Adult Home Resident Council
Tool Kit

Produced by

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CIAD is a non-profit advocacy organization run by and for adult home and nursing home residents. CIAD brings pride, purpose and self-determination to residents and is dedicated to protecting their rights and improving the quality of their life and care.

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Educating, Empowering and Advocating. The mission of the Long Term Care Ombudsman Program is to protect the health, safety, welfare, and rights of older adults and persons with disabilities living in nursing homes and adult care facilities by serving as an advocate and resource.

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Introduction

Before developing this tool kit, CIAD and the NYS Long Term Care Ombudsman Program conducted a survey of residents, ombudsmen and facility staff. The results show that most NYS adult homes we surveyed have resident councils, that resident council leaders are generally elected, and that many councils are nominally resident-run.

> "These coalitions bring together resident activists from different facilities to share information"

Our follow-up interviews and visits to resident councils showed us the wide range of forms they take. In some well-organized and impressively led councils, the leaders pressed us for copies of sample bylaws and other resources even as we were drafting them. We have tried to accommodate them by providing comprehensive versions of these documents. For the many less formally structured councils, we have provided simpler, more basic versions of the documents.

A common problem for councils in homes large and small is the scarcity of committed leadership, due in part to residents' mental and physical disabilities. Even when two or three activist residents team up to run a good council, they are isolated within the home — hard put to find others with enough energy or interest to help.

An antidote to such isolation is the creation of regional coalitions of resident leaders, such as CIAD's Policy Committee in New York City, and the Adult Home Leadership Council on Long Island. These coalitions bring together resident activists from different facilities to share information, offer each other moral support, and work together for policy reforms that benefit everybody. It is our hope that this project will inspire the formation of more regional coalitions of resident council leaders.

Using The Resident Council Tool Kit

This resource is designed for use by ombudsmen, staff advisors, and residents of adult care facilities. It is written with the understanding that every resident council is different; there is no "right" way to do things.

We encourage you to pick and choose from these pages what you want to use.

- Work sheets and tip sheets can be taken out, copied, and distributed.
- Information on local resources can be added, as well as other materials you've developed or identified. It is a collection that we encourage you to add to.
- Examples are included of bylaws, minutes and other documents used by existing resident councils and food committees.
- Fact sheets are provided on laws and regulations relevant to council work, and on other matters of interest, such as EQUAL grants.
- Leadership development materials are also included for council members who want to improve their skills.

This tool kit is based on the firsthand experience of ombudsmen and advocates working in adult care facilities, and reflects extensive interviews with resident council officers. Our hope is that members and advisors of all kinds of councils will find something of value here.

Importance of Resident Councils

> "Resident councils are meant to give people a voice in their facilities"

Resident councils may be large or small, formal or informal, completely self-governing or largely dependent on staff—whatever form they take, they offer a unique space for residents to come together and discuss their own concerns.

For residents, council meetings can be a forum for debate, an opportunity for fellowship, an interesting and challenging activity, and a source of information and resources.

Under law, resident councils are meant to give people a voice in their facilities, and management an established channel to hear what residents have to say. State law supports this function, saying councils must be allowed to "report all problems, issues and suggestions discussed by residents" to management, and management must respond. For this reason, council meetings are sometimes seen by management as a "license to complain."

In practice, active resident councils prove to be an asset to management, rather than a liability. Residents and staff generally want the same thing—a well-functioning facility where people get along. Independent resident councils can help achieve this goal.

Such councils attract leaders who are often among the most connected and respected residents in the home. They can help resolve problems between residents, and between residents and staff. In many homes, council leaders have joined management in urging fellow residents to refrain from littering, damaging furniture or smoking in their rooms. Over time, administrators and council officers can develop an ongoing dialogue and a constructive working relationship.

The opposite holds true as well. Homes that bypass democratic procedures and set up co-opted councils exacerbate conflict and discontent among the residents. Without an independent council, residents lose their voice in the facility. And without an independent council, management loses a valuable "early warning system" about problems in the home—as well as a valuable partner in solving them.

For residents, the benefits of council membership go far beyond problem solving. In an institutional setting, running a resident council is often the only officially sanctioned activity residents can organize and manage themselves, to the extent of their ability. This opportunity to exercise autonomy delivers a huge dividend in mental health and well-being. Residents can take on different roles within the council and within the home, and continue to learn and grow.

In delivering quality of care, it is in every facility's interest to fully support a resident council that functions as democratically, and as independently, as possible.

Quote from Adult Home Administrator, Maxine Cardwell:
From an interview recorded by the CIAD Media Team in July, 2007

"I believe if we have a strong resident council, it helps the whole facility —because not only do we have cooperation from the staff, we have cooperation from the residents as well. They want to make things work, and they help me because they are here 24 hours a day, and they see what goes on."

Quote from former Staff Advisor, Mary Twohill:
From an interview recorded by the CIAD Media Team in July, 2007

"The resident council lets people have an open forum where they can voice their opinions, their problems and their wants, and not be intimidated—but be listened to and heard. There's a formal process to it. It's not just one person at a time having a problem and going to the administrator. It's a definite, formal process. Your problem is presented at the meeting, it is discussed by the board, and the board members bring it to the administrator. The administrator must respond in one way or another, and that response is carried back through the board to the council, and everyone hears the answer. It helps staff in a hundred different ways because when staff can hear about a problem, and be made aware of a problem, then they can deal with the problem and it makes their job easier."

Quote from Resident Council President, Woody Wilson:

"Sooner or later management figures out that it's to their advantage to have a good resident council. They can go to the council and explain why they can't do something because it's against the regulations, or they don't have the money. And even if you don't get the problem resolved, at least you have a way to talk about it. Some of the things that worry residents — they can be changed. If the administrator knows that these things are unpleasant or irritating to residents, and they can be changed without costing any money or breaking any state regulations, then often the administrator will change them. But it has to be brought to somebody's attention first."

Resident Council Rights and Regulations

New York State law requires all licensed adult care facilities to have a resident council "chaired and directed by the residents." Each facility must assist in the formation of a council and facilitate its meetings.

These responsibilities are laid out in Title 18 of the New York Compilation of Rules and Regulations (NYCRR).

According to NYCRR Title 18: Section 487.5:

(b) Resident organizations.

(1) The operator shall encourage and assist residents to organize and maintain committees, councils, or such other self-governing body as the residents may choose.

(2) The operator shall:

(i) assure that the residents' organization:

(a) meets as often as the membership deems necessary;

(b) is chaired and directed by the residents; and

(c) may meet with any member of the supervisory staff, provided that reasonable notice of the request is given to such staff;

(ii) appoint a staff person to act as an advisor to the residents' organization, who shall serve as a liaison between the organization and administration to report all problems, issues and suggestions discussed by the residents which require administrative action; and

(iii) assure that any complaints, problems or issues reported by the residents' organization to the designated staff person or administration be addressed, and that a written report addressing the problems, issues or suggestions be sent to the organization.

In practice, these NYCRR regulations have been interpreted by the NYS Department of Health to require that facilities:

- provide a space for the council to meet;
- allow the council to meet regularly at a time convenient to most residents; allow special council meetings when requested by residents;
- allow residents to meet without staff present, if they so desire;
- make staff available when requested;
- provide written responses to questions submitted in the minutes.

According to Mary Hart, formerly of the NYS Department of Health

(Mary Hart, former Director, Bureau of Adult Care Facility Quality and Surveillance, from a 2008 interview with the CIAD Media Team):

"We expect that the operator, administrator, allows the resident council to function on its own, and allows it to invite staff people to take part when they are wanted. We normally at DOH don't run up against any issue unless there are complaints — that there's interference with an election, or council meetings are cancelled with no notice. Then we will come in and say — 'You have to encourage the resident council to function and to respond to their issues.' We have cited facilities for actively either discouraging council functioning or not assisting residents in getting one started."

The NYS Department of Health is charged with providing oversight and enforcement of the above regulations. Therefore when a facility repeatedly undermines residents' attempts to form an independent council, residents may file a complaint through the Complaint Hot Line of the NYS Department of Health. Residents may also contact the Ombudsman Program County Coordinator in their area, or their own facility ombudsman, if they have one. *(See How to File a Complaint)*

As with all complaints, those regarding resident councils must be clear violations of the law as written. DOH is able to take action when residents can show that their requests to hold council meetings and elections have been denied or cancelled; that a meeting space has been requested, but not provided; or that residents have asked to direct their own meetings, but have been forced to accept direction by staff. These are concrete violations that, if substantiated with documentation, can be investigated by DOH, and addressed.

More often, resident councils are undermined in ways that are subtle, hard to document, and difficult for DOH to address. For example, management may accept, or actively support, a clique of council officers that rejects democratic procedures, does not represent or acts against residents' interests. In this case, it may be impossible for DOH to choose between one group of residents and another. The above regulation simply states that resident councils must be "chaired and directed by residents;" it does not stipulate how these leaders are to be chosen.

Even if DOH cannot take action, however, resident leaders in facilities with co-opted councils can still act in their own behalf. In a number of cases, residents have succeeded in taking back compromised councils, and restoring their independence. (*See Strategies for Improving a Dysfunctional Council*)

Role of the Ombudsman in the Resident Council

Resource/Advisor/Trainer/Organizer

Building a good working relationship with the resident council can be an important, and satisfying, part of an ombudsman's role. No federal or New York State law defines this particular function. The only law pertaining to ombudsmen attending council meetings states simply "visitors shall be allowed to attend meetings at the group's invitation."

The Ombudsman Program Training and Resource Manual stresses the importance of supporting resident councils, and suggests that an ombudsman might:

- "strengthen the functioning of the council, if appropriate;
- provide information and education on a variety of topics;
- meet with the council regarding problems within the facility."

- **Attend council meetings regularly, upon invitation**
- **Establish and reinforce the principles of good government**
- **Act as mediator**
- **Provide information and guidance**
- **Mediate between the council and the administrator**
- **Offer leadership development**

An ombudsman's relationship to a council will be shaped both by the residents who make it up, and by the staff advisor, if there is one. In councils with active staff advisors, ombudsmen may find ways to assist the advisor, as well as the residents. In councils with no staff advisor present, ombudsmen may play a more active role, helping at times to structure and guide the council, and mediate between it and the administrator.

Here are tips and examples from ombudsmen who assist resident councils in New York State adult homes:

- **Attend council meetings regularly, upon invitation**

  Regular attendance helps you build a relationship with council members, and develop appropriate ways to provide support. Over time, your consistent participation will show members that you can be trusted to remain neutral, both between residents, and between residents and management. Residents need your support, and will begin to seek it when they trust that your primary goal is to strengthen the council. It is important to:

  - Ask for an invitation before attending;
  - Avoid taking a seat in front of the group, and acting as if you are a council officer;
  - Observe the rules of conduct, along with everybody else.

- **Establish and reinforce the principles of good government**

  When one resident seems right, and another wrong, it is tempting to take sides. Instead of doing so, emphasize principles that help everyone—fair procedures, orderly meetings, and respectful conduct.

  Example: "The council in my facility has no staff advisor present. When I first started attending council meetings as an ombudsman, every meeting would degenerate into shouting matches between the president and several residents who opposed him. After a few such meetings, I asked the president for permission to try an intervention. At the next meeting, he gave me the floor and I went to the front of the room with a poster board. I suggested that residents come up with a code of behavior for their meetings. They agreed on a set of rules, which we wrote down. After several meetings, the reminder wasn't necessary—members themselves kept order."

- **Act as mediator**

  During council meetings, an ombudsman can sometimes serve as a safety valve—a neutral referee who can, when necessary, nudge a meeting back on track, deflect a personal attack, or suggest a more balanced approach. These instances should be rare, however. Only when a meeting seems at an impasse, should you offer a temporary dose of leadership—and only with residents' explicit or implicit permission.

  Example: "On the day after the EQUAL Grant Application was issued, the administrator cornered the resident council president and pressured him into signing the grant application then and there. (*See The EQUAL Grant*). Feeling intimidated, the president signed the application, thereby bypassing the council, and depriving the other residents of a chance to vote on what they wanted to spend the money on. At the next council meeting, several residents vented their anger at the president in a way that became hurtful. I raised my hand to calm the waters, suggesting that people put themselves in the president's shoes. The administrator had confronted him first thing in the morning, when he was alone and unprepared, and had pressed him to sign the document immediately. Rather than attacking the president, I suggested that residents discuss how to deal with the grant the next time it came around. My intervention stopped the blame game, and got folks to adopt a more constructive tone."

- **Provide information and guidance**

  As an ombudsman with links to adult home and long term care advocacy groups, you can serve as a valuable source of information for council members, who can then pass on the information to other residents.

  Example: "When I look over my notes for a year's worth of council meetings, I see that I provided information about all kinds of residents' rights issues, as well as about

the home's obligations—what it has to provide in the way of heat and air conditioning, case management, transportation, laundry. And I constantly provided updates on the status of a supported housing settlement that may greatly affect residents' lives."

- **Handle complaints**

  Council meetings are a good way for an ombudsman to keep an ear to the ground. When problems develop in the home, you often hear about them first at a council meeting. If there is a credible complaint, you can take this opportunity to ask residents what they want to do about it. At times, they may just want to write a question into the minutes and see how the administrator responds. At other times, they may want to file a formal complaint. As an ombudsman, it is easier to originate a complaint in the resident council as a group, than persuade an individual resident to take a stand.

  Example: "At one point, the home lost control of the laundry situation. Something broke down, and laundry started piling up. After several weeks of having their clothes disappear into the laundry room and not come back, residents were fed up. At the council meeting, a dozen residents signed my ombudsman complaint form, and a resident and I both called the Complaint Hot Line. Then I spoke to the administrator about the problem. The next day, the laundry was taken care of at an outside laundromat."

- **Mediate between the council and the administrator**

  Ombudsmen can function as go-betweens in both directions — between the council and the administrator, and between the administrator and the council.

  Example: "Usually I convey complaints from the resident council to the administrator, but one day the situation was reversed. The administrator said there was an exaggerated claim in the minutes for the last meeting—that hot water in the facility had been off for several days. She was upset, but didn't want to approach the council directly because she knew staff was not welcome. I presented the administrator's complaint to council members, and they agreed to discuss the issue with her. She joined the meeting and laid out her version of events. Residents compared notes and concluded she was right—the hot water had only been turned off for half a day. The administrator requested that the previous minutes be changed. The council president said he was uncomfortable changing the official minutes of a past meeting. I suggested adding a correction to the minutes in the form of a footnote, initialed by the president. This compromise was accepted."

- **Offer leadership development**

  Resident leaders can benefit greatly from leadership development exercises, such as those included in this tool kit. These tried-and-true exercises have been used by CIAD organizers to help council leaders assess their own leadership styles, learn active listening skills, and practice conflict resolution and problem solving techniques.

  Example: "When I attend council meetings, I occasionally give the president feedback about how he conducts the meetings. He used to curse a lot during meetings, and I spoke to him about it afterwards. I said that behavior is inappropriate, and there are people there who might be offended. He also has a tendency to belabor a point from time to time—just goes on and on. If I can, I try to catch his eye, and motion him on to the next topic—but unobtrusively. He has thanked me after the meeting. I pointed out that once you lose people's attention, it's hard to get it back."

Different Kinds of Resident Councils

Resident councils vary greatly from one home to another, depending on the size of the facility, and the number of actively interested residents. The right kind of council for any particular home is the one that empowers the most residents to participate and have a voice in the governance of the facility.

- **In small homes, or homes with low resident participation:**
  - Informal family-type meetings may work best.
  - Agendas may consist of topics called out by those present.
  - Chairperson and secretary roles may be filled by volunteers, or on a rotating basis.
  - Time can be taken to canvas everyone's opinions one by one.
  - Most decisions may be arrived at by consensus.
  - Minutes and by-laws may be simplified.
  - A recognized monitor or referee may help guide the discussion.
- **In homes where residents are physically frail:**
  - The staff advisor plays a more active role.
  - Meetings work better in smaller groups—such as meetings on each floor.
  - More one-on-one communication is required.
  - Agendas, minutes and by-laws are short and simple.
  - Discussion focuses on expanding personal choices, rather than improving the general welfare.
  - Discussion is guided by concrete questions.
- **In larger homes, with more active members:**
  - The general meeting is the centerpiece of council activity.
  - To run well, the general meeting needs an agenda, strong leadership, and clear rules.
  - Discussion focuses on matters of general welfare, not personal problems.
  - Agendas, minutes and by-laws are more comprehensive.
  - A full slate of officers may be chosen in regularly-held elections.
  - Additional committees, advisory boards, and task forces may be formed.
  - Council can conduct most of its own business and run its own activities.
  - Council meetings and activities need to be publicized beyond word-of-mouth.

Quote from Bob Larkin, Resident Council President in a home with less than 50 residents:

"This home is so small that you get to know just about everybody. As the council president, I run the meetings, but I also keep in touch with people outside of the meetings. When someone brings something up, or I see a problem that needs to be addressed, I go to the people I call my 'trusted advisors' — four or five of the residents here who are very sensible. I just talk to them informally, more like a sounding board. What do you think about this, what do you think about that — just getting peoples' opinions. Then I'll either put the issue on the agenda for the next meeting, or I will just go ahead myself and discuss it with the case manager and the administrator. Either way we raise the issue, they will consider it and come up with a response — 'Yes, we will, or no we can't.' This seems to work out pretty well. This home is small enough so that everyone talks these things out, whether there is a meeting or not."

Quote from Woody Wilson, Resident Council President in a home with about 100 residents:

"We have three council officers — a president, vice president and secretary — and we have four committee leaders who work with the department heads. We have committees for food service, maintenance, administration and housekeeping. The leaders of those committees are people who get along well with the staff in those departments. They resolve a lot of problems by speaking directly to the department heads on behalf of the council. Our executive board meets twice a month to set up the agenda for the council meeting. And then, after the council meeting—to debrief, to talk over what happened at the meeting, and how we want to follow up on it. We have bylaws, and we hold elections every two years."

Quote from Calvin Parsons Taylor, Resident Council executive board member in a home with over 300 residents:

"Our executive board includes the three council officers—the president, vice president and secretary—and then we have three floor managers who are appointed to the executive board, and they report to the board the problems on each floor. The executive board meets at least once a month to assess our progress in resolving problems that came up in the last meeting, and to prepare for the next council meeting."

How to Start, or Rebuild, a Resident Council

If your facility does not have a resident council, or if your existing council is dysfunctional, it is possible to build, or rebuild, a council from the ground up. This takes time — be patient, but persistent.

1. Seek information and support

- Contact CIAD and your local Ombudsman Program for resources, advice, and support. If your facility does not have an ombudsman assigned to it, call or email your local ombudsman county contact to see if someone is available to work with you. (*See the local Ombudsman Program phone number posted in your facility or listed in the Resources section at the back of the Toolkit, or go to the NYS Long Term Care Ombudsman website for a current list of county ombudsman contacts — www.ltcombudsman.ny.gov)*
- Try contacting council officers at other adult care facilities. You may be able to attend a council meeting at one of these homes and meet the council officers. Most will be glad to share their experiences with you. They know best what problems you are likely to encounter.

2. Find people to work with

In recruiting partners, the most important quality to look for is not personal charisma, but the ability to work effectively in a group. The last thing you want is a council that revolves around one person. The opposite is best — a council that welcomes diverse personalities, and inspires many people to participate.

- Look for people who already play a leadership role in various activities.
- Look for people who show that they care about other residents.
- Look for people who speak up about problems in the facility.
- Look for people with prior experience in school or church groups, unions, or tenants associations.
- Ask the activity director and other staff members to recommend people.
- Don't overlook the quiet types — they may have a lot to offer.

3. Ask other residents what they think is important

For your council to succeed, it must address residents' true concerns in a meaningful way. It makes sense to find out from other residents what issues they care most about. These conversations will give you a better picture of how to proceed.

- Talk to folks sitting in the lobby or other common areas.

- Talk to members of different activity groups.
- If possible, circulate among residents before or after meals.
- Go from room to room.

4. Form a group and meet with the administrator

Once you have put together a team, your next step will be to meet with the administrator to announce your plans to form a resident council. It is best to go as a group. Before you go to the meeting, make sure all of you are prepared.

