Welcome from your Facilitator!

Leah McDermott
Program Manager
FNA
Mission:
Florida Nonprofit Alliance is the state's collective voice, respected advocate, effective connector, and powerful mobilizer for the nonprofit sector.

Website:
www.flnonprofits.org
FNA Resources

- Research
- General Advocacy
- Tools
- Trainings
  - Member Orientation
    Thursday, August 4, 10-11AM ET
  - Setting a Policy Agenda
    Tuesday, August 9, 2-3:30PM ET
  - Check flnonprofits.org, then News - Community Calendar for future events
Newsletters

Voice of the Sector

Greetings!

I hope you are all healthy and safe. Florida has been in phase 1 of re-opening since 14th. Many nonprofits never closed their doors during quarantine but are pacing what re-engagement looks like for their clients and their staff.

FNA, in partnership with the Oklahoma Center for Nonprofits, has created Engagement Guide to help you make the best decision for your agency and team. We hope this tool is a useful guide for you.

Our team has been hard at work gearing up for our economic impact report and keeping you updated on the latest from Tallahassee and Washington D.C. Remember to visit our COVID-19 Resources page to keep up with the latest.

In addition, we have a full calendar of events scheduled over the next month out the full list here.

If there is anything else that you feel would help, please do not hesitate to reach out. Thank you for all you do for Florida nonprofits.

Sincerely,
Sabeen Perwaiz

Sample newsletter

Sign up at
https://flnonprofits.org/

HEROES ACT

Speaker Pelosi has released the Health and Economic Recovery Omnibus Emergency Solutions Act (HEROES Act). See also this one-Pager and the Coronavirus Update.
Thank you!
Housekeeping

- All participants today are starting on mute
- Type your questions in the chat box - we will be monitoring them
- You can also unmute yourself to ask a question
- Questions will be taken along the way
- Interaction is valued and important!
- This training is being recorded
Advocacy - the whys and whats
Why Advocacy?

- Founding principle of our country
- Core rights to assemble and petition their government
- “Americans of all ages, all conditions, and all dispositions constantly form associations...religious, moral, serious, futile, very general and very particular, immensely large and very minute.”
- Examples:
  - Abolitionist societies ➔ Emancipation Proclamation
  - Farmers ➔ Granger laws
  - National American Women Suffrage Association ➔ 19th Amendment
  - Townsend Clubs ➔ Social Security Act
  - Southern Christian Leadership Conference (and many others) ➔ Civil Rights Act/Voting Rights Act
Why Advocacy?

- Advocacy is legal, needed, and EASY!
- Helps your organization:
  - Meet its mission
  - Survive and thrive
  - Create lasting, positive change
- Helps your community:
  - Solve and avoid problems
  - Give citizens a voice
  - Become more just
- Helps public policy makers:
  - Get citizen input
  - Get information on the social needs in their community
Advocacy - Now more than ever

- Nonprofits are not recovering quickly financially
- 49% of nonprofit organizations have spent some or all of their reserve funds, making them more financially fragile than before the pandemic.
- Fundraising and funding remains both the largest concern and a challenge for nonprofit organizations.
- At the same time, nonprofits are still seeing an increase in the demand for services.
- The COVID-19 pandemic continues to take a toll on volunteering. 44% of organizations are experiencing volunteer absences, and about half of the organizations are using fewer volunteers now than they did in 2019.
- Nonprofits have not received the same level of support from federal, state and local relief efforts as other sectors.
Why advocacy for you?
What is Advocacy?

- Any action that speaks in favor of, recommends, argues for a cause, supports or defends, or pleads on behalf of others.

- Includes:
  - Education
  - Research
  - Grassroots organizing
  - Nonpartisan voter engagement
  - Litigation
  - Coalition building
  - Nonpartisan analysis, study, or research
  - Requests for technical advice
  - Self-defense
  - Lobbying
What is Lobbying?

