

**NOVA SOUTHEASTERN UNIVERSITY
THE FISCHLER GRADUATE SCHOOL OF EDUCATION AND HUMAN SERVICES**

GRADUATE LEADERSHIP STUDIES

DOCTOR OF EDUCATION IN ORGANIZATIONAL LEADERSHIP

**LDR 9530
THE LEADER'S ROLE IN BUILDING A LEGALLY, ETHICALLY,
AND FINANCAILLY RESPONSIBLE NOT FOR PROFIT ORGANIZATION**

Online Study Guide

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TABLE OF CONTENTS

Preface.....	3
Course Description.....	4
Instructional Sequence.....	4
Learning Outcomes.....	4
Course Conduct.....	5
Required Texts.....	6
Recommended Readings.....	6
Course Requirements.....	6
Written Assignment Requirements.....	8
Grading Criteria.....	9
Course Outline.....	10

PREFACE

This study guide is designed for Nova Southeastern University (NSU) students as they explore the **nonprofit organization leader's** role and ethical responsibilities within a specific organizational context. This course builds on the concepts of the catalytic role of Leadership presented in the core leadership courses. The leader will be instrumental in developing an organization that is legally and morally sound, while planning for long term stability. The ability to design and promote continuous learning – by individuals, groups, teams, and the entire organization – is a hallmark of the 21st century leader. This is especially true in the nonprofit sector as it touches the soul of the community.

This study and resource guide serves as an overview of the topics to be studied in **LDR 9530 The Leader's Role in Building a Legally, Ethically, and Financially Responsible Organization**. The guide presents learning outcomes anticipated as a result of active engagement in the study area. Reading and writing assignments as well as teaching and learning resources are included. As an active learner your first task is to read this guide carefully and thoroughly. Your instructor will provide you with further areas for discussion, reflection, and collaboration with your course colleagues during your online sessions.

The exploration of the nonprofit organization and the role of the nonprofit leader will be the focus of this aspect of organizational leadership. Thus, the term nonprofit leader or CEO will be used often in this course.

The role of the leader is to be aware of the ever changing legal system within the nonprofit sector including formation of the organization, employee benefits, compensation, labor law, unemployment, ethical/moral mediating, criminal activities and etc. As the leader guides an organization to be safe from legal ramifications by exhibiting morally wise decision-making, he/she must develop a strategic plan that is multifunctional. The dimensions of this plan should include strategies that reflect obtainable benchmarks that springboard the agency to successful completion.

The course incorporates a variety of learning resources including texts, articles, web sites and other Internet resources, and the experiences and expertise of the learners themselves. Learners are expected to contribute actively to the collaborative learning experience envisioned for this course. The instructor will serve as a facilitator, guide, and individual/group consultant in the learning process.

COURSE DESCRIPTION

The leader of the nonprofit organization demonstrates best practices by being aware of what is legally mandated, what is strategically sound, and what is ethically responsible. To understand the different legal aspects and the ethical considerations of a nonprofit organization the leader begins by addressing the organization's ability to strategically plan for the future.

INSTRUCTIONAL SEQUENCE

The instructional sequence of **LDR 9530** is divided into three major components that will be examined over the 15-week period of the course. This guide is divided into these three areas:

- The first component will focus on how the legal entity of a nonprofit organization is formed. It will include reviewing the mission and vision for the organization and analyzing their importance in the development of policies and procedures, by-laws, and articles of incorporation. How the leader develops a foundation of a nonprofit organization in the context of restrictive as well as challenging boundaries will be explored. This will include the code of ethics the leader employs in the governance of the organization.
- The second component will build on the first. The ethical and moral issues of the nonprofit will be explored in relationship to the service or product offered; its value to individual stakeholders; as well as the quality of these products/services. The legal foundation sets boundaries, but the ethical integrity of the leader opens the process of accountability and embraces collaboration in meeting the organization's mission.
- The third component will explore how the leader uses the structure and people power within an organization to guide it to develop a strategic plan that makes the organization a viable community partner.

The assignments for each course component offers the student an opportunity to examine his/her workplace, design and develop intervention systems, and assess the overall ethical operations of his/her organization.