- Learn your rights beforehand.
- Find out how resident councils work in other homes.
- Have a general idea how you want your own council to work.
- Rehearse what you want to say.
- Consider delegating points and questions to different members of your group.
- Ask CIAD and your local Ombudsman Program for help.

5. Build a good relationship with the administrator and other staff

From the start, try your best to cultivate good relations with management. The administrator, and other members of the staff, can either support your efforts, or undermine them, in countless ways. Try hard to build trust from the beginning.

- Make sure to keep the administrator informed about what you are doing.
- When your complaints or activities involve staff, try to keep them in the loop and deal directly with them, when possible.
- Verbally acknowledge the concerns of management and staff, and take them seriously.
- Maintain a moderate tone at your meetings, and avoid badmouthing the staff and the facility.

6. Organize an open meeting

Take time to prepare well for your introductory general meeting. You want to do a good job of persuading your fellow residents to support the council you are proposing.

Here are some ideas for the meeting agenda:

- Explain why members of your team want a resident council.
- Refer back to the concerns stated by residents and explain how a council can help address those concerns.
- Show the CIAD resident council video.

- Invite your administrator to pledge his or her support for the council—but avoid letting him or her take control of the meeting.
- Take a vote to establish a council.
- Set up a planning committee. Think about how you will do this ahead of time. You may want to take nominations from the audience. It is best to limit the committee to 3 to 5 people.
- Set the time and date of the next general meeting.
- Take questions and comments from the audience, but set a time limit so the meeting doesn't drag on.
- If possible, offer refreshments at the end of the meeting. This wraps up the meeting nicely and rewards people for sitting through it.

7. The next step: a planning committee

The planning committee takes on the important task of drafting by-laws to determine how the council will be organized and run—that is, how council officers will be elected, how minutes will be handled, how order will be maintained, etc. Sample bylaws and forms are provided in this tool kit.

8. If management is uncooperative, don't give up

If you encounter resistance from the administrator, despite your best efforts, keep calm and keep trying. Remember to turn to the supports that give you strength. CIAD has long experience in organizing resident councils. The NYS Long Term Care Ombudsman Program offers help in every county, statewide. In New York City and Long Island, CIAD and the Adult Home Leadership Council host coalition meetings where you can meet other council leaders who have experienced similar problems. (*See Advocacy and Coalition Building)*

Throughout New York State, the right to organize a resident council is well established. If your facility repeatedly blocks your efforts to hold meetings directed by residents, you have grounds to complain to DOH. (*See How to Make a Complaint)*

> ***Example from Resident Council President, Woody Wilson:*** "I've lived in my adult home for over thirty years. During that time, the resident council has gone through long periods when it was thriving and we had a great executive board — but twice it almost died out and we had to bring it back to life.
>
> The first time it just about disappeared was around the time the adult home changed hands. I had been president for twelve years and I decided to take a break, and many of the other executive board members left at the same time. The council limped along for four years with four different presidents, and by the fourth one it was almost finished.
>
> The staff advisor came to me and asked me to help build the council back up. We got some good people to form an executive board and started the council, and after we got it going, we held elections. We had another strong council for seven years.

We had a board of seven people, and we had four committees going. We did our EQUAL grants; we ran a council canteen for a while; we supported a gardening project.

Then a new guy came into the building around the time we were scheduled to have elections again. He was a real hustler, and he was giving out cigarettes on credit to a bunch of guys who sit out front and smoke. On election day, he got all these guys to troop in and vote for him for president. We were taken by surprise, and we lost the council.

He moved the meetings upstairs to a little room and he would meet up there with his henchmen, and close the door to everybody else. He told the staff advisor she was no longer invited. He ran the whole thing secretly and started using the council to collect so-called "dues" from people. He and his sidekicks went around the building with a clipboard trying to collect a dollar from each resident.

The administrator didn't know what to do because he had been elected by secret ballot, according to the bylaws. In the end, the home evicted him for nonpayment of rent before the next elections came up. So now I am president again, and we are trying to get the council up and running once more, but it is hard work because the population has changed. A lot of the old people are gone, and the new people have no experience with having a council."

Resident Council Bylaws and Council Structure

Bylaw is another word for rule. Council bylaws are the ground rules for your council, as approved by a vote of its members. The bylaws describe how elections are to be conducted, how meetings are to be run, how minutes are to be handled — in short, how the council is to function. The bylaws should be written in easy-to-understand language and posted so everyone can read them.

> "Bylaws shoud be tailored to the needs of each council"

Bylaws should be tailored to the needs of each council. A small home with an informal council may get along with just a few basic rules; a large home with many council members will need more comprehensive bylaws.

We have provided guides and work sheets for both basic bylaws and comprehensive bylaws so you can pick and choose the elements that make sense for your council.

Whether long or short, all council bylaws should be based on these basic democratic principles:

1. Every resident should be able to fully participate in the council by coming to meetings, voting, and voicing his or her opinion.
2. Every resident should have the right to run for office during regularly scheduled free and fair elections.
3. Every resident should have equal access to information about how the council is run, and where and when meetings, elections, and activities take place.

These ground rules ensure that all residents can participate fairly and equally in their own resident council.

BASIC Resident Council Bylaws – GUIDE

1. Name—the name of the Resident Council shall be:

   Resident Council of (name of your home)

2. Purpose—the purpose of the Resident Council shall be:

   ** To empower residents to conduct council meetings and activities for the benefit of all residents*

   ** To empower residents to voice their concerns and requests to management*

3. Membership:

   All residents of (your home) may participate fully in the council by attending meetings, voicing their opinions, holding office, and voting.

4. Meetings:

   Meetings shall be held on the first Tuesday of every month from 3:00 to 4:00 in the dining room, and at other times when necessary.

5. Officers:

   Council officers shall include a president, vice-president, and secretary.

6. Officers' duties:

   The officers shall preside at meetings and record the minutes. Officers may share their duties or substitute for each other, if they wish to.

7. Order of business at meetings:

   1. Opening of meeting and greetings to new or returning residents

   2. Reading of administrators' response to the last meeting's minutes

   3. Follow-ups to old business

4. Discussion of new business

5. Announcements and thank-you's to members and staff

6. Conclusion of the meeting

8. Code of conduct at meetings:

** Members shall raise their hand to speak & wait to be called on in order.*

** No one is permitted to use disrespectful language or personal insults.*

9. Elections:

Elections shall take place every year. Nominations shall be made at the January meeting. Additional nominations may be made until the February meeting. The election will be held at the February meeting. If more than one candidate is running for an office, voting for that office will be by secret ballot. Election results will be decided by a simple majority.

10. Committees:

Committees may be established for any purpose and shall include members who wish to serve.

BASIC Resident Council Bylaws – WORKSHEET

1. Name—the name of the Resident Council shall be:

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2. Purpose—the purpose of the Resident Council shall be:

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3. Membership:

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4. Meetings:

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5. Officers:

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6. Officers' duties:

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7. Order of business at meetings:

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8. Code of conduct at meetings:

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9. Elections:

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10. Committees:

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COMPREHENSIVE Resident Council Bylaws - GUIDE

1. Name—the name of the Resident Council shall be:

   Resident Council of (your home)

2. Purpose—the purpose of the Resident Council shall be:

   ** To voice residents' questions and concerns to management*
   ** To bring back answers and information from management to residents*
   ** To provide information of benefit to residents from other sources*
   ** To support activities that involve, empower, and benefit residents*
   ** To promote and protect residents' rights*

3. Membership—who shall be a voting member of the Resident Council: (State regulations grant all residents the right to participate in resident councils — so this bylaw must be written to allow all residents to participate fully)

   All residents of (your home) shall automatically be voting members of the resident council. Every resident may attend all general meetings, run for every elected office, and vote in all elections.

4. General meetings—who shall be permitted to attend: (Yes or No Answers)

   General meetings shall be open to residents only: YES
   Facility staff may attend only when invited: YES
   Facility staff may attend without being invited: NO

   - If staff is invited only on occasion, how shall this decision be made:

     The decision to invite a staff member shall be made by majority vote of those present at the general meeting. The invitation shall be valid only for that time and shall not be a blanket invitation for staff to attend other general meetings.

   - If a staff member is invited to every meeting, who shall it be:

     _____

- Place and time of general meetings:

  General meetings shall be held on the second Tuesday of every month from 3:00 to 4:00 in the dining room, and at other times when necessary.

- How general meetings shall be publicized:

  Meeting announcements shall be posted next to each elevator and on the activity bulletin board one week ahead of time. Meetings will be announced over the public address system during lunch on the day of the meeting, and when the meeting is due to start.

5. Order-of-business (agenda) for general meetings:

   1. President calls the meeting to order
   2. Secretary reads the minutes from the last meeting
   3. Secretary reads management's response to questions raised at the previous meeting
   4. Follow-ups to old business
   5. Reports from officers, committee members and others
   6. Discussion of new business
   7. President concludes the meeting

6. Code of conduct for general meetings:

   1. Residents must not disrupt the orderly conduct of meeting business.
   2. Residents must raise their hand to speak, wait their turn to be recognized, and speak on topic.
   3. Residents must speak respectfully to others and about others, including both residents and staff.

7. Officers and their duties: (State regulations require resident councils to be "directed by residents and chaired by a resident or another person elected by membership")

   - **President's duties:**

     The president shall preside over general meetings, approve and sign the minutes afterwards, make sure council meetings occur regularly and on schedule, and that meetings are publicized so all can attend. He or she shall also preside over executive board meetings and notify other all other board members when board meetings will be held.

- **Vice President's duties:**

  The vice president shall perform the duties of the president in his or her absence, help the president publicize & prepare for the general meeting, attend board meetings and contribute to the agenda, and help keep order during general meetings.

- **Secretary's duties:**

  The secretary shall record the minutes at each general meeting; make sure that the minutes are signed by the president; a copy submitted to the administrator; the residents' copy stored permanently for the use of residents, and the administrator's response read at the next meeting.

8. Officers' term of office shall be:

One year

9. Handling of the minutes: (State regulations require the facility to respond in writing to concerns raised by the council — so this bylaw should support the council's right to submit the minutes to the administrator, and receive back a written response to be read at the next meeting)

   1. The minutes shall be recorded by the secretary.

   2. The final copy shall be prepared by the secretary, then typed up by the staff receptionist. She will make a copy for the administrator & an extra copy.

   3. A copy shall be approved & submitted to the administrator by the secretary or president.

   4. The minutes shall be received back by the secretary or president.

   5. And read at the next meeting by the secretary.

   6. The minutes shall be stored for future reference by the president in the folder in the president's closet and also in the folder in the recreation room.

10. Election of council officers:

- When elections shall be held:

  Elections will be held once a year at the February general meeting

- How elections shall be announced:

  The announcement will be made at the January general meeting, and posted in all public areas of the facility.

- How candidates shall be nominated:

  Nominations shall be made at the meeting prior to the election. Residents may nominate other residents or themselves.

- How voting shall be conducted:

  All council officers shall be elected by majority vote conducted by secret ballot.

- How elections shall be monitored to make sure they are fair:

  At the meeting prior to the election, residents will choose an impartial person, such as the Activity Director or ombudsman, or both, to prepare ballots, oversee the voting, and count the votes.

- How election monitors shall be chosen:

  Election monitors shall be chosen by majority vote of those present at the January general meeting before the February election.

- How vacant offices shall be filled:

  If an officer can no longer serve, a special election will be held to fill that vacancy at the next council meeting.

11. How and why a council officer may be removed for cause: (Generally, a council officer may be removed for conduct that violates council bylaws or causes harm to residents—such as paying for votes or verbally abusing other residents at council meetings)

    Removal of an officer may be initiated for these reasons: *Officers may be removed for behavior that causes harm to other residents; for neglect of their duties of the office, such as not attending meetings; for actions that violate the democratic functioning of the council, such as holding secret meetings; and for actions that compromise free and fair elections.*

Procedure for removal of an officer: *Removal shall be initiated by a petition stating the reasons for removal signed by ten percent of all the residents. The petition for removal shall be discussed & voted on at a council meeting. If a majority of those present vote in support of removal, the office shall be declared vacant. If a majority votes no, those in favor of removal must undertake a new petition based on new evidence or wait until the next election.*

12. Amendments: (A way to amend the bylaws is needed so the resident council can adapt to change. For example, the council may need to shrink or expand the number of officers and create or disband committees.)

When and how amendments may be adopted: *Amendments may be proposed at any general meeting or any advisory board meeting. Such amendments shall be discussed by the whole membership before being voted on. Amendments shall require a 2/3 vote of those attending a general meeting in order to pass.*

13. Advisory Board (sometimes called Executive Board): (Many councils have advisory boards which meet monthly to contribute items to the meeting agenda and assist with council business)

Members of the advisory board shall serve terms of *one year*

How advisory board members shall be chosen: *The advisory board shall include all council officers plus three floor representatives elected by residents living on each floor — at the same time the general council election is held.*

14. Standing Committees: (Standing committees support activities of benefit to residents — such as Food Committees, Recreation Committees, & Welcome Committees)

- Our standing committees shall include:

1. FOOD COMMITTEE purpose: The purpose of the Food Committee is to voice residents' questions and complaints about food, meet with food service staff, and report back regularly to the general meeting.
Food Committee meetings: The Food Committee will meet monthly on the third Thursday of every month at 2:30 in the dining room.

2. WELCOME COMMITTEE purpose: The Welcome Committee will greet and assist new residents and visit residents in the hospital.

Welcome Committee meetings: The Welcome Committee will meet monthly on the first Monday of every month at 3:00 in the recreation room.

- How committee chairpersons are chosen:

  Each standing committee will elect its own chair person, vice chair person and secretary. Elections will be held and publicized once a year at a meeting of the committee and decided by majority vote of those attending.

COMPREHENSIVE Resident Council Bylaws - WORKSHEET

1. Name—the name of the Resident Council shall be:

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2. Purpose—the purpose of the Resident Council shall be:

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3. Membership—who shall be a voting member of the Resident Council: (State regulations grant all residents the right to participate in resident councils — so this bylaw must be written to allow all residents to participate fully.)

_____

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4. General meetings—who shall be permitted to attend:

General meetings shall be open to residents only: YES or NO:

Facility staff may attend only when invited: YES or NO:

*Facility staff may attend without being invited:*YES or NO:

If staff is invited only on occasion, how shall this decision be made:

If a staff member is invited to attend every meeting, who shall it be:

Place and time of general meetings:

How general meetings shall be publicized:

5. Order-of-business (agenda) for general meetings:

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6. Code of conduct for general meetings:

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7. Officers and their duties: (State regulations require resident councils to be "directed by residents and chaired by a resident or another person elected by membership")

President's duties: _____

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Vice President's duties: _____

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Secretary's duties: _____

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8. Officers' term of office shall be: _____

9. Handling of the minutes: (State regulations require the facility to respond in writing to concerns raised by the council — so this bylaw should support the council's right to submit the minutes to the administrator, and receive back a written response to be read at the next meeting)

   1. The minutes shall be recorded by _____

   2. The final copy shall be prepared by _____

   3. A copy shall be approved & submitted to the administrator by _____

   4. The minutes shall be received back by _____

   5. And read at the next meeting by _____

   6. The minutes shall be stored for future reference by _____

10. Election of council officers:

When elections shall be held:

How elections shall be announced:

How candidates shall be nominated:

How voting shall be conducted:

How elections shall be monitored to make sure they are fair:

How election monitors shall be chosen:

How vacant offices shall be filled:

11. How and why a council officer may be removed for cause: (Generally, a council officer may be removed for conduct that violates council bylaws or causes harm to residents—such as paying for votes or verbally abusing other residents at council meetings)

Removal of an officer may be initiated for these reasons:

Procedure for removal of an officer:

12. Amendments: (A way to amend the bylaws is needed so the resident council can adapt to change. For example, the council may need to shrink or expand the number of officers and create or disband committees.)

When and how amendments may be adopted:

13. Advisory Board (sometimes called Executive Board): (Many councils have advisory boards which meet monthly to contribute items to the meeting agenda and assist with council business)

Members of the advisory board shall serve terms of:

How advisory board members shall be chosen:

14. Standing Committees: (Standing committees support activities of benefit to residents—such as Food Committees, Recreation Committees, and Welcome Committees)

Our standing committees shall include:

How committee chairpersons are chosen:

How to Run a Free and Fair Election

A free and fair election is one in which:

- Every resident can vote
- Every resident can run for office
- Every resident knows the rules
- Every resident knows what is happening and when it is happening

- Nominations of Candidates
- Campaigns of Candidates
- Holding the Election
- Announcing the Results

For free and fair elections, follow these time-honored procedures:

- Establish the rules governing elections BEFORE the elections take place. Obviously elections cannot be fair if the rules change halfway through in favor of one of the candidates.
- Announce the election well ahead of time. This can be done at a resident council meeting one or two months before the election takes place.
- Copies of election procedures should be explained, posted and/or passed out to members. Let everyone know when and how candidates will be nominated, and when and how voting will take place.

1. Nominations of candidates

Nominations usually take place at a council meeting the month before the election. It helps to read the duties of each office before calling for nominations for that office, This reminds people that the election is not a popularity contest—it's more like hiring someone to do a specific job.

- All members have the right to place names in nomination, including their own name.
- The resident council should publicize the list of candidates so that every resident knows who is running for each office.

2. Campaigns of candidates

- Candidates may campaign by reaching out to other residents and asking for their votes. (If a candidate offers to compensate anyone for his or her vote, that candidate should be disqualified.)
- Before voting occurs, all candidates should have a chance to say why they want to be elected, and how they intend to fulfill the duties of the office.

3. Holding the Election

- Decide how elections will be held. Secret balloting is a time-honored tradition in democratic elections, so you may want to consider using it for your council election.
- Consider using an election monitor to ensure the voting process is fair. The task of election monitor—preparing ballots and counting votes—should be given to a neutral person whom residents trust to be impartial, such as a staff advisor or ombudsman.
- If a resident cannot see, write, or physically be present in the room, the election monitor should offer whatever assistance is required for that person to vote.

4. Announcing the results

- When announcing the election results, it helps to downplay use of the words "won" or "lost." All of the candidates have strengthened the council by participating in the election. Be sure to thank everyone who ran for office.
- Make sure the newly elected officers have copies of the by-laws, and anything else they may need to do their jobs.
- Acknowledge and applaud the outgoing officers.

Example: Transcript of an election presided over by Resident Council executive board member, Calvin Parsons Taylor: "Today we are going to elect people who will represent us during the coming year. We have had two months to prepare for this election, and today we vote. We are going to select officers for the resident council, and to do that we have a balloting slip. You write on it who you want to represent you, and put it in the ballot box. The offices are president, vice president, and secretary. The way we decided to do this is to have prospective candidates stand up and identify themselves. You are invited today to nominate yourself and participate in this election. Each person who decides to run for an office will be required to tell us what you want to do, how you can do things better for us, and each candidate will have three minutes. Once we have done that, we will put your name on the board. Everyone will have heard the candidates' statements, and you can decide in your mind who to vote for. Okay, we will now ask for nominees for these offices. Anyone sitting in this room can nominate themselves or someone else—anyone you want, including yourself."

The Role of the Council President

The council leader may be called "president," "chairperson," or no official title at all. Whatever he or she is called, the job is the same — to lead the council for the benefit of all residents. The leader's most visible role is presiding over the general meeting. A conscientious leader will work outside of meetings as well — listening to residents' concerns, conferring with fellow officers, and building good relations with staff.

- Build a Team
- Welcome Input
- Cultivate Relationships
- Positive Attitude

1. Build a team of officers and active members

The strength of a council depends on its unity. A skilled leader supports cooperation by sharing information with other officers and members, welcoming everyone's ideas and opinions, and making room for others to contribute to council work. Roles for each officer can be built into the general meeting agenda, as well as into other council activities. All officers should be encouraged to share responsibility for running the council well, and their efforts to do so should be acknowledged.

2. Welcome input from members

A good council reflects and responds to residents' true concerns. Skilled leaders create opportunities to interact frequently with residents outside of meetings—to hear their ideas and concerns, get their feedback on council activities, and test their reactions to proposed ideas or courses of action.

As time goes by, old members often become less active, and new residents join the community. By reaching out to new people, leaders can take note of others' skills and interests and find ways for them to contribute.

3. Cultivate courteous relationships with staff

Relating well to management and staff is a key part of the leader's role, since these relationships affect every aspect of council work. Skilled leaders keep management informed about council activities, and actively seek opportunities for dialogue and cooperation.

