

**Task Force Report to the American Art Therapy Association  
Board of Directors and Membership**

July 29, 2008

**PREFACE**

The American Art Therapy Association (AATA) has been undergoing dramatic organizational changes since 2006. These changes in the structure and functioning of AATA have evoked heated responses from a number of members. Unfortunately, a loss of trust between the Board of Directors (BOD) and concerned members has led to controversy at a critical moment in our Association's history.

The present crisis has occurred in very public venues: on the art-tx e-group, and in letters and e-mails to the BOD from individuals, Affiliate Chapters, and the Coalition of Art Therapy Educators (CATE). The signs of crisis included resignations, public outcries and demands, tensions, accusations and recriminations, misunderstandings, and the raising of potentially damaging legal questions. Serious questions about possible mismanagement have been raised by stakeholders who have questioned some of the actions and decisions by the present Board of Directors.

These concerns include the possibility that policies and procedures have not been followed in areas such as hiring, budgeting, financial oversight, and compliance with IRS regulations. Concerns were also raised about our management transition from the American Counseling Association (ACA) to a "virtual office," as well as changes in the cultural climate of the organization regarding collegiality and communications. Trust has too often been replaced by fear and suspicion; a most unfortunate situation.

The Board has responded to the escalating crisis by trying to provide an increasing level of transparency and attempting to inform the membership through individual and web-based responses to questions, including posting Board Actions, tax returns, and Questions and Answers on the AATA website. Despite sincere efforts on the part of both the BOD and dissenting AATA members to address the issues, the crisis has escalated, precipitating a need for an intermediary presence from a more neutral position.

To this end, in June, HLM and past President Judith Rubin (Judy) offered her services to the Board of Directors as coordinator of a neutral, investigative Task Force whose mission would be to interview the stakeholders in the current crisis, to summarize these findings, and to make recommendations for further action to the BOD. Judy assembled a slate of willing art therapists to serve as Task Force members and identified these individuals to the BOD who also made suggestions of potential members. The BOD accepted this offer, cooperated with the Task Force, and has offered to disseminate the Report to AATA members via the e-Newsletter.

**METHOD**

The Task Force engaged in preliminary individual phone calls with Judy and group e-mail correspondence to clarify their work and the procedures that would inform it. Each member agreed

to be bound by confidentiality, both in the reporting of interviewee information and names, and in reporting the internal discussions of the Task Force itself.

Pat Allen drafted the following statement of intention, which all supported:

"I listen to my colleagues with an open mind and open heart, release my judgments and preconceptions, and participate on behalf of the highest good for the collective i.e., ALL AATA members, BOD, staff, ourselves included, and be guided toward right actions, compassionate speech and the doing of no harm."

The Task Force agreed on a set of general guidelines and possible questions (attached) to provide some structure to the interviews. Following the first round of conversations, we revisited some individuals with further clarifying questions as these arose. In order to help rebuild trust, Judy assured each interviewee that only she and the Task Force interviewer would know the content of their interviews. Judy promised them that she would summarize the findings, eliminating identifiers, and would produce an initial report for the Task Force members.

The Task Force members then had a series of conference calls during which they discussed the findings, how best to organize the information, and what to recommend. The report that follows represents the combined efforts and editorial assistance of all Task Force members, who are in agreement with its findings and recommendations.

## **SOURCES OF DATA**

### **Interviews**

Forty-seven individuals were interviewed for approximately 150 hours of conversation. Most of those involved in the current situation had two discussions: one with Judy and one with another member of the Task Force. The interviewees included current and past Board members, Staff, Vendors, Committee Chairs, a number of past AATA Presidents, and individual members who had resigned or had signed a letter of no confidence. Consultation was also obtained from individuals and organizations who had been involved with AATA, and whose experiences might be helpful in these deliberations.

### **Reports**

In addition to personal interviews, Judy reviewed the findings of three AATA committees that had conducted investigations regarding the pros and cons of diverse management configurations and locations, a history of how AATA's management has evolved over time, and other relevant documents in order to better understand AATA's present status.

## **FINDINGS**

### **Introduction**

The Task Force believes that the BOD has been very committed to carrying on the work of the Association. The BOD has tried to be responsive to member criticism and has attempted to provide requested information with answers to questions and rumors. The Task Force also believes that

individual members who resigned, who spoke out, and/or who signed the no confidence letter, did so out of a similarly strong commitment to AATA and concern about the welfare of the Association.

