Module 8: PC/PB Structure and Governance

GETTING READY: NOTES FOR TRAINERS

MODULE SCOPE

Purpose

This module is designed to provide an overview of how a PC/PB is structured and organized to meet federal requirements and local needs—through Bylaws, policies and procedures, legislatively defined and diverse membership, appropriate staffing, and a well-defined and productive relationship with the recipient. It focuses on legislative and HRSA/HAB expectations for PC/PB structure and membership, as well as sound practices for meeting those expectations.

Content Overview

Structure and Staffing

- PC/PB Structural Similarities and Differences
  - Legislation
  - HRSA/HAB Expectations
- Bylaws
  - Importance
  - Components
  - Review and Amendment
- Policies and Procedures
  - Importance and Use
  - Scope of Policies and Procedures
  - Development, Review, and Updates
- PC/PB Support
  - HRSA/HAB Expectations
  - PC/PB Support Budget
  - Staff Roles and Responsibilities
  - Staffing Models
  - Working with Staff
- Relationship with the Recipient
  - HRSA/HAB Expectations
  - Establishing and Maintaining a Productive Relationship
  - Use of a Memorandum of Understanding

Membership

- Membership Requirements
  - Importance of Membership Composition
  - Legislative Requirements
  - HRSA/HAB Expectations
- Recruiting and Supporting Members
  - Recruitment and Selection
  - Orientation and Training
  - Participation and Retention
  - Succession Planning
- Supporting Consumer Members
  - Importance of Active Consumer Members
  - HRSA/HAB Expectations
  - Challenges to Consumer Participation
  - Sound Practices

Learning Objectives

Following training (which may take place over one or more sessions), participants will be able to:

Structure and Staffing:

1. Explain the similarities and differences between Planning Councils and Planning Bodies with regard to governance and structure

2. Describe HRSA/HAB Expectations for PB structure and staffing

3. Describe the importance and uses of Bylaws and policies and procedures in enabling a PC/PB to carry out its responsibilities

4. Identify and describe the key components of PC/PB Bylaws

5. Identify and describe at least 3 PC/PB policies that are necessary for meeting legislative requirements

6. Describe a process for developing, reviewing, and updating PC/PB Bylaws and policies and procedures

7. Describe at least 5 important PC/PB support staff responsibilities

8. Identify at least 5 PC/PB support staff models used by PC/PBs

9. Describe your PC/PB's staffing model and its benefits and challenges

10. Explain at least 3 important HRSA/HAB expectations for the relationship between the PC/PB and the recipient

11. Describe the role of a Memorandum of Understanding (MOU) in supporting a productive PC/PB-recipient relationship

Membership:

12. Explain legislative requirements for representation in PC/PB membership

13. Describe legislative requirements for consumer membership

14. Define and explain the concept and components of reflectiveness as applied to overall PC/PB membership as well as consumer membership

15. List at least 3 reasons why it is important for a PC/PB to have representative and reflective membership

16. Identify 5 key components of PC/PB member support

17. Describe a recruitment process to meet legislative requirements and local needs

18. Explain HRSA/HAB expectations for PC/PB member orientation and ongoing training

19. Identify at least 3 ways PC/PBs can encourage member participation

20. Describe at least 3 key challenges in member retention

21. Explain the concept of PC/PB succession planning

22. Describe HRSA/HAB expectations for consumer membership

23. Identify at least 3 challenges in ensuring active consumer membership

24. Describe at least 5 sound practices for supporting consumer members

USING THE MODULE

Suggested Uses

- As a source of materials for short training sessions on specific topics for new PC/PB members, all members, or members of particular committees. The Structure and Staffing materials were designed with the expectation of use in segments rather than as a single session; Membership materials can be used all together or in segments.

- As part of your orientation for new PC/PB members—with selected parts of the module used in the initial session, and others in follow-up sessions

- To train all PC/PB members in order to clarify the importance of structure, staffing, and membership processes. Such training could be done at a retreat, or as mini-training sessions during PC/PB meetings

- To train new members of specific committees, with the Structure and Staffing topic used to train the committee responsible for policies and procedures or PC/PB operations, and the Membership topic used with members of the committee responsible for membership

- To train all members of the responsible committees if they have not had specific training or if they are preparing to review and revise Bylaws, policies and procedures, and/or membership processes

- To increase Executive Committee understanding of structure and governance issues and sound practices

- To familiarize the PLWH committee or caucus with structure and governance issues and prepare it to provide input regarding how PC/PB structure and governance can become more PLWH-friendly, or to assist with member recruitment

- To familiarize PC/PB support staff and recipient staff with PC/PB structure and governance, including staffing and the PC/PB-recipient relationship (especially new staff without prior RWHAP or other community planning experience)