- Communications that are intended to influence specific legislation (by a legislative body)
- Specific form of advocacy
- Two kinds:
  - **Direct lobbying** - communicating your position on specific legislation to a legislator, government employee, or decision maker who may help develop the legislation, or urging your members to do so. Attempts to influence the public on referenda and ballot initiatives.
  - **Grassroots lobbying** - communicating your position on specific legislation to the general public and encouraging them to contact representatives in support of or opposition to that legislation. Grassroots lobbying only occurs when an organization reaches beyond its members to mobilize the public.
What is Legislation?

- Actions by a legislative body, including the “introduction, amendment, enactment, defeat or repeal of Acts, bills, resolutions, or similar items.”
- Can be federal, state, or local
- Includes referendum questions, initiative petition, proposed constitutional amendments, Senate confirmation of executive and judicial branch nominees, proposed treaties requiring Senate approval
All lobbying is advocacy, but not all advocacy is lobbying.
Legally Advocating
What is Legal

- 501(c)(3) public charities are allowed to:
  - Advocate
  - “Lobby freely” within specified limits - 1976 Lobby Law and 1990 IRS Regulation
  - Influence legislation and ballot initiatives
  - NOT participate in election or partisan activities
  - NOT use federal grant funds on lobbying

- 501(c)(3) Private Foundations are not allowed to lobby
  - They can build relationships with elected officials, provide technical assistance in response to a written request, and make nonpartisan research available
  - They can grant general support/operating grants to organizations that lobby, as long as the grant is not earmarked for lobbying

- 501(c)(4), 501(c)(5), 501(c)(6) and 527 organizations
  - Can participate in electioneering
What Can Public Charities Do?

- **Unlimited (Advocacy)**
  - Communication with judicial or executive branch or administrative agencies
  - Discussion of broad issues that does not refer to specific legislation
  - Providing an opinion on legislation but omitting a call for action
  - Naming legislators in favor of or against an action and omitting a request to contact them
  - Preparing and distributing a nonpartisan analysis of a legislative proposal
  - Testifying for or providing assistance to a legislative committee after a written request
  - Self-defense lobbying where the organization’s future is threatened
  - Nonpartisan voter education, candidate forums, and voter registration

- **Never (Electioneering)**
  - Implied or direct endorsement of candidates
  - Rating candidates
  - Forming a Political Action Committee (PAC)
  - Coordinating educational or lobbying activities with a campaign
  - Contributing or soliciting funds for campaigns or candidates
What Can Public Charities Do?

- Limited (Lobbying)
  - Direct
  - Grassroots
Legal Limits

- **501(c)(3) public charities are allowed to lobby**
  - “Insubstantial part test” - “no substantial part of a charity’s activities...be carrying on propaganda or otherwise attempting to influence legislation.”
    - Is not limited to dollar amounts spent.
    - Could include organization’s goals and success in achieving them, time and energy devoted to legislative matters by staff and Board, and costs, among others
    - Generally understood to be 3-5% of annual expenditures, but this number is not stated by the IRS
  - **Section 501(h) expenditure test** - Sets specific dollar limits, calculated as a percentage of a charity’s total exempt purpose expenditures.
    - Must file an election.
    - Total lobbying expenditures limit = 20% of the first $500,000 of exempt purpose expenditures + 15% of the next $500,000 of exempt purpose expenditures + 10% of the third $500,000 of exempt purpose expenditures + 5% of the remaining exempt purpose expenditures
    - No greater than $1M
    - Grassroots lobbying expenditures limit - 25% of total lobbying expenditures limit
Election H

- Complete IRS Form 5768
- Gives you:
  - Larger limits (in most cases)
  - Ability to plan
  - Less likely to lose exemption
  - No personal penalty taxes
  - Reversible decision
- And:
  - Does NOT increase risk of audit
  - Requires record-keeping, but may reduce the amount
Sample Lobbying Expenditure Chart

<table>
<thead>
<tr>
<th>Exempt Purposes Expenditures</th>
<th>Total Lobbying Limit</th>
<th>Grassroots Lobbying</th>
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</thead>
<tbody>
<tr>
<td>$100,000</td>
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<td>$5,000</td>
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<tr>
<td>$350,000</td>
<td>$70,000</td>
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<tr>
<td>$1,000,000</td>
<td>$175,000</td>
<td>$43,750</td>
</tr>
</tbody>
</table>
Tracking Lobbying

