

Legal Responsibilities of MASP Board and Committee Members

Duty of Care

The duty of care describes the level of competence that is expected of a board or committee member and is commonly expressed as the duty of “care that an ordinarily prudent person would exercise in a like position and under similar circumstances.” This means that a board or committee member owes the duty to exercise reasonable care when he or she makes a decision as a steward of the organization.

Duty of Loyalty

The duty of loyalty is a standard of faithfulness; a board or committee member must give undivided allegiance when making decisions affecting the organization. This means that a board or committee member can never use information obtained as a member for personal or financial gain, but must act in the best interests of the organization.

Duty of Obedience

The duty of obedience requires board and committee members to be faithful to the organization’s mission. They are required to act in a way that is consistent with the central goals of the organization. A basis for this rule lies in the public’s trust that the organization will manage donated funds to fulfill the organization’s mission. This duty also requires board and committee members to obey the law and the organization’s internal rules and regulations.

Adapted from BoardSport’s Legal Responsibilities of Nonprofit Board Members

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