Task Force members believe that the present critical juncture has been building for quite some time. However, the series of rapid changes and transitions beginning with the decision to terminate our long-term management contract made jointly by two overlapping Boards in November of 2005 led to an unanticipated degree of disruption. When the management firm decided to sue the Association, Board members were required to keep their deliberations about these matters confidential. This recent history has undoubtedly contributed to the current situation, during which many members have often felt as if they weren't getting answers to their questions despite BOD efforts to respond.

The move from the old firm to ACA was rocky, due to the withholding of records and finances by the previous management firm, with Board members doing a remarkable job of maintaining the Association during the interim. The hiring of an Executive Director in April of 2007 led to changes in internal communication and decision-making patterns in many areas, creating unhappiness among a number of members working for the organization. This led to a series of resignations, a barrage of complaints and questions to the Board, and a no-confidence letter and internet-based survey. The survey was shut down, and a portion of an E-Blast referring to ethics violations aroused members' fears of retaliation for dissenting.

There is no question in the minds of the Task Force Members that the Board of Directors **AND** those who have taken action have a deep commitment to AATA and to the profession of art therapy. They are all loyal members, though with differing and at times conflicting perspectives. Task Force members believe that the current situation in AATA reflects a developmental process that the Association is experiencing as part of becoming more autonomous. Although there is anxiety, we believe that some very positive things can come out of this period of inevitable disorder and disruption.

The crisis is real, and poses both risks and opportunities for AATA. Despite the BOD's considerable efforts to respond to member questions, many AATA members remain very concerned. Some have resigned, others are thinking of not renewing membership. Others have decided not to attend the conference this year. There is an urgent need to rebuild trust in our leadership, and to encourage open channels of honest communication without fear of reprisal.

We believe that chaos, although it is acutely uncomfortable, issues a call for creativity, and therein lies an opportunity for growth and renewal. Like any other crisis, the present situation offers an opening for reconsideration, rapprochement, and reconciliation. We view this crisis as an opportunity for the BOD to demonstrate its capacity for strong leadership in response to members, making possible a healthier and more cohesive organization.

## **Results**

While the Task Force gathered an abundance of information, the report will focus on the concerns raised by the majority of interviewees in the following areas.

## **Climate**

Many AATA members and chapters have been unhappy with what is perceived to be a significant change in the culture of the Association. While interviewees identified multiple causes, many

reported distrust of current leadership and anxiety about the future. This was reflected in the no confidence vote and the expressed intention of some long-standing members not to renew their membership in the Association.

Volunteers reported that their work was less enjoyable, and that they were experiencing greater frustration than in the past. Many were distressed by an escalating increase in secrecy and rumors, with a generally more adversarial tone and a frequent lack of civility in communications. Some reported that their efforts were criticized rather than appreciated, and that it was increasingly difficult to give their energies to AATA, despite the fact that everyone we spoke to wanted very much for the climate to change so they could work for the organization as they had intended.

### **Communication**

We were struck by how differently individual Board members interpreted injunctions not to discuss certain areas, and in the wide variety of understandings of “confidentiality” and “transparency.” Under what circumstances Board members believe they are able to communicate directly to the membership also seemed to differ, ranging from believing they are under a “gag order” to believing they are not.

Reading through the “Q & A’s” on the Association’s website again, it appears that a number of questions have been answered, yet members and Chapters remain concerned that some of the answers they received may be incomplete. There is a great deal of confusion, no doubt adding to the difficulties in communications between members and their elected representatives on the BOD.

### **Finances**

The majority of non-BOD interviewees reported serious concerns with the 2008 budget development process, especially after the succession of resignations, first by a member of the Finance Committee followed by two Treasurers. BOD members, who are currently responsible for financial oversight, were confident that the 2008 budget was “balanced,” but an examination of some of the information we have found suggests otherwise.

Because of revenue projections based on underestimation of costs, overly optimistic income projections, as well as unavoidable investment losses, some of our interviewees were concerned that the ultimate budget may not be balanced. It is our understanding that some contingency funds have been spent, and that there may be a need to cash in more.

