



State Arts Agency vs. Nonprofit Board Service
Notes from the Chair and Council Member Peer Group Session
June 4, 2024

SESSION DESCRIPTION:

Serving on a state arts council is a unique opportunity. As appointees to a public board, state arts agency (SAA) council members (also known as commissioners or board members) play important citizen oversight roles and serve as influential arts advocates and ambassadors. While experiences with nonprofit boards can be highly valuable and good preparation, many council members find that the responsibilities and governance frameworks for an SAA council are distinctly different than those used by 501(c)(3) boards. What influence do you have? How can you shape policy? What are some of the unique requirements or limitations from operating within state government? This session explored the important distinctions between public and nonprofit boards.

Moderator: Laura Smith, NASAA Chief Advancement Officer

Panelists: Sharon Beshore, Chair, Missouri Arts Council
Gene Meneray, Interim Chair, Louisiana State Arts Council
Kara Milner, Council Member, Rhode Island State Council on the Arts

WHAT WAS YOUR STEEPEST LEARNING CURVE WHEN YOU WERE NEW TO YOUR STATE ARTS AGENCY?

- Kara: Learning to navigate the bureaucracy of a government agency was a big challenge. There can be a lot of paperwork and process to deal with (such as ethics filings), and the need to get permission means work doesn't happen as quickly as we'd like. Staff deals with this regularly, but it's something many new council members must get accustomed to.
- Sharon: When I was first appointed, there was turmoil that I didn't know about when I accepted the position. The state funding for the arts council was in jeopardy. There was a long-term funding program that threatened the sustainability of the agency, and the affected arts organizations dealing with that commitment were up in arms. The leadership of the Council was in question. I had to listen to people and try to understand what was going on, so I could help provide support and make the right decisions to go forward. I had participated in advocacy as a board member of Missouri Citizens for the Arts, but when I started on the council, I had to really delve into those legislative relationships, to help get state funding for the Arts Council.
- Gene: Nonprofit board service focuses on the fiduciary health of the organization, the overall direction, and the executive director's performance, but we don't have authority in those realms at the state arts council. We promote and support the agency's work and ideas, but without the true oversight a nonprofit board has. Plus, we travel around the state for meetings at our own cost. It took a while to figure out how to use my time for what amounts to a volunteer activity that has a cost—to learn how it can be valuable and where I could make a difference.

WHAT IS SPECIAL, REWARDING OR IMPACTFUL ABOUT SERVING ON YOUR STATE ARTS AGENCY COUNCIL?

- Sharon: I can have an impact on the whole state and all of the arts, in communities large and small. Because we serve the entire state, I've met many people with diverse expertise and interests, and traveled to regions I wouldn't otherwise have experienced. New board members receive a council notebook and participate in an orientation meeting, and all members are encouraged to receive NASAA training—webinars, online sessions like this one, the newsletter, the research, and the annual conferences. NASAA staff (Kelly Barsdate) even came and helped with our strategic planning. We should all use them! I also see the impact our advocacy work has on agency funding—coming together with our state advocacy group to work with legislators and the governor has been very rewarding.
- Gene: The relationships with different people and seeing what goes on outside my own community is great. That broader perspective is so important—to see people doing a lot of strong, hard work, sometimes in much more challenging circumstances than I have. Also, being with the arts council opens some doors. Business leaders or politicians may not know my specific organization, but they tend to engage more when I say I'm with the state arts council. This is a valuable opportunity to take advantage of—to help people know who you are and to promote arts and culture.
- Kara: Even though Rhode Island is a small state and it's easy to visit other communities and see other things, you're still not necessarily aware of everything that's out there. The staff are incredibly hard-working and thoughtful about reaching every community and every corner of our state. In fact, this accessibility is front and center of our strategic plan. As council members, seeing other communities first-hand helps us understand what we can do to lower barriers, give people more access, and educate constituents about what we offer and how we can help them. It's wonderful to raise awareness of our resources and support, and help people connect to us.

WHAT ARE SOME OTHER WAYS SERVING ON A PUBLIC BOARD IS DIFFERENT THAN SERVING ON A NONPROFIT BOARD?

- Gene: How we look at fiduciary health is different between state agencies and nonprofit boards. Advocacy plays a major role in how our agency is funded, but often there are larger forces at work (besides our own goals for the agency). Sometimes it's not the right time or strategy to push to increase the budget, which makes it important to work with the staff because they know what's going on. We have to learn political management. Also, some might disagree with me, but it's essential for board members to have some financial stake in the agency, whatever level is right for them. If your agency doesn't have a 501c3, think about supporting something your agency can't pay for, or giving to your statewide advocacy group and/or to NASAA.
- Kara: I was grateful not to have to ask people for money as part of my job with the arts council. Raising money is my least favorite part of nonprofit service, but advocating with the legislature for state dollars is very different from fundraising. The appointment process was also different. With nonprofits, I served on boards where I was already actively involved. With the arts council, although I was an arts supporter and consumer, I wasn't actively involved so I had to figure out why I was there and what I could bring to the table. I was nominated because of my relationship with the then-governor, but it was a conversation with the executive director that helped me see how my background in education and education advocacy could be helpful to the arts council.