- Plan during budgeting
  - Calculate limits based on expenses
  - Create line items that fit into those amount
- Keep accurate records
  - Total exempt purpose expenditures, total lobbying expenditures, total grass roots lobbying expenditures, and payments made to others earmarked for lobbying
  - Include in financial reports to regularly monitor
  - Maintain file copies of written lobbying communications
  - Track employee time
  - Track expenses in a cost log
- Track direct lobbying expenses and grassroots lobbying expenses separately
- Consult legal counsel/expertise when in doubt
Legal or No?

- Discuss issues with policymakers
- Ask your supporters to write or call their elected officials
- Testify at the Capitol in support or opposition to a bill
- Host a candidate forum
- Endorse a referendum or ballot initiative
- Contribute to a candidate's campaign
- Create a voter’s guide
- Endorse a political party
- Host a town hall meeting about a specific issue

<table>
<thead>
<tr>
<th>Activity</th>
<th>Legal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discuss issues with policymakers</td>
<td>YES</td>
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</tr>
</tbody>
</table>
Effectively Advocating

Internal Work
Potential Sources of Opposition

- Internal
  - Board
  - Staff

- External
  - Perception/myths
  - Special interests
  - Status quo
Your Advocacy Team

- Your mission
- Your utmost integrity and reputation
- Executive Director and Board - decision makers
- Staff
- Board members
- Volunteers
- Clients
- Donors
- Partner organizations
- Anyone who cares about your mission
Board Buy-in

- Make sure your Board understands the laws
- Lead the Board in discussions on why advocacy is important for your organization
- Three critical Board roles:
  - Strategy
  - Budget and Resources
  - Personal Engagement
Building an Advocacy Policy Statement

As an organization, you should discuss, decide, and document:

- Why is advocacy important to your organization?
- Why is advocacy important for your mission?
- What criteria will you use to decide whether or not to get involved/take a position? Who decides?
- What expectations do you have for people advocating on your behalf?
- How will you proactively monitor relevant legislation?
- What will you not do?

Samples:

- CLPI Road Map to Advocacy
- The Arc
- FNA
- Australian Red Cross
**Advocacy**

Advocacy on the individual or systems level is acting with or on behalf of an individual or group to resolve an issue, obtain needed support or service or promote a change in the practices, policies and/or behaviors of third parties. Advocacy is essential for promoting and protecting the civil and human rights of people with intellectual and/or developmental disabilities and for establishing, maintaining or improving their quality of life.

**Issue**

Without strong advocacy at all levels, people with intellectual and/or developmental disabilities may not have access to needed supports as well as opportunities to exercise inherent civil and human rights. Additionally, strong advocacy may be required to prevent and/or address abuse, neglect and exploitation that people with intellectual and/or developmental disabilities may experience. Persons with intellectual and/or developmental disabilities may need the support of advocates to become effective self-advocates.

**Position**

Advocacy is vital in improving and sustaining quality of life for persons with intellectual and/or developmental disabilities. To be effective, advocacy must take place at both the individual and system levels. Advocacy can be aimed at public officials, support systems and the general public.
# CLPI Road Map for Engagement in Legislative Advocacy

## Organizational Capacity

### Will
1. Understand why legislative advocacy is important to meeting your mission?
2. Have a commitment to advocacy?

### Knowledge/Skills
3. Understand the rules governing nonprofit advocacy?
4. Understand legislative processes?
5. Understand rules for funding advocacy?
6. Understand key policy issues related to your mission?
7. Understand strategy options?

### Infrastructure
8. Have a policy on advocacy activities or public policy engagement?
9. Have a governance structure for advocacy?
10. Have a decision-making process for advocacy?
11. Have a policy agenda?
12. Have communications & tracking systems?

