



# 2008 CBO Center Policy Day Board Members Rule

---

## Presenters

### **Ann Lehman**

Zimmerman Lehman

582 Market Street, Suite 1112

San Francisco, CA 94104

415.986.8330

[ann@zimmerman-lehman.com](mailto:ann@zimmerman-lehman.com)

[www.zimmerman-lehman.com](http://www.zimmerman-lehman.com)

### **Nayantara Mehta**

Alliance for Justice - West Coast Office

519 17th St. | Ste. 560 | Oakland, CA 94612

Phone: 510-444-6070 |

[www.afj.org](http://www.afj.org)



# Agenda

---

- Strategic Advocacy for Board Members
- Permissible Lobbying
- Nonprofits and Elections



# Nonprofit Statistics

---

- Nonprofit Sector's spending in recent years was 11% to 12 % of US gross domestic product
- In 2002, the sector had over 9.6 million employees, about 9 % of the workforce.
- In California in 2003, 85,455 nonprofits in California reported holding over \$200 billion in assets and receiving over \$70 billion in annual revenues.
- 3,654 nonprofits serve Contra Costa County
- 2006 in California there are 152,963 501(c)(3)(public charities) and 102,677 501(c)(3) (private foundations)



# Evolving Role of the Board Member

---

- Governance (oversight of operations, including financial accountability)
- Support (fundraising, public relations and providing individual expertise)
- Planning (mission and vision statements, and strategic planning)
- Advocacy (strategic thinking/action and public policy)



# Strategic Advocacy Perspective

---

- This perspective can embolden you to think critically and act strategically for the mission and vision of the organization at all times.
- Advocacy on behalf of
  - Organization
  - Community/Stakeholders
  - Constituency/Clients



# Advocacy

---

- Be active
- Speak out/speak up to influence something
- Take action on an issue of concern
- Support/promote/encourage



# Strategic

---

- Goal (End Result)
- Current Situation
- Options Available
- Pragmatic Choices
- Decision
- Action
- Evaluation



# Advocacy Perspectives for the Organization

---

- Marketing the Organization
- Fundraising for the Organization
- Public Policy on behalf of the Organization and the Nonprofit Sector



# Advocacy Perspectives for the Community/Stakeholders

---

- Promote the mission and vision of the organization at all times
- Actively assess (and reassess) whether the current way the nonprofit is 'doing business' is the best way.
- Be accountable and transparent



# Advocacy Perspective on behalf of the Clients

---

- Challenge government systems when they do not work
- Work for, and vote for, laws, budgets, and policies that do work
- Be a voice for others (especially those who may not be able to speak for themselves) with policy-makers
- Help others get services or benefits to which they are entitled



# Public Policy Committee

---

- Criteria For Public Policy Positions
- Process for Determining Positions
- Who can speak on behalf of the organizations
- Sample Policy by the Pennsylvania Association of Nonprofit Organizations  
<http://www.pano.org/standards/standards.php>



# Nonprofit Public Policy Concerns

---

- An advocacy perspective = becoming involved in nonprofit public policy concerns
  - Budget decisions
  - New laws
  - Regulations that affect the sector
  - Challenges to fundraising



# New Nonprofit Laws

---

- Sarbanes-Oxley
  - Whistle-blower protection
  - Document destruction
- CA Nonprofit Integrity Act
  - Audits (\$2 million)
  - Compensation package (ED & CFO)
  - Control over their fundraising activities



# Recent Nonprofit Sector Regulations & Reporting

---

- Chilling Nonprofit Advocacy: Attempts Restrict lobbying
- Not All Sunsets Are Pretty: Sunset Proposals To Kill Gov't Programs
- Form 990



# Recent Fundraising Concerns

---

- Car Donations (40% drop)
- Pension Act (new receipts/appraisals)
- Estate Tax Repeal (\$13 to \$25 billion in 2000)
- IRA Rollover (\$110 million to the charitable sector in 2007)