All interviewees were concerned about the ongoing vacancy in the office of Treasurer. The BOD has made an effort to get the ballot out earlier than usual in order to elect someone who could then be inducted to serve that function as soon as possible. Although individuals have been appointed to the Finance Committee, it has not yet begun to function and was an area of concern to most interviewees.

### **Administration**

The majority of our interviewees reported that they had experienced challenging and sometimes frustrating interactions with the current Executive Director. For instance, many reported that they were assured that an administrative matter would be pursued and that they would be informed of the results. However, they reported not receiving follow-up information on the matter in question, which

made it difficult to continue performing their jobs. Others reported changes in workflow and procedures that were not communicated to the individuals involved and which were made without their input, sometimes disrupting the operations for which they were responsible. A minority of those we spoke to was, however, pleased and reported no difficulties.

### **Management**

Most interviewees were confused about the role of ACA management and the changes in contractual agreements. Some believed that ACA “fired” AATA, while others believed that AATA “fired” ACA. The truth of the matter is much more complex, and seems to be related to mutual misunderstandings regarding the agreements. Some interviewees were concerned that negotiating and signing a revised contract, followed by the decision within weeks to terminate, may have damaged the relationship between the two professional associations.

Many members are distressed at having a central office address that is called a “Suite” yet is, in fact, a postal box in a UPS store. While a “virtual office” may be a sound fiscal solution in the transition to more autonomous functioning, the anger expressed by many interviewees on this point suggests a need for clearer communication of such important changes in AATA’s administration prior to their implementation.

### **Legal Services**

The present legal counsel, located in Chicago, was retained when AATA was sued by its former management firm in Illinois. Counsel was extremely helpful to the organization in the litigation and settlement of that case, and in the negotiation of an agreement with ACA to provide member services. After briefly serving as Interim Executive Director (E.D.), counsel chaired the Search Committee for an E.D. The agreement AATA has with the counsel is on an “as-needed” basis.

During the transition period, because it was prolonged and full of unanticipated challenges, AATA leaders relied heavily on the advice of counsel and continued to do so after the E.D. was hired, with both serving as advisors. This development was perceived by many we interviewed as diminishing the authority and leadership role of the BOD as a group, while driving up consultation costs that further strained the budget.

## **RECOMMENDATIONS**

We asked everyone interviewed for suggestions about how their situation could improve, and for ideas about ways to restore the respect, trust, and collegiality that members of AATA have experienced, even when passionately disagreeing about an issue. The following consensus recommendations came out of the Task Force’s group discussions.

### **1. Communication**

The Task Force recommends that there be clarification for all BOD members regarding those matters that require confidentiality and those which do not. We also recommend that the BOD be accessible to members in their areas of responsibility, and that a culture of openness be actively promoted within the Association.

The Conference Committee has agreed to schedule a Task Force Open Forum at this year's Conference, in addition to an expanded Town Hall Meeting, and to allow over an hour for each. The Task Force encourages members to attend these meetings so that we can have a sorely needed face-to-face dialogue.

## **2. Finances**

The Task Force recommends that a thorough evaluation of the current financial situation be conducted immediately and reported to the AATA membership in order to allay continuing rumors and anxieties.

An AATA member with 25 years of experience as a CPA has offered to donate her time to review a full set of current financial statements, which would include a balance sheet (assets & liability), an income statement (income & expenses), and a statement of cash flow. She is willing to do this review immediately upon receipt of the above information.

We also recommend that the members of the recently appointed Finance Committee be announced to the membership, that it be activated as soon as possible, and that the committee be fully informed of any financial decisions and reviews. The BOD has decided to induct a new Treasurer as soon as the ballot is sent out and voting is tallied. The Task Force recommends that the time frame for the induction of the new Treasurer and the activation of the Finance Committee be communicated to the membership as soon as they are known.

## **3. Personnel Policies**

The Task Force recommends that personnel policies be developed and implemented for all who work for AATA in any capacity, and that all vendors and employees are evaluated after a specified time, such as six months and again after a year. Clear performance goals for each individual or group (linked to each position description) will enable them to know on what basis they will be evaluated. The Task Force is aware that a staff evaluation is currently under way; and recommends the use of confidential, online evaluation tools in the future.

