**Section 120.70 Required Board Structure**

a) Grantee Board Requirement

1) Each Grantee participating in the "90% funding" category of the Community Services Block Grant Program is required to establish a broadly representative Board of Directors as outlined under section 211(a) of the Economic Opportunity Act of 1964, as amended, and as required in Section 676B of the Act (42 USC 9910).

2) When a private non-profit corporation or a separate public agency is the Grantee, the Board of Directors is a Governing Board with full corporate powers and authority. When a local government or combination of governments is the Grantee, it shall operate the program through an Administering Board with powers and responsibilities delegated to it by the local governments.

b) Composition of the Board

1) The Grantee must certify that its governing or administering board will be constituted so as to assure that:

A) ⅓ of the members of the board are elected public officials, currently holding office, or their representatives, except if the number of elected officials reasonably available and willing to serve is less than ⅓ of the membership of the board, membership on the board of appointive public officials may be counted in meeting the ⅓ requirement; public officials shall be appointed by and serve at the pleasure of the designating officials;

B) not fewer than ⅓ of the members are persons chosen in accordance with democratic selection procedures adequate to assure that these members are representative of low-income individualsandfamilies (see Section 120.120 of this Part) in theneighborhood served;

C) each representative of low-income individuals and families selected to represent a specific neighborhood within a community under subsection (b)(1)(B) resides in the neighborhood represented by the member; and

D) the remainder of the members are officials or members of business, industry, labor, religious, law enforcement, education, or other major groups and interests in the community served (42 USC 9910(a)(2)(B)-(C)).

2) The board shall have at least 15 and no more than 51 members. It shall meet at least 4 times a year and maintain official meeting records.

3) Tenure for board representatives described in subsections (b)(1)(B) through (D) shall be at the discretion of the local entity.

4) If a Grantee board is determined by the State, to be improperly seated, the State will prescribe necessary remedial action. The notice of finding and required corrective action shall be provided the Grantee in writing. The Grantee shall have 30 days from notice to bring the board into compliance with this Section. Failure by the Grantee to fully respond to the corrective action demand will result in grant termination procedures as specified in Section 120.55 of this Part.

5) The board shall establish procedures under which a low-income individual, community organization, or religious organization, or representative of low-income individuals that considers its organization, or low-income individuals, to be inadequately represented on the board (or other mechanism) of the eligible entity to petition for adequate representation (42 USC 9908(b)(10)).

(Source: Amended at 27 Ill. Reg. 7986, effective April 28, 2003)