

## Public Policy and Advocacy: Measuring Your Success

October 2, 2023 Florida Alliance for Community Solutions



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



theforakergroup

#### **FNA Resources**

- Membership
- Research
- General Advocacy
- Tools
- Trainings
  - Consultant Connection Thursday, October 19, 1-12:30PM ET
  - Nuts and Bolts of State Government Friday, October 20, 10-11:30AM ET
  - October Policy Call (Members Only) Monday, October 30, 4-5PM ET
  - Check flnonprofits.org, then News Community Calendar for future events



#### Newsletters

#### **Voice of the Sector**

#### tings!

be you are all healthy and safe. Florida has been in phase 1 of re-opening sin 4th. Many nonprofits never closed their doors during quarantine but are n loring what re-engagement looks like for their clients and their staff.

A, in partnership with the Oklahoma Center Center for Nonprofits, has created **gagement guide** to help you make the best decision for your agency and am. We hope this tool is a useful guide for you.

Dur team has been hard at work gearing up for our economic impact report *i* 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 monthout the full list  $\underline{here}$  .

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

Sincerely, Sabeen Perwaiz

#### **HEROES ACT**

Speaker Pelosi has released the <u>Health and Economic Recovery Omni</u> <u>Emergency Solutions Act</u> (HEROES Act). See also this <u>one-Pager</u> and

- Sample newsletter
- Sign up at <u>https://flnonprofits.org/</u>

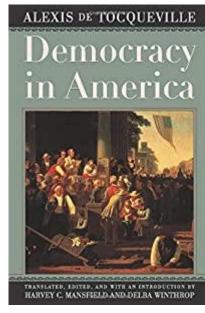
#### Advocacy - the whys and whats

## 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 => 19<sup>th</sup> Amendment



### 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

- A healthy Florida economy must include healthy nonprofits
- Fundraising and funding remains both the largest concern and a challenge for nonprofit organizations.
- Unrestricted revenue and cash reserves are not growing
- The nonprofit sector is affected by inflation and increased costs, just like every other sector
- At the same time, nonprofits are still seeing an increase in the demand for services and have largely returned to providing pre-pandemic levels of programs and services
- Human resources both staff and volunteers are a concern. Organizations need more of both and to prepare staff to become CEOs
- Volunteers are looking for and participating in advocacy experiences

## 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

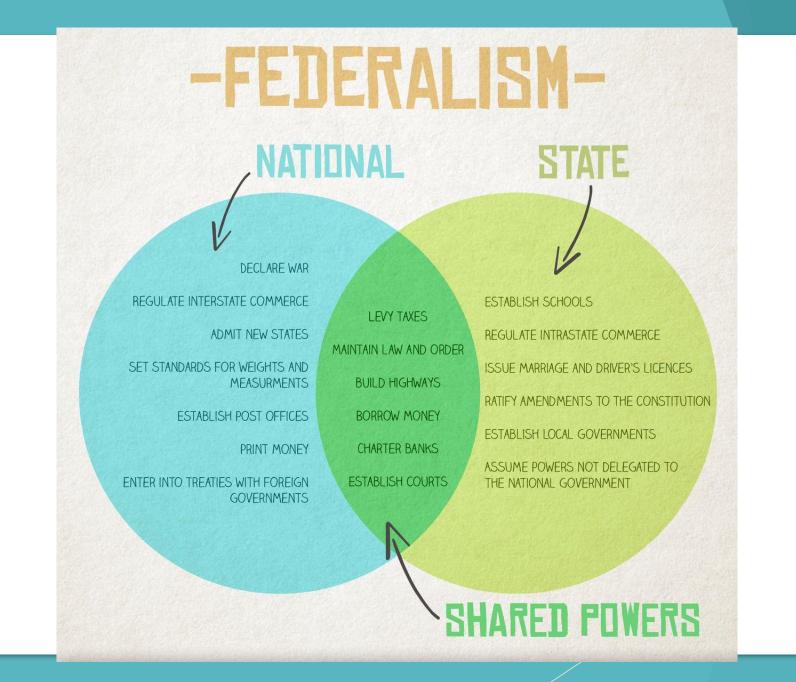
501(c)(3) public charities are allowed to lobby

- "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

#### Sample Lobbying Expenditure Chart

Exempt Purposes Expenditures	Total Lobbying Limit	Grassroots Lobbying
\$100,000	\$20,000	\$5,000
\$350,000	\$70,000	\$17,500
\$500,000	\$100,000	\$25,000
\$650,000	\$122,500	\$30,625
\$1,000,000	\$175,000	\$43,750

## The System



#### What State Government Does

- Powers not granted to the federal government are reserved for states and the people (divided between state and local governments) 10<sup>th</sup> Amendment, US Constitution
- Broken into three branches executive, legislative, and judicial
- Regulated by the Florida State Constitution
  - ► 12 Articles
  - "perfect our government, insure domestic tranquility, maintain public order and guarantee equal civil and political rights to all"
  - Regularly amended



#### What Local Government Does

- Consists of four parts
  - County
  - Municipalities (cities, towns, villages, etc.)
  - School districts
  - Special districts like Water Management Districts
- Responsibilities include public safety, public education, zoning, parks, courts, prisons, libraries, health care services, collecting taxes, elections, sewer, water, waste collection

#### "Nonprofits are well-positioned to offer solutions and policies that address the spectrum of challenges our society faces."