At the present time AATA has no grievance procedures, whistle-blower protection, or other standard means of safeguarding the rights of employees. The Task Force recommends that such policies be developed, that they be included in the most appropriate document, and that the BOD seek legal consultation to assure that all personnel policies conform to the requirements for 501(c)(3) corporations.

## **4. Administration**

Our present Executive Director, working with ACA, helped Presidents Howie, Dunn-Snow, and their Boards to rebuild AATA after the chaotic loss of records during the transition from the previous management firm. He has assisted AATA during a period of rapid changes. Regrettably, the discomfort of the majority of those we interviewed about their experiences working with him, suggests that his management style is not a good "fit" for AATA as it enters its next developmental phase.

The Task Force therefore suggests that he be given a 90 day, no-fault notice of termination, and that an Interim Coordinator be selected by the BOD with whom he would work to effect a smooth and successful transition. At the same time, we also recommend that a Transition Planning Committee, with BOD and member representation, begin to explore next steps for the Association.

## **5. Transition**

The Task Force recommends that the BOD and the Interim Coordinator work closely and directly with Office and Conference teams to assure that major organizational tasks are conducted smoothly and with a minimum of disruption. The Task Force also recommends prioritizing and supporting all critical member benefits, especially the Journal, the Newsletters, and the Website.

If the Task Force suggestions are accepted, we will once again find ourselves in a period of transition that will require careful management and communication. The Transition Planning Committee, with consultation from AATA members, staff, and others, could help us to responsibly frame and work toward meeting our current and future needs as an Association.

If the BOD decides to initiate a search for another Executive Director, the Task Force recommends taking the time necessary to find someone whose skills and experience are most appropriate for AATA at this moment in our development.

## **6. AATA's 501(c)(3) Status**

The American Art Therapy Association (AATA) is incorporated as a not-for-profit corporation under Section 501(c)(3) of the Internal Revenue Code (Article I, AATA Bylaws). AATA is incorporated as a domestic not-for-profit corporation in the State of Massachusetts and as a “foreign” corporation in Virginia, where it was registered under its management contract with ACA. Therefore, AATA must comply with State and Federal rules and regulations at the Federal level as well as in regard to both states so as not to endanger our 501(c)(3) status.

The Task Force recommends that the BOD contract with an external consultant well-versed in nonprofit regulations to review all areas of AATA's current operations. The Task Force will be happy to provide the names of individuals and firms who have been recommended as potential consultants to the BOD by some of our interviewees.

## **7. Legal Counsel**

The Task Force recognizes the important role of the present legal counsel during the transitional period following the end of a long-term association with an Illinois management firm. We also realize what he has contributed in the transition to the present, and thank him for having been willing to wear so many different hats on our behalf, as we moved along our developmental path.

At this moment in AATA's move toward autonomy, the Task Force recommends engaging

a legal firm that specializes in non-profit management and has experience with relevant state and federal IRS regulations.

### **Delimiting the Recommendations**

Our interviewees, both members and nonmembers, offered many specific recommendations. The Task Force generated numerous ideas as well. In the interest of remaining focused on addressing the most pressing concerns and to create recommendations for action based on those concerns, the Task Force decided not to include all of the detailed ideas and suggestions in this report. However, we are more than happy to provide specific suggestions and ideas as requested by the BOD.

### **CONCLUSION**

We are deeply grateful to all those who responded to the Task Force interview process, volunteering their time and expertise. We have listened to people with many divergent viewpoints. In hearing their stories, we came to know not only the pain within this collection of passionate art therapists, but also the depth of their love for and commitment to our profession and our professional organization.

In summary, the recommendations above address the dominant concerns of our interviewees. It is clear that communications and administrative processes need to be addressed immediately. In addition, a new theme has materialized in the interview process: that of reconciliation.

We share a common belief in and commitment to art therapy. With this in mind, we recommend a general approach of compassion, rapprochement and genuine dialogue by all: a reaching out to those who spoke up publicly, and a reciprocal reaching out to those who carry the privileges and burdens of leadership. We need everyone's voice and involvement for a strong and growing Association.

We encourage all members to remain firmly anchored in a spirit of collegiality that can tolerate dissent, while also committing ourselves to developing a shared vision for the future of AATA. We look forward to contributing collectively to a revitalized Association, so that we can use our creative energies to spread the healing power of art far and wide.

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