LEARNING OUTCOMES

As a result of active engagement in the learning process participants will:

- ❖ Understand the legal requirements to register as a nonprofit.
- ❖ Understand the formation of a nonprofit by the way it has chartered its Articles of Incorporation and developed its by-laws.
- ❖ Be able to discuss a nonprofit's by-laws, articles of incorporation, policies and procedures, and tax exempt status.

- ❖ Understand how the leader accepts responsibility for the organization adhering to all governmental restrictions and regulations.
- ❖ Describe the ethical and moral responsibilities the leader accepts as CEO of a nonprofit.
- ❖ Describe the legal pitfalls as a service provider in today's litigious society.
- ❖ Describe and plan ways to prevent lawsuits within the nonprofit sector.
- ❖ Describe how a nonprofit strategically plans to be a viable player within the community.
- ❖ Describe how the nonprofit is able to collaborate with for-profit businesses to strategically plan for its long-term existence.
- ❖ Analyze the role of the board of directors to assist in strategically planning for the agency.
- ❖ Be able to identify the steps necessary to do a 5-year strategic plan.
- ❖ Be able to understand the need to address a strategic plan on designated time frames to monitor progress.
- ❖ Be able to build short-term wins in the plan to assure success.
- ❖ Understanding leadership roles in making strategic plans work.
- ❖ Understanding why stakeholders must re-access and revisit strategies and planning.
- ❖ Understand the cumulative economic responsibility of all members to assure fiscal stability.

COURSE CONDUCT

As previously stated, **LDR 9530, The Leader's Role in Building a Legally, Ethically, and Financially Responsible Not For Profit Organization**, is divided into three major components of study: 1) To understand the foundation of a nonprofits polices, procedures, articles of incorporation, by-laws, and power hierarchy to insure the CEO's leadership of the organization for Profit and nonprofit, 2) To identify the components necessary to do a business plan that gives the nonprofit credibility; 3) To become a political advocate to enhance services and products of nonprofits by developing a viable strategic plan.

The topics are organized over a 15-week session. You should plan to spend a minimum of five hours per week working online exploring and examining Internet sites and related materials as well as preparing written assignments. Off-line activities include reading the required texts and doing the necessary background work to prepare for the chat sessions and the assignments. Written assignment information appears in the Assignments section of the study guide. Additionally, the assignments and activities for all sessions will be posted as messages in the course are on Embanet.

As you progress through the course, you are encouraged to apply the concepts and principles that you are learning to everyday practice. Use this learning as an opportunity to apply, informally and immediately, your new learning within your work setting. More formal

opportunities may arise as you progress through the program. The value you receive from this course is in direct proportion to your active engagement in reading assignments, writing assignments, and online chat sessions. Make the most of this experience.

REQUIRED TEXTS

Andringa, R.C., & Engstrom, T.W. (1997). *Nonprofit answer book: Practical guidelines for board members and executive directors*. Washington, D.C: National Center for Nonprofit Boards. ISBN: 0-925299-80-4. Hardback

Board Member a Special Edition on Ethics. Washington, D.C: National Center for Nonprofit Boards. Paperback

Hopkins, B.R. (2001). *Starting and managing a nonprofit organization*. New York: John Wiley and Sons. ISBN: 0-471-39727-X. Paperback

Kolb, C.E. (1999). *Developing ethics, a program*. Washington: DC: National Center for Nonprofits. ISBN: 0-925299-83-9. Paperback

Morgan, P.W., & Reynolds, G.H. (1997). *The appearance of impropriety: How the ethics wars have undermined American government, business, and society*. New York: Free Press. ISBN: 0-684-82764-6.

RECOMMENDED READINGS

Allison, M., & Kaye, J. (1997). *Strategic planning for nonprofit organizations*. New York: John Wiley and Sons. ISBN: 0-471-17832-2. Paperback

Bryson, J.M. (1995). *Strategic planning for public and nonprofit organizations*. ISBN 0-7879-0141-5. Hardback.

Books are available online from NSU book vendor Barnes & Noble www.barnesandnoble.com, or from Amazon at www.amazon.com. If you need overnight delivery, Amazon may be your best bet. It has the most reasonable charges for overnight delivery.

Organizational Leadership Bibliography

Students will be given an extensive Bibliography at your first class or may be downloaded from the bibliography file. The total program bibliography that was created for the Organizational Leadership Doctoral Program can be assessed online through the Embanet site. In addition, the instructor may recommend additional readings during the course.