"6 Steps for Nonprofits to Be Effective Advocates of Community-Supporting Policy", Nonprofit Quarterly

## **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

#### 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

## Develop Your Policy Agenda

#### What is a Policy Agenda?

- A set of issues or problems aimed at gaining the attention of policymakers and decision-makers
- Can be very specific or more broad/aspirational

#### **Creating Your Agenda**

#### Answer these questions:

- 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?
- Develop a draft policy agenda for a set time period
- Get approval for the policy agenda
- Make sure you have the resources allocated to implement your agenda

#### What Specific Issues Should You Include?

- Should always relate to your mission, vision, strategic plan, goals
- Talk to your clients and communities about what issues are vital to them
- Look at national organizations that you are affiliated with or that have similar missions
- Look to coalitions that you are in or are considering joining
- Talk to elected officials about what the commonly understood priorities of their legislative body are
- Evaluate your own advocacy capacity and how you can strengthen that
- Make sure the issues have an action and a way to monitor or measure progress

## Types of Issues

Mission Area/Org	To Involve or Not Involve?
Legal Aid*	<ul> <li>Student loan forgiveness</li> <li>Investment in Public Defender system</li> <li>"Defunding the Police"</li> </ul>
Prevention of Homelessness*	<ul> <li>Affordable housing investments</li> <li>Addiction recovery funding</li> <li>Universal Pre-K</li> </ul>
Art Museum*	<ul> <li>½ cent sales tax increase for public education</li> <li>Arts funding</li> </ul>
Florida Nonprofit Alliance	<ul> <li>Property tax assessments</li> <li>Volunteerism in Florida</li> <li>Environmental protections</li> </ul>

\*These are examples only and should not be taken as actual policy agendas for any one organization

#### **Advocacy**

Advocacy on the individual or systems level is acting with or on behalf of an individual or group to resolve an issue, obtain a 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<sup>1</sup> 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.

## FNA Advocacy Policy

- 1. FNA may take and implement appropriate organizational positions on legislative or other public policy issues which:
  - Have statewide application, effect or potential impact; or;
  - Have local or limited application but are determined to have statewide policy significance;

#### And

- Have general relevance to the creation, management, operation, administration and wellbeing of nonprofit organizations in the State of Florida, or;
- Are of broad, community-wide importance, and are likely to have such a significant impact on the people and causes nonprofits serve that it is appropriate for the voice of the nonprofit sector to be represented in the policy debate.
- 2. Except as noted in 1. above, FNA should not take or implement positions on legislation or other public policy issues which are limited in application to a particular subject matter (i.e., education, human services, arts, etc.) of the nonprofit sector.
- 3. Should FNA decide not to take a position on a particular issue, it may, nevertheless, provide legislative monitoring and updates to members on the status of the issue.
- 4. Public Policy positions shall be consistent with the mission of FNA and with policies and objectives approved by the Board of Directors, including the long-term Public Policy Agenda, the Legislative Priorities, prior positions taken in the name of FNA, and other policies of the Board regarding advocacy and public policy.

#### **FNA** Criteria

#### Impact:

How does the issue align with FNA mission, goals, and objectives?

Does the issue relate to general objectives and interests of the nonprofit industry in a significant way? Does the issue affect the infrastructure of the nonprofit or voluntary sector—a "crosscutting issue"?

- Will the issue strengthen the nonprofit sector and/or its public image?
- Does the issue benefit or cause any harm to local nonprofits?

#### Support:

Is there, or do we reasonably anticipate there will be, general support among the members of FNA on the position to be taken?

What is the level of support or opposition in the community and among key FNA contributors, partners, and supporters regarding this issue? How will support/opposition impact FNA relationships?

Are there opportunities for collaboration on this issue?

#### **Credibility:**

Will FNA be perceived as a legitimately concerned and appropriate advocate for the position to be taken?

What is FNA's past experience with this issue?

Is the issue bi-partisan/non-partisan?

# What would you include in your Policy Agenda?

## Sample Policy Agendas

- CLPI Road Map to Advocacy
- ► <u>The Arc</u>
- ► <u>FNA</u>
- Australian Red Cross

## Setting Your Goals

## Advocacy Evaluation is...

CHALLENGING	IMPORTANT
Advocacy is a risky business with no guarantee of success	Very few social changes happen without some form of advocacy
Advocacy is a long game	Tracking our success matters - for public trust, for funding, for human resources
It lives in a complex and chaotic political process	Evaluation builds confidence and support in the work
It involves many external factors or has competing factors	Regular practice of getting and using data shows organizations that adapt and evolve in response to feedback
"Influence" is a subjective term	Protects us legally
Attention spans are short	
Advocacy evaluation is a form of trained judgement rather than a scientific method	
Success (or failure) can rarely be attributed to one group or organization	

