Building a Foundation for Engaging with Public Policy as a Higher Education Professional

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Jim Clarke, CAE

- Sr Vice President of Public Policy, ASAE
- Oversees ASAE’s Congressional and executive branch policy strategies; the grassroots network of association executives supporting the association community; the “Power of A” public awareness program; as well as the continued development of APAC, the political action committee of ASAE
- Before ASAE, Jim had a distinguished career that won him recognition as one of Capitol Hill’s top staffers for former U.S. Representative William F. Clinger Jr. (R-PA)

Teri Lyn Hinds @terilynhoods

- NASPA director of policy research & advocacy
- Twenty years after graduating, I’m finally a successful graduate & working “in my field” – political science
- Roots on regional comprehensive campuses still run strong, including focus on access, transfer
- My contributions to #SocksofHigherEd are usually ones I’m making, not ones I’m wearing
About NASPA

- NASPA is the leading association for the advancement, health, and sustainability of the student affairs profession.
- NASPA addresses common functional areas within student affairs (housing, advising, conduct, assessment) as well as broad higher education themes (access, persistence, and degree completion).
- Our work provides high-quality professional development, advocacy, and research for 15,000 members in all 50 states, 25 countries, and 8 U.S. territories.

About The Program

- Policy & Advocacy 101
- Advocacy by Associations
- Advocacy on Campus
- Advocacy & Current Events
- Questions!
Public Policy 101

• Official action by government on behalf of the “public”
• Made in response to a problem (or perceived problem)
• Designed to present a solution to the problem
• Mutable & iterative

Federal Policy 101: Separation of Powers

3 BRANCHES of U.S. GOVERNMENT

Constitution
(provided a separation of powers)

Legislative (makes laws)
- Congress
  - House of Representatives
  - Senate

Executive (carries out laws)
- President
  - Vice President
- Cabinet

Judicial (interprets laws)
- Supreme Court
- Other Federal Courts

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State Policy 101: Federalism

“The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”

10th Amendment to the U.S. Constitution

Advocacy 101: Definitions

Lobbying = taking a specific stand and/or advocating for specific action on a specific piece of legislation

Photo: Daniel Huizinga; Some rights reserved: https://creativecommons.org/licenses/by/2.0/
Advocacy 101: Definitions

Advocacy = taking a specific stand on a specific issue without mentioning specific policy or legislation.

Policy analysis = explanation, context, and education around specific legislation without advocating a stance or action.
Questions & Answers

ADVANCE U

Thinking Differently. Working Differently.

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Advocacy by Associations
Associations & ASAE at a Glance

• There are nearly 64,000 trade and professional associations in the U.S., representing every industry, professions, and interest
• Associations’ measurable economic benefits include more than 1.3 million jobs for Americans and a total payroll of more than $55 billion
• ASAE serves and provides resources in knowledge, education, and advocacy to our over 42,000 members to grow the association community and maximize their performance

Why do Advocacy?

• Advocacy is giving aid to a cause. It’s a coordinated combination of problem identification, solution creation, strategy development, and actions taken to make a positive change
• Associations have a unique opportunity to share expertise, advocate for their patients and field, and educate lawmakers
• It’s important to implement a decisionmaking and advocacy plan to share your voice, contact your representative, and/or lobby on legislation that effects your field, patients, and the care you provide.
**ASAE’s Advocacy Decisionmaking**

- ASAE tracks legislative, regulatory and legal issues that directly impact or have the potential to impact the broad association community
- Advocacy positions are vetted through ASAE’s Public Policy Committee, which then recommends broad policy direction to ASAE’s Board of Directors
- The Board approves “official” ASAE position statement
- Public Policy department develops an advocacy plan through grassroots

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**ASAE Advocacy Priority Study 2018**