COURSE REQUIREMENTS

Learning activities for **LDR 9530 The Leader's Role in Building A Legally, Ethically, and Financially Responsible Not For Profit Organization** consists of readings, lecture

responses, discussions and writing assignments, and interactive learning experiences (instructor lead and cohort chats).

Readings: The readings are organized according to the three major components of this course. The reading assignments are essential for your understanding and preparing of the course major written assignments along with your active engagement in the online chat sessions. It is important that you complete all of the required reading as quickly as possible. You are expected to integrate the content of reading assignments into all of your work. There will be opportunities for questions and clarification of the concepts presented during each online chat. Reading assignments are listed.

**Component 1:
The Leader's Role in the Formation of the Nonprofit Foundation**

Hopkins, B.R. (2001). *Starting and managing a nonprofit organization*. Chapters 4-14.

**Component 2:
Meshing Legal and Ethical Responsibilities of a Nonprofit Organization**

Morgan, P.W., & Reynolds, G.H. (1997). *The appearance of impropriety*. Chapters 1-8.

Component 3: Strategic Planning for Nonprofits

Hopkins, B.R. (2001). *Starting and managing a nonprofit organization*. Chapters 15-21.

Kolb, C.E. (1999). *Developing an ethics program*. Pgs. 1-22.

From time to time additional reading assignments may be posted in the Embanet folder. Be sure to check carefully each week.

Chats: You will be required to participate in seven (7) chats with your instructor and five (5) chats with your cohort. The dates and times for the instructor will be posted in the Embanet weekly folders. Cohort chats will be organized by you and your LDR 9530 colleagues and will be conducted without the instructor. The instructor will post 5 questions for each of these cohort chats. The schedule is determined by the students. All chats will be saved as electronic files and posted on Embanet. Chat participation, both quantity and quality, is part of your final course grade. (See Grading Criteria.)

Written Assignments: Unless otherwise indicated, written assignments are due by MIDNIGHT on Sunday of the determined week. Assignments should be posted as email attachments to the appropriate Embanet assignment folders. Students are advised to keep a copy of all written assignments throughout the doctoral program.

There are three written assignments in this course:

1. Legal Assessment

2. **Project on Meshing Legal and Ethical Responsibilities**
3. **Strategic Plan**

1. **Legal Assessment:** The student will review mission, vision, policies and procedures, by laws, and the governance plan of a nonprofit. In the context of a failing organization, each will be addressed and revisited to stabilize this agency.
2. **Project on Meshing Legal and Ethical Responsibilities:** The student will look at the legal obligations of a nonprofit such as duty of confidentiality, loyalty, and service in directing an organization by meshing it with the personal values of individual stakeholders to build stability.
3. **Strategic Plan:** The student is required to take all information from the second and third assignments and apply it to building a strategic plan for a fictitious or real nonprofit organization. This will allow the student free access to use all that was learned throughout this course and develop a plan for the future.

WRITTEN ASSIGNMENT REQUIREMENTS

Written Assignment 1 Legal Assessment (20 points)

In this assignment the student will develop an organization or school that has been in existence for approximately 20 years and has deteriorated progressively due to changing socioeconomic or environmental challenges threatening its existence. The paper will include the nonprofit's organizational structure, economic status, profile of stakeholders, product or service provided, and organizational power hierarchy. Each area will be identified in its current state of chaos. For each area, student will develop a new commitment to change in order to remain viable in the community. This scenario will be a challenge to examine the nonprofit's legal stability as well as its foundational groupings. Remember to address polices and procedures, by laws, vision, and mission and their role within the organization.

This assignment should be approximately 10-20 pages in length minus cover/reference sheets and follow APA 5th edition format and NSU Form and Style Guidelines.

Written Assignment 2 Meshing of Legal and Ethical Issues (30 points)

The student should be able to identify how the ethical duties of confidentiality, conflict of interest, and rationalization effect the legal obligations of duty of care, loyalty, and obedience in leading the successful nonprofit organization. The student should use the agency identified in Assignment 1 to now weave the responsibilities of organizational identification and personal values of the stakeholders to guide the organization to success. The intent is for the student to first identify the legal and ethical issues, plan how to respect them or reassess them and then mesh them into a foundational grouping. This should include a code of ethics for the leader.

This assignment should be approximately 10-20 pages in length minus cover/reference sheets and follow APA format.