## Goals

- ► The direction you are going; what you hope to achieve
- Measurable
- Use Policy Agenda as a guide
- Examples of policy goals:
  - Policy development
  - Placement on the policy agenda
  - Policy Adoption or Policy Blocking
  - Policy Monitoring and Evaluation
  - Policy Maintenance
- Advocacy goals can be reactive or proactive

#### Audience

- Who are you trying to reach with your goals, your activities, or your project?
  - Elected officials
  - Public (voting or general)
  - Media
  - Courts
  - Administrative or Executive offices
  - Political donors
  - Business
  - Community leaders
- Keep the number of audiences limited

## The Tricky Business of Advocacy

- When setting goals, keep in mind:
  - There are usually multiple pathways that could lead to the same results
  - > You could be working on agenda-setting, adoption, and/or implementation
  - Tactics will need to shift over time in response to opposition
  - It may be better to assess advocates, rather than advocacy
  - Selecting effective advocates yields better results than attempting to determine whether a particular campaign is successful
    - Think and act collectively
    - Adapt to opportunities and challenges
    - Coherent and inspiring culture
    - Identify and motivate talented people
    - Acquire and process intelligence
    - Coordinate actions

## SMART Goals

- Specific
- Measurable
- Attainable
- Relevant
- Time-bound

Pass ½ cent sales tax increase for education in St. Lucie County through a ballot referendum in the 2019 general election.

Improve access to nutritious food for SNAP recipients in the state of Florida over the next three years.

## Measuring Your Goals

#### Quantitative vs. Qualitative

Quantitative data is measured and expressed in numbers and graphs

- Example: surveys with closed-ended questions, observations recorded as numbers
- Qualitative data represents feelings or opinions and is expressed in words
  - Example: open-ended questions, observations described in words

#### Planning Outputs and Outcomes Measurements

- Plan ahead
- For each goal, identify the change you would like to happen because of achieving the goal (outcomes) and/or the quantifiable reach you would ideally have (outputs)
- Identify how you will know if you are successful
- Rigorously assemble evidence quantitative or qualitative to track your progress

Goal	Outputs (how many/much)	Outcomes (change)
Pass ½ cent sales tax increase for education	Radio campaign - number of spots, number of listeners reached (radio station data)	<ul> <li>Referendum passes (election)</li> <li>Voters better understand education funding (poll for change)</li> </ul>
Improve access to nutritious food	Understand needs of individuals and families (survey)	Increase in SNAP benefits (state budget allocation)

#### **All Indicators**

- Choose what is most important more is not better
- Must be realistic
- Must be able to be measured within your capacity
- Plan the measurement method or tactic with the indicator
- Select methods that maximize the amount of useful information collected
- Know who is going to do the evaluation internal, external, combination (and how you pay for it)
- Leave space to adapt to changing circumstances (including unanticipated) review and revise

Remember: Seeing progress towards your goals may be difficult and/or slow

"What matters is not finding the perfect indicator, but settling upon a consistent and intelligent method of assessing your output results, and then tracking your trajectory with rigor."

Jim Collins, Good to Great and the Social Sectors

## **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

American Heart Association American Lung Association in Florida Arcadia-DeSoto County Habitat for Humanity Aventura Turnberry Jewish Center AYUDA, Inc. **Babycycle Diaper Bank Barnabas** Center Branches, Inc. **Brevard Family Partnership CareerSource Central Florida Chaplain Ministry Renovando** Children's Home Society of Florida **Church Street District** Coalition of South Florida

Girls Inc. of Lakeland Girls Inc. of Winter Haven Goodwill Industries Big Bend Inc. Habitat for Humanity of Florida Inc. Hart Felt Ministries Heart of Florida United Way Hebrew Academy Miami Beach Holocaust Memorial Miami Beach Hope and Help Center of Central Florida, Inc. Horse Tales Farm, Inc. Humane Society of the Treasure Coast, Inc. Islamic School of Miami Jacksonville Urban League,

Miami Dia Muslim C Associatio Muslim C Associatio NAACP M NEFL Regi New Hop Addiction Nonprofit Florida North Flo Orlando D Pine Cast Society of Spirit Lov Children tag! Child



#### 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 <u>Senator Marco Rubio</u> and <u>Senator Rick Scott</u> 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 (@<u>SenRubioPress</u>) and Senator Scott (@<u>SenRickScott</u>) 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 https://bit.ly/2IZKeSO 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

# Effective advocacy is a marathon, not a sprint

## Resources

#### Florida Nonprofit Alliance

- Policy and Advocacy
- Nonprofit Sector in Florida

BoardSource "Stand for your Mission"

Board Discussion Guide

Alliance for Justice "Bolder Advocacy"

- <u>Being a Player</u> 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

- 2023 Legislative Agenda <u>Click here</u> to download
- 2022 Florida Nonprofits Survey <u>Click here</u> to read
- Giving in Florida <u>Click here to view</u>
- Nonprofit Economic Impact Dashboard <u>Click here to view</u>

## Questions?

## Ideas for Your Next Steps

Create advocacy statement

Build Board buy-in

Identify one advocacy goal

Create messaging

Learn more about advocacy



## Thank you!

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