4. Maintain a positive attitude

Resident councils succeed when members feel good about participating. Skilled leaders find as many ways as possible for people to contribute, and as many ways as possible to acknowledge and thank them for their contributions. People have a natural desire to do useful work, help others, stretch themselves and grow. A good leader will capture this positive energy for the benefit of the whole community.

The Role of the Vice President

The primary duty of the vice president is to perform the duties of the president when he or she is absent. This includes presiding over the general meeting, and making sure the minutes are handled properly. If there is an executive or advisory board, the vice president takes the president's role there as well, in his or her absence. When necessary, the vice president also generally steps in to substitute for the secretary.

> "The primary duty of the vice president is to perform the duties of the president when he or she is absent."

Some councils assign the vice president certain tasks during the general meeting—such as making announcements and/or committee reports, keeping track of those who wish to speak, and helping to keep order. When special projects arise, the vice president can be tapped to lead those.

It makes sense for a vice president to take on significant council roles so he or she can develop good leadership skills. In adult care facilities, where residents experience frequent absences related to health, it's important for all council officers to be able to substitute for one another.

Ideally, the vice president and president will work together to build a strong partnership based on sharing information and supporting each other.

Quote from Resident Council Vice President, Derek White:

"On our council, I have ended up taking a big responsibility for the minutes because I can use the computer. I go to our executive board meetings and help put together the agenda. I work closely with the president, and I go with him to speak to the administrator sometimes. I also chair the food committee and make the food committee reports at the meetings. That's a lot of work because food issues are really big here."

Quote from Resident Council President, Woody Wilson:

"A vice president can share some of the responsibility. The president and the vice president can put their heads together, and back each other up. And, if needs be, the vice president can replace the president at a meeting, because the meetings must go on as scheduled. So the continuation will still be there — it will be run the same way as long as the vice president is there."

The Role of the Secretary

The primary duty of the secretary is to produce the minutes — a written record of council meetings. The secretary doesn't have to write down every word. However, he or she must take care to write down the questions to be put to the administrator, and to state clearly the decisions and votes taken by the council.

> "Every council should support the secretary's efforts to keep good minutes."

Every council should support the secretary's efforts to keep good minutes, and to handle them well. The minutes constitute the only record of the issues raised by residents and the responses offered by management. When Department of Health surveyors do their annual inspections, they review resident council minutes to see what residents have complained about and how their complaints have been answered. Legally, a council is entitled to ask an administrator to provide a written response to the minutes.

The minutes also provide a valuable record for the council itself. They contain details about all the work done by the council — how projects were organized, what activities were done by committees, how problems were resolved. The minutes can offer guidance in the future when questions arise about what happened when or how things were done in the past.

As with everything else, secretaries vary greatly in how they handle their minutes. Some secretaries write long, detailed minutes; others just note down key points and questions. Some minutes are handwritten; others are typed. Looks don't matter as long as the minutes do their most important job — bring residents' concerns to management and prompt management to respond.

Remember three important things:

1) Minutes should clearly state the concerns and complaints raised by residents during council meetings.
2) The administrator should respond to these concerns and complaints, preferably in writing.
3) The administrator's response should be read back to council members at the next meeting, so they know how their complaints were answered.

Resident councils in large homes may handle the minutes in a formal by-the-book manner — making several copies of the minutes, submitting one copy to the administrator and keeping one copy, receiving back a written response and adding it to the minutes, and

reading both the minutes and the response at the next meeting. Councils in small homes may get by with a more informal version of the three basic steps.

Again — the important thing is to maintain a written record of residents' complaints and management's responses to the complaints. The final step is to store a copy of the minutes, with the administrator's response attached to it, in a safe place for future reference by the council.

The secretary's job is a big one so councils often find ways to divide up the work. Several people may decide to share the job by alternating being secretary from month to month, or having one person record the minutes, and another do the follow-up tasks. Often the president takes responsibility for submitting the minutes to the administrator, and getting his or her response.

Quote from former Resident Council Secretary (now President), Marguerite Cogan:

"I write the minutes by hand in a spiral notebook during the meeting. Then, after the meeting, I go over what I wrote and transcribe it to the minutes form. We use a form given to us by the office. So I rewrite the minutes on the form, and I number each item that needs to be addressed. Then the administrator writes a response, item by item. After that, the resident council president sits down with the administrator and they go over the issues one-by-one and discuss how the administration is going to deal with them. Then when they are finished, they both sign the minutes form. The president keeps a copy and the administrator keeps a copy."

Quote from Resident Council President, Steven Yaari:

"We don't have a regular secretary right now, so I ask for a volunteer to do the minutes. Our volunteer secretary writes the minutes during the meeting. Then I take the minutes and give it to the receptionist. I read it off to her and edit it a little while I do that. She types up the minutes and gives it to our administrator, and the administrator writes her response. Then the administrator calls me down and asks me to sign off on it. She signs it and I sign it, and she keeps a copy, and I keep a copy. Then, at the next resident council, I read her response to the council."

Role of the Staff Advisor in the Resident Council

The role of staff advisor varies from council to council, depending on facility policy and residents' level of functioning. In some facilities, staff advisors attend every meeting and provide constant support; in others, residents run their meetings independently, and do not invite anyone from staff to attend. In councils without a staff advisor present, ombudsmen may play a similar advisory role.

> "Walk a fine line between supporting and taking charge."

The mission of the staff advisor (and the ombudsman) is to empower residents to run their own councils, or participate in running their own councils, with as much autonomy as possible. This means that residents themselves choose their leaders, and decide which questions and concerns they want to convey to management. Ideally, residents will also be able to lead their own meetings and record their own minutes.

In practice, some residents need and appreciate help in conducting many aspects of council business. The challenge for the advisor is to provide the kind of assistance that continually supports, rather than undermines, residents' ownership of council activities.

In general — walk a fine line between supporting and taking charge:

- Avoid presiding over meetings and taking on other leadership roles. Instead, keep an eye out for talent, and encourage residents to handle as many roles and tasks as possible.
- Avoid initiating and directing council activities and projects. Instead, involve residents in choosing, planning and implementing all or part of council activities.
- Avoid speaking or negotiating on behalf of the council yourself. Instead, support council members' efforts to speak and negotiate for themselves.
- Avoid taking on the role of the "authority with answers." Instead, provide information, handouts, and links to resources — so that what you know is passed on to residents.

The Law Regarding Staff Advisors (NYS Social Services Law, § 487.5)

Adult care facilities are required by law to appoint a staff advisor to resident councils. Under New York State law, the staff advisor is expected to serve as a "liaison" between the council and the administration. He or she must "assure that any complaints, problems, or issues" reported by residents to management are addressed. Management must respond back to the council with a "written report addressing the problems, issues or suggestions". (*See Resident Council Rights and Regulations*)

Quote from former Staff Advisor, Mary Twohill:
From an interview recorded by the CIAD Media Team in July, 2007

"One of my responsibilities as the Recreation Director is to ensure that the residents are represented by a functioning resident council. That role includes scheduling meetings, making meeting announcements, and making sure the meetings run on time. I also check that the room is available, seating is available, and the microphones are there. I am invited to attend the meetings, and I do attend most meetings. I sit up front, but to the side. I don't play a part in running the meeting, but I'm there to answer questions and help with whatever the council decides to do. I don't take the minutes, but I help type them up, if necessary, and I copy the minutes, and file them in my office."

Quote from an Ombudsman in upstate New York:

"The resident council meeting is run by the Activities Director, who sets the agenda, but invites residents to add topics. She solicits input from each attendee. She reviews past minutes and determines if issues have been resolved. Residents have held offices in the past, but currently no resident serves as an officer, as no one wants the responsibility. My assessment is that the Activities Director does a very good job of running the meetings, and that current residents would not be able to run the meetings on their own."

Quote from an Ombudsman in upstate New York:

"Sometimes it feels like the activity leader just "goes through the motions," and is not really committed to process. I would like to see the resident council officers more involved. They report they are not consulted about scheduling the meetings or making the agenda. They don't feel involved or relevant. The resident council doesn't seem to have any influence with the administration."

Quote from an Ombudsman in upstate New York:

"These meetings remind me of school. The Department Heads sit in a row, facing the residents. The Activities Director asks residents for concerns for each department. The resident council president is just a figurehead who calls the meeting to order and adjourns the meeting. Otherwise she is silent, does not participate at all—no concerns, no suggestions, nothing!"

Ways to Provide Support Without Taking Charge

1. If a council role is too hard for any one resident to handle alone, break it up into bite-size pieces

For example, if no one can manage the job of president alone, suggest dividing it up into several parts. One resident might open and close the meeting; another might make the announcements, and a third might lead the discussion.

2. Simplify the job

If writing detailed minutes is too difficult for a secretary, suggest reducing the minutes to a simple list of questions and complaints. If a secretary has trouble spelling words, other residents can help. Alternatively, you might take your own minutes during the meeting, and sit down with the secretary later to combine your two efforts. Whether the minutes are long or short, they will serve their purpose if they elicit a response from management.

3. Function as a liaison with staff—but not in place of residents

Often council leaders will turn to you for help in presenting a problem to the administrator or to a department head. Again—try to come up with ways residents can handle all or part of these encounters themselves.

Suggest inviting the administrator or department head to a council meeting, or to an executive board meeting, to talk to the whole group. If necessary, suggest residents write out and rehearse their statements and questions before the meeting.

Alternatively, residents might choose to bypass a face-to-face meeting altogether by stating their request or complaint in writing, and asking for a written response.

If, despite your best efforts, residents insist that you speak for them at a meeting with staff, encourage them at least to accompany you in a listening capacity. Often, during actual interactions, residents will begin to participate.

4. Help residents access information and resources

At every meeting, issues are likely to come up that residents need more information about. Whenever possible, help residents take whatever action is needed—making the phone call, or performing all or part of the internet search. If you supply the information yourself in printed form, you might suggest that residents read it out loud to the group, rather than relating it yourself or simply passing it out.

5. Set a positive tone

Encourage council officers to highlight council successes, acknowledge members' contributions, and include in their agendas welcoming remarks and thank-you's to members and staff for special services and jobs well done.

If a discussion veers into negative ranting or criticisms of others, try offering a positive comment to move the discussion in a more constructive direction. Guide discussion by asking questions instead of making statements.

Avoid aligning yourself with negative depictions of the council among the staff. Instead, endorse the council's legitimacy and promote its importance in the facility.

6. Build officers' skills with leadership coaching and practice

Keep in touch with officers between meetings to see if you can help them follow up on problems raised at the last meeting, or prepare for problems on the agenda for the next meeting.

Offer to run a workshop to help residents improve their leadership skills.

If possible, link up council officers with advocacy groups where they can take on new leadership roles, and network with their counterparts from other homes.

The Role of the Council Leader During Meetings

Running a meeting is primarily the role of the chairperson — but it is not solely his or her responsibility. Every council officer, and every participating member, shares the responsibility of maintaining order and courtesy, and keeping the meeting on track.

The chairperson can encourage a sense of ownership of the meeting by making it easy for others to contribute. Officers' roles can be built into the agenda. The secretary can read the minutes; the vice president might handle the announcements or make a committee report.

There should be ample room for members to contribute as well — by suggesting agenda items, making additional announcements, discussing the issues, and voting.

1. Encourage participation in the discussion

Membership participation in discussions is the heart of a resident council. A skilled leader tries every which way to get others to speak, rather than settle for silence or the sound of his or her own voice.

To encourage participation:

- Actively seek out members' opinions. ("What do you think about this, Mary?")
- Acknowledge people's feelings. ("I see this idea doesn't sit well with you, Frank. How come?")
- Ask open-ended questions that encourage people to respond fully, rather than with just a yes or no.
- If a person has trouble putting a thought into words, find ways to help without causing embarrassment. For example, if a person wanders off topic, provide reminders in the form of questions. If a person is shy to speak up, make a space for him or her by quieting the group to hear from those who haven't commented yet.

2. Maintain order

Sometimes the problem is not lack of debate, but too many people talking at once. With this kind of group, the leader must establish rules of order at the outset and stick to them. Another officer can help out by taking down people's names so everyone gets their turn to talk.

3. Clarify and summarize

As one speaker follows another, the leader must knit together everyone's comments to move the discussion forward. With good listening, he or she can draw out different ideas, show how they are related, and find areas of agreement.

If a person's comment is unclear, the leader can interpret or elaborate on the point to put it in context.

By quickly summarizing what people have said, the leader can keep the whole group on track as he or she guides the discussion to a conclusion.

4. Dispose of the issues one by one

Throughout the meeting, the president must keep both an ear on the room and an eye on the clock. When time has run out on an agenda item, the president must be ready to bring discussion to a close. He or she can quickly summarize the pros and cons of the decision at hand so members can vote on what to do—whether to choose a course of action, or table the matter until the next meeting. Once this is done, the president can move on to the next agenda item.

5. Don't take sides

It is important for the president to remain neutral while guiding discussion of an issue, especially if there are strong feelings for and against a proposal. Since the president is in charge of the agenda, and has the most important position in the room, he or she can have a big impact on any discussion. By personally taking a strong stand on an issue, the president may discourage others from talking altogether. Most people are hesitant to openly challenge a leader. A skilled president steps back to make room for others to express their ideas.

Quote from Resident Council Vice President, Alex Woods:

"You have to be patient. These folks don't move quickly. They are not used to speaking up. You have to be patient and keep talking to them, give them a little push here and there during the meeting. Last time I said, 'It's disconcerting when you tell me stuff in private and don't say it at the meetings.' I said, 'We can't do anything unless we do it together.' We talk to people between meetings too. We talk to a lot of people on our own, to see what's on their minds. We encourage them to come to the meetings. Some people are harder to approach; others are easier. When they shut down on me, I just leave them alone for awhile, and they usually come back sooner or later."

Addressing Complaints and Arriving at a Decision

Actively guide discussion of a problem through the steps of solving it:

1. First, clearly state the problem.

For example: two residents have reported that a housekeeper has repeatedly entered their rooms without knocking. What action should the council take?

> "Actively guide discussion of a problem through the steps of solving it."

2. Gather information.

- Ask members for further information: "Has this happened to anyone else?"
- Provide members with information you have gathered: residents' rights regarding violations of privacy; how management has handled this problem in the past, etc.

3. Discuss the pros and cons of different courses of action.

- Keep the discussion focused on this one problem, and keep members working towards a decision on what to do. If members disagree, listen for areas of agreement, and find ways to reach a compromise.
- As the group arrives at a decision point, clarify the decision that is to be made, and boil it down to a small number of alternatives for residents to choose between, explaining the pros and cons for each choice.

  For example:

  - Appoint someone to speak to the housekeeper informally.
  - Write a request into the minutes that the administrator speak to the housekeeper.
  - Have council officers speak to the administrator in person about the problem.
  - File a formal complaint with the Adult Home Complaint Hotline and ombudsman.

4. Arrive at a decision, if possible.

- Reach a consensus that everyone accepts.
- Agree to make the decision by taking a vote.

5. Recognize when no decision can be reached.

For example:

- More facts are needed, or the facts given must be confirmed.
- Members want to let the situation develop before taking action.
- Members need more time to discuss the problem and what to do about it.

6. If no decision can be reached, dispose of the matter and move on.

- Table the issue until the next meeting.
- Refer the issue to a committee.

Meeting Agenda Guide

This meeting agenda is presented as a guide only. Some councils include all or most of these tasks in their meetings. Other councils do only a few. Feel free to adapt this agenda to your needs.

1. Open the meeting

- Welcome everyone, especially residents returning after an absence
- Introduce new residents, staff members and visitors
- Briefly review the council's mission
- Briefly review the rules for keeping order

2. Announce the agenda

- State the agenda, including when the meeting will end
- Ask members if they want to add topics to the agenda

3. Committee reports

- Review of committee activities since the last meeting (Keep reports short. If residents want a full discussion of issues raised in committees, invite them to attend the next committee meeting.)

4. Read minutes of the last meeting, and management's response

5. Old business

- Review issues left unresolved at the last meeting
- Report results of any meetings held or actions taken on these issues
- Discuss whether or not to take new action on these issues

6. Discuss new business, one issue at a time

- Briefly summarize each new issue
- Ask participants to share any helpful information they might have
- Discuss whether the issue requires action
- Discuss possible actions to be taken
- Make a decision about how to go forward

7. Announcements

- Upcoming events
- News of interest to members
- Next meeting date

8. Questions and comments from members

- Reserve time for off-topic questions and comments by members

9. Thank you's, good-byes, and time to socialize

- Acknowledge and thank members and staff for their services and jobs well done

Why Taking Minutes is Important

Minutes are a written record of the concerns and questions raised by residents during council meetings. Recording the minutes and submitting them to management is one of the most important things a resident council can do.

> "Minutes are a written record of the concerns and quesions raised by residents."

1. Minutes are important because management is required to respond to complaints and concerns written into the minutes.

New York State law requires management to respond to "complaints, problems or issues" reported by the resident council. Some councils write detailed minutes; others just write a list of questions that residents want answers to. Either way, management is required to respond back to the council.

2. Minutes are important because they are a permanent record that may be reviewed by the Department of Health.

When Department of Health (DOH) surveyors make their annual inspections of adult homes, they often review resident council minutes to see what residents have been complaining about. DOH surveyors are required to speak to the resident council president during their annual visit (if he or she is available). During this interview, the president can refer to the minutes to document any complaints he or she wants to bring up.

If the minutes show that a serious complaint has been raised in a council meeting, and never resolved by management, the surveyors may take note of this. The minutes will then serve as evidence to document the surveyors' inspection report.

3. Minutes are important because they support a dialogue with management.

In most facilities, council officers submit the minutes to management and receive back management's responses. This monthly ritual gives council officers a regular opportunity to speak with management about residents' concerns.

4. Minutes are important because they encourage resident participation.

Residents appreciate being able to voice a complaint, have it written into the minutes, and hear it responded to directly by management. This is why it is important for minutes to be recorded carefully, making sure that everyone's concerns are included. It is also important to read management's response to the minutes at every council meeting, so residents can hear what management has to say about each complaint.

Quote from Adult Home Administrator, Maxine Cardwell:

"On a monthly basis, after they have the resident council meeting, the president comes down to my office—we set a date, and he comes down—and we discuss everything that was mentioned in the minutes. I give them my response, and they type up the minutes and make a copy for me. I keep a record on file of the minutes and the response as well, so any time DOH comes in, and they ask to see the minutes for the past 8 months, or the past 12 months, then I have them on hand to show the inspectors."

TIP SHEET: How to Handle the Minutes

Handling the minutes is a four-step routine:

1. Record the minutes—noting decisions taken, and stating the questions and concerns you want management to address.

2. Give a copy of the minutes to management.

3. Receive back management's response.

4. Report management's response at the next council meeting.

NOTE: To preserve confidentiality — resident councils are not obligated to take attendance, or to mention names of residents in the minutes. Some councils include names; others do not.

According to Mary Hart, formerly of the NYS Department of Health:
(Mary Hart, former Director, Bureau of Adult Care Facility Quality and Surveillance from a 2008 interview with the CIAD Media Team)

"Minutes should reflect exactly what the concerns of the resident council are. The council can raise things in the minutes that the facility administrator may not be aware of — the night staff is sleeping on the job, for example, or food is being stolen after the administrator leaves The minutes are your documentation that these problems exist in the facility. When management gets the minutes, or the issues raised by the minutes, they should respond by saying what they are going to do about the problem, and give a time frame. It's not enough to say they are going to solve the problem sometime in the future. It's our expectation that the inspectors, during an inspection, review the minutes of the resident council to determine whether or not the facility has taken appropriate steps — whether or not they've done what they have been asked to do."

RESIDENT COUNCIL MINUTES

Resident Council Minutes for

Meeting date, place & time

Officers attending

Staff attending

Visitors attending

Number of residents attending

Next meeting date

Old business:

Was management's response read?

Questions & concerns about unresolved issues from the last meeting:

New business:

Questions and concerns about other issues:

Council Committees

Committees are groups of people who work together on a specific task. Standing committees, such as those listed below, are permanent committees that tackle ongoing problems. There can also be temporary committees, or task forces, that organize around a single short-term event or project.

