

# How has the education landscape changed in 2011?

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# Overview

- Nonprofit Advocacy and Lobbying
- Historic Education Budget Cuts
- “Let’s Do School Finance – Again”
- Discussion

# What are Advocacy and Lobbying?

- Advocacy is the umbrella term and includes identifying, embracing and promoting a cause. (Poverty is bad.)
- Lobbying is a specifically focused form of advocacy with the purpose to influence legislation. (Poverty is bad, so pass HR 999 to alleviate its impact on children.)
- Remember, Iowa has its own laws. Today's presentation just concerns federal law.

# If you take the “H Election” (Expenditure Test), numbers are EASY.

- **A generous amount:**
  - 20 percent of the first \$500,000 of annual expenditures;
  - 15 percent of the next \$500,000;
  - 10 percent of the next \$500,000;
  - 5 percent for every additional \$500,000 up to \$1 million.
- **ABC nonprofit with expenditures of \$500,000.**
  - 20% of \$500,000 = \$100,000 = Overall lobbying limit.

# Can nonprofits use private foundation funds to lobby?

- **Yes!** Nonprofits may use “non-earmarked” or general purpose funds to lobby.
- Community foundations can earmark grants for lobbying.
- More and more foundations understand that advocacy and lobbying produce the greatest returns on philanthropic dollars.

# **State and Local nonprofits CAN:**

- Write and encourage people to write letters concerning specific legislation.
- Meet with and speak to public officials about legislation.
- Testify at a public hearing.
- Provide research, analysis and commentary
- Publicly endorse or oppose specific legislation.
- Invite a legislator to visit

# Nonprofits CANNOT:

- Raise funds for candidates as an organization.
- Publicly support or oppose a candidate.
- Conduct PARTISAN voter registration.

**BUT** – remember – after work you are a citizen and have the full rights and obligations of anyone in our democracy. Just be mindful of your actions *and don't be stupid...* [www.cforward.org](http://www.cforward.org)

# What activities are NOT lobbying?

- Self-Defense (Matters affecting a nonprofit's own tax status, powers or advocacy rights.)
- Contacts with elected officials or executive branch about proposed regulations.
- Lobbying by volunteers (AKA Cruise Missiles)
- Communication with the organization's members on legislation with no call to action.
- Participation in a legislative hearing at the invitation of a committee or member.

# Review of Nonprofit Lobbying 101

- Advocacy is easy!
- Lobbying is legal!
- Lobbying is **FUN**!
- Check to see if you have filed a 501(h) Election. If not, consider filing as soon as possible.
- Keep track of your lobbying expenses as you would expenditures on any other activity.

# The Recipe for Advocacy Success

1. **Focus:** The Hardest and Most Important Step
2. **Research:** Know the Facts, Articulate them Well
3. **Unusual Suspects:** Messengers Matter
4. **Respect the Process:** Maximize Chance to Influence Policy by Understanding Politics
5. **Institutionalize:** Change Takes Time and Incremental Steps Forward are OK
6. **Rinse and Repeat**

**If you're not at the table,  
you're on the menu.**

**No wrong way for YOUR nonprofit to  
get involved – just get involved!**

**Wherever is best for YOUR nonprofit  
is the best place to start lobbying  
and moving policy.**

# State Budget:

## What happened?

- Historic Budget Cuts (\$4 billion from Foundation School Program, \$1.3 billion from Discretionary Grants)
- Ongoing Crisis in Tax System Created by Previous Policy Changes
- Not an Aberration – Reality for the Foreseeable Future
- Expectation that Someone Else (Hold Up Mirror) Will Pick Up the Difference

# What does that mean for Texas school districts?

- Austin ISD loses \$95.5 million in 2012/2013
- Dallas ISD loses \$161.3 million in 2012/2013
- El Paso ISD loses \$39.5 million in 2012/2013
- Fort Worth ISD loses \$39.1 million in 2012/2013
- Houston ISD loses \$205.7 million in 2012/2013
- San Antonio ISD loses \$23.6 million in 2012/2013
- Waco ISD loses \$8.9 million in 2012/2013

**Source: Texas Tribune**

# What is the impact?

- Cuts to school districts will mean:
  - Teacher layoffs
  - School closures
  - Elimination of dropout prevention and CIS
  - Elimination of full-day pre-kindergarten
  - Fewer electives and BIGGER classes
- Local nonprofits will have more competition for less money from private sources.
- In response to budget cuts and shrinking revenue, local officials are more likely to raise taxes.

# How is that possible?

**\$27 billion shortfall**

**Great Recession**

**Structural Deficit of ~\$10 billion**

**No New Taxes Pledges**

**+ Refusal to Utilize Rainy Day Fund (2012/2013)**

**Really Awful Cuts to Public Education**

# Groundhog School Finance Day

Court Decision	Legislative Response
San Antonio ISD v Rodriguez (1973)	House Bill 1126 (1975)
	House Bill 72 (1984)
Edgewood I (1989)	Senate Bill 1 (1990)
Edgewood II (1991)	Senate Bill 351 (1991)
Edgewood III (1992)	Proposition 1 FAILED (1993)
	Senate Bill 7 (1993)
Edgewood IV (1995)	System Found Constitutional
West Orange-Cove CISD v Alanis	None
West Orange-Cove CISD v Neeley	House Bill 1 (2006)

# What did he just say?

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Carrier Pigeon: Left at the Oak Tree