory) groups and copies of internal memoranda or correspondence dealing directly with changes in programs, policy reorganization, or key personnel.

Board members should monitor implementation of any corrective action agreements, and achievement of annual board/director/department goals.

Local departments are periodically audited by DHR. The audit report is sent to the chairperson of the local board. Board members should be knowledgeable about the contents of the audit as well as the department's plans, if needed, for corrective action. State programs, at times, also

require corrective action plans. These reports give the board another tool for monitoring the effectiveness of their local department.

(5) To review the annual report of the local director as to the activities of the local department, together with any changes in policies or procedures recommended by the local board, and to transmit it to the Secretary of Human Resources and to its local governing authority;

Attention should certainly be given to the Annual Report long before the final document is prepared. The Annual Report should summarize events which occurred between July 1st and June 30th (fiscal year) and measure the local department's achievements against its stated goals. The Annual Report is not meant to be a complete description of the local department and its operation (there are other publications for this purpose), but it must contain enough background information to make its contents understandable to the layman. The Annual Report should also contain information about the local department's administrative structure, local board activities, social services, Title IV-D, income maintenance programs, local programs, statistical and financial summaries, and an organizational chart. This report should be prepared by the director and submitted to the board for approval. A copy of the final report should be sent to the Secretary of the Department of Human Resources and to the local government on or before October 1st of each year. It can also be sent to local organizations and made available to interested citizens.

Boards also have the responsibility to review and approve any local policy developed by local department staff. At times, the State policy specifies that certain items are to be set by "Local Policy." This is usually because DHR is not ready to set a statewide policy and this is the way to get the necessary information and experiences for eventually establishing a statewide policy. Local policy may also be utilized because certain

circumstances are peculiar to one local department, and it would be confusing to others to include instructions not applicable for the majority.

Once policy has been approved by the local board, it is forwarded to the Secretary for state approval. Review by the Secretary assures that the local policy conforms to State policies. Approval must be granted to the local department from both the local board and the Department before any local policies are put into effect.

(6) To review and make suitable recommendations in connection with the annual estimate of funds needed for social services and public assistance purposes in the counties and in Baltimore City, as the case may be;

Early in each calendar year appropriate units of DHR ask each local department of social services to provide, in prescribed form, projected resource and management improvement needs based on predicted trends in caseload for each service offered. This data assists DHR in preparing its budget submission for the succeeding year. The local board should familiarize itself with this material and be aware of any significant predictions about increasing or decreasing caseloads.

When DHR's budget is scrutinized by members of the legislature, local board members can be extremely helpful in defending its contents and are a valuable resource if they are willing to lobby for its passage.

(7) To consult with the local director with respect to any new service that might be instituted by said director or by the local board or local commission to meet an unmet need in the county and in Baltimore City, as the case may be, and to approve or disapprove the local director's evaluation of the readiness of the local department to take on the new

service and the propriety of it within the State plan; and to present to the State Administration suggested new services that it approves, whether these originate from the local director or from the local board or local commission, together with the recommendations of both the local director and the local board or local commission;

The local board member functions as a connective and informative link with the community, and the process of reviewing and planning is an especially important one for local board involvement. Board members may participate in executive staff sessions discussing trends, priorities and problems. New programs may well evolve from board study of staff reports.

A board member should take responsibility for obtaining background information including data, statistics, etc. in order to have the ability to evaluate unmet needs and/or suggested new programs. Once needs are identified, board members may wish to participate in the local department's efforts to develop a specific program. Involvement may include assistance in preparing grant proposals, oral presentations to funding sources, or lobbying to have a statewide program established.

Once the program is operational, it is also the responsibility of the board member to help establish a schedule for the evaluation of the new programs so that its effectiveness can be measured.

Services that are local in nature and not statewide require the approval of both the local board and DHR before implementation. The approval decision by both the board and DHR should provide consideration of the appropriateness of the service and the use of administrative funds and staff time in relation to other programs for which there is statewide responsibility.

(8) To take active steps to secure the appropriation of local funds by the local governing authority to meet needs not financed

by or available through any other federal, State or local plan, project or program, and which are not in conflict with State plan;

One of the most constructive things a local board can do is to persuade its county government to provide funds for needed staff and services in areas where state funding falls short. For example, some counties provide supplements to state foster care rates, some provide emergency funds and some provide for specific positions and services.

To be effective in securing local funds, the board must take an active role, usually through a Finance or Budget committee, in preparing the proposed budget to be submitted to the county. Board members must then take responsibility, along with the director, for defending the budget before both the County Executive or Mayor, and the County or City Council, or the County Commissioners, as the case may be. One technique is informally meeting with the Executive, Council or Commissioners to familiarize them with the work of the department and its most pressing needs so that when the budget is considered these officials have a better understanding of the need. The nurturing of cordial relations with local government throughout the year tends to lead to more fruitful results during the budget season.

(9) To meet with the Secretary of Human Resources periodically, as may be requested by the Secretary of Human Resources or at the request of the local board or local commission; and

In its narrowest interpretation, the requirement for meeting with the DHR Secretary is met once a year when local board members and staff, including local directors, state directors and the Secretary of DHR meet at the Annual Board Conference. The annual conference meeting should also be considered a joint, yearly renewal of commitment to further communication in a board member's year-round task of working to

attain and maintain a high degree of interest, capacity and objectivity for which he/she was chosen for board membership.

Follow up meetings with specific state staff (Secretary or Deputy Secretaries of DHR and program directors) should take place when needed if a local board is to fulfill, with any degree of competence, many of its mandated duties and functions. Specifically, a local board should consider the following:

(a) Meeting with those persons most appropriate in order to lobby for, support, and share information concerning some local/state need or effort;

(b) Regional board meetings, or individual board meetings, with legislative staff and/or liaison people to discuss, clarify and develop stands on legislative issues of board interest;

(c) Meeting with DHR staff for clarification and assistance (legal, technical and advisory) during the selection of a new local director; and

(d) Meeting with local department and state supervisory personnel to gain a broader, more comprehensive perspective by which to annually evaluate the local director.

To serve in an advisory capacity, access to information and a broad base of knowledge is necessary. When broadly interpreted and wisely used, this function further enables a board to meet that need.

(10) To establish and maintain effective liaison with the respective local governing authority.

(11) To serve as an advocate, in conjunction with the State Department of Human Resources, for social services programs on the local, State, and federal level;

(12) To work to identify private, State, and federal grant sources for social services programs;

(13) To develop and implement, in conjunction with the State Department of Human Resources, an educational and public relations program for the public and elected officials on the local, State, and federal level; and

Local board members must consider themselves advocates for the local department and the needs of the community not only in their community but also in the halls of local, state, and federal government. Such advocacy may include presenting testimony before local and state committees or elected bodies; writing to local, state and federal officials regarding pending bills; and meeting with elected officials. Board members should become acquainted with all the members of the local governing body. The board chairperson and members of the board should also keep the local governing agency informed about any changes in the local department which might affect the locality.

Some boards plan informal meetings or other social occasions with local officials to promote conversation and understanding of shared concerns. Such activities are only fruitful if each local board member makes the effort to attend and to keep informed on issues and pending legislation.

(14) To evaluate, in conjunction with the State Department of Human Resources and the County or Baltimore City, the director of the local department of social services and make recommendations, based on the evaluation, with regards to the local director to the Secretary of Human Resources. Please see the specific section of the handbook regarding director evaluation.