Committees may function formally or very informally. Large committees, such as food committees, often operate separately from the resident council — electing their own officers and running their own meetings and projects. Smaller committees may come together casually to focus on specific tasks.

Membership may vary from two people to over a dozen. Leaders may volunteer, be elected, or be appointed by the president or executive board.

Food Committee

Food committees are the most common council committees — and for good reason. Food is the primary concern for residents — so food concerns often dominate every council meeting. Having a food committee takes this energy out of the general meeting and focuses it on committee activities — such as doing surveys to document what foods residents like and don't like. In some homes, kitchen managers attend every food committee meeting — making it easy for residents to ask questions and make suggestions without going through the administrator.

Welcome or Greetings Committee

A greetings committee welcomes and orients new residents. When a new person arrives in the home, committee members make themselves available to answer questions about the facility, and perhaps conduct a tour of the surrounding neighborhood. Many committees also put together a packet of information with names of staff members, information about how the different departments work, and most importantly — when and where the resident council meets. This is a great way for resident councils to connect with new residents, and invite them into council activities.

Hospitality or Sunshine Committee

A hospitality committee reaches out to sick or hospitalized residents. In too many facilities, residents who go to the hospital simply vanish from the community. A hospitality committee works with staff to help residents send cards, make phone calls, and pay visits to their hospitalized friends. If HIPAA privacy laws are said to stand in the way, the committee can develop a notification procedure allowed under HIPAA (*see the following HIPAA Fact Sheet)*. Hospitality committees may also wish to acknowledge residents' birthdays and help memorialize those who have died.

Activities or Entertainment Committee

This committee usually works with the staff activities director to decide which trips,

events, activities and workshops residents most want and need. Instead of the usual arts and crafts, an activities committee might advocate for a monthly Cell Phone Workshop where residents can learn how to apply for and use free LifeLine cell phones. Or it might recruit candidates for a regular evening exercise walk around the neighborhood. The purpose of the activities committee, as with all resident council committees, is to empower residents to help themselves.

Grievance Committee

Grievance committees are a good way for councils to handle individual complaints without disrupting general meetings. When someone brings up a personal problem in the general meeting, the matter can be referred to the grievance committee for a full discussion of that particular problem. Grievance committee members can help their peers figure out a course of action — who on staff should be approached and how, and whether to contact the local ombudsman program. The committee can have residents' rights information on hand to determine whether or not a complaint should be called in to the Complaint Hot Line.

Department Committees

One resident council has done well with committees to resolve problems in each of four facility departments — housekeeping, dietary, maintenance and administration. Each committee is headed by a resident who is on good terms with the head of a particular department. When problems arise in that area, the appropriate committee speaks directly to staff on behalf of the council, before the problem is reported to the administrator. Council members report that a number of problems have been worked out in this way, and relations have improved between residents and staff.

Quote from Resident Council President, Woody Wilson:

> "We have a Greetings Committee made up of three people. When a new person comes in, one of our committee members makes sure to catch that person in the dining room and say hello. And we sit down with them and tell them what the place is like. We give them a handout about the home — which is all the different departments within the home and everybody's name and phone number. And usually they really appreciate that. And one of the things we do is invite them to the next council meeting. We try to take that person under our wing and get them in the habit of coming to our meetings. If you don't grab them when they first come in and get them to the council, they might not ever bother to come to a meeting. Our committees are appointed by the executive board. You just need a majority of the board to approve that person. The reason we appoint them instead of elect them — it's not that easy to get people to serve on the board, let alone on a committee. So we always have to keep our eye open for good people, even if they're new, and we go out ourselves and try to recruit them for one of the committees they might enjoy being on."

Hospitality Committees and HIPAA privacy rules

Hospitality Committees can play an important, and much appreciated, role in helping residents stay in touch with friends who have been hospitalized. Sometimes residents are blocked from making these contacts because staff assumes HIPAA privacy rules prevent them from sharing information about hospitalized residents.

However, HIPAA rules DO allow adult home residents to make visits, place phone calls, and send cards to friends who are hospitalized.

> "A Hospitality Committee can work with management to protect residents' privacy yet allow friends to call and visit."

According to the New York State Office of Mental Health: "Providers may also rely on an individual's informal permission to disclose health information to an individual's family, relatives, close personal friends, or to other persons identified by the individual, limited to information directly related to such person's involvement."

Such information includes the patient's name, where the patient is receiving care, and limited and general information about the person's condition.

A Hospitality Committee can work with management to devise policies that protect residents' privacy, yet allow friends to call and visit.

The patient's right to choose his or her visitors is mandated in federal regulations issued by the Center for Medicare and Medicaid Services in 2010 and applies to all patients covered by Medicare and Medicaid.

Food Committees

Food is the number one concern of residents in virtually all facilities. By creating food committees, resident councils can ensure food issues are given the time and attention they need without encroaching on other council business.

In New York State, food committees are considered important enough to merit a special clause under Social Services Law.

Title 2, Section 461-r, 2 states:

> "Resident food committees in each facility, assembled from among the residents, shall have the freedom to meet and evaluate the food service available to them without interference, and shall advise the operators of the adult care facility as to issues of dietary needs, preferences, food quality and safety."

This law gives food committees the same standing as resident councils. The NYS Department of Health expects administrators to respond in writing to questions and complaints raised in food committee minutes — just as with resident council minutes. Food committee minutes should be saved for possible review by the DOH dietary surveyor during the annual facility inspection.

1. Food committees can achieve small, but greatly appreciated, improvements, including:

- adding desired items to the menu or dropping disliked items;
- improving the preparation of foods — such as using more spices;
- improving dining room service — such as alternating who gets served first and last, serving coffee after the meal rather than before it, etc.

2. Food committees can meet with the kitchen staff, the dietician, and the administrator

As noted above, DOH expects facilities to take food committees seriously, and respond to their concerns. In many homes, kitchen managers and chefs routinely attend food committee meetings to answer residents' questions directly. This opportunity for regular dialogue leads to more understanding on the manager's part of residents' preferences, and more understanding on residents' part of the built-in limitations of institutional cooking.

3. Food committees can do petitions and surveys

Petitions and surveys are simple but effective ways to build a case for desired changes. Most residents are happy to answer questions about their food preferences. Petitions and surveys show the administrator (and the Department of Health) how many residents support changes proposed by the food committee. It is hard to argue with a petition signed

by dozens of residents asking for a choice of breakfast cereals, or for whole wheat bread as well as white bread.

4. Food committees can keep food diaries

In some facilities, meals listed on the posted menus frequently don't match what is served. In these homes, food committee members can keep a record from day to day of what was posted and what was actually served. The DOH surveyor can then use this food diary to support questions raised during the annual facility inspection. Without such a diary, the surveyor can have no way of knowing that posted menus are not being followed.

CIAD supports food committees with a variety of resources:

- Brochure: *How to Organize a Food Committee in Your Home.*
- Videos: Start a Food Committee; What a Difference a Chef Makes; Talking to the Inspectors about Food

According to Bobbie Barrington of the NYS Department of Health:
(Bobbie Barrington, Team Coordinator, Bureau of Adult Care Facility Quality and Surveillance from a 2008 interview with the CIAD Media Team)

"We would recommend that when the food committee meets — that you write down what comes out in the meeting. Put it in writing, submit it to the operator, and ask that the operator provide you with a written response, and that's what you're entitled to, as a food committee. If we see food committee minutes, then we will be looking to see a written response from the operator. So if those are available, we can look for that during an inspection. If you find that there's an issue or a problem that is going on in the facility, and it has not been addressed through the appropriate channels, you can call and put in a complaint — our Adult Home Complaint Hot Line number is: 866-893-6772."

Example from Food Committee President, Calvin Parsons Taylor:

"When I first came here, I personally had a lot of complaints about the food, and I had nowhere to take them — there was no representation, and no way to do anything about the problems. I organized a meeting and about half-a-dozen people came together, and we decided to start a Food Committee and get things going with a survey.

I told the administrator that we had started a Food Committee, and we were thinking about conducting a survey, and he said, 'Go ahead.' He himself was concerned about the amount of food going to waste, and he wanted feedback on how people liked the meals. We started the committee, and we got a system going where we would sit down and talk to the administrator once a month.

We drafted a survey with ten questions about the quality of the food service. (*See Food Committee Resident Survey in Food Committee Sample Documents)* We conducted the survey by interviewing people in the lobby and all around the building. Afterwards, we totaled up the scores, and wrote a letter explaining the results. We presented the letter to management.

One thing the survey found — there were no condiments provided at meals, hardly any condiments at all besides salt and sugar. Many residents complained about this. In response to our survey, management tried putting out Mrs. Dash, mustard and ketchup — but too many residents took these up to their rooms. Now we do have these condiments available on request — black pepper, garlic powder, vinegar, and olive oil, as well as mustard and ketchup.

Then the food committee went on to monitor the meals during our four-week menu rotation. During the four-week rotation, there should be very few repetitions — but we have the same dishes, the same recipes repeated too often.

We made up a form covering all three meals for a week (*See Food Committee Meal Monitoring Project in Food Committee Sample Documents).* Then we recruited four volunteers to fill out the forms, one volunteer for each week of the four-week cycle. So at the end of the month, when we collected these forms, we were able to compare all the diaries against each other, and against the posted menus, to see how much repetition there was.

We documented the fact that we were having eggs every single day for breakfast, and we were having some form of chicken almost every day for dinner. We spoke to the administrator, and to the dietician, and we have gotten some changes every now and then—a few new items like French toast for breakfast, a few new dishes for dinner, and now we sometimes have a choice between hamburger and chicken."

Council Activities and Projects

Any activity that benefits residents may be a possible project. Following are a variety of projects done by resident councils in New York State adult homes:

Cell Phone Workshop

Many residents need help to apply for free LifeLine cell phones. Learning how to use these phones and keep them functioning is complicated. A monthly workshop gives residents a place and time to work on their cell phone problems.

Medications Workshop

A Long Island council arranged for medication staff to help residents identify the name, color, and shape of each pill they take — so that residents themselves can help watch out for medication mix-ups.

Smoking Cessation Resources

A Brooklyn council helped residents apply for free Nicotine Replacement Therapy Kits, which included nicotine patches and gum, and access by phone to a Quit Coach.

MetroCard Day

A number of New York City councils have sponsored MetroCard days to help residents sign up for reduced fare subway and bus cards. A MetroCard representative will schedule a visit to any adult home that can promise at least a dozen applicants.

School Tax Credit Workshop

New York City residents who qualify for the NYS School Tax Credit can receive a check every year for about $60.00. Resident councils in New York City homes should make sure residents get the help they need to apply for this tax credit.

Flu Shot Day

A Brooklyn council was able to arrange for a local city hospital to conduct a flu shot outreach at the adult home so residents and staff could be inoculated against the flu.

Gardening Projects

Resident councils have supported different kinds of gardening projects. Several projects grew tomatoes and other vegetables in containers. A Yonkers council cultivated a plot of land on facility grounds for several seasons. A Brooklyn council had its own plot in a nearby community garden.

Council Canteen

A Yonkers resident council ran a "canteen" for residents who couldn't walk to the store. The canteen committee collected money from residents and made runs to local stores for necessary items like toothpaste and shampoo.

Arts and Crafts Projects

Residents with special interests, such as beading, knitting, and whittling, have started their own activities and asked for supplies through the EQUAL grant program.

Resident Newsletter

A newsletter written by residents for residents can be an especially empowering council project. It doesn't have to be elaborate — just a one-pager can keep residents informed about topics of interest to them —as well as publicizing resident council activities, meetings, and achievements.

Housing Support Group

With CIAD's help, a number of New York City councils host their own housing support groups to help residents stay up-to-date on alternative housing opportunities.

Examples from Resident Council President, Norman Bloomfield:

"During my seven years as president of the resident council, we created our own agenda, independent of management, and accomplished things for the benefit of the residents that had never been done before.

EQUAL GRANT:

We fought long and hard for full resident council participation in the EQUAL grant process (then called QUIP). We held a meeting about QUIP, came up with a list of requests, and took a vote. A majority of residents voted for air conditioning in all the rooms as their highest priority. The administration said they would not apply for the grant unless they could charge for air conditioning. We resisted that demand, and DOH supported us. Today, thanks to our efforts, every resident has air conditioning.

STIMULUS CASH REBATE:

In 2009, Congress passed an economic stimulus bill that provided cash rebates to citizens. SSI recipients were eligible for $250.00. As president of the resident council, I arranged for a free service called VITA — Volunteer Income Tax Assistance — to come to the home. The VITA volunteers were Baruch College accounting students. They helped residents fill out the tax rebate forms. At first, staff refused to give residents' Social Security numbers to the volunteers. We complained to DOH, won the complaint, and residents got their checks.

SCHOOL TAX CREDITS:

One of the VITA volunteers told me that New York City residents can apply for the NYC School Tax Credit every year. She gave me a School Tax form and showed me how to fill it out. So we started a project to help residents fill out School Tax forms.

The administrator balked at this too. He claimed residents were not eligible for the school tax credit. DOH contacted the NYS Department of Taxation, which affirmed that residents were eligible. DOH then advised all NYC adult homes that helping residents fill out School Tax Credit forms was part of their case management duties. Now applying for the School Tax is a routine undertaking, not just in this home, but in most NYC adult homes.

METRO CARD DAY:

We contacted the MTA Mobile Sales Unit and asked them to come out to the facility. They said they would do so if we promised 12 to 15 applicants. Our resident council announced a MetroCard Day, and promoted it with flyers. The MTA representatives came out and signed up dozens of residents.

FLU SHOT DAY:

We were not offered flu shots one year, so I called our state assemblyman and his chief of staff arranged for a local city hospital to do a flu shot community outreach event right in the adult home. 81 residents and 6 staff members were vaccinated that day.

The EQUAL Grant – a Unique Council Opportunity

Every resident council should know about the EQUAL grant (EQUAL stands for Enhancing the Quality of Adult Living). This annual New York State grant offers funding to adult care facilities for services and projects that will improve the quality of life and care of residents. In order to be accepted, a facility's application must be signed by its resident council president. This requirement is intended to encourage administrators to involve resident councils in deciding which enhancements the facility will seek to undertake.

The EQUAL grant is available to adult care facilities in New York who provide housing and services to individuals receiving Supplemental Security Income (SSI). It can represent a substantial amount of money. Not surprisingly, administrators have their own ideas about what to do with the grant money.

Nevertheless, for councils that are prepared to take advantage of it, the EQUAL grant offers an annual opportunity to exercise a modicum of real power. To come up with their own lists of requests, councils often hold brainstorming sessions for suggestions as to how residents' quality of life and care might be improved. After members vote on which items are most important to them, council officers can present the list of requests to the administrator, and — hopefully — discuss which requests might be fulfilled.

The EQUAL grant application has usually been released to facilities sometime in February. There is no advance warning, and the submission period is short. Therefore, resident councils should prepare in advance by discussing their EQUAL grant requests as early as December, and certainly by January. Residents' requests should be voted on and documented in the minutes. The requests should then be given to the administrator promptly, so he or she will receive them BEFORE the grant application is written.

Ideally, the administrator develops an application that incorporates the council's requests after a thoughtful discussion between residents and management. Unfortunately, some council presidents sign the completed application without consultation with the council, and under pressure. Presidents who have submitted their requests in advance will be in a better position to resist the pressure, and take the time to review the application. It may be a good idea to summon other council officers or council members for moral support, and to help negotiate for changes, if necessary.

EQUAL grant requests have included these resident initiated ideas:

- A clothing allowance
- Water fountains
- Outdoor benches
- A widescreen TV
- Air conditioning in residents' rooms
- Gardening supplies
- Outdoor furniture
- Outdoor awning
- Comfortable chairs in the lobby
- Crafts supplies

On the EQUAL grant: quote from Resident Council President, Woody Wilson:

"We held a council meeting and we made a list of things we wanted to put in for the EQUAL grant. We wanted to do this in a way that we would still have a working relationship with management. We didn't want to just come in there and say, 'We want this or we won't sign it.' We wanted to discuss it — that what we wanted was good for the home and good for us. We asked for air conditioners in the rooms that didn't have air conditioners. And we asked for benches outside, and for water coolers. We did end up getting the water coolers, and two benches, and some of the air conditioners. We didn't press too hard for the clothing allowance because we talked to the administrator about it. She explained that we are a small home, with a small staff, and all the extra work involved in giving out the vouchers and buying the clothes would just be too much. So we let that go."

On the EQUAL grant: quote from Resident Council President, Norman Bloomfield:

"We were suffering terribly every summer from the heat because most people did not have air conditioning in their rooms. When EQUAL — then known as QUIP — came up, residents voted for air conditioning in all the rooms as their highest priority. The administration said they would not apply for the grant unless they could charge residents for air conditioning. We insisted that this was tantamount to not providing air conditioning at all, because most residents could not afford to pay. The administrator refused to give in on this point. When the grant application was released, the administrator twisted my arm to get me to sign his application, by saying, 'If you don't sign it, I will send it in without your signature, and the home won't get the money, and I will blame you for the loss of the grant.' I signed it, but I complained to DOH, and they investigated the complaint and backed me up. In the end, the home had to provide air conditioners with the QUIP money, free of charge. Today, thanks to our efforts, every resident has an air conditioner in his or her room."

Advocacy and Coalition Building

Resident councils not only empower residents within their own facility, but can encourage involvement in the wider world as well. Council leaders from different homes regularly come together at CIAD Policy Committee meetings in New York City, and at Adult Home Leadership Council meetings on Long Island. These meetings offer leaders a chance to meet their counterparts from other homes, share experiences, get information on adult home issues, and work together for policy reforms.

At the beginning of every state legislative session, CIAD draws up a policy agenda for presentation at its annual lobby day in Albany. Council leaders from Long Island and other areas join those from CIAD to visit legislators and educate them about adult home conditions. Over the years, their efforts have brought about improvements in the EQUAL program, increased funding for air conditioning, food committee regulations and greater access to independent housing.

CIAD encourages council leaders throughout the state to start regional coalitions. Such groups don't have to be large — even two or three activist leaders committed to meeting regularly can make a huge difference for the leaders themselves, and for the residents in their respective homes. CIAD will support your efforts with guidance and resources.

The CIAD Policy Committee

CIAD is resident-run by a Board of Directors with a majority of members who are adult home residents. CIAD's Policy Committee is open to all residents of New York City adult homes.

The Coalition of Institutionalized Aged and Disabled (CIAD)
425 E. 25th St, New York, NY 10010
Geoff Lieberman, Director
(212) 481-7572
www.ciadny.org

The Adult Home Leadership Council

Since 2005, the Adult Home Leadership Council has hosted a monthly meeting for resident leaders from adult homes on Long Island. The Leadership Council is sponsored by the Family Service League Long Term Care Ombudsman Program.

Adult Home Leadership Council
Family Service League Long Term Care Ombudsman Program
790 Park Avenue, Huntington, NY 11743
Co-chairs, Joan Burke, Ken Meyer
(631) 427-3700, Ext 273 or 265
www.fsl-li.org

New York Association for Psychiatric Rehabilitative Services (NYAPRS)

NYAPRS is a statewide coalition of mental health consumers and providers that advocates for recovery-oriented community based mental health services. NYAPRS's Policy Committee of mental health consumers hosts regular regional meetings for members throughout the state. The Policy Committee sets NYAPRS's legislative agenda for its annual lobby day. NYAPRS also holds an annual three-day conference that brings together hundreds of mental health providers and consumers to learn about the latest advances in recovery-oriented mental health care.

New York Association for Psychiatric Rehabilitative Services (NYAPRS)
194 Washington Avenue – Suite 400, Albany, NY 12210
(518) 436-0044
www.nyaprs.org

Mental Health Empowerment Project (MHEP)

MHEP is dedicated to developing, nurturing and sustaining self-help groups for people with mental illness diagnoses. MHEP itself is staffed by users of mental health services. MHEP's branches in Troy, Albany, Mount Vernon and Westchester run peer support hot lines and peer support groups.

Mental Health Empowerment Project (MHEP)
2 Calvin Avenue, Albany, NY 12206
(518) 434-1393
www.mhepinc.org

Quote from member of CIAD Policy Committee
and Board of Directors, Robert Rosenberg:

"By attending CIAD meetings, and talking to other resident council officers, we bring up problems that affect our residents, and we get to give each other different ideas, and gain a different perspective, on how to handle the situation."