### Resources
13. Have financial resources devoted to advocacy?
14. Have dedicated/designated staff for advocacy?
15. Have relationships with:
   - Policymakers
   - Government Agencies
   - Base Constituencies
   - Media
   - Public
   - Other Nonprofits
   - Coalitions/Alliances
   - Other

## Strategy

### Goals/Outcomes
- Long-term
- Intermediate
- Short-term

### Public Policy

#### Decision Makers
- Who are the Decisions-Maker(s)?
- Message(s) to Decision-Maker(s):
  - Messengers:
    - Who
    - Internal Message(s) to engage them
  - Tactics/Activities:
    - Direct Lobbying
    - Admin. Advocacy
    - Coalitions/Alliances
    - Media
    - Grassroots Lobbying
    - Grassroots Organizing
    - Voter Education
    - Other

#### Opponent(s)
- Who are your Opponent(s)?
- Message(s) of Opponent(s)
- Messenger(s)
- Tactics/Activities

### Evaluation

#### Indicators
- Tools

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Center for Lobbying in the Public Interest  [www.clpi.org](http://www.clpi.org)
What criteria would you use to select advocacy issues?
Resource Your Advocacy Work

- Financial
- Staff
- Board
- Outside resources
- Thought leadership
Prep Your Messaging

- Economic impact
  - Highlight the jobs within your county for nonprofit sector
  - Return on Investment - calculate how far you stretch a dollar
- Local human interest stories
  - Highlight real families (with permission) that you have been able to impact
  - Have your clients send notes of appreciation about your work
- Mission importance
  - Describe need/issue in a compelling way
  - How many people utilize this resource
Effectively Advocating

External Work
Elected Officials

- **Short-term**
  - Learn about your elected officials and prioritize your outreach - sign up for their communications
  - Introduce your organization
  - Know and respect staffers (Chief of Staff, Legislative Director, Press Secretary, Scheduler, Aide/Assistant)
  - Be a resource/subject matter expert
  - Engage in coalition work

- **Long-term**
  - Stay nonpartisan in practice and appearance
  - Understand motivations of all/your elected officials
  - Build a relationship that does not always involve an ask
  - Find ways to monitor existing and potential legislation
  - Practice pragmatic optimism
Communication Tools

- Letter/email writing
  - Democracy.io
  - Don’t use form letters
  - Keep them short, informative, personalized and include your contact information
- Phone calls – don’t forget about district offices!, coordinated calls
- Visits
- Social Media – use to express policy positions but not for dialog
- For all communication:
  - Do your homework
  - Follow protocol
  - Keep it simple
  - Make sure they know that you are a constituent and your position “I support/I do not support” first
  - Ask for action
  - Say thank you
April 20, 2020

Senator Rick Scott
716 Hart Senate Office Building
Washington, D.C. 20510

Senator Rubio
284 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Rubio & Senator Scott,

Like most other parts of our economy, Florida’s nonprofit sector – which provides about 5% of private sector jobs in our state – continues to struggle in the face of the COVID-19 pandemic. The CARES Act includes significant relief for charitable organizations by including nonprofits in the emergency loan programs, extending unemployment benefits to many nonprofit employees, and providing a small tax incentive for charitable giving. Nonprofits are appreciative of this relief.

During the past two weeks, the Florida Nonprofit Alliance and our partners at the national level have heard from many nonprofits about several modifications to provisions in the CARES Act that would help nonprofit organizations recover from the economic challenges stemming from the COVID-19 pandemic. A unified group of major national organizations has put together a set of recommendations for modifications to the CARES Act that will help preserve nonprofits’ ability to provide essential services at this time of greatest need. FNA fully supports these recommendations, and we seek your assistance in ensuring that they are included in the fourth COVID-19 stimulus bill that Congress passes.

Please feel free to reach out to me to discuss this further.

Sincerely,

Sabeen Perwaiz
Florida Nonprofit Alliance
Greetings!

Apologies for the multiple emails today. This is an urgent request that you write and/or tweet our U.S. Senators and Representatives and insist that they do more in their COVID-19 stimulus bill to support the ability of charitable nonprofits to serve and survive the pandemic and its impact on the economy. Please take action today or this weekend!