<table>
<thead>
<tr>
<th>Topic</th>
<th>Average % Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Healthcare policy (Association Health Plans, Cadillac tax etc.)</td>
<td>16.1%</td>
</tr>
<tr>
<td>Tax code reform (e.g. redefinition of tax-exemption, etc.)</td>
<td>12.1%</td>
</tr>
<tr>
<td>Internet and wireless issues (e.g. net neutrality, online advertising, etc.)</td>
<td>9.6%</td>
</tr>
<tr>
<td>Nonprofit governance, including executive compensation</td>
<td>8.7%</td>
</tr>
<tr>
<td>Nonprofit political activity</td>
<td>8.2%</td>
</tr>
<tr>
<td>Nonprofit financial disclosure (e.g. Form 990, etc.)</td>
<td>7.7%</td>
</tr>
<tr>
<td>Policies impacting government employee conference attendance</td>
<td>7.7%</td>
</tr>
<tr>
<td>Department of Labor overtime rule changes</td>
<td>7.6%</td>
</tr>
<tr>
<td>Social and economic impacts of discriminatory state legislation (example such as HB 2 in North Carolina)</td>
<td>6.7%</td>
</tr>
<tr>
<td>Meetings (International travel etc.)</td>
<td>5.3%</td>
</tr>
<tr>
<td>Lobbying reform</td>
<td>4.6%</td>
</tr>
<tr>
<td>Campaign finance issues*</td>
<td>4.4%</td>
</tr>
</tbody>
</table>
ASAE Grassroots in Action

**Messaging**
- Official Board approved position on an issues
- Creating an effective pitch to share our story
- Utilizing social media and other platforms to inform and engage our members across the country

**Engagement/Mobilization**
- Contacting lawmakers to give our pitch and messaging
  - ASAE hosts an annual Fly-in during American Associations Day to connect our members with lawmakers
- Creating coalitions to combat issues many members are affected by (UBIT Coalition)

ASAE Grassroots in Action: Creating your Pitch

- A short, effective elevator pitch is important to share the ways your association contributes to the local economy and society in your state/district
- **Think about:**
  - How your association strengthens America
  - What’s your greatest value to the community?
  - What role your association plays in
    - Education? Workforce development? Advancing the public good?
ASAE Grassroots in Action: Tax Reform

• ASAE and other associations were extremely influential in the evolution of tax reform legislation at the end of last year
• From early November to the final bill signing on Dec. 22, ASAE and others helped change the House and Senate versions of the tax bill into something much more palatable for the association community
• Hundreds of associations weighed in on provisions to tax royalty income, eliminate non-qualified deferred compensation plans, and subject associations to more intense scrutiny of compensation-setting practices. All three provisions were ultimately removed from the bill.

What happens next?

• Short answer: No one knows!
• Associations and non-profits now have to pay a UBIT (unrelated business income tax) on fringe benefits like transportation and parking
  – ASAE has created a UBIT coalition to engage on this effort
• Taxes 2.0 will pass the House but not the Senate
• Will corrections be made?
• What will change if Democrats win the House?
• What happens during lame duck?
The Power of A

• The Power of A is an industry brand, positioning the entire association community as essential to strengthening America and the world
• Each association has their unique story and messaging which demonstrates how vital the industry is to America
• Use the Power of A to reach policymakers, opinion leaders, the media, and your own association’s members to ensure everyone knows about the benefits your associations provide
NASPA Public Policy Agenda

- Student success and college completion;
- Student safety and wellness, including financial and mental wellness and protections for trans students and victims of sexual assault;
- Costs of higher education, student debt, and borrower protections;
- Inclusive opportunities for access and success in higher education; and
- Civic engagement and freedom of expression.

