

## Questions to Ask Before Joining a Board or Committee

More companies and governments are asking community members to join advisory boards or committees. This is great in theory, as it gives concerned community members the opportunity to meaningfully influence company operations and decisions. However, community members have the right to be cautious or nervous about joining. Concerns could include participation:

- Being used as a ‘stamp of approval’ for the project;
- Limiting your ability to speak freely to your community or constituents;
- Limiting your ability to engage in other advocacy in the future if needed;
- That is meaningless because the board or committee lacks any real power or the board or committee is ‘stacked’ with members who all agree with the company, leaving you in the minority.

Before agreeing to join a Board or Committee, try to find out answers to the following questions to help you decide whether the ‘pros’ of joining outweigh some of those concerns.

Questions	Things to Consider	Notes
Why was the Board or Committee created?	Knowing this can help understand the motivation behind the board or committee.	
What is the role and goals of the Board/Committee?	<p>The Board/Committee sponsor should be very clear about the scope and limits of the Board. If there isn’t clarity, the Board/Committee could spend a lot of time and effort on issues that they have no power to influence. A strong board<sup>1</sup> has:</p> <ul style="list-style-type: none"> <li>- Details on what it is empowered to do;</li> <li>- Ensures that its members know what they are signing up for;</li> <li>- Identifies how the Company is to respond to suggestions from the Board/Committee;</li> <li>- Provides membership qualifications, number of members, and appointment procedures;</li> <li>- Outlines rules and criteria for participating;</li> <li>- Details basic operating procedures and protocols to be followed; and</li> </ul>	

<sup>1</sup> Policing Project at NYU Law. Community Advisory Boards: What Works and What Doesn’t: Lessons from a National Study. (Page 9).

<https://knowledgebank.criminaljustice.ny.gov/system/files/documents/2023/09/community-advisory-boards-what-works-and-what-doesnt.pdf>

This resource is part of Fair Shake Environmental Legal Service’s Community Democracy River.

For more information and additional resources, tools, and levers, visit: <https://www.fairshake-els.org/community-organizing-resources>.

	<ul style="list-style-type: none"> <li>- Establishes a point of reference during times of institutional change and leadership transitions.</li> </ul>	
Who organizes or sponsors the board?	<p>Knowing who organizes the body can help you know how much transparency is required as part of the process. For example:</p> <ul style="list-style-type: none"> <li>- Is it the company? This would mean it is a private board, and they can create their own rules, structures, and regulations.</li> <li>- Is it the government? This would be there is some baseline level of transparency required by Sunshine laws and, potentially, additional requirements about who can serve on the board or what the board has decision-making power around.</li> </ul>	
Who does the Board report to?	<p>Knowing this information let you know how much decision-making power or how much weight recommendations might carry. For example:</p> <ul style="list-style-type: none"> <li>- Reporting to the Communications or PR manager would give a different amount of power and priorities than reporting to the VP of Operations.</li> </ul>	
Who else is invited to be part of this Board? Why these people?	<p>Knowing this information can help you know what the goal's purpose is. For example:</p> <ul style="list-style-type: none"> <li>- If most other body members are company-friendly elected officials, that could tell you that the body is there to look good.</li> <li>- If most other body members have the trust and speak on behalf of the broader community – in particular those most impacted community members – that can tell you that the members are selected to represent the needs of the full community.</li> </ul>	

<p>What does this Board have decision-making power over? If not decision-making power, how much weight will the body's recommendations have?</p>	<p>Knowing this can tell you if the body has meaningful sway in decisions that matter.</p> <ul style="list-style-type: none"> <li>- The more concrete answers you hear, the more likely it is that you could influence that issue.</li> </ul>	
<p>What is the decision-making process of the Board?</p>	<p>Knowing this helps you understand who has ultimate 'say' and the process which the Board or Committee uses to reach decisions. How much power that process has depends on who the other members on the Board are. Examples of voting power include:</p> <ul style="list-style-type: none"> <li>- Consensus – everyone works to reach the same conclusion.</li> <li>- Majority vote – whichever side has over ½ the vote wins.</li> <li>- 2/3 vote – whichever side has over 2/3 of the vote wins.</li> <li>- # of dissents – a decision cannot be final if X number of members or more disagree.</li> </ul>	
<p>How is the board communicating back and transparent back with the broader community?</p>	<p>Knowing this can tell you how the Board or Committee plans to interact and be transparent with the community.</p>	
<p>Are there specific requirements of the Board?</p>	<p>Knowing this helps you know the bare minimum that the Board or Committee must do.</p>	
<p>What compensation or support is there for someone to join this Board?</p>	<p>Community members are busy, and it's OK to advocate for a stipend or other form of support to ensure that everyone in your community can join the board and not have to worry about second jobs, childcare, or transportation costs.</p>	
<p>What other training or support does the Board receive?</p>	<p>Oftentimes, these Boards will be making decisions that surround impact or operations of the facility. Training on scientific processes, plant operations, or other technical issues could help the Board have the information it needs to make the best decisions for community.</p>	

What if the body says ‘don’t do this process’ or ‘change x, y, and z’ about this process?	Knowing this helps to understand the power that the board has. It also clarifies how the Board or Committee will understand how their recommendations are ultimately used.	
What is the process by which that feedback will be heard and implemented? How will responses get back to Board members?	Knowing this helps you know how your input will be heard, and, importantly, how that is communicated back to the Board or Committee. This can avoid feeling like your input goes into a “black hole” that you never hear anything from again.	
What if advisory board says ‘don’t do this process?’ Are you going to ignore the advisory board or pay attention?	This is paramount to community consent – if the Company is not going to listen to the recommendations of the Board or Committee, it could be a sign that the Board or Committee lacks power or isn’t reporting to the right person.	

### Red Flags

Be very cautious of joining a Board or Committee that asks you to do or sign any of the following - all could limit your ability to be transparent back with the community.

- Confidentiality** – this limits the type of information and discussions that happen during Board or Committee meetings that you can share.
- Nondisclosure** – this limits your ability to share back pertinent information with your community.
- Disparagement** – this limits your ability to speak negatively of the Company in the future. This could be a challenge if you find yourself needing to advocate in the future.
- Conflict of Interest** – this could limit your ability to advocate for your needs in the future.