Quote from an Ombudsman Volunteer in Rockland County

"I set-up one Board Member in a Telephone group with residents from other Assisted Living Facilities and he is able to exchange thoughts and ideas with other residents monthly."

How to Increase Attendance at Meetings

Getting residents to come to meetings is a never-ending challenge. Here are some tips developed by resident councils over the years:

- Schedule and Timing
- Publicize
- Reach Out
- Positive Attitude
- Be Well-Organized
- Membership Drive
- Boost Attendance

Schedule the best day, time & place for residents, not the administrator

Many councils schedule their meetings in mid-afternoon to catch residents as they return from day programs. A Long Island council boosts attendance by holding meetings at 4:00 in the dining room — right before dinner. Another council holds meetings after the home's most popular activity — Bingo.

Publicize your meetings widely in advance, and make several announcements on the day of the meeting

Post announcements in the places provided, but add more publicity whenever possible. Pass out flyers in the lobby or dining room, or put them under residents' doors — especially when something unusual or important is happening.

And don't forget the most effective publicity of all — word-of-mouth.

Publicize your use of council minutes to get responses to residents' questions

Residents may not be aware that management is obligated to respond to questions written into the minutes. If your management responds to council minutes — let people know this. Residents with specific questions and concerns will then be motivated to attend meetings out of self-interest — to get their issues into the minutes.

If management does NOT respond to questions raised at the last meeting, make sure to follow up anyway, and let people know what happened. You want to assure residents that the council takes their concerns seriously — and that you will continue to raise these issues in an attempt to get a response from management.

Publicize your activities and successes, as well as your meetings

If possible, create a resident council bulletin board, or newsletter. Show people what the council is doing by posting your minutes and publicizing your activities. What issues are you discussing? What committees are active? What events are you working on? Let people know. If they share the same concerns, they may be motivated to attend your next meeting.

Reach out to new residents and invite them to attend a meeting

Contacting new residents is one of the best ways to recruit council members. New residents will generally appreciate a friendly overture, information about the home, and an invitation to attend a council meeting. This is a good time to find out whether and how new residents might want to become involved with the resident council.

Hold a membership drive

A membership drive mobilizes council members behind an intensive short-term campaign to reach out to every resident — to tell them about the council, talk about their concerns, and ask why they don't participate.

A good time to do this might be before a council election, or in December and January, when the EQUAL Grant process occurs. If your home is applying for a grant, residents who do attend a council meeting can vote on how they want the money to be spent.

Hold well-organized meetings on a variety of topics

Take time to prepare good agendas around issues of genuine concern. Whenever possible, gather information ahead of time about the issues under discussion — so you can offer residents new and useful information they wouldn't otherwise have access to.

Boost attendance with special events, and a variety of activities

One resident council attracted new faces by holding floor meetings on occasion, instead of the usual general meeting. Some councils feature guest speakers, or show CIAD videos on resident rights and adult home issues.

Try to combine long-term projects, such as a Hospitality Committee, with short-term projects, such as a MetroCard Day.

Quote from Resident Council President, Woody Wilson:

> "If you're president of a council, you can't hold that council together if you just go back and do the same thing you did last month. You can get guest speakers. You can get all the new information you can possibly think of to hold their attention, and give them some reason for coming back. It's got to be sort of entertaining. When you do get some improvement, let everybody know about it. You should kind of pat yourself on the back, and say, 'Hey, your resident council did this!' You want to get the word out — that you are doing stuff. And let them know what you plan to do in the future — what your priorities are, what you are working towards getting. It's just plain logic. If people see that you are doing something, that you are accomplishing something, they will keep coming to those meetings."

How to Encourage Participation at Meetings

If attendance is the first challenge—participation is the second. Council officers express a common frustration with residents who raise complaints in private, but balk at saying the same things in a council meeting. Here are some "best practices" to help residents feel comfortable speaking their minds.

Hold meetings in a protected space "owned" by residents

Not surprisingly, residents tend to speak up more freely in council meetings either run entirely by residents, or run by residents with the help of one trusted staff member or ombudsman. If facility staff always attends council meetings, hold meetings without staff. Remember, councils have the power to decide whom it invites to meetings. If a council relies on staff to be present at every meeting in order to respond to resident concerns, hold at least some meetings without the staff.

It is important to have a private meeting space, and beyond that, a sense of autonomy. Obviously residents are more likely to speak up when they feel that they have a right to do so, and that management accepts their right to do so

Minimize disruptions by residents and staff

Work with management and staff to build respect for your efforts to hold uninterrupted meetings. Unless you draw attention to disruptive actions—such as paging residents during meetings, or scheduling competing activities—management will go on doing them. If you push for accommodation (after all, it's only once a month), you may be able to get some cooperation.

Give residents a reason to speak up — by showing them that the council will listen to their complaints, discuss them fully, and deliver a genuine response

Resident council meetings should be a place where residents feel confident that their complaints will be welcomed, heard, discussed, and followed up on in some way. Granted, the complaints may never be resolved; all councils complain that their power to resolve complaints is limited. But for residents, it is a relief in itself to be heard and responded to in some way by the council, if not by the administration.

For the council, following up on complaints demands effort, and courage. For the complainant, it confers dignity. A responsive council will earn the participation, and appreciation, of residents.

Lead the meeting with a light touch, with many invitations for people to join in

Obviously people will be less likely to talk if the leader never gives them a chance! Other sure ways to discourage participation are to reject people's comments, and belittle their ideas in some way. It's best to be patient with people, and provide plenty of encouragement and approval.

Speak to individual residents between meetings to get a sense of their concerns

You can represent these concerns (anonymously, if requested) during the meeting. Even if they will not speak up themselves, they will still be contributing in some way, and may eventually speak up for themselves.

Use brainstorming to promote discussion

Brainstorming is a good exercise for inspiring a group to come up with a range of ideas. This technique can be used, for example, when a council discusses what residents want to ask for in an EQUAL grant application.

During brainstorming, the leader asks for ideas — anything that springs to mind. In the case of the EQUAL grant — "What can we ask for that will improve our quality of life?" As people call out ideas, the leader writes down a few words denoting each idea on a large piece of paper. If people are slow to call out ideas, the leader may go around the room and query people one-by-one.

When all the ideas are collected on paper, the group can discuss the pros and cons of each idea, and vote on which ideas are the most popular. Brainstorming is a good way to get everyone to participate in making a decision.

Play the role of a good host—before, during and after the meeting

Arrive early enough to say hello and interact with residents as they enter the room and get settled. Residents who have had a chance to say hello and converse a little are more likely to speak up later during the meeting.

- Make sure everyone can easily find a seat.
- Introduce new residents, and help them connect to other residents.

Make an effort to accommodate peoples' disabilities

- Make it as easy as possible for people to see, hear and speak during meetings.
- Use a microphone, if one is available.
- Cut down on noise by closing doors and asking staff not to interrupt.
- Help people using walkers and wheelchairs to attend.

Find many ways for people to contribute and be recognized

Many opportunities for members to participate can be built into council meetings and activities — from passing out flyers to leading committees. Every contribution made by residents should be acknowledged.

Offer time to socialize, with refreshments (if possible)

Try hard to limit meetings to 60 to 90 minutes, starting and ending at the expected time. If possible, reserve time after the meeting for people to continue talking.

Quote from Resident Council member, Mike Staines:

"One of the most important things we do is present the council to residents as a problem-solving function, not just a problem-complaining function. We try to encourage people to bring up their problems — but bring them up along with solutions. In other words — okay, here's the problem — how are we going to try and solve this problem? What are we going to recommend? What are we going to suggest to management? We may not be able to actually get a problem solved, but at least we can get a response. For example, we had a resident here recently who was almost hit by a car. She was walking up the driveway from the convenience store, and she was almost hit by a car. She came to the resident council meeting, and she was very upset about this. So we had a discussion and we came up with two suggestions. We knew management was about to redo the driveway anyway, so we suggested putting in a speed bump and we also suggested putting up a sign. Well, management shot down both ideas. They refused to install a speed bump, and they wouldn't put up a sign. They said they have a policy against signs that tell people they can't do things. So we didn't solve the problem, but we did respond to the complaint. The woman who had been so upset felt that she had been able to voice her complaint to the council, and we took up her complaint, and worked on it, and got a response from management."

How to Counter Residents' Fears

Residents of adult care facilities may shy away from council participation because they don't want to be associated with statements and actions that might anger management and staff. It is essential to acknowledge and respect these fears.

Information is an antidote to fear. It helps to keep members fully informed about what the council is doing, and how management is reacting.

> "Information is an antidote to fear."

Explain to residents that complaints are presented to management as council complaints, not individual complaints

Complaints accepted for discussion at council meetings should, by their nature, be group complaints, not personal complaints.

Reassure residents that, when the council takes up a complaint, the complaint becomes a group complaint and part of council business. The issue will be written into the minutes, and presented to management, as arising from the resident council as a whole, rather than from an individual resident.

Build trust by showing you are accountable to residents

You can earn people's trust by taking their complaints seriously, and handling them carefully, even if you are not able to ultimately resolve them. Let people know how their complaint is worded in the minutes, and how management responds. Keep them in the loop about how the council decides to follow up.

Respect residents' need for privacy and confidentiality

Maintain the privacy of council meetings as best you can by closing doors and asking staff not to enter.

If necessary, safeguard residents' identities by not taking attendance, and by not referring to people by name in the minutes. Although administrators may ask that attendance be taken, councils have no obligation to comply.

Encourage residents to bring their complaints to meetings, but — if they are too afraid to do so — provide ways for them to bypass the general meeting and speak privately to officers and/or Grievance Committee members. While this is not optimum, it may be the only way some residents can raise their concerns.

Make it possible for residents to submit complaints completely anonymously, if they wish to do so. Some councils provide suggestion boxes.

Anonymous complaints can still be raised and addressed at council meetings, minus the identifying details. For example, if a resident suspects a particular aide of stealing, it is

possible to raise the issue of theft in a general way. Be careful to keep private complaints confidential by maintaining a no-gossip policy.

Surveys and questionnaires can be used to document residents' preferences without identifying individuals.

Educate residents about their rights

Residents may be fearful in part because they do not know their rights. Make it clear that well-established state law supports their right to participate in a resident council and to present grievances on your behalf, or the behalf of other residents. Pass out copies of *Resident Council Rights and Regulations.*

It's a good idea to review residents' rights in general. Provide the *Residents Bill of Rights.* Go over Department of Health regulations, and explain how DOH enforces the regulations through annual inspections. Inform members about the DOH Complaint Hot Line. If possible, invite a lawyer, ombudsman, or other knowledgeable guest speaker, to explain to residents how the system works. (*See Advocacy and Coalition Building).*

Address residents' fears of being evicted

Many residents are afraid that, if they complain and cause a problem for management, they may be given a thirty-day-notice and forced to leave the home.

Again — information is an antidote to fear. Educate residents about their rights in regard to evictions. You cannot be evicted for complaining or presenting grievances to the home's management or outside parties. Explain that a thirty-day-notice is just that — a notice. It's the first step in a long legal process.

Show residents that those who are involved with the council, and who do speak up, are not retaliated against. If this is NOT the case — and residents have been retaliated against for council participation — it is time to seek outside help. (*See How to Make a Complaint)*

Stay on good relations with management and staff, as best you can

Residents will be less fearful of becoming involved in the resident council if it is on good terms with management and staff. To allay residents' fears, invite the administrator to speak to the council from time to time. Cultivate good relations with staff as well. Officers can help set an example for others by relating to management and staff in a manner that is dignified and unafraid.

Quote from Resident Council President, Joan Tell:

"I make myself available to people before lunch and before dinner. I sit in front of the dining room, where practically everyone passes by. If someone wants to see me about something, they know they can find me there every day — it's a time and place that is convenient for everyone. I sit there for about 20 minutes. If someone approaches me with a problem, and we don't

have time to deal with it then, or if they want the conversation to be private — then I arrange a time for the person to come up to my room. At every meeting, I say, 'Feel free to talk to me, or just write a note on a piece of paper with your name and room number, so I can remember to get back to you. And I won't share this with anyone.' Being president is a round-the-clock job, but I think it is vital that people have someone to go to. So many residents are afraid to go to the administrator. They have nobody else to turn to. They know the resident council is a place they can bring their complaints to, and we will deal with them if we can."

Quote from Resident Council President Woody Wilson:

"We tell folks over and over they don't have to worry about speaking up in the council, because once they go to the council — it's not just them anymore, it's the council speaking for them. They can say one person is a troublemaker, but they can't say everybody on the council is a troublemaker. Whatever we do, we do as a council. It's not the resident's problem any more, it's a council problem. Residents here are mostly afraid of being sent back to a psychiatric hospital, or getting a 30-day-notice that they have to move out. We put that fear to rest. We educate them about the 30-day-notice thing — that the home can't put you out, only a judge can. We show them the MFY booklet on residents' rights. So the more we teach people about their rights, the less afraid they are."

How to Handle Disruptions During the Meeting

It happens to everyone. Your resident council meeting is humming along nicely when someone starts ranting about something completely off topic, or two people disagree and start to insult each other. It takes practice to learn how to handle disruptions like these.

> "It takes practice to learn how to handle disruptions like these."

Join with other council officers to develop a calm, unified response.

Keeping council meetings running smoothly is primarily the council leader's job, but every leader needs the support of his or her officers. Find ways to work together as a team. It helps to hold regular executive board meetings so officers can talk over behavioral problems that arise at general meetings and decide together how to respond.

Repeat your basic rules of conduct at the start of every meeting.

Engage your members in developing a set of rules and repeat the rules at the start of every meeting. Once the council has rules, you can respond to disruptions by reminding everyone what the rules are.

A typical list:

- Don't speak out of turn. Raise your hand and wait to be called on.
- Follow the agenda and stay on the topic being discussed.
- Don't go on too long.
- Speak to others with respect.

If you need to cut off discussion and move on — find a constructive way to dispose of the issue.

When time constraints force you to cut off discussion before people are finished talking, give them an explanation and an apology, and acknowledge their concern about the issue. Reassure them that you will address the issue in one of the following ways:

- Refer the issue to the appropriate committee and deal with it there
- Table the issue until the next meeting for further discussion
- Promise to help the resident handle the problem outside the meeting

If a person can't stop disrupting, take the person aside.

Often a disruptive person just wants to be heard by someone — not necessarily to disturb

the whole meeting. Delegate someone to engage the person one-on-one and lead him or her away from the meeting. A staff advisor, ombudsman, council officer or personal friend may be able to take the person aside and listen to their problem.

If you have a Grievance Committee, refer the person to the Grievance Committee.

If council meetings are being disrupted too often, it might make sense to form a Grievance Committee. This committee can address individual problems in detail at a different place and time than the general meeting.

Once you have set up a Grievance Committee, you can assure a disruptive person that his or her problem will be addressed at the next committee meeting and dealt with fully. Provide the date and time of the meeting. This extra attention may reassure the person that he or she will be taken care of, and allow the meeting to go on.

Appeal to a trusted outsider to step in, if necessary.

If persuasion and peer pressure don't work, and you find yourself in an angry resident-on-resident standoff, you may need someone from outside the group to step in and break up the dynamic. This could be your staff advisor or ombudsman — a person with sufficient authority to stop the argument and re-affirm the right of the council to meet in peace.

Quote from Council Resident Advocate, Robert Rosenberg:

"One of our rules, that we say over and over again, is, 'The resident council is NOT for personal problems. If your problem affects only you, and it doesn't affect other residents, then it is a personal problem. We will be happy to talk to you about it after the meeting, but this is a public meeting. We can't deal with private problems here.' Sometimes, if they are really upset, and they can't let it go, one of us will take them out in the hall so we can talk privately and see what the problem is."

Quote from Resident Council President, Joan Tell:

"I start off at the beginning of the meeting, I say, 'I will listen to whatever you have to say, but if you get disruptive, I will stop listening to you immediately. I will not engage.' My officers support me in this. We all insist on good behavior. If folks are disruptive, we ask them to please leave. I say, 'When you calm down, I will speak to you. I will respect you when you respect me, and that's how we respect the organization.'

Quote from Resident Council President, Norman Bloomfield:

"When I was president, my platform always was — no personal attacks at resident council meetings. I announced this policy at my first resident council meeting, and I held to it. I chaired the meeting in such a way that I had moral authority with the residents. We had businesslike meetings in which any resident was free to express their views, and was treated with respect. We would only recognize you if you raised your hand. We would tolerate disrupters up to a point. If the meeting could not continue, usually other residents would start complaining. As a last resort, we would ask the disrupter to leave."

Quote from Resident Council Vice President, Alex Woods:

" As resident council officers, we have to set an example. We have to keep our heads. We can't get angry just because they are angry. That's the most important thing I've learned — not to get angry. If you get excited, they will get more excited, and nothing will get done. And that's what you want to concentrate on — getting something done."

Strategies for Improving a Dysfunctional Council

Councils can be compromised by the election of residents who are weak, self-serving, unwilling or unable to represent residents' interests, or too willing to always represent management's interests.

When council leaders, however unsatisfactory, are put in place through elections, DOH has been reluctant to take sides, and act against one group of residents at the behest of another. In this situation, residents who want to reclaim a council have no choice but to keep working for change inside or outside of the council—building up a constituency of supporters against the time when new elections can be held.

What can you do if an irresponsible or incompetent leader or clique is running your council?

Refer to your by-laws

If your council has by-laws, find out when a new election will be held and whether the by-laws have provisions for the removal of an officer.

Start a food committee, and run it like a resident council

If your current council leaders refuse to allow other residents to exert any influence within the council, it may be impossible to bring about change. However, it is still possible to do an end run around the council by starting your own separate organization — a food committee.

Food committees are authorized by DOH to do many of the things resident councils do. Facilities must allow residents to form food committees, and to hold food committee meetings without interference. Food committees are empowered to submit questions to management, and to receive back written responses — just as with resident councils. (*See Food Committees)*

Activist residents can join together to build food committees that function the way they would like to see a resident council function — with bylaws, fair elections, well-organized meetings, and officers who serve residents' interests.

By running food committees well, activist residents may be able to earn sufficient credibility in the home to challenge their dysfunctional resident councils, run for office themselves, and bring about change.

Initiate projects either inside, or outside, the present council

If starting an independent food committee is too difficult, it may be possible to work for change by joining an existing committee, or starting a new committee. Greeting committees and hospitality committees may be a good place to start—they are appreciated by residents, and likely to win support from management as well. (*See Council Committees, and Council Activities and Projects*)

Start an alternative council

If the current council leaders aren't doing their jobs, but won't step down or hold new elections, it might make sense to consider starting an alternative council, with its own elections and its own slate of officers. If one council serves residents' interests, and the other doesn't, people will make their own choice as to which is legitimate.

> ***Example from member of the Resident Council Executive Board, Calvin Parsons Taylor:*** "Our resident council had the same chairman for eight years, and he didn't do anything for the residents. So when I got here, I started asking questions — I asked, 'When do you have your annual general meeting?' and 'When do you have your election?' People heard me and started saying we ought to have an annual general meeting and we ought to have an election. It so happened that, around this time, the school tax forms became available. I gave some of the forms to the chairman with the idea that he could give them out to those who wanted to fill them out. He said, "Who wants to do this? Nobody wants to do this." He just refused to do it. So those of us who wanted a change said, "Well, we have these forms here and we will give them out ourselves." So we started handing them out, and the residents who filled them out started getting checks in the mail, and they told everyone else about it. After that, we turned people in our direction, and we held an election. However, we still didn't have a constitution to run the council by because the guy who was elected rejected the whole idea of having bylaws. After a year or so, he got sick and vacated the position, so we were able to hold a new election. This time we passed our constitution and now we finally have bylaws."

What if your council is being run by management?

Some facilities have resident councils that are run by staff outright, or run by staff with a figurehead resident leader. The best of these management-run councils may genuinely seek to serve residents' interests. For example, one facility requires all their department heads to attend every resident council meeting so residents can ask them questions, air their complaints, and receive information about what happens in the home. While not optimum, this kind of council does empower residents to raise complaints and get answers to their questions.

The worst management-run councils do the opposite — actively prevent residents from raising complaints and asking questions.

