

WEBINAR

Advocacy Efforts in an Election Year and Beyond

**OPERA
AMERICA**



Advocacy Efforts in an Election Year and Beyond

Tuesday, October 15, 3:00 p.m. – 4:00 p.m. ET

Presented with  Nonprofit VOTE

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Your Advocacy Toolkit – in 8 parts

- The Advocacy You're Allowed to Do
- Nonprofit Boards and Advocacy
- Find and Contact your Elected Officials
- Tools for Effective Communication with Elected Officials
- Data and Information for Case Making
- Build Your Advocacy Capacity
- Get Out the Vote and Voter Education
- Advocacy References and Resources

The Advocacy You're Allowed to Do

- To **advocate** is to support or argue for a cause or policy.
- To **lobby** is to conduct activities aimed at influencing public officials and especially members of a legislative body on legislation.
- **Grassroots lobbying** is encouraging members of the public to contact their elected or appointed officials to ask them to take a certain action.

The Advocacy You're Allowed to Do

Can opera organizations
advocate for issues and
causes?

Yes!

Without Limits!

Can opera organizations ask
officials to vote a specific way on
legislation?

Yes - with limits!

Can opera organizations
campaign for specific
candidates?

No!

Permissible Activities, according to the IRS

- Advocating for or against a particular issue as long as that advocacy furthers its mission.
- Making available the results of nonpartisan analysis, study, or
- Providing technical advice or assistance to a governmental body, committee, or subdivision in response to its written request
- Making appearances before any legislative body or communicating with it regarding a possible decision by the body that might affect the exempt
- Communicating with its members regarding legislation or proposed legislation of direct interest to the members.
- Communicating with a government official or employee who is not connected with a legislative body
- Conducting nonpartisan activities that educate the public and help them participate in the electoral

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According to the IRS, whether an organization's attempts to influence legislation (lobbying) constitute a "substantial" part of its overall activities is based on one of two tests.

1. The first test is determined based on all of the pertinent facts and circumstances in each case. Generally, less than five percent of activities and expenditures is considered insubstantial.
2. The second test is based on expenditures only; however, an organization must elect to be covered by this test. See Section 501(h) and Form 5768, "Election/Revocation of Election by an Eligible IRC Section 501(c)(3) Organization to Make Expenditures to Influence Legislation."

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Prohibited Activities, according to the IRS

- Making or soliciting contributions to or for candidates or political organizations.
- Endorsing a candidate or rating the candidates (no matter how objective such rating may be).
- Publishing or distributing partisan campaign literature or written statements.
- Having its representatives speak out about a candidate.
- Using its resources to influence an election.
- Spending a substantial financial amount to influence legislation.

Nonprofit Boards and Advocacy

Advocacy is a top 10 basic responsibility of a board according to BoardSource, a national organization with more than 35 years of expertise in nonprofit boards.

Board Members Take Action!

- Understand the way that public policy impacts your organization's programs and constituents and your ability to fulfill your mission.
- Monitor public policy proposals at the local, state, and federal levels that could advance (or harm) your mission.
- Identify key individuals within government who should be systematically and strategically kept informed about your organization's good work and effectiveness.
- Connect with coalitions of other organizations with similar missions and values to combine energy through joint strategy and effort.
- Invite potentially influential colleagues from supporting entities into the organization to witness for themselves how government support has made a difference.

Find and Contact Your Elected Officials

Elected official posts and office contact information is public knowledge and accessible online.

Find Your Elected Officials At All Levels of Government: [usa.gov/Elected-Officials](https://www.usa.gov/Elected-Officials)

Find Federal Congressional Committees & Their Members and more: [congress.gov/Committees](https://www.congress.gov/Committees)

Find Local and State Legislative Committees

Tools for Effective Communication with Elected Officials

Invite Elected Officials To Your Events

Letters & Emails to Elected Officials

Social Media

Meetings with Officials (In Person or Via Zoom)

Data and Information for Case Making

A persuasive advocate or lobbyist has the right data to back up their position.

Arts & Economy

- The Bureau of Economic Activity (BEA) and National Endowment for the Arts (NEA) created the Arts and Cultural Production Satellite Account (ACPSA), which tracks the annual economic impact of arts and cultural production from 35 industries, both commercial and nonprofit.

Arts & Health

- There are numerous studies and reports pointing to the benefit engaging in the arts can have on one's mental and physical health.

The National Assembly of State Arts Agencies (NASAA) provides extensive research and tools to support arts advocacy at the state level.

Building Your Advocacy Capacity

A sustainable government affairs approach is to make advocacy a core business function.

- **Join and participate in existing advocacy coalitions**
- **Include advocacy in the criteria when recruiting new board members**
- **Invite elected official to serve on your board**
- **Establish a board advocacy committee**
- **Reimagine the traditional Government Affairs staff position**
- **Share a government affairs position with another organization**

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