EQUIPMENT AND MATERIALS CHECKLIST

- ☐ PowerPoint projector and laptop
- ☐ Easel pad, markers, and tape
- ☐ Copies of participant materials for Activities
- ☐ Copies of Quick Reference Handouts

MATERIALS FOR THIS MODULE

Structure and Staffing

- ☐ PowerPoint Slides: Structure and Staffing
- ☐ Activity 8.1: Quick Scenarios to Apply Knowledge
- ☐ Quick Reference Handout 8.1. Working Successfully with the Recipient: Tips for PC/PBs

Membership

- ☐ PowerPoint Slides: Membership
- ☐ Activity 8.2: Quick Discussions to Apply Knowledge
- ☐ Activity 8.3: Making Your PC/PB Member-Friendly
- ☐ Quick Reference Handout 8.2. Recruiting a Representative and Reflective PC/PB

Localizing the Module

- Add the name and/or logo of your PC/PB and a map of your EMA or TGA to the slides

- Ask the Chairs or Co-Chairs of the committees responsible for Bylaws/policies and procedures and membership to participate in the training—to describe their roles, challenges, and practices

- Add slides that show the committee(s) within your PC/PB with responsibility for Bylaws, policies and procedures, and membership

- Add a slide of the major articles/sections of your Bylaws

- Add slides summarizing content of key policies and procedures

- Ask the PC/PB Chair or Co-Chairs and the recipient to provide their perspectives on the PC/PB relationship and the role of your MOU, if you have one

- Engage several consumer members to discuss challenges and sound practices for encouraging member retention and/or supporting consumer members

- Revise or replace the examples provided in suggested activities so they provide local

BACKGROUND INFORMATION FOR TRAINERS

Focus and Importance of Module 8

Module 8 provides information about: how a PC/PB should be structured and staffed; the tasks of recruiting, retaining, and supporting a diverse membership that meets legislative requirements and ensures broadly inclusive HIV community planning; and the central role of the relationship between PC/PB and recipient. Basic information about these topics is provided in Module 2, but this module addresses them in more depth.

All PC/PB members need to understand the legislative foundations of PC/PB structure, especially for membership, since they are detailed and demanding. The provisions for Planning Council member representation and reflectiveness and the use of an open nominations process, grievance proce-dures, and a conflict of interest policy are required, not optional. The legislation does not specify that TGA Planning Bodies are required to meet these requirements, but HRSA/HAB strongly encour-ages them to do so—and expects the same documentation and reporting as for PCs.

PC/PB members need to understand the expectations for structure and governance, and PC/PB leadership and staff need to be able to explain them to new members and ensure that they are implemented. PC/PB support staff have an important role in implementation. Bylaws and policies and procedures often receive less attention from members than legislatively required responsibilities like priority setting and resource allocation (PSRA). Membership issues are a continuing concern, but the details of ensuring a representative and reflective body are often left primarily to the responsible committee—usually Membership or Operations—and to PC/PB leadership. The relationship between the PC/PB and recipient is also extremely important, but is usually framed largely by PC/PB lead-ership. Most PC/PB members are not directly involved in the development, review, or updating of bylaws and policies and procedures (P&P) or negotiating a Memorandum of Understanding (MOU) with the recipient. However, all members are responsible for following these rules and procedures, and there should be a committee responsible for managing them. The material in this module can help in providing a level of knowledge and understanding useful for all PC/PB members, but essen-tial for the members of committees responsible for these various tasks.

Key Concepts and Terms

This module introduces many RWHAP related terms. What follows is some additional information to provide history and context that are important for this module and may need clarification during the training. (Key Concepts and Terms is intended primarily for the trainer, but can also be provided to participants as a handout).

Bylaws: Bylaws are written rules adopted by an organization to regulate its members and activities. Usually the content of bylaws is partially determined by the needs of the entity involved and partly by some higher authority. For nonprofit organizations, the higher authorities are typically state and federal laws or regulations. For a PC/PB, the higher authorities are the RWHAP legislation and regulations. If the PC/PB is established as a local board or commission or through city or county ordinance, it also must meet associated requirements. Because of this, the office of the Chief Elected Official or city/county attorney must sometimes review draft bylaws, and HRSA/HAB Project Officers often review bylaws revisions.

Some bylaws content—e.g., membership composition—is largely determined by the

RWHAP legislation. Other components—such as member terms and term limits, officers, committee structure, decision-making method—are locally determined.