Management-run councils, whether well or ill intentioned, deprive residents of their best opportunity to exercise a degree of self-determination in their own homes. For residents who want to be active, attending the best management-run meeting does not compare with running a meeting, or part of a meeting, by themselves.

Hold your own election

In homes with management-run councils, residents may be able to gain, or regain, control by mounting a strong campaign to assert their legal right to run their own council.

In the example given below, two residents worked together to push for a new council, and persisted over a period of three months. They benefited from CIAD's help and advice, but prevailed, in the end, because they won the support of their peers and negotiated effectively with management. (*See How to Start, or Rebuild, a Resident Council)*

> ***Example from Resident Council Vice President, Alex Woods:*** "When I first came to this home, the resident council was run by the Activity Director. Residents weren't involved at all. We couldn't even decide when the meeting would be held. The administrator scheduled it in the morning when a lot of residents were at program and out of the building. We couldn't discuss what we wanted to discuss at the meetings because they weren't our meetings Several of us got together and decided to hold elections, and get our own resident council going. We started working with CIAD, and a CIAD organizer came out and explained about our rights, and started visiting us once a month The administrator was against the whole idea at first. He actually called one of us down to the office and said, "We don't need these outsiders coming in here and interfering. We can run our own resident council." We didn't accept that. We just kept stating and restating our position—that we had a different idea about the kind of council we wanted. We said we wanted to set up our own council and run it ourselves. We never compromised on that. We kept a reasonable tone, very low-key, but we insisted that we wanted our council to be run by the residents. We told the administrator, "There is nothing to be afraid of. We want to work with you. We will be perfectly happy to invite you to attend our meetings, if you have something to say, but it has to be by invitation." We said, "If we work together, we can make things better." The Director of CIAD, Geoff Lieberman, came out here and met with the administrator. He explained how DOH supported our position, and answered some of the administrator's fears about resident councils in general. After that, the administrator backed off. We made flyers and put them up, and had an introductory meeting, and then we held elections. This time, we decided on the date and time when we would hold our meetings. We picked a time that was good for residents. And that's how we established our own council. Now the administrator is fine with it. His door is always open, and we go in there to talk to him once or twice a month."

Don't give up!

In adult care facilities, the constant turnover of residents is guaranteed to bring change sooner or later, whether residents work for it or not. If the current council is less than desirable, it makes sense to keep trying to make it a little better, a little more democratic, a little more accountable — against the day when change brings about a more hopeful outlook.

In most cases, councils change hands because residents themselves take action. A small group of committed people can often accomplish a great deal by working step-by-step towards goals that appear sensible and beneficial to others in the community.

Individual Advocacy

It goes without saying that working for facility improvements through resident council does not preclude individual resident efforts. This is especially true if you feel the resident council is ineffective. The Residents' Bill of Rights for New York State adult home residents states:

> You have the right to present grievances on your behalf, or the behalf of other residents, to the administration or facility staff, the Department of Health or other government officials or other parties without fear of reprisal.

The Resident Council in the Inspection Process

The New York State Department of Health conducts inspections of every licensed adult care facility every 12 or 18 months. Resident councils should prepare to participate in these annual inspections. If there are problems in your facility, this is a good time to bring them to the attention of the DOH inspectors who will be present at your facility during the inspection process.

> "Resident Councils should prepare to participate in the annual inspection."

Find out when your facility is due for an inspection

All inspections are unannounced, but you can predict when the next one is due by counting 12 or 18 months from the last inspection. The date of the last inspection can be found by looking at the posted Inspection Report. DOH requires this report to be posted for easy review by residents. It is usually posted on a bulletin board in the lobby or other common area.

During an inspection, a team of three to four inspectors, or "surveyors," conducts a thorough review of the facility. The team usually includes a social worker, a nurse, a fire safety and environmental inspector, and a nutritionist. An inspection team is generally on site for two to three days.

The purpose of DOH inspections is to make sure your home is a safe place to live, and meets all required regulations.

During their inspection, the surveyors conduct these reviews:

- A walk-through of the facility
- A review of the fire safety system
- A kitchen inspection, review of daily menus, and observation of meals
- Observation of medication distribution
- Review of facility records, employee records, and resident records, including financial records
- Interviews with at least five residents, including the resident council president, if he or she is available
- A meeting with the administrator, operator, and other relevant staff

Remember — inspectors want to talk to residents, but they don't have much time.

Inspectors have many records to review, lengthy checklists to complete, and very limited time on site. However, they are both required to speak to residents, and interested in doing

so. When discussing your concerns, try to be specific and provide any documentation you have to support the problems you've experienced.

If you have something important to say to the inspectors about problems in your facility — feel free to contact them before the inspection or during the inspection:

1. Before the inspection takes place, you may write or call your DOH regional office to report issues residents are concerned about in your home. The inspectors will then know what to look for when they arrive at your facility. See the list below for the DOH regional office in your area.
2. Make sure your regional office has the name of the resident council president, and the names of any residents who want to report specific violations. Include room numbers and cell phone numbers so inspectors can easily contact these residents when they are on site.
3. If you are the resident council president, inspectors are required to speak to you during the inspection process — provided they can find you. Make it easy for them to do so — simply walk up to an inspector, introduce yourself, and give them your room number and cell phone number. This is your chance to present residents' concerns directly to DOH. Take advantage of it! Prepare in advance by gathering resident council and food committee minutes documenting any issues you want to bring up.

This is the best time to raise questions about safety, environmental hazards, treatment by staff, or other violations you feel were committed by the facility in the course of the past year.

Bear in mind that the inspectors will be hard put to fit you into their busy schedule, so it is best if you contact them early and don't leave the building while they are on site.

Information provided by residents may be confidentially included in the Inspection Report. Residents are identified by number, not by name, in the report. If you experience any retaliation for participating in the inspection, call the Complaint Hot Line immediately so that DOH has a record of what happened, and can respond quickly.

Your facility will receive the Inspection Report 30 to 35 days after the inspection is completed. All homes must post this report in a common area. If it is not posted where residents can read it, this is a violation that should be reported to the Complaint Hot Line.

The New York State Department of Health has four regional offices. Your resident council may write or call the appropriate regional office with your concerns before your facility's annual inspection comes due. The Department of Health welcomes your input.

Capital District Regional Office
NYS Department of Health
875 Central Avenue
Albany, NY 12206
Phone: (518) 408-5287
Fax: (518) 402-5309

Central Field Office
NYS Department of Health
217 South Salina Street
Syracuse, NY 13202
Phone: (315) 477-8472
Fax: (315) 477-8472

Metropolitan Area Regional Office
NYS Department of Health
90 Church Street
New York, NY 10007
Phone: (212) 417-4440

Western Regional Office
NYS Department of Health
259 Monroe Avenue
Rochester, NY 14607
Phone: (585) 238-8185
Fax: (585) 238-8198

How to Make a Complaint

It's important to know how to seek outside help if your resident council encounters a problem that you can't resolve by talking directly to management.

Unless the problem is too urgent to do so, it is best to postpone making a formal complaint until you have tried addressing the issue through normal council procedures — that is, by speaking to the administrator directly as a council officer, or writing the complaint into your resident council minutes and asking the administrator to respond.

If the administrator does not respond to repeated attempts to discuss and resolve the complaint, it makes sense to seek outside help.

1. Contact your ombudsman.

If your facility has an ombudsman assigned to it, he or she is the first person to enlist as an ally. Ombudsmen are certified and trained to handle complaints, and are authorized to speak to facility management on your behalf. Your facility's ombudsman will interview residents and staff to determine the facts and decide whether the complaint constitutes a regulatory violation. If the complaint is legitimate, the ombudsman will write it up, and discuss the problem with the administrator in an attempt to resolve it.

A poster stating how to contact your ombudsman must be prominently posted in your facility where residents can see it. If no such poster is displayed at your facility, this is also a violation and cause for complaint.

If your facility does not yet have an ombudsman, contact the ombudsman county coordinator for your area. If possible, the county coordinator will send an ombudsman to your facility to investigate your complaint or contact you by phone. You can call the NY Office for the Aging Help Line at 1-800-343-9871 to find your county coordinator.

If you can access a computer, you can find the most current list of county coordinators on the NYS Long Term Care Ombudsman website: http://www.ltcombudsman.ny.gov/whois/directory.cfm

2. Call the Adult Home Complaint Hot Line—866-893-6772.

This Hot Line is run by the NYS Department of Health. It is available 24-hours-a-day to all adult home residents in New York. A call to the Hot Line is free; if you use a pay phone to make the call, your money will be returned to you. The Hot Line is answered in person from 8:30 AM until 4:45 PM every weekday. After these hours, and on weekends, the Hot Line is answered by voice mail, and callers are asked to leave a detailed message giving the name of their facility, the date, and the facts of their complaint.

Callers to the Hot Line can remain anonymous. You do not have to give your name and phone number for your complaint to be processed. If you do give your name, you will receive a letter of acknowledgement. It will be mailed to you in an envelope without a return address, in order to keep your complaint confidential.

When you call the Hot Line, your complaint is assigned a tracking number, and routed to a regional office so that a local Department of Health inspector can investigate it. If the complaint constitutes a violation, it will be investigated — but only if you are able to provide sufficient information for the inspector to follow up on it.

Before calling the Hot Line, have your facts ready. You will need to provide dates, times, identities of those involved, details about what happened, and how residents were affected. For tips on how to make an effective Hot Line call, see *TIP SHEET: How to Use the Hot Line.*

A poster showing the Adult Home Complaint Hot Line number, and a list of your rights as an adult home resident, is required to be prominently displayed in your facility.

3. To report incidents of abuse and neglect at "transitional adult homes," contact the NYS Justice Center for the Protection of People with Special Needs (Justice Center).

The Justice Center is a legal resource for residents of certain adult homes designated as "transitional"— that is, those that have over 80 beds where at least 25% of the residents are persons with serious mental illness, and where fewer than 55% of beds are Assisted Living Program beds. There are about fifty such homes. If you do not know if you live in a "transitional" home, you may still contact the Justice Center and the Justice Center will report the incident to the Department of Health for their review.

The Justice Center runs its own 24 hour, toll-free Hot Line to receive calls reporting incidents of abuse and neglect. Abuse includes physical abuse, psychological abuse, and sexual abuse. Neglect includes the failure to provide supervision, or adequate food, clothing, shelter, or health care. Significant incidents that have the potential to harm the health, safety or welfare of a person living in a home may also be reported to the Justice Center. The Justice Center has legal authority to investigate allegations of abuse and neglect in "transitional" homes, and to prosecute those that rise to the level of criminal offenses. Unlike other types of complaints that you may first try to address with facility management, allegations of abuse and neglect should be reported directly to the Justice Center.

If your facility is a transitional adult home, you may report incidents of abuse or neglect by calling the Justice Center's 24-hour-a-day, toll free, Hot Line number: Vulnerable Persons Central Register (VPCR) Hot Line number: 1-855-373-2122.

4. Resident councils can seek help and guidance from the Coalition of Institutionalized Aged and Disabled (CIAD).

CIAD's primary mission is to help residents organize strong resident councils, and advocate effectively for their rights. CIAD offers a range of resources, including information, videos, trainings on residents' rights, and on-site visits by CIAD organizers. This tool kit is one of the resources CIAD has developed based on forty years of experience working with resident councils in adult homes.

CIAD is a non-profit, grassroots organization run by and for adult home and nursing home residents and resident councils. A majority of the members of CIAD's Board of Directors are residents of adult homes and nursing homes throughout the New York City area.

The Coalition of Institutionalized Aged and Disabled (CIAD)
425 E. 25th St, New York, NY 10010
Geoff Lieberman, Director
(212) 481-7572
www.ciadny.org

5. MFY's Adult Home Advocacy Project provides legal and non-legal advocacy services to adult home residents living in New York City

MFY Legal Services provides free legal assistance to adult home residents with concerns about resident rights violations, eviction proceedings, public benefits, and civil and disability rights.

Telephone intake is available Monday-Friday, 10 AM to 5 PM, at this toll-free number: MFY Adult Home Advocacy Project: 877-417-2427

MFY Legal Services
299 Broadway, New York, NY 10007
http://www.mfy.org

6. Long Island resident councils can seek legal help and guidance from the Nassau/Suffolk Law Services Committee, and the Family Services League

The Nassau/Suffolk Law Services Committee provides free legal services to adult home residents in Nassau and Suffolk counties through its Adult Home Project.

Contact Nassau/Suffolk Law Services Committee at 516-292-8100
Nassau/Suffolk Law Services Committee, Inc.
1757 Veterans Highway, Suite 50, Islandia, NY 11749
www.nslawservices.org

The Family Service League Long Term Care Ombudsman Program sponsors an Adult Home Leadership Council that meets monthly. The Leadership Council brings together residents and council members from Long Island adult homes to share information, discuss adult home issues, and advocate for local and statewide policy reforms.

Contact the Family Service League at 631-427-3700
Adult Home Leadership Council
Sponsored by Family Service League
Long Term Care Ombudsman Program
790 Park Avenue, Huntington, NY 11743
www.fsl-li.org
Co-chairs, Joan Burke, Ken Meyer
(631) 427-3700, Ext 265 or 273

TIP SHEET: How to Use the Hot Line

The Adult Home Complaint Hot Line is: 866-893-6772

It's free, easy-to-use, and always available. If you use a pay phone, your money will be returned. Department of Health reviewers will listen to your complaint, and refer the complaint to local DOH inspectors for further investigation.

1. Before you call the Hot Line, bring your complaint to the administrator of your facility. Then, when you call the Hot Line, you can say that you have tried to resolve the problem directly with management and have not succeeded.
2. Documentation is important. Keep notes about every incident you are complaining about — with dates, times, and names of those involved. Keep letters, notices, receipts, and other documents. Residents can take photos if possible. The inspector who investigates your complaint will want to review your documentation. You can either fax or mail your documents to DOH.
3. Be specific. A vague complaint, such as, "Our dinner was inedible last night" does not include enough facts for DOH to investigate. Instead, provide a detailed description of the food served, and remember to give the date. Report what other residents said and did. For example, did your tablemates eat the food?
4. Focus on one complaint per phone call. Talk only about this one complaint, and give the facts pertaining to it. Don't go off on tangents.
5. Recruit other residents to join you in making the complaint. Your case will be strengthened if you can provide names of witnesses or victims other than yourself.
6. If you are calling on behalf of someone else, put that person on the line to speak for himself or herself. It is important for DOH to hear from the actual victim, if possible, rather than just hearing the story second-hand.
7. If you don't want a letter of acknowledgement mailed to you, say so. If you do ask for a letter, the envelope won't have a return address on it. However, some managers may guess the content of the letter, or even open it. If you want to make sure your call remains confidential, tell DOH not to send you a letter of acknowledgement.
8. If you have your own phone, give your phone number to make it easier for DOH to contact you. It is not common for inspectors to call you directly, but it is possible.
9. If there are new developments in your case, make a follow-up phone call. You can ask DOH to add the new details to the same case number.
10. If you want a status update, call the regional office number listed on your letter of acknowledgement and ask DOH to tell you what is happening with your complaint.

RESIDENT COUNCIL BYLAWS

The Steering Committee of eight members, chosen by a meeting of residents of _____, held on June 10, 2013, agreed on these proposed bylaws for the Resident Council, as here presented:

Membership

Membership shall be open to all residents of the facility as specified by law.

Officers

A president elected yearly; a vice president elected yearly, and a secretary elected yearly at an Annual General Meeting held in March.

Executive Committee

The Executive Committee is comprised as follows:
The three Council officers;
Three Floor Captains, one each from the 2nd, 3rd, and 4th floors, selected annually by the Executive Committee, with the approval of Council membership.

Meetings

The Council shall meet on the last Thursday of every month in the Recreation Room.

Mission

The mission of the Council shall be to pursue the interests of the residents of the facility in all matters affecting them, to insist on their rights, and to expand every effort to ensure that the operators of the facility respect residents' rights.

Standing Committees

The Permanent Standing Committees of the Council shall be:
1) The Executive Committee—which shall assist the president as he or she makes decisions and carries out Council business.
2) The Food Committee—which shall continue to focus on the food prepared and served at the facility.

3) The Members Welfare Committee—which shall maintain a close interest in members; to welcome them individually, to visit with and offer comfort to those who may have human needs beyond the extent of care expected from the facility.
4) The Ways and Means Committee—which shall be responsible for public relations within the facility; research of matters of interest to the Council; and devising ways of reaching out to the surrounding community and to other resident councils in the area.

Annual General Meeting

In March of every year, the Council shall hold an Annual General Meeting at which all elected officers of the Council shall stand for re-election to office. The president and committee heads will give a summary of activities carried out during the past year.

Extraordinary Meeting

The president and/or the Executive Committee may call an Extraordinary Meeting to discuss matters of unusual importance or urgency.

Staff Liaison

A member of the staff, approved by the Executive Committee, shall be admitted to all Council meetings. The staff liaison will be permitted to speak only on matters concerning the operators or when consulted for advice.

Bylaw Amendments

Bylaw amendments may be formulated when thought necessary by the Executive Committee and approved by a two-thirds majority of residents attending a general council meeting.

Removal from Office

Should council officers be suspected of incompetence, dereliction of duty, malfeasance or lewdness, they may be named at a regular meeting and called upon to answer charges. A two-thirds majority of members attending will decide their fate.

THE COUNCIL BILAWS

The activities, affairs and property of the Council shall be managed and directed by the Board.

Officers of the Board shall be elected by the full membership of the Council.

Set policy for management and priorities of the Council and Committees including but not limited to: developing short and long range objectives of the Council.

Discipline or remove members who act contrary to the purposes of the Council.

OFFICERS OF THE COUNCIL

A PRESIDENT
B VICE PRESIDENT
C SECRETARY
D TREASURER

REMOVALS

The Board may remove a member for cause (i.e.non-attendance at three consecutive meetings. Non-participation in all Council activities, actively engaging in activities that conflict with the Councils stated purposes.

nominating committees shall consist of five residents selected by the Board and the Council, who are not being considered for election.

The nominating committees will recommend a slate of officers to the full membership, one month before elections.

ELECTIONS

Officers and Board members shall be elected by the majority of the resident council, each member of the resident council is entilted to one vote.

Any Board or Council member can resign from office by presenting their resignation to the Board.

REMOVALS

The Board members must receive notice of this decision 30 days in advance and have the right to appeal.A 2/3 vote from the Board is required to move a Board member.

Minutes form used by a 120-bed facility in Queens, New York

Resident Council Minutes

Meeting

Resident Council President: _____**(Attended Y/N)**_____

Vice President:_____**(Attended Y/N)**_____

Secretary:_____**(Attended Y/N)**_____

Treasurer:_____**(AttendedY?N)**_____

Staff Advisor(s):_____

Visitors (if any):_____

Date of Meeting:_____**Time:**_____**Place of Meeting:**_____

Number of Residents Attending:_____**Date of Next Meeting:**_____

Issues addressed:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Resident's Council Meeting Minutes

Date: Time: Location:
Chairperson:
Attendance Sheet Attached.

Reading of the Minutes from previous Council meeting

Comments:

Check Resident Suggestion Box

New Issues:

1.

2.

3.

4. _____

5. _____

6. _____

Administrators comments:

_____

Date and Time of next Council Meeting:

_____

New York State Department of Health
Adult Care Facility Policy and Surveillance
Office of Health Systems Management

Enhancing the Quality of Adult Living (EQUAL) Program

Expenditure Plan. Provide a detailed explanation of how EQUAL funds will be used to improve the quality of care and services to eligible residents to better meet resident needs, improve the physical environment of the facility, and encourage the admission of new eligible residents. Program funds may be used for staff and training, furnishings, clothing, equipment, maintenance and repairs, or other uses, which will enhance the quality of care and services provided in the facility to benefit eligible residents. The proposed use of funds must be described in detail. Spending proposals which are not specific such as "repairs and maintenance", "furniture" and "staffing" are not acceptable.

New York State Department of Health
Adult Care Facility Policy and Surveillance
Office of Health Systems Management

Resident Council Approval of EQUAL Funds Spending Plan

The facility operator must provide documentation that the resident council has approved the proposed spending plan for EQUAL funds. The chairperson or president of the resident council, as appropriate, must sign the attestation page verifying that the resident council has approved the proposed use of the requested EQUAL funds.