Advocacy Options in Higher Ed

- Institutional advocacy
- Faculty & staff advocacy on campus
- Personal advocacy
- Supporting student advocacy
- Promoting civic learning and democratic engagement
Advocacy Options: Institutional

- Public statements of support, sign-on to community/association letters; may count as lobbying
- Reaching out through campus Government Affairs directly to policymakers; counts as lobbying
- Intentional review of policies with focus on barriers for specific groups, e.g., Equity Scorecard models
- Clear communications on policy & practices

Advocacy Options: Faculty & Staff

- Become the squeaky wheel; strategically push campus conversations with stakeholders
- Create space for marginalized populations to feel safe, speak without having to disclose status
- Connect to community organizations, e.g., food banks, childcare centers, public transportation & carpooling, advocacy organizations
Advocacy Options: Personal

• **DO:**
  - Include stories from your own experience
  - Be aware of “work time” & work resources (computers, wifi), especially with social media

• **DON’T:**
  - Use work email, wear branded clothing, etc.
  - Imply you’re representing your employer

Advocacy Options: Supporting Students

• **Your role in supporting students may not always align with your positions & that’s okay**
• **Help students understand campus policies re invited speakers, security requirements**
• **Identify resources in the community for students to connect with**
• **Invite associations and organizations to come to campus**
Advocacy Options: Civic Engagement

- Voter registration drives
- Absentee ballot assistance
- Voter education initiatives / apps (e.g., League of Women Voter’s Vote411, BallotReady)
- Polling places on campus (where allowed)
- Reminders that elections aren’t all in November!
- Voter Friendly Campus Designation Program

Questions & Answers
Advocacy and Current Events

Washington Politics at a Glance

• According to Gallup, Americans’ approval of Congress average 17% in 2018
• President Trump’s approval rating has ping-ponged between a low of 35% to a high of 45%
• Congress needs to pass a budget before Sept. 30th to avoid a government shutdown
• The Supreme Court will likely see a 5th conservative judge be seated with the confirmation of Brett Kavanaugh
# 115th Congress Facts and Figures (July 2018)

## Party Breakdown
- **House of Representatives:**
  - 238 Republicans (including 1 Delegate and the Resident Commissioner of Puerto Rico)
  - 197 Democrats (including 4 Delegates)
  - 6 vacant seats
- **Senate:**
  - 51 Republicans
  - 47 Democrats
  - 2 Independents, who both caucus with the Democrats

## Age
- **Averages**
  - House: 57.8yo
  - Senate: 61.8yo
- **Oldest**
  - House: Sam Johnson (87yo)
  - Senate: Dianne Feinstein (85yo)
- **Youngest**
  - House: Elise Stefanik (34yo)
  - Senate: Tom Cotton (41yo)

## Race
- 51 African American members (9.4%)
- 46 Hispanic members (8.5%)
- 18 Asian/Pacific Islander (3.3%)
- 2 Native American

## Gender
- 112 female members (20.7%)
  - Democrats: 81
  - Republicans: 31

## Religion
- 55.9% of the Members (241 in the House, 58 in the Senate) are Protestant, with Baptist as the most represented denomination, followed by Methodist
- 31.4% of the Members (144 in the House, 24 in the Senate) are Catholic
- 5.6% of the Members (22 in the House, 8 in the Senate) are Jewish
- 2.4% of the Members (7 in the House, 6 in the Senate) are Mormon
- 3 Members are Buddhist, 2 Members are Muslim, and 3 Members are Hindu
- 11 members do not specify a religious affiliation
2018 Midterm Elections - House

- The Cook Political Report reminds us that the president’s party has lost seats in the House in 35 out of 38 midterm elections since the end of the Civil War
- The House map is also tilted in favor of Republicans, partly due to gerrymandering and geography, but a ‘blue wave’ may be coming after special election wins in Alabama and Pennsylvania
- Democratic candidates extremely diverse:
  - 180 female candidates
  - 133 people of color
  - 158 first-time candidates
- Democrats need a net gain of 24 seats to take the House

2018 Midterm Elections - Senate

- Since 1913, the president’s party has lost Senate seats in 19 out of 26 midterm elections
- However, the Senate map is awful for Democrats, with 25 Democrats or Independent seats facing an election in 2018
- Democrats face Senate elections in 10 states that Trump won, 5 of which he won by 19 or more points
- Only one Senate Republican faces reelection in a state that Clinton won in 2016 - Sen. Dean Heller of Nevada
Speaker Contact Information

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Questions & Answers