Bylaws usually list all standing committees, though that is not a requirement. Committee needs change based on changing PC/PB responsibilities, calendars, membership, and resources. For example, if your PC/PB becomes an integrated prevention and care group or a combined Part A-Part B planning body, committee needs may change. Some PC/PBs have as many as 9-10 standing committees, while others have only 3-4. There is no single correct number of committees, but all committees are resource-intensive. Typically, a standing committee meets most months, and requires the Chair/Co-Chair and/or PC/PB support staff to: develop an agenda; post the meeting time and place; make logistical arrangements for space, equipment and often food and beverages; prepare, disseminate, and sometimes copy materials; arrange transportation for unaligned consumers; document attendance; run a meeting; take notes; prepare and disseminate minutes; and prepare recommendations or other products for review by the Executive Committee and action by the full PC/PB. Most PC/PBs—especially those with limited membership and staffing—need to control the number of standing committees and consider what legislative roles can be combined into a single committee. Committees with multiple roles are often practical, given the typical scheduling of required tasks. For example, the same committee could do needs assessment in the fall and winter and priority setting and resource allocation in the in the spring and summer. (Module 9 addresses ways to make committee operations efficient and effective.)

Some PC/PBs use bylaws provisions to emphasize their commitment to consumer and other PLWH participation and leadership, and their focus on reducing HIV-related health disparities. A review of PC/PB bylaws that was done as part of the 2016-2017 national PC/PB assessment found that half of PC/PBs had a bylaws provisions specifying that one officer—usually a Co-Chair or Vice Chair—should be a PLWH; some required that this person be a disclosed consumer. Nearly one-third required one or more PLWH to be members of the Executive Committee and about one-fourth required or strongly recommended that every committee include at least one PLWH.[1] A different 2015-2016 review of bylaws review found that 75% of RWHAP planning council bylaws include references to racial disparities in HIV treatment, and 71% "directly acknowledge their charge in addressing disparities in access to HIV care and treatment." However, only 13% "are explicit about eliminating racial disparities" by naming specific disproportionately affected groups in their bylaws.[2]

Bylaws provide consistent guidance for PC/PB operations, help ensure smooth and fair operations, and provide important "institutional memory" in situations of large-scale membership or staffing changes. It is very important for members to be familiar with their PC/PB's bylaws and for leadership to ensure that they are consistently followed. This responsibility often falls to the Chair or Co-Chairs, but staff can also assist. If the PC/PB has a parliamentarian (a role that can be played by a member or an outside individual), that person may also serve as the bylaws expert. Every PC/PB needs mechanism for regularly reviewing and when necessary updating the bylaws—which may be done by a separate committee or be a part of the responsibilities of an Operations Committee or the Executive Committee.

Policies and Procedures (P&P): The presentation slides for this module identify and describe several sets of policies and procedures that are necessary to meet RWHAP legislative requirements. For example, the legislation requires grievance procedures, an open nominations process, and a conflict of interest standard. Given the possibility of grievances if established policies are not followed in making funding decisions, PC/PBs need written policies to guide priority setting and resource allocation (PSRA) and reallocation.

PC/PBs benefit from adopting and following policies and procedures beyond those that are legislatively required. Clear, well-written P&P contribute to efficiency, prevent conflict and confusion, and minimize situations in which the PC/PB is not sure how to address a situation. For example, most PC/PBs have a Code of Conduct to guide member behavior. Many also have P&P that provide guidelines regarding how members are made aware of Code of Conduct provisions, who is responsible for enforcement, and how violations will be addressed. PC/PBs often have other P&Ps to guide how the PC/PB operates (from staff responsibilities to member expense reimbursements). P&Ps can help guide legislatively required roles such as needs assessment and assessment of the efficiency of the administrative mechanism (AAM). P&P related to PC/PB roles are often developed by the responsible committee, but also best reviewed and approved by the full PC/PB. Staff often have responsibility for helping to ensure that P&P are complete, numbered or categorized, and available for reference at meetings.

Representation: Most PC/PB members are aware that member composition is specified in the RWHAP legislation. However, there is sometimes confusion about the meaning of a membership category or how many federal HIV programs need to be represented. The most reliable source of information about membership categories is the Part A Manual, Section X, Chapter 4: Planning Council Membership. HRSA/HAB expects PC/PBs to fill all the slots, because all the perspectives offered are important to sound planning. However, there is also a recognition that some slots are challenging to fill and support for PC/PBs to think creatively and flexibly in finding a person to fill each category who brings the appropriate perspective.