Residents in Enriched Housing Programs that do not have a resident council must submit a signed statement similar to the "Resident Council Representative Approval" form endorsing the facility spending plan. An example of an acceptable resident petition form for EHPs without a resident council is on the following page.

* Please note that resident council approval must first be obtained before any expenditure is made.

RESIDENT COUNCIL REPRESENTATIVE APPROVAL OF PROPOSED EQUAL SPENDING PLAN

I, _____ (name of representative), have reviewed the uses of

_____ (name of facility), EQUAL funds and agree that the proposed

use of these funds is consistent with residents' needs.

New York State Department of Health
Division of Adult Care Facility/Assisted Living Surveillance
Application to Participate in the
Enhancing the Quality of Adult Living (EQUAL) 2013-2014

SECTION C

(a) **Expenditure Plan.** Provide a detailed explanation below of the intended use of funds to be received under the EQUAL 2013-2014 Program.

- FACILITY GENERATOR FOR PUBLIC AREAS, REFRIGERATION, SUMP PUMP, TELEPHONE SYSTEM, OFFICES, BOILER SYSTEMS
- KITCHEN SERVICE EQUIPMENT
- MATTRESSES & BOX SPRINGS
- FIRE DRILL EXCERSISES
- PAINT & EQUIPMENT SUPPLIES
- AIR CONDITIONERS & SERVICE CONTRACT
- TELEPHONE SERVICE CONTRACT & FIRE SYSTEM SERVICE
- FACILITY FURNISHINGS
- BUILDING SPRINKLER INSPECTION
- RESIDENT TUB & FAUCETS
- RECREATIONAL SUPPLIES BEADS VERLIE
- BOILER & ELEVATOR SERVICE BOARD GAMES
- UPDATING SURVIELLANCE CAMERA SYSTEM
- BUILDING SUPPLIES (CIELING TILES, WINDOWS, BLANKETS, SHOWER CURTAINS, PILLOWS, ETC.)
- Hygiene Kits

SECTION D

Acceptance/Declination to Participate in Program (check one)

(a) ✓ I/We accept participation in the New York State Department of Health EQUAL 2013-2014 Program and certify to the best of my/our knowledge that the information contained in this application is true and correct, and that I/we will adhere to the conditions if approved by the Department of Health. **Continue on to Section E.**

(b) _____ I/We decline to participate in the New York State Department of Health EQUAL 2013-2014 Program at this time.

Reason for Declination (optional):

_____

_____

_____

EQUAL:
New York State Grant Program
for Adult Care Facilities (ACF's)

What is EQUAL?

Enhancing the Quality of Adult Living Program

The EQUAL Program was established as the QUIP in 1996 by the New York State Legislature and is administered by the New York State Department of Health (DOH). The EQUAL Program was created to provide adult homes and other ACF's that house SSI recipients with additional payments to improve the quality of residents' life and care and to enhance the services provided in the home. QUIP Program payments to individual homes are based on the number of residents on SSI who live in the home. In 2006, eligible homes received $277 per SSI resident.

ACF's apply by submitting an application that provides a detailed explanation on how the EQUAL funds will be used. The EQUAL Program is not a competitive process, but every home which houses SSI recipients does not automatically receive EQUAL funds. In 2006, those homes that were in enforcement because of resident endangerment did not receive EQUAL.

To complete the application, a resident council representative must sign the application on behalf of the council and the residents of the home. By signing, the resident council representative indicates that he or she has reviewed & approved the home's EQUAL plan and that the use of the funds are consistent with the residents' needs.

EQUAL Funds Can Be Used For the Following:

- Clothing
- Increased recreational activities
- Telephone services and telephones in resident rooms
- Computers
- Hiring additional staff and staff training
- Furnishings
- Equipment
- Improvements to the physical environment of the facility, maintenance & repairs
- Air Conditioning
- Vocational and educational opportunities
- Training for independent living
- ID Cards

How You Can Be Involved in the EQUAL Program Application Process

Your Resident Council has input into how your home will spend its EQUAL funds by giving its advice and consent to your home's managers. In order to ensure that your home is properly prioritizing the needs of the residents for its EQUAL expenditures, the operator and staff of the home should consult with the residents via your resident council.

The DOH has your home confirm and document the residents' support for the EQUAL application by requiring that a resident council representative signs the application, on behalf of the residents of your home.

Steps To Help Your Home Obtain Residents' Meaningful Endorsement For its EQUAL Applications:

Step 1

Meet as a council and read this booklet together.

Step 2

Identify the needs, goals & priorities of the residents.

- There are a number of ways to accomplish this. For example, you could conduct a survey or develop a list of resident needs, goals and priorities at a council meeting.

Step 3

Discuss the programs, activities, services or items residents would like and that would meet their needs and goals.

Step 4

Vote on the programs, activities, services or items that will benefit residents the most.

Step 5

Document the steps you have taken by writing them down in the minutes

Step 6

Meet with your administrator to discuss EQUAL and present him/her with your minutes and vote.

Step 7

Ideally, management develops an application/proposal that incorporates the residents' goals, ideas & decision

Step 8

The resident council president or representative signs the application – the result of democratic discussion among the residents and thoughtful discussion between the residents and management.

THE CONSTITUTION OF THE FOOD COMMITTEE

1. THE ENTITY

That the entity shall be the Food Committee and it shall be a fully autonomous body

That its membership shall be open to each and every resident

2. ITS MISSION

That its mission shall be to faithfully represent the rights of its members with regard to the selection, preparation and service of food, and to represent such interests to the administration or any other authorative party or body.

3. ITS OFFICERS

That the officers of the entity shall be:

President:
Vice President:
Recording Secretary
Assistant Secretary

4. ITS' EXECUTIVE

That the officers of the entity in a meeting with three appointees from the membership at large shall constitute the executive of the entity.

5. MEETINGS

Meetings shall be conducted in accord with Roberts Parliamentary Rules.

Quorum

That a gathering of five (5) members in addition to the presence of the President or Vice President and Secretary or Assistant Secretary shall constitute a Quorum.

6. *ANNUAL GENERAL MEETING*

That on the anniversary of the formation of the entity (with a seven day allowance for eventualities) an Annual General Meeting shall be held at which the officers to lead the entity for the ensuing year shall be elected.

7. EMERGENCY MEETINGS

That the President or Vice President in consultation with at least three (3) other members of the executive may call an emergency meeting at any time.

8. EXECUTIVE MEETINGS

That the Executive of the entity shall meet at least once monthly prior to regular monthly meeting, to discuss matters of importance to be placed before the regular monthly meeting.

9. REGULAR MONTHLY MEETINGS

That the officers and members shall meet regularly on the second Tuesday (at a time to be decided) of every month.

10. *AGENDA*

That meetings shall follow an Agenda:

Call to Order;
President's Opening Remarks;
Minutes of the previous meeting;
Matters Arising;
Correspondence;
Any Other Business;
President's Closing Remarks; and
Motion for Adjournment

11. VOTING

That all matters of any importance shall be put to the vote and decided by a majority either by a show of hands or by "Aye's" and "Noes" except at Annual General Meetings when voting for officers. The vote for Officers shall be done by Secret Ballot for individual officers or a slate of officers.

Food Committee – Minutes for July 13 Meeting

About 30 people attended. presided; took minutes.

1. The lack of cold water for residents was discussed. The problem is this—a water cooler jug is put out in the morning on a cart in the recreation room. The water does not have ice in it and becomes warmer and warmer throughout the day. The water is very unappealing for residents and so most residents don't drink it, even on hot days.
   To address this problem, residents decided to form an "ice machine committee." Four people volunteered for the committee—
   . The committee agreed to meet on Monday at 3:30. It will investigate how other adult homes provide cold drinks to residents in the summer and will make a report at the next Food Committee meeting.

2. Preparations to distribute the Food Sanitation and Safety survey were discussed. It was decided to distribute the survey at dinner the following evening on July 14th.

3. Other complaints were voiced—that coffee is not given in the morning, and that meals aren't always served at the time stated on the posted notice.

4. The problem was raised about weekend food always being the same—tuna fish and egg salad. said he would try to speak to about an alternative kosher dish that could be served cold on the weekends.

5. The next Food Committee meeting will be held on July 27 at 3:00 in the afternoon.

Resident Food Committee Survey on Food Sanitation and Safety

	Acceptable	Not Acceptable
1. Rate the cleanliness of your dishes and utensils:		
2. Rate the cleanliness of your table cloths & table tops:		
3. Rate the safety habits of your servers and cooks—such as handling food safely and wearing gloves		
3. Rate the freshness of the milk—is it ever sour?		
4. Rate the freshness of the bread—is it ever stale?		
5. Rate the meat—is it ever under or over cooked?		

6. How often have you observed chicken that was:	About once a week	Once or twice a month	Hardly ever
somewhat raw (red with traces of blood)			
pink (cooked, but not thoroughly)			
white (completely cooked throughout)			
over-done (very dry or burnt)			

Additional comments about the chicken:

_____

_____

7. Have you experienced nausea, cramps, vomiting or diarrhea after eating an adult home meal—symptoms that you suspect were caused by the food you ate?

About once a month	Several times a year	About once a year	Never or Almost never

Food Committee Breakfast Survey

From a 200-bed facility in Queens

	YES	NO
1. Would you like fried eggs with ham from time to time?		
2. Would you like yogurt with fruit sometimes?		
3. Do you like the cottage cheese?		
4. Would you like corned beef hash with toast?		
5. Do you like powdered eggs?		
6. Would you like potatoes and sausage?		
7. Would you like coffee served with your breakfast?		
8. Is your coffee hot enough?		
9. Would you like orange juice more often?		
10. Would you like grapefruit juice now and then?		
11. Do you like the cranberry juice?		
12. Is your toast hard?		

Breakfast Survey (Bread and Cereal)

(Please check YES or NO)

	YES	NO	COMMENTS
1. Would you like a choice of hot or cold cereals every day?	21	3	
2. Are you getting enough cereal?	19	4	
3. Would you like rolls twice a week?	20	3	
4. Is the toast too hard, dry and cold?	19	5	(one person said specifically too cold, one said "sometimes")
5. Would you like low-carb bread?	10	11	
6. Would you like whole-grain wheat bread?	19	4	
7. Would you like French toast every 2 weeks?	22	2	"It will be nice."

What else would you like to see improved for breakfast?

More variety.
Different kinds of bread, other than white bread.
Scrambled eggs with potatoes.
More butter.
Hot cereal.
Rolls once a week.
More juice on request.
Two boiled eggs instead of one, extra toast.
Bacon

Food Committee of

Resident Survey

1. On a scale of 1 to 10, how would you rate the food served here? (1=poor 10=excellent)

   4

2. Which of the 3 meals served daily would you rate as the worst and why?

   Dinner - the main dish is of poor quality - especially the chicken which is often very bony

3. Do you consider the portions served adequate?

   yes

4. Making allowance for religious, health and cost constraints, do you believe the service is as good as it could be?

   yes

5. Are there items on the current menu that you believe should be discontinued or changed?

   The vegetables are often overdone, especially the ~~most~~ dinner vegetables & not served very appetizingly.

6. Please indicate some dishes that you believe could be substituted.

   luncheon vegetables

7. Do you believe enough attention is paid to special diet demands, for example, diabetics, people with lactose intolerance, etc?

yes

8. Keeping in mind the constraints mentioned in question 4. What dishes do you believe could be safely added to the menu?

more sweet potatoes, more delicatessen like tongue, bologna, herring, puddings

9. Do you believe that black pepper or other condiments should be made available on the dining table in the same way as ketchup and salt is?

yes

10. Aside from the above are you satisfied with the overall food service? Indicate the cause of your dissatisfaction.

Most of the potted meat is overdone, not enough rare beef, more frankfurters, more puddings like chocolate pudding, tapioca pudding

FOOD COMMITTEE
MEAL MONITORING PROJECT

MENU CYCLE_____ WEEK _____

Monday

BREAKFAST
Juices: Orange; Tomato, Prune: Other
Dairy: Milk, Cottage Cheese, American Cheese, Butter
Beverage: Coffee, Tea, Other.....
Cereal: Cold, Hot.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls
Additional:.....

LUNCH
Appetizer.....
Juices: Orange; Tomato, Prune: Other.....
Beverage: Coffee, Tea, Other.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls, Rye Bread, Cake
Soup:.....
Entrée:.....
Alternative:.....
Vegetables:.....
Desert:.....
Dairy: Milk, Margarine, Butter, Etc.....

DINNER
Appetizer.....
Juices: Orange; Tomato, Prune: Other.....
Beverage: Coffee, Tea, Other.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls, Rye Bread, Cake
Soup:.....
Entrée:.....
Alternative:.....
Vegetables:.....
Desert:.....

Tuesday

BREAKFAST
Juices: Orange; Tomato, Prune: Other
Dairy: Milk, Cottage Cheese, American Cheese, Butter
Beverage: Coffee, Tea, Other.....
Cereal: Cold, Hot.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls
Additional:.....

LUNCH
Appetizer.....
Juices: Orange; Tomato, Prune: Other.....
Beverage: Coffee, Tea, Other.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls, Rye Bread, Cake
Soup:.....
Entrée:.....
Alternative:.....
Vegetables:.....
Desert:.....
Dairy: Milk, Margarine, Butter, Etc.....

DINNER
Appetizer.....
Juices: Orange; Tomato, Prune: Other.....
Beverage: Coffee, Tea, Other.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls, Rye Bread, Cake
Soup:.....
Entrée:.....
Alternative:.....
Vegetables:.....
Desert:.....

Wednesday

BREAKFAST

Juices: Orange; Tomato, Prune: Other
Dairy: Milk, Cottage Cheese, American Cheese, Butter
Beverage: Coffee, Tea, Other.....
Cereal: Cold, Hot.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls
Additional:.....

LUNCH

Appetizer.....
Juices: Orange; Tomato, Prune: Other.....
Beverage: Coffee, Tea, Other.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls, Rye Bread, Cake
Soup:.....
Entrée:.....
Alternative:.....
Vegetables:.....
Desert:.....
Dairy: Milk, Margarine, Butter, Etc.....

DINNER

Appetizer.....
Juices: Orange; Tomato, Prune: Other.....
Beverage: Coffee, Tea, Other.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls, Rye Bread, Cake
Soup:.....
Entrée:.....
Alternative:.....
Vegetables:.....
Desert:.....

Thursday

BREAKFAST

Juices: Orange; Tomato, Prune: Other
Dairy: Milk, Cottage Cheese, American Cheese Butter
Beverage: Coffee, Tea, Other.....
Cereal: Cold, Hot.....
Baked Goods: White Bread, WholeWheat Brea Bagels, Rolls
Additional:.....

LUNCH

Appetizer.....
Juices: Orange; Tomato, Prune: Other.....
Beverage: Coffee, Tea, Other.....
Baked Goods: White Bread, WholeWheat Brea Bagels, Rolls, Rye Bread, Cake
Soup:.....
Entrée:.....
Alternative:.....
Vegetables:.....
Desert:.....
Dairy: Milk, Margarine, Butter, Etc.....

DINNER

Appetizer.....
Juices: Orange; Tomato, Prune: Other.....
Beverage: Coffee, Tea, Other.....
Baked Goods: White Bread, WholeWheat Bread Bagels, Rolls, Rye Bread, Cake
Soup:.....
Entrée:.....
Alternative:.....
Vegetables:.....
Desert:.....

Friday

BREAKFAST

Juices: Orange; Tomato, Prune: Other
Dairy: Milk, Cottage Cheese, American Cheese, Butter
Beverage: Coffee, Tea, Other.....
Cereal: Cold, Hot.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls
Additional:.....

LUNCH

Appetizer.....
Juices: Orange; Tomato, Prune: Other.....
Beverage: Coffee, Tea, Other.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls, Rye Bread, Cake
Soup:.....
Entrée:.....
Alternative:.....
Vegetables:.....
Desert:.....
Dairy: Milk, Margarine, Butter, Etc.....

DINNER

Appetizer.....
Juices: Orange; Tomato, Prune: Other.....
Beverage: Coffee, Tea, Other.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls, Rye Bread, Cake
Soup:.....
Entrée:.....
Alternative:.....
Vegetables:.....
Desert:.....

Saturday

BREAKFAST

Juices: Orange; Tomato, Prune: Other
Dairy: Milk, Cottage Cheese, American Cheese, Butter
Beverage: Coffee, Tea, Other.....
Cereal: Cold, Hot.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls
Additional:.....

LUNCH

Appetizer.....
Juices: Orange; Tomato, Prune: Other.....
Beverage: Coffee, Tea, Other.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls, Rye Bread, Cake
Soup:.....
Entrée:.....
Alternative:.....
Vegetables:.....
Desert:.....
Dairy: Milk, Margarine, Butter, Etc.....

DINNER

Appetizer.....
Juices: Orange; Tomato, Prune: Other.....
Beverage: Coffee, Tea, Other.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls, Rye Bread, Cake
Soup:.....
Entrée:.....
Alternative:.....
Vegetables:.....
Desert:.....

Sunday

BREAKFAST

Juices: Orange; Tomato, Prune: Other
Dairy: Milk, Cottage Cheese, American Cheese, Butter
Beverage: Coffee, Tea, Other.....
Cereal: Cold, Hot.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls
Additional:.....

LUNCH

Appetizer.....
Juices: Orange; Tomato, Prune: Other.....
Beverage: Coffee, Tea, Other.....
Baked Goods: White Bread, WholeWheat Bread, Bagels, Rolls, Rye Bread, Cake
Soup:.....
Entrée:.....
Alternative:.....
Vegetables:.....
Desert:.....
Dairy: Milk, Margarine, Butter, Etc.....

DINNER

Appetizer.....
Juices: Orange; Tomato, Prune: Other.....

- Create a Petition. It is important to show that many people want changes. You can ask that a particular item be added or removed from the menu, and then have willing residents sign on.

- Conduct a food survey. Food surveys can tell you what residents like and dislike about the menu. CIAD has sample surveys you can use.

- Keep a food diary. If you are concerned that substitutions are being made too often, have one or more residents volunteer to keep a record of the meals served, with the date of the problem noted.

Step 4: Discuss whom you should meet with to seek change. For example,

- Meet with the nutritionist and/or dietician to make recommendations to the menu.

- Meet with kitchen staff.

- Meet with the administrator.

- Contact Department of Health.

- Seek support from CIAD.

- Invite a guest speaker to discuss health concerns.

If the administration does not respond, the food committee has several options. These options include:

- Speaking to the administration and reminding them of the home's responsibility to respond.

- Calling a CIAD organizer.

- Calling the toll-free Department of Health Hotline at (866) 893-6772 and reporting the situation to an intake worker. This DOH staff person will file a formal complaint to be investigated by the regional office of the DOH. If the call is made after hours or on the weekend, residents can leave a message.

CIAD

425 East 25th Street
New York, NY 10010
Phone: 212-481-7572

CIAD

What's cooking in adult homes?

HOW TO ORGANIZE A FOOD COMMITTEE IN YOUR HOME

Served by CIAD's Speakers' Bureau

212-481-7572
www.ciadny.org

What is a Food Committee?

A food committee is composed of a group of adult home residents interested in working with facility staff to improve the food in their adult home. Any resident can attend. A food committee can also focus on health and nutrition. Typically, a food committee will be an arm of the resident council.

In 2007 New York State Social Services Law was amended to give adult home residents the right to form food committees.

Food Committees are given the same standing and consideration as Resident Councils:

- They are resident run and have the power to invite guests.
- Residents choose the resident or residents who will lead the meeting.
- Residents choose a resident to take minutes. The minutes are submitted to the administrator. The administration of the adult home should respond in writing to the food committee' s concerns and suggestions.
- A member of the food committee should report to the resident council.
- The minutes will be examined by the NYS Department of Health as part of the inspection process to determine whether or not residents' requests have been met or responded to.

Need Help Forming a Food Committee?

The Coalition of Institutionalized Aged and Disabled (CIAD) has a resident **Speakers' Bureau** that can be invited to your home to help initiate a food committee. They can present several videos about food and nutrition, including one entitled "Meeting with the Inspectors" in which a Department of Health Food Inspector discusses the residents' right to form food committees.

Comments from satisfied customers:

"The Speakers' Bureau gave me food for thought."

"If it's nutritious, it can still be delicious."