Written Assignment 3 Strategic Plan (40 points)

The intent of this assignment is to provide students with the opportunity to do actual short-term intervention planning to stabilize an agency.

In this final assignment, students will identify an agency in trouble. (This may be fictitious or real.) As the leader of this agency, you will have to review the current mission, possibly change the by-laws to be more reflective of the organizations current needs, and review the organizational chart to assess adherence to structure. Finally you must address the legal ramifications of potential fraud within this company. Address the potential ethical considerations that could hamper success. The plan must include financial viability and an effective role for stakeholders in helping this organization to succeed. Lastly, address the stability of each of the intervention benchmarks.

A one-year intervention plan will be developed. The plan will consist of sections at each stage, 3 months, 6 months, and 1 year. Each section will identify critical issues, goals and objectives, resource development, public relations and marketing, networking, collaboration, and evaluation. As the success of this plan will requires getting the support of the Board of Directors, clients/customers, and volunteers each of these groups, plus “you”, the Chief Executive Officer will need to be addressed.

The suitable length of this assignment is 12 to 15 pages minus cover sheet/reference page and should follow APA format.

GRADING CRITERIA

The major assignments for **LDR 9530** and their corresponding points are as follows:

1) Legal Assessment	20 points (20% of grade)
2) Project on Meshing Legal and Ethical Responsibility	30 points (30% of grade)
3) Strategic Plan	40 points (40% of grade)
4) Chat Participation	10 points (10% of grade)

Grades issued in this course are A, B, and F. There are no plus or minus grades given with the final grade. Professors may issue C, D, as well as plus and minus grades on assignments as indicators of quality.

The student must negotiate the incomplete (I) grade with the professor. An I is given at the discretion of the professor and is only considered in a case where the student has completed most of the course assignments. The professor will determine the time extension given to each student. The time extension may not exceed one term or 15 weeks.

A student who does not complete any assignments is not entitled to an I grade and will receive an F. Students who receive F's will be placed on probation and will be expected to take the course over again.

Each student is responsible for knowing the guidelines for probation and dismissal. Information is provided in the Student Handbook located on the web site <http://www.fgse.nova.edu/orgleader>.

COURSE OUTLINE

WEEK ONE:

- > Introductions
- > Identifying Ethical Problems in Non Profits
- > Reading: Morgan & Reynolds – Chapters 1-4

WEEK TWO

- > Lecture response
- > Chat Participation
- > Article I – Identifying Personal Values that undermine Business and Society
- > Reading: Morgan & Reynolds – Chapter 5-8

WEEK THREE

- > Lecture response
- > Chat Participation
- > Reading: Hopkins: Chapters 4-7

WEEK FOUR

- > Lecture response
- > Article 2
- > Reading: Hopkins: Chapter 11 & 12

WEEK FIVE

- > Lecture response
- > Chat Participation
- > Reading: Hopkins: Chapters 13 & 14
- > Submission of Assignment 1 by end of week

WEEK SIX

- > Lecture response

- > Article 3
- > Reading: Hopkins: Chapters 16 & 17

WEEK SEVEN

- > Lecture response
- > Chat Participation
- > Reading: Hopkins: Chapter 18 & 19

WEEK EIGHT

- > Lecture response
- > Article 4
- > Reading: Hopkins: Chapters 19, 20 & 21

WEEK NINE

- > Lecture response
- > Chat Participation
- > Reading: Morgan & Reynolds – Chapters 9-11

WEEK TEN

- > Lecture response
- > Reading: Andringa & Engstrom – Chapters 31-33
- > Submission of Assignment 2 by week's end

WEEK ELEVEN

- > Lecture response
- > Chat Participation
- > Article 5
- > Reading: Andringa & Engstrom – Chapters 34-37

WEEK TWELVE

- > Lecture Response
- > Chat Participation
- > Reading: Board Member a Special Edition on Ethics

WEEK THIRTEEN

- > Lecture response
- > Article 6
- > Reading: Kolb – Pg. 1-17

WEEK FOURTEEN

- > Lecture response
- > Chat Participation
- > Reading: Kolb – Pg. 18-22
- > Submission of assignment 3 by week's end

WEEK FIFTEEN

- > Lecture response
- > Now that we have arrived – What now?
- > Now that you are done think about where you can implement this in the future.

Good Luck!!!!