Reflectiveness: PC/PBs often find it challenging to maintain both overall and unaligned consumer membership that reflects the demographics of the local epidemic. PC/PBs need to understand the federally required components of reflectiveness, the categories HRSA/HAB uses within each demographic component, the use of epidemiologic data as the foundation for reflectiveness, and the value of including locally important demographic objectives. The Planning Council/Planning Body Reflectiveness and Roster attachment (included in the Additional Resources for this module), submitted annually as part of the recipient's Program Terms Report provides clarity on HRSA/HAB demographic requirements. PC/PBs can use the demographics and categories in this required chart as a starting point on reflectiveness. The reflectiveness chart in this attachment specifies inclusion of the following demographic categories, with PC/PBs expected to indicate the number of people living with HIV/AIDS in the EMA/TGA in each category and the number of current PC/PB members in each category:

- *Race/Ethnicity:* White, not Hispanic; Black, not Hispanic; Hispanic; Asian/Pacific Islander; American Indian/Alaska Native; Multi-Race, and Other/Not Specified

- *Gender:* Male, Female, Transgender, and Unknown

- *Age:* 13-19, 20-28, 30-39, 40-49, 50-59, 60+

The Roster component of the Program Terms Report attachment also asks for the number of non-aligned consumers, whether at least two unaligned consumer members publicly disclose their status, and about the minimum number of members specified in the bylaws, the number currently serving, and number of vacancies, if any.

The legislation requires "particular consideration…to disproportionately affected and historically underserved groups and subpopulations," [Section 2602(b)(1)] and the Program Terms Report attachment quotes this requirement and states that "the grant recipient must be able to demonstrate that the PC/PB is reflective of any disproportionately affected or historically underserved populations in the jurisdiction (ex: if MSM make up 60% of the jurisdiction's infected population, the recipient must be able to demonstrate that this population is appropriately reflected in the PC/PB membership)." PC/PBs can go beyond

race/ethnicity, gender, and age to ensure inclusion of members from locally significant PLWH subpopulations.

Since most EMAs and TGAs include a combination of central cities, suburbs, and sometimes rural areas with varied PLWH populations, services, and treatment need and issues, PC/PBs typically add criteria or at state least objectives around geographic diversity. Some have target numbers of members from each county or major municipality.

It is important for PC/PBs to understand the importance of reflectiveness in providing diverse perspectives, as they work to ensure parity in access to care, provide appropriate services for diverse groups of PLWH, and reduce HIV-related health disparities.

References

1   Assessment conducted by EGM Consulting, LLC for DHAP, 2015-2017.

2   Sirry Alang, Brett Burnham, and Thuan Tran, "Persistent racial disparities in HIV/AIDS treatment and care: the role of Ryan White planning councils in the United States." Journal of Public Health Policy Planning: 2017, Vol. 1, Issue 1, July 29, 2017. See https://www.alliedacademies.org/articles/persistent-racial-disparities-in-hivaids-treatment-and-care-the-role-of-ryan-white-planning-councils-in-the-united-states.pdf.

For More Information

Additional Resources

- Planning Council Primer [2018 update], especially the sections on Planning Council Duties and CEO and Recipient Duties

- Compendium of Materials for Planning Council Support (PCS) Staff, especially:

    — *2.1. Quick Reference for Planning Council Support (PCS) Staff: Legislative Requirements for Planning Councils/Planning Bodies, with HRSA/HAB Definitions, Clarifications, and Expectations*

    — *3.1. Expectations for Planning Council Support Staff*

    — *3.4. Matrix of PC/B Support Staffing Models: Pros and Cons*

    — *4.1. How PCS Staff Can Support a Successful Open Nominations Process: Tips and Best Practices*

    — *4.2. Best Practices for Consumer Recruitment and Retention*

    — *4.3. Best Practices for an Effective Mentoring Program*

    — *6.1 Tip Sheet: Working Successfully with the Recipient*

- Ryan White HIV/AIDS Program Part A Manual, especially:

    — *Section X, Planning Council Operations, Chapter 4. Planning Council Membership, Chapter 5. Planning Council Nominations, and Chapter 6, PLWHA/Consumer Participation*

    — *Section XI, Planning and Planning Bodies, Chapter 8. Member Involvement and Retention, and Chapter 9. PLWHA/Consumer Participation*

- EGM Consulting, LLC, Planning Council/Planning Body Assessment: Key Findings and Implications, DMHAP webinar, March 28, 2017; see especially the Planning Council Profile slides

- Sirry Alang, Brett Burnham, and Thuan Tran, "Persistent racial disparities in HIV/AIDS treatment and care: the role of Ryan White planning councils in the United States," *Journal of Public Health Policy Planning:* 2017, Vol. 1, Issue 1, July 29, 2017

Related Training Guide Resources

- *Module 2: Roles and Responsibilities of RWHAP Part A Planning Councils/Bodies (PC/PBs) and Recipients*, describes the roles and responsibilities of the PC/PB and the recipient, including shared tasks

- *Module 9: Working Together: Effective Committees and PC/B Meetings,* describes committee structures and roles and how the PC/PB does its work through committee and full PC/PB meetings

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For links to all the resources listed above, go to www.TargetHIV.org/planning-chatt/module8