Here are some suggested steps you can take:

Step 1: Meet as a food committee and read this pamphlet together.

Step 2: Identify the needs and goals for your food committee. For example,

- Improve the food in your adult home by:
  - i. Making changes to the menu.
  - ii. Asking for new food items to be added to the menu.
  - iii. Asking for food to be cooked in a certain way.
- Learn about health concerns like diabetes, obesity, medication and food interactions, smoking, and high blood pressure.

Step 3: Discuss what kinds of documentation or strategy you will use to best accomplish your goal.

- Document food concerns and suggestions in the minutes of your food committee meeting.

"Never knew food like this before"

Leadership Training Agenda

Suggested training materials: easel, newsprint and magic marker

A. Brainstorm:
   a. Who are the leaders you admire?
   b. What qualities do good leaders have?

B. Participant Introductions in pairs:
   a. What are your strengths as a leader?
   b. What are your weaknesses as a leader?
   c. What do you hope to get out of this training? (Are there skills you would like to work on or specific challenges at your home that you would like to address?)

OR

C. Have participants fill out the handout *Leadership Development, Skills & Tasks*

D. Leadership Skills Development
   a. Active Listening & Effective Communication
      i. Review the following handouts, *Active Listening Techniques*, *Roadblocks to Communication, Responding to Resistance from Others*)
   b. Leading the council/Running a meeting
      i. The tasks to get things done
         1. Review the following Tool Kit sections, *Meeting Agenda Guide, Addressing Complaints and Arriving at a Decision*
      ii. Developing the strength of the group
         1. Review the following Tool Kit section, *The Role of the Leader During Meetings, Active Listening Techniques*
   c. Negotiation and Conflict Resolution
      i. Review the following handouts, *Negotiation and Conflict Resolution*
      ii. Select one or several included Role Plays to do for practice

Other agenda items you could discuss during your Leadership Training:

Adult Home Regulatory System
Council Activities and Projects
Coalition Building - Reaching out to other councils

LEADERSHIP DEVELOPMENT

SKILLS & TASKS

HERE IS ALIST OF A LEADER'S SKILLS AND TASKS. YOU CAN USE IT TO IDENTIFY YOUR OWN AND OTHER'S LEADERSHIP SKILLS. THIS IS NOT A "RATING SHEET." NO ONE PERSON WILL BE ABLE TO OR SHOULD DO ALL THESE THINGS. LEADERSHIP TASKS SHOULD BE SHARED. AS LEADERS, YOU NEED TO RECOGNIZE THE INDIVIDUAL SKILLS OR POTENTIAL OF OTHERS TO STRENGTHEN THE COUNCIL. THIS LIST IS A WAY FOR YOU TO THINK ABOUT YOUR ROLE AS A LEADER AND TO HELP YOU DEVELOP INTO A BETTER LEADER. IT IS NOT COMPREHENSIVE. MAKE YOUR OWN LIST OF YOUR STRONGEST SKILLS, AND THE SKILLS WHICH NEED FURTHER DEVELOPMENT.

	NEVER	SOMETIMES	OFTEN
BUILDING THE COUNCIL - OUTREACH			
1. SEEK OUT AND TALK TO NEW PEOPLE			
2. BE INFORMED - KEEP YOUR MEMBERS INFORMED			
3. BE A GOOD LISTENER			
4. SPEAK TO A CROWD			
5. WRITE A NEWSLETTER ARTICLE			
STRENGTHENING THE COUNCIL			
6. CHAIR A MEETING			
7. DELEGATE TASKS TO OTHERS			
8. DEVELOP AGENDA WITH OTHERS			
9. PREPARE PEOPLE FOR THEIR MEETING ROLES			
10. PLAN FOLLOW UP ACTIONS ON ISSUES & PROBLEMS			
11. INSPIRE OTHERS TO ACT			
12. CONGRATULATE A MEMBER ON THE JOB THEY DID.			
13. SPEAK UP FOR OTHERS			
14. STAND UP TO PEOPLE IN POWERFUL POSITIONS			
RESIDENT COUNCIL EVALUATION			
15. GET FEEDBACK FROM OTHER RESIDENTS REGARDING COUNCIL.			
16. DISCUSS YOUR OWN WORK AS A LEADER WITH A STAFF PERSON; DISCUSS HER WORK AS A STAFF PERSON WITH YOU.			

NEGOTIATION and CONFLICT RESOLUTION

After your resident council has come up with possible solutions to a problem, you may need to talk to the administrator or other staff person in your home in order to solve the problem. The process of working towards a solution with 2 different points of view is called negotiation.

Negotiation involves a variety of skills, some of which you may already have and don't know you have. Above all, negotiation takes practice. Once you feel comfortable with the techniques and skills, you will likely find that you can use these to good advantage in a variety of circumstances.

In Negotiation we want to:

1. Attack the problem, not the person.
2. Stay calm and control one's anger
3. Negotiate from interests and needs, not from positions

   If one person says: "I'm too hot, I'm opening the window"

   "Too hot" is a need or interest,

   "Opening the window" is a position.

A position often doesn't leave room for give and take but a need or interest does. The need: "I need not to be so hot" has flexibility, that is, there may be more than one solution. "Open the window" has no flexibility. It's either "yes I will open the window" or "no I won't."

4. Hear and relate to other points of view
5. Be firm but flexible
6. Agree to a WIN-WIN resolution. Generate choices where both sides gain something.

Techniques & Skills

1. Use active listening techniques, such as reflecting back. Say back to the person what they said, using different words. Say, "Let me see if I understand what you are saying....". Say what you want to say without the emotions.

2. Break the problem down into small pieces. Define exactly what you want to talk about.

3. Discuss the problem in terms of needs, not who is at fault.

   Instead of: "You're doing a lousy job as liaison",

Try: “It would really help the council if you would….”

4. Turn negative statements into positive statements.

Instead of: “The food stinks”,

Try: “I'd like to discuss ways we can improve the food”.

5. Use "I" messages.

Instead of: “You make me....”,

Try: “I feel....when you....because….”.

6. Allow everyone to express him/herself completely

7. Ask open-ended questions instead of questions that can be answered by a yes or no.

8. Explore more than one option, come up with solutions together.

Start Out By:

1. Welcoming everyone. Express appreciation for their time and willingness to talk. When you do this you gain control.

2. Explain the purpose of the meeting (use neutral terms) ("we have a problem about" instead of "the staff always").

3. Ask questions to find out everything about the problem and the different points of view. Separate problem/need from position.

4. Remember, don't blame or accuse. Separate out the emotions. Don't ignore the emotions, acknowledge them, make sure you understand what people are feeling.

5. Deal with the problem not the personalities.

End By:

1. Restating the agreement, make sure it is what everyone agreed to.

2. Write it out including who will do what, when.

3. Thank and congratulate everyone.

4. Build for the future. Always keep an eye on possible future negotiations or working relationships.

Active Listening Techniques

Statements that help the other person talk.

Statement	Purpose	To do this...	Examples
Encouraging	1. To convey interest 2. To encourage the other person to keep talking	...don't agree or disagree ...use neutral words ...use varying voice intonations	1. "Can you tell me more...?" 2.
Clarifying	1. To help you clarify what is said 2. To get more information 3. To help the speaker see other points of view	...ask questions ...Restate wrong interpretation to force the speaker to explain further	1. "When did this happen?" 2.
Restating	1. To show you are listening and understanding what is being said 2. To check your meaning and interpretation	...restate basic ideas and facts	1. "So you would like your parents to trust you more, is that right?" 2.
Reflecting	1. To show that you understand how the person feels 2. To help the person evaluate his or her own feelings after hearing them expressed by someone else	...reflect the speaker's basic feelings	1. "You seem very upset." 2.
Summarizing	1. To review progress 2. To pull together important ideas and facts 3. To establish a basis for further discussion	...restate major ideas expressed including feelings	1. "These seem to be the key ideas you've expressed..." 2.
Validating	1. To acknowledge the worthiness of the other person	...acknowledge the value of their issues and feelings ...show appreciation for their efforts and actions	1. "I appreciate your willingness to resolve this matter." 2.

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Roadblocks to Communication*

ORDERING:	You must...	You have to...		You will...
THREATENING:	If you don't, then...		You had better or else...	
PREACHING:	It is your duty to...	You should...		You ought...
LECTURING:	Here is why you are wrong...			Do you realize...
PROVIDING ANSWERS:	What I would do is...		It would be best for you...	
JUDGING:	You are bad...lazy!		Your hair is too long...	
EXCUSING:	You'll feel better...			It's not so bad...
DIAGNOSING:	You're just trying to get attention... I know what you need...			
PRYING:	Why?	What?	How?	When?

* Adapted from materials produced by the Center For Human Development, 1980.

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Responding to Resistance from Others

When faced with a statement that has potential to create conflict ask open questions to reframe resistance: Explore the difficulties and then redirect discussion to focus on positive possibilities

EXPLORE Clarify Details

It's too expensive.	⇨	Compared to what?
Too many/much/little/few.	⇨	Compared to what?
I want the best.	⇨	What would be best for you?

Find Options

You can't do that around here.	⇨	What would happen if we did?
He (she) would never	⇨	How can we find ways for it to happen?
They always...	⇨	Are there any times they don't?
We've tried that already.	⇨	What was the outcome?
This is the only way to do it	⇨	Yes, that's an option. What else could we consider?

REDIRECT Move to the Positive

It will never work.	⇨	What would it take to make it work?
I won't...	⇨	What would make you willing?
It's a failure.	⇨	How could it work?
It's disastrous.	⇨	What would make it better?
He's (she's) useless.	⇨	What is he (she) doing that is acceptable?
It's impossible	⇨	What would it take to make it possible?
I can't.	⇨	You can't see a way to do it at the moment?
I don't want to	⇨	What would you like?

Go Back to Legitimate Needs and Concerns

He's (she's) a hopeless case!	⇨	It's hard to see how to work with him (her)?
You fool (and other insults)!	⇨	What do we need to do to sort this out?
How dare you do such a things	⇨	What do you dislike about it?
It should be done my way.	⇨	What makes that seem the best option?
His/her place is a pig's sty!	⇨	Does he/she put a different emphasis on tidiness to you?
He/she doesn't do their fair share	⇨	Where do you think his/her priorities may lie?

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Negotiation Role Play 1

COUNCIL MEMBERS WANT A DIFFERENT STAFF PERSON FOR LIAISON

Council Officer: We really want to make this council into something useful for the residents. But it's really hard. We have a hard time getting people to come to meetings. Once people come to a meeting, we have a hard time getting them to speak up. Running a resident council isn't anything any of us have any experience in. It's all brand new to us too. Up until now it's just been a constant gripe session. A lot of residents say, oh what's the point, we'll never accomplish anything. Things will never change. We don't seem to be getting anywhere. We feel we'd be able to really get someplace if somebody would help us get organized and show us what to do.

Up until now, the assistant administrator has been the council staff liaison. He doesn't do a good job. He just sits there and looks bored. He doesn't make people speak in any order so it's just a free for all. It's his job to run things so everyone gets to say what they want to say. Lots of times he interrupts a resident who is speaking, and makes faces while people are talking. He doesn't have any control of the group. We never know what he does about the things people talk about. We think he reports everything he hears right to the administrator and gets people in trouble all the time.

We'd like the ombudsman to be the council liaison. The ombudsman cares about residents and their opinions and is an easier person to talk to. We don't think residents will have as hard a time in speaking up if the ombudsman was the council liaison. Also the ombudsman isn't an employee of the administrator so she might not take his side or snitch on us and get us into trouble.

Administrator: Running an adult home is a pain in the neck. The problems go on and on and there's never enough money to take care even the basic stuff around here. I've got staff people who are calling in sick all the time, or quitting without giving me any notice. You can't trust anyone. The residents refuse to take their medications and then they are out of control and there are fights all the time. The residents aren't responsible, that's why they are here so I don't expect them to behave like responsible adults. I've got the state on my case, with all this paperwork and looking at everything, breathing down my neck, making all these new requirements all the time. And the residents just complain all the time. They don't understand what a difficult job it is running a home with 200 people who can't get themselves together.

Now they're supposed to have this resident council, whatever that is. I think it's just another headache for administration. These people don't know how to be self-governing. That's why they are here, because they can't take care of themselves. I'm

doing the best I can to provide the best services on this little bit of money we have to run this place. It's not my fault if the building needs repairs. I don't have the money to fix it. I'm doing the best I can. Quite frankly, I don't want to be bothered with this residents council.

I asked the assistant administrator to handle the council because that way I'll be sure to hear about whatever problems are raised so I can solve them quickly. I meet with the assistant administrator regularly so we can share ideas on improving things. Also the assistant administrator can tell the residents, right then and there, exactly what our position is and answer their questions right away. This isn't the Trump Tower afterall. We're doing the best we can. It's really up to the Assistant Administrator to run the meetings the best way he sees fit.

Negotiation Role Play 2

The EQUAL Grant

The Resident Council has met to discuss and vote on the items they would like to see residents receive as part of this year's EQUAL grant to the adult home. Their top priority is to ask for a $100.00 clothing allowance for each SSI resident. A second priority is for the home to hire an additional case manager. They would also like to see the development of a wellness program that would include a smoking cessation program.

The home's administrator has plans to use the EQUAL funds to pay for renovations to the home's lobby, completed 6 months ago, a new awning for the outside entryway, security cameras for the building and to make various physical plant repairs in order to clear up Health Department violations that the facility received for poor maintenance.

NEGOTIATION ROLE PLAY 3

STAFF LIAISON RUNS COUNCIL MEETING

Council President: I'm the council president. I got elected last year and I'm trying to do the best job I can for all the residents. I think I should be running the meeting. Frankly, I don't really know what it means to be the president. I never get to do anything except the administrator talks to me a lot about what the resident are. saying. I always try to present their views fairly but I think the council should be run by the residents. We'd get more accomplished that way and the residents would feel more comfortable speaking up. The regulations say that the council should be run by the residents. What does that mean anyway?

Whenever I try to talk to the activities director about letting me run the meetings, she says that's her job and she wants to make sure residents complaints get a fair hearing. She tells me she's the best person to do this. I've tried to explain that the council is for the residents and she's only there to help the meeting go more smoothly and to help us figure out what we should do about a particular problem. She says that she agrees that would be best but doesn't think we're ready to run the meetings by ourselves.

It's hard for me to talk to her about this stuff because I like her and I think she's doing a good job. We're glad to have a staff person there and I don't want her to get mad at me and not help us but I really think we're ready to start running the meetings.

She always decides what we're going to talk about and never gives us a chance to figure out how we want to go about our work. It feels like it's her meeting and I think a lot of residents don't come and don't speak up because she controls things so much. I can't figure out how to work with her.

Staff Liaison: I got assigned to work with the residents council when I got this job. I've been in meetings in school and such so I know about running meetings. The resident are often confused and don't seem to understand the point of the council. If I wasn't here there would be chaos and confusion. They'd probably get into fights with each other. I help control the situation so everyone who comes gets to say what he or she wants to say. Otherwise, there would be the same 2 people doing all the talking. It wouldn't be fair.

The council is the one place where I really get to do things the way I know they should be done. The residents aren't really able to run their own meeting and need my guidance. It makes me feel good to be able to be useful and be of help to them. They've got enough problems to deal with between things in the home, their personal situations, their problems with medication. This way I can take some of the pressure off, get things rolling and make sure something gets accomplished.

NEGOTIATION ROLE PLAY 4

A COUNCIL MEMBER ACCUSES THE PRESIDENT OF BEING AN ADMINISTRATION DUPE

Council Member: Who does he think he is anyway? He thinks he's such a big shot. I always see him talking to the administrator, buddy-buddies. It really burns me up. I can't ever talk to the administrator. He just walks away from me and turns to his secretary. So this big shot comes along and he knows everything that's going on. He knows about the regulations or so he says and is always telling us what we can and can't do. If he knows so much, what's he living here for anyway. I don't trust him. He's always going in to talk to the administrator, for private meetings. What are they talking about anyway? I bet he's telling everything everyone says. I've got a lot to say too but no one ever listens to me. Maybe people don't like me as much because I'm not always sucking up to the authorities. He gets to go to all these hot shot meetings. What does he do at these meetings. And if he's not in the pocket the administration, how come he's got a private room?

Council President: Look, I could be doing other things then running this council. You think it's fun taking all the heat? The residents think I can do anything and the staff thinks I'm responsible for all the other residents. It's a tough job and I'm only trying to do what's best. No one else wanted to run for president. That's why I decided to run. Someone's got to do it but it's nothing but a headache. I've got my own problems anyway. No one wants to come to meetings and the people who come don't speak up. I can't speak for everyone. That wouldn't be fair to me. I've been trying to do the best job I can and at least I've gotten to the point where the administrator will talk to me about what's going on. That's really a big step. No one else here is interested in doing anything or in any kind of shape to really. I'm carrying the weight for everyone else.

County Ombudsman Contacts:

A current list can be downloaded from the NYS Long Term Care Ombudsman website: www.ltcombudsman.ny.gov

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NEW YORK STATE	Mark Miller	Hotline # 1-800-342-9871	mark.miller@aging.ny.gov
AREAS WITHOUT A PROGRAM:			
St. Regis			
Seneca Nation			

The Adult Home Leadership Council Supports:

- Empowerment and recovery for all residents.
- Affordable Housing alternatives for all residents ready for more independent living.
- Additional Access to legal and lay advocacy.
- Case management for all adult home residents.
- Vocational, educational and training opportunities for those residents seeking career and employment.
- Improve the public transportation system for riders with or without disabilities on Long Island particularly Suffolk county
- Improved communication between Adult home staff and residents.
- Increase participation in resident council.

FAMILY SERVICE LEAGUE

Restoring Hope. Rebuilding Lives.

Family Service League Long Term Care Ombudsman Program

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Huntington, NY 11743

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FAMILY SERVICE LEAGUE
LONG TERM CARE
OMBUDSMAN PROGRAM

ADULT HOME LEADERSHIP COUNCIL

Adult Home Leaders Working Together To Develop, Build and Strengthen Resident Councils within the Adult Homes in Suffolk and Nassau Counties

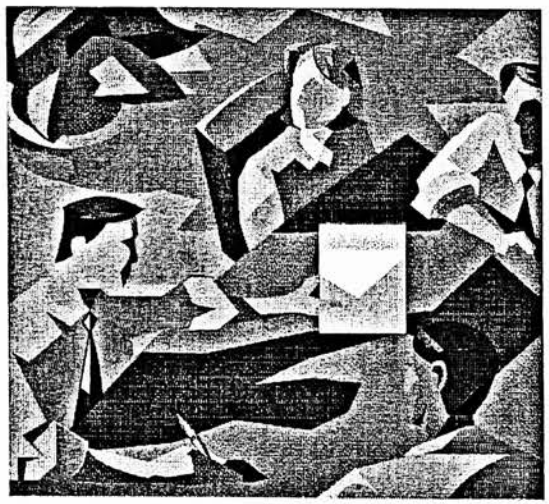
History

- The adult home leadership council held its fist meeting in February 2005.
- Leaders from adult homes met for the first time to exchange information about their homes and become acquainted with one another.

PURPOSE

- Meet to discuss issues and concerns facing adult homes.
- Discuss issues impacting adult home residents.
- To advocate for adult home residents on the local level and statewide.
- Provides a voice for the residents of adult homes.
- Encourages residents to participate in decisions that determine the quality of their lives.

Adult Home Leadership council



All residents are welcome to attend the monthly meetings. For information, please contact Ken Meyer or Joan Burke at (631) 427-3700 Ext. 265 or 273

PARTNERSHIPS

- The Adult Home Leadership council works with residency advocacy groups.
- Coalition for the Institutionalized Aged and Disabled (CIAD), NY Association for Psychiatric Rehabilitative services (NYAPRS), Office of Mental Health (OMH), Department of Health(DOH) and Nassau/ Suffolk Law Services
- NYS Justice Center for the Protection of People with Special Needs. 161 Delaware Avenue Delmar, NY 12054 Hotline: 1(855) 373-2122 INFO: 1(800) 624-4143

Advocacy Efforts

- Meetings with local and state Legislatures.
- Participation in the annual Resident Speak Out in Albany.
- Speakers are invited to the council meetings and Adult Homes to educate and inform residents of their rights and resources available to them.