- Sharon: I too was appointed by our governor, when the arts council was under the Division of Economic Development (it's now in the lieutenant governor's office). These relationships with governors and lieutenant governors are so important, especially in election years, because of how much it matters when candidates support the arts. Other thoughts about how state service differs from nonprofit boards:
 - We must follow state ethics laws and parliamentary procedures in our meetings, and all our meetings have to be open to the public. As we discussed, it can take time to wait on the bureaucracy, we can't just do what we want.
 - We have to remember that council actions and decisions affect the state, even if we don't agree with everything or everyone. We don't serve specific communities or artistic disciplines, we serve them all, so we have to hold that statewide lens, i.e., knowing that something that works in a city is not necessarily going to work in a rural community.
 - We have to push our ideas while also listening to what people need and giving them the tools to move forward, because they know what's best for their communities.
 - We don't privately fund our state agency, but do encourage council members to financially support our citizen advocacy group and NASAA, for how they help us do our work.
 - We encourage people to participate in advocacy efforts and attend arts advocacy week at the Capitol. We also invite our citizen advocacy group's lobbyist and their board members to council meetings so the lobbyist can provide a legislative update regarding arts funding and arts related bills, as well as let council members which legislators need to be contacted.

WHAT IS THE ADVOCACY ROLE OF COUNCIL MEMBERS?

- Kara: Advocacy was the purview of our long-time, now retired executive director. The council supported him, but he held all the relationships and knew how everything worked. A new executive director had to work hard to change the way the council thinks about advocacy, and we are still in the process of figuring things out, i.e., learn what we can and can't do, what we should be doing, introducing ourselves to legislators, etc. NASAA resources have been helpful.
- Sharon: We work with a good lobbyist who's been with us for years. It can be frustrating when there's been success in one year and people get complacent—they don't realize that relationships have to be maintained, that there is regular turnover in the legislature. As council members, we need to help develop those relationships—educate legislators about the arts and the work of our state agency, and get to know legislators personally. Legislators need to understand how the arts council is funded because they often don't know. It can be especially important to work with the budget chair.
- Gene: It's so important to understand how your state actually does business and then figure out where pressure points can be applied. For instance, in Louisiana, all the budget work is done by committee, so decision-making is over by the time it gets to the full floor. Even if we have friends on the floor, it doesn't matter if they're not on the budget committee. Also, consider your messengers. Legislators will listen to their own constituents and/or people who represent the demographics of their districts. Lastly, spend some time on basic media training. Doesn't have to be anything fancy, just practice what points you want to make and how to make them in a short period of time, to respect people's time. With practice, people get more comfortable.

WHAT ELSE DO YOU WISH YOU'D KNOWN WHEN YOU WERE NEW TO YOUR COUNCIL? Ideas, comments and suggestions from the group discussion:

- Having a good orientation or onboarding process is helpful for newly appointed council members. Allow time on meeting agendas that lets people share about their experiences and ask questions. In Virginia, a member of the attorney general's office sits in on every meeting to quickly answer questions about bylaws, meeting processes, or anything else.
- Mentoring (formal or informal) can be a great way to support new council members:
 - Encouraging newcomers to connect with more experienced people on the council can make a huge difference.
 - Have coffee with your chair right at the beginning of a term and ask, what do I need to know? Take advantage of the chair's experience and perspective.
 - Intentionally pair a new person with someone more experienced so they have someone to call and ask questions (if they don't feel comfortable asking questions in a full meeting).
- Periodically re-read orientation materials and/or continue to attend new council member orientations. This helps you stay connected to your agency's mission, purpose, bylaws and enabling legislation.
- Urge new council members to sit in on panel review meetings and meetings of the Appropriations Committee to see in action how the grant process works.
- Be informed about your state's definition of lobbying so that you can advocate effectively—and also know how to work well with your lobbying organization (if you have one).

MORE RESOURCES TO SUPPORT YOUR SERVICE ON A STATE ARTS AGENCY BOARD:

Public vs. nonprofit board service

- [Citizen Councils – Public Service Roles vs. Nonprofit Board Service](#) is a great, new resource to help you learn more of the about the differences between public and nonprofit boards.
- The [About State Arts Agencies](#) and [For Council Members](#) sections of NASAA's website are full of information to help you in your specific role as an appointed arts leader.
- [State Arts Agency Council Terms, Powers and Duties](#) considers the legislated powers and duties common to many councils. (Note: even though this is a few years old, it still contains relevant information and perspective. If you have questions or want updated info about your state, please reach out to Laura Smith.)
- The [Federal-State Partnership in the Arts Policy Brief](#) describes the partnership between the National Endowment for the Arts (NEA), state arts agencies and regional arts organizations. The partnership is essential to the health of our country's arts ecosystem—understanding its impact will help you demonstrate its value to your state and federal lawmakers.