Here are two quick things you can do:

- Email Senator Marco Rubio and Senator Rick Scott and your U.S. Representative with this simple message: "I want you to understand what this pandemic is doing to the ability of my nonprofit to serve your constituents." Tell your story. Close with something like, "I urge you to include the policy solutions proposed by the nonprofit community in any COVID-19 relief and stimulus legislation." You can click on the above links to our Senators’ and Representatives’ websites and find the email webform on the “contact” option. Don’t bother to call their offices; they are closed due to COVID-19.

- Tweet Senator Rubio (@SenRubioPress) and Senator Scott (@SenRickScott) and your U.S. Representative to deliver this simple message: "(Representative/Senator Twitter Handle) I urge you to include the policy solutions proposed by the nonprofit community #nonprofit https://bit.ly/2lZKeSO in #COVID19 relief legislation."
Engage Them - Proactively

- Invite on tours of your facility
- Invite to meet and greets
- Provide regular updates
- Attend town halls
- Be a resource
Media

- **Short-term**
  - Build your media list - not just traditional outlets
  - Share information regularly - give first
  - Begin learning the beats, motivations, and needs of specific journalists

- **Long-term**
  - Build relationships
  - Give as well as ask
  - Be an expert resource for journalists
Tools to Use

- Letters to the Editor
- Op/Ed articles
- Press releases
- Media events
- Online petitions - change.org, avaaz.org
- Social networks - roughly half of Americans have been civically active on social media in the past year
- Blogs
- Micro-blogging
- Mobile phones
- Google news alerts
- Legislation tracking apps - Countable, Votespotter
In Florida race for governor, kids should come first

According to data from the Florida Department of Juvenile Justice, 1,436 Floridian children saw their cases transferred to the adult criminal-justice system in fiscal 2016-2017. Yet when youth cases are needlessly transferred, youth, public safety and the Florida economy suffer.

Florida-specific research suggests that youth transferred to the adult system are approximately 34 percent more likely to be arrested or committed for new felonies as adults (compared to similar youth retained under the jurisdiction of the youth justice system). Youth in the adult justice system are also at increased risk of experiencing sexual abuse or committing suicide. In addition, a transfer to adult court means the proliferation of adult criminal records, which further restricts employment opportunities, and thus, contributions to the Florida economy.
Referenda/Ballot Initiatives

- Combination of elected official tactics and media tactics
- The voting public is the decision makers, so efforts are considering direct lobbying
- May help you connect with individuals or communities you don’t normally work with
- You can:
  - Make an endorsement
  - Share your position with the public
  - Organize volunteers to work on the initiative
  - Host an educational forum or event
  - Use the media to share your position

- Make sure you don’t:
  - Suggest support or opposition for any candidates for public office
Funders

- Build meaningful, mutually beneficial relationships with your funders
- Make sure they understand why advocacy is important to your organization
- Learn about their personal connections to decision makers
- Include them in calls to action
- Ask them for specific assistance in your advocacy efforts
Grassroots/Grasstops

- Grassroots - ordinary citizens who want to promote a cause
- Grassstops - activists or members of an organization or geographic area that have a high professional and/or public profile, may be part of the “political family” for a decision maker, and can raise attention or influence decision makers

- Short-term
  - Identify who may fall into these categories
  - Develop compelling information
  - Develop a strategy

- Long-term
  - Survey grassroots/grasstops to find out their motivations and what they need to help you
  - Provide easily accessible resources
  - Follow up
  - Thank
Coalition Building
What is Coalition Building?

- Process of organizations forming a temporary alliance or partnering of groups to achieve a common purpose or to engage in joint activity.

- It can:
  - Enlarge your base of support; give strength in numbers: help you achieve more together than you can alone.
  - Provide safety for advocacy efforts and protection for members who may not be able to take action alone, particularly when operating in a hostile or difficult environment.
  - Magnify existing financial and human resources by pooling them together and by delegating work to others in the coalition.
  - Reduce duplication of effort and resources.
  - Enhance the credibility and influence of an advocacy campaign, as well as that of individual coalition members.
  - Help develop new leadership skills amongst members. Assist in individual and organizational networking.
  - Facilitate exchange of information, skills, experience, materials, opportunities for collaboration etc.
  - Bring together a diverse range of people and organizations.
Challenges of Coalition Building

