



National Indian Head Start Directors Association

Board Development Training

Session 1: Purpose and Legal Responsibilities

Thursday, January 6, 2022



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Meet Your Facilitator

D.J. Thompson
Nonprofit Consultant,
Senior Manager
djthompson@okcnp.org
(405) 254-5057 (direct)



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What Does it Mean to Govern?



Direction: where are we going?

Protection: resources and strategies required to get there?

Order: disciplines, group norms, policy?



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Why Do We Have Boards?

Mission: a clarifying, short (simple and clear) statement that defines your organization's activity and purpose

Your Mission was established to provide a public service: education, religious, charitable, scientific, literary, testing for public safety, amateur or international sports, prevention of cruelty to animals or children. Board members are the public's representatives in fulfilling the mission. They protect, preserve, and support the mission, and establish new goals to accomplish the mission. Revise if it no longer applies.

Fiduciary: fə'd(y)oŏSHē,erē; involving trust, especially between a trustee and a beneficiary; responsibility to see that the organization is acting in the best interests of the public and the stakeholders who are served by the organization's mission. Governance is the board's legal authority to exercise power and authority on an organization on behalf of the people and community it serves.



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What are the duties of nonprofit boards?

These are legal duties



Duty of Care

What an “ordinarily prudent person” would do.



Duty of Loyalty

Being loyal to what is best for the organization at all times.



Duty of Obedience

Obedying the law from federal law all the way down to our own by laws.

Duty of Transparency

Be fully expository in all things. There are no secrets.

Duties of Boards

Duty of Care

Board members must exercise due care in all dealings with the organization and its interests. This includes careful oversight of the financial matters and reading of minutes, attention to issues that are of concern to the organization, and raising questions whenever there is something that seems unclear or questionable.



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Duties of Boards

Duty of Loyalty

Conflicts of interest, including the appearance of conflicts of interest, must be avoided. This includes personal and professional conflicts of interest or conflicts with other organizations in which a board member is connected.



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Duties of Boards

Duty of Obedience

Obedience to the organization's central purposes must guide all decisions. The board must also ensure that the organization functions within the law.

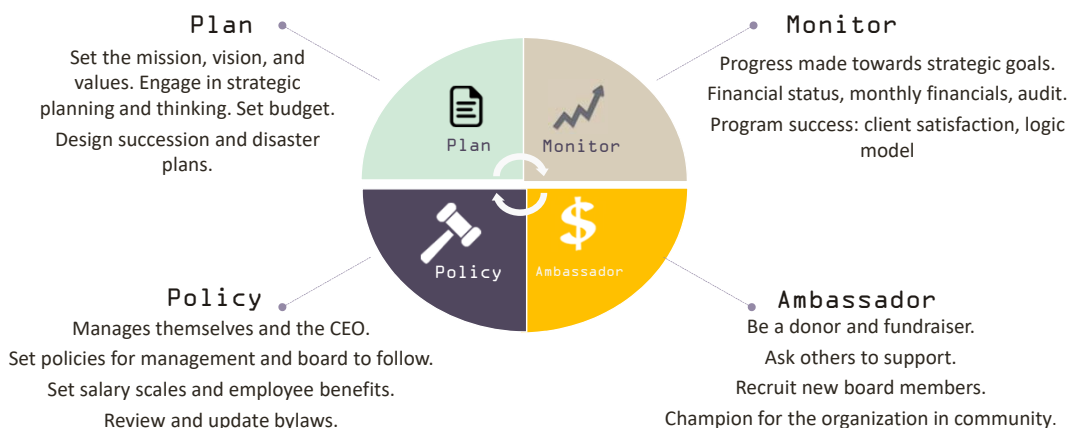
The "law of the land" and its own bylaws and policies.



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Tasks of a Board

All boards work and all boards govern



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Plan ahead: Strategic Thinking

“A nonprofit should engage in ongoing long and short-term strategic planning to determine the mission of the organization, to define specific goals and objectives related to the mission, and to evaluate the success of the organization’s programs toward achieving the mission.”

–Standards for Excellence, Ethics and Accountability Code for the Nonprofit Sector, benchmark



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Boards and Caretakers of the Mission

- **Representatives of the Public:**
 - public charity and its commitment to public transparency
- **Stewards of its resources:**
 - people, investments, time, goals, and plans are working towards the mission.
- **Debate and decide:**
 - when are opportunities evolving a mission and when are they getting the mission off track?
- **Critical times:**
 - response to public and donors- does this make sense? Who are our audiences who care? Set tone.



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Creating the Culture

Continuing to maintain a high performing team that supports a culture of curiosity and sets goals – while paying attention to:

1. **Emotional Needs.** Communicating frequently, succinctly, prioritizing *presence* over polish.
2. **Honest Conversations.** Crucial and honest conversations create trust and authentic interactions
3. **Remove barriers - and sacred cows.** What would it take to move *boldly and enthusiastically* forward with the decisions that have to be made?



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Creating the Culture - Leadership

Leadership is mobilizing people to make progress on their hardest problems. Which means narrowing the lag time between identifying and discussing problems:

Can you have an honest conversation and make a decision when there are hidden motives?



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Contact Us

Oklahoma City

Chesapeake Community Plaza
720 W. Wilshire Blvd., Suite 115
Oklahoma City, OK 73116
Phone: (405) 463-6886

Website: www.okcnp.org

Email: info@okcnp.org

Tulsa

Legacy Plaza
5330 East 31st Street, Suite 200
Tulsa, OK 74135
Phone: (918) 392-7984



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