**Policy on Board of Directors’ Role   
and Interaction with PHA Staff**

I. GENERAL

The PHA Board members and the PHA staff have separate and clearly defined roles and functions. To ensure the effective administration of the agency, PHA Board members and staff should recognize the separation of these respective roles.

The Public Housing Authority has a public housing resident, as well as non- residents, serving on the Board of Directors. This results in a dual role for the Board member who is also a public housing resident. On the one hand, he/she is one of the Agency’s policy makers, and shares in the powers vested in the Agency by law and regulation.

On the other hand, he/she is a public housing resident who is obligated to abide by the dwelling lease and other Board approved policies and regulations. This can present difficulties for the Board member since a distinction must be made as to whether a specific issue requires that Board member play the role of, and be treated as a Board member or a resident. This may cause confusion among staff members who recognize the resident as a Board member, with all the powers of that position, and yet, must treat the resident Board member in the same manner as all other residents in responding to concerns and in enforcing rules and regulation.

In addition, nothing in this policy is meant to impinge on any person’s individual First Amendment rights but is meant to bring consistency to the Executive Director’s management of the flow of information between the Agency and the Board of Directors. If there is a conflict between this policy and any law, rule or regulation, the law, rule or regulation shall prevail.

II. POLICY

The powers of the PHA are vested in the Board of Directors. The Board delegates its authority by establishing policies. The Board will hire an Executive Director to administer the policies, establish procedures, and to hire and supervise the staff. The staff may recommend changes in policies and procedures, but the staff can administer only that which the Board has adopted.

Certain rules and regulations are established for each program by the U.S. Department of Housing and Urban Development (HUD). When the Board requests federal program funding, it must agree to abide by HUD’s rules and regulations, generally as set forth in HUD Handbooks, as well as by HUD revisions and additions to those rules and regulations.

A. Board-Staff Relations

All Board members and staff should follow certain procedures in managing agency interactions. The recommended procedures are as follows:

1. Day-to-day concerns of Board members should generally be directed to the Executive Director, or the Executive Assistant if the Executive Director is not available. If, in the judgment of the Board member, the matter can be best addressed by direct contact with a Branch Chief or the Executive Assistant, and if this can be done without undermining the authority or effectiveness of the Executive Director, then the Board member should feel free to make the contact, with a follow-up to the Executive Director.

Board members should not directly contact staff persons other than those mentioned above except when seeking routine and readily available program information.

2. Individual Board members should refrain from giving directives to any staff person. Program administration and staff supervision are solely the Executive Director’s responsibilities. The Board, as a whole, supervises the Executive Director, and any directions given to the Executive Director should be based on the adoption of official Board policies and a determination of the views of a majority of the Board members.

3. Any inquiry by a Board member, on behalf of an individual resident or applicant, may easily be misinterpreted by some staff people to be a request for preferential treatment of the applicant or resident. An employee, in attempting to assist a Board member, may subsequently take an action which is contrary to established policy or regulations. For this reason, such inquiries on behalf of specific individuals should be directed to the Executive Director or to the appropriate Branch Supervisor.

4. When policy is established, Board members shall not place undue pressure on the Executive Director or other staff to take action which is contrary to established policy or regulation.

5. Matters which a Board member elects to bring to the attention of other Board members during a Board meeting, which involve program administration or operations, should include the following specific information to facilitate an expeditious resolution:

a) When the incident occurred:

b) Who was involved;

c) What happened; and

d) How it violated established policy or procedures.

In instances where an oral response by staff to complaints or questions raised by Board members cannot be provided during the Board meeting, the Executive Director will respond by fully investigating the matter and subsequently presenting a written Staff Report to the Board, at its next meeting or as directed by the Board Chair.

6. Operations and program administration is a staff function and Board members should not become involved in the day-to-day administration of the program or in personnel matters. Such concerns on the part of Board members should be expressed to the Executive Director for consideration.

7. Board members should refrain from requesting staff support or assistance that would not otherwise be provided to the general public

8. Board members shall refrain from discussing matters deliberated in executive session with staff.

B. Resident Board Member

1. Board members who are residents of public housing should continue their normal relationships with their management office on all matters relating to residency in public housing. All requests for services, complaints and inquiries regarding their rent or their leases should be directed to the appropriate AMP staff person.

If the resident Board Member receives complaints or questions from their resident neighbors regarding occupancy questions, maintenance of the development or similar problems, the Board Member should refer these resident neighbors to the AMP staff person responsible for management, maintenance or human services for the development. Such matters should not be referred to Central Office staff or brought up at Board meetings without making an attempt to first resolve the issue or question through appropriate field staff.

If the Board Member is unable to resolve these concerns at the AMP staff level, it would then be appropriate for the Director to contact the appropriate department head (management, maintenance, or construction) to seek assistance. (This is in accordance with accepted practice for other residents of public housing who are not Board Members.)

Failing to obtain an adequate or prompt response at that level, and having subsequently raised the issue with the Executive Director without receiving a satisfactory response, the resident Board Member should then, and only then, bring the matter before the Board. Such matters should involve broad, PHA-wide policy questions and not items which are of concern only to a specific development or resident, unless such matters impinge directly on established policies or regulations and have not been resolved to the Board Member’s satisfaction at the staff levels mentioned above.

2. The Resident Board member who believes their individual rights, under the terms of the dwelling lease have been violated are to follow the same PHA grievance procedure as do other residents in resolving such differences. This will help to ensure that a resident Board Member is not given preferential treatment for their failure to follow the requirements of the lease and ensures compliance with the requirement that the Board Member should be a tenant in good standing.

C. Policy Violations

Board members should be mindful that any willful violation of Board policy by staff is subject to disciplinary action at the discretion of the Executive Director and his/her Supervisors. Discipline of staff members is strictly an operational matter and Board members should refrain from attempting to influence or instruct staff in such personnel matters.

Nothing in this policy is meant to interfere with an employee's rights under Part V of Chapter 378, HRS, Whistleblowers' Protection Act.

III. PROCEDURES

To ensure the effective administration of the PHA, the Executive Director has established these operating procedures regarding staff interaction with the PHA’s Board of Directors.

A. Communication with the Board

1. Other than the Executive Director, staff shall not make direct reports, inquiries or contact with Board members, except at the request of the Executive Director or the department heads. Staff contact with the resident Board Member shall be made only on matters pertaining to the Board Member’s role as a public housing resident, except as otherwise directed by their department heads.

2. The Board may exercise its judgment and request routine or readily available information directly from staff. The staff person shall contact their Supervisor for direction before providing the requested information in instances where the information is not readily available. Supervisors are responsible for informing the Executive Director of any requests from the Board in a timely manner.

3. Staff may prepare Board Reports which recommend new policy or policy changes, but adopting policy is strictly a Board function.

4. Staff (other than the Executive Director and Executive Assistant) shall not make inquiries or contact with Board members regarding confidential discussions.

5. Staff who are privy to confidential discussions of the Board by virtue of their position or projects, shall not interpret that as authorization to freely engage in discussions with the Board and/or without the express consent of the Executive Director.

6. Confidential Secretaries shall also discharge their responsibilities dutifully and maintain the integrity of their positions, including not discussing and sharing confidential Board discussions or decisions with staff or other parties not privy to such information.

B. Policy Violations

Staff should be mindful that any willful violation of Board policy and direction by the Executive Director may be subject to disciplinary action in accordance with applicable law and/or their respective bargaining unit agreement.