- Can be difficult to agree on common objectives
- Can be a very time-consuming and bureaucratic process that takes away time from working directly on campaign issues and organizational tasks
- May be dominated by one powerful organization
- May require you to compromise your position on issues or tactics. Shared decision-making can be slow and may paralyze progress.
- Can often be constrained by a lack of resources.
- Potential for donor interference (e.g. a donor is interested in funding certain activities but there is a danger of planning activities only because you know you can get the funds).
- You may not always get credit for your work.
- If the coalition process breaks down it can harm everyone's advocacy by damaging members' credibility.
- Coalition activities can be difficult to monitor and evaluate.
Success Stories
Nonprofit Impact
Florida Nonprofit Impact

- Florida is the 15th largest economy in the world
- 98,737 nonprofits
- Employs more than 630,000 people with more than $33B in wages (6.5% of employment)
- More than $120 billion in revenue
- Assets total nearly $302 billion
The Resilience of Nonprofits

- Throughout the pandemic, nonprofits focused on staying in existence and providing programming in safe and innovative ways
  - 2/3 are not at all concerned about closing their doors
  - 70% expect to return to pre-COVID-19 conditions in less than three years
  - 92% of nonprofits are currently operating programs
- Nonprofits do not operate in silos - they rely even more now on collaborations and partnerships
  - More than 1/3 plan to make new collaborations from the pandemic permanent
  - 25% of organizations need resources to support those collaborations
Pandemic Funding Concerns

- More than half of Florida nonprofits saw a decrease in revenue in 2021
- 48% spent some or all of their reserves during the pandemic
- Demand for services is up for more than 1/3 of nonprofits
- Nonprofits are prioritizing providing services, even though their financial outlook is uncertain, at best.
- Individual charitable giving in Florida decreased in all but 10 counties from 2016 to 2018
Volunteering Concerns

- Pre-pandemic, Florida ranked 50th in volunteering in the United States
- Volunteering dropped even more because of the pandemic
  - 44% of organizations are still experiencing volunteer absences
  - 48% are using volunteers in decreased numbers as compared to 2019
  - 55% have made changes to their volunteer experiences
Sustainability Concerns

- How do nonprofits plan for recovery while still providing programs needed in our communities?
- How do nonprofits support their staff members, especially in light of the “great resignation”?
What the Sector Needs - Calls to Action

- Local (city and county) government to invest ARPA funding in nonprofits
- Individuals, the business community, foundations, and government to be deliberate and generous in charitable giving
- Help re-imagining and growing engaging volunteer opportunities
- The ability to prioritize supporting staff with salaries and benefits
How to Use the Report

- **2020 Economic Impact** data released
- Data Dashboard - by county, region, organization
- Infographic - use it to set context and communicate
- Executive Summary

Use it to highlight:
- The economic powerhouse the sector is
- Your impact in your community
- Why investing in nonprofits is important
- Difference between your county and peer counties
Resources
Resources

- **Florida Nonprofit Alliance**
  - Policy and Advocacy
  - Nonprofit Sector in Florida

- **BoardSource “Stand for your Mission”**
  - Board Discussion Guide

- **Alliance for Justice “Bolder Advocacy”**
  - Being a Player Guide to IRS Lobbying Regulations
  - Florida Campaign Finance and Ballot Measure Guide

- **National Council of Nonprofits**
  - Everyday Advocacy

- **Independent Sector**
  - Public Policy
  - Beyond the Cause: The Art and Science of Advocacy

- **Call the Halls**
  - Call the Halls Guide
Resources

- 2022 Legislative Agenda
  Click here to download

- Effects of COVID-19 on Florida Nonprofits: 2021 Update
  Click here to read

- A Decade of Charitable Giving
  Click here to read

- Giving in Florida
  Click here to view
Effective advocacy is a marathon, not a sprint
Ideas for Your Next Steps

- Create advocacy statement
- Build Board buy-in
- Identify one advocacy goal
- Create messaging
- Learn more about advocacy
Questions?
Thank you!

flnonprofits.org
lmcdermott@flnonprofits.org