

## What your local PTA CAN & CAN'T do in an election year

- ✓ You may support issues!
- ✓ A 501c3 may NOT support candidates.
- ✓ Does National PTA or Oregon PTA or your council already have a position on your issue?
- ✓ If yes, you may support this effort.
- ✓ If no, then your general membership must approve of the issue.
- ✓ Need help – contact the legislative committee for advice or information:

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## Legislative Activities

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### Grassroots Lobbying

PTA's legislative activities are primarily considered *grassroots lobbying* because the efforts that members make are to educate the general public and elected or appointed officials on legislative matters at the executive, legislative, and judicial levels.

### Lobbying

Lobbying, as opposed to grassroots lobbying, is attempting to influence the passage or defeat of legislation by a legislative body (i.e., city council, school board, state legislature) or the adoption or rejection of any rule or standard by a regulatory agency. Lobbying includes contacting legislators or legislative staff about pending or proposed legislation, and attempting to influence the content of governmental agency rules and regulations through contacts with government employees on behalf of PTA.

There are some limitations placed on PTA and its involvement in legislative activities. These limitations are:

- the association's nonpartisan policy; and
- IRS limitations on 501(c)3 organizations.

### What Not to Do

#### Nonpartisan Policy

The nonpartisan policy exists for a very important reason. PTA must be responsive to the requirements of federal law if it is to retain its tax- exempt status. Federal law provides a very important limitation of PTA activities.

*PTA units/councils may not "participate in or intervene in any political campaign on behalf of any candidate for public office."*

Oregon PTA Unified Bylaws state that PTA shall be nonpartisan. This means that there shall be no connection with any political party or candidate for public office.

Political action is an integral part of PTA's activities, for without political action, democratic laws would not exist. Adherence to the nonpartisan policy does not require that PTA refrain from or ignore political action, nor does it prevent PTA from carrying on efforts concerned with legislative issues or official actions that threaten the well being of children and youth.

### 501(c)3 Organizations

The Internal Revenue Service severely limits the ability of charitable organizations (those tax-exempt under section 501(c)3) to engage in legislative activity. The IRS regulations state that a charitable organization may not devote more than an insubstantial part of its activities/efforts to affecting legislation.

In the event of an IRS audit, PTAs exempt under section 501(c)3 would be required to show how much of their activities (both in funds and in member hours) were expended on legislative activities. All PTAs exempt under this section should maintain records indicating:

- Members' volunteer hours spent on legislative activities, including the name of the member(s), type(s) of activities, and date(s).
- Amount of PTA funds spent on legislative activities.

### What a Unit Can Do

#### Support/Oppose Ballot Issues

PTA can take an active position—after a vote by the general membership to take such a position—in support or opposition to any legislative issue (including levy and bond issues). An active position can include promoting the position in the PTA's newsletter, distributing press/news releases, making presentations to civic/community groups, purchasing media advertising, printing banners, flyers, bulletins, handouts, etc. with conditions.

#### Use of PTA Title

PTA officers may use their PTA title when publicly supporting or opposing ballot measures only when the general membership of the local unit, state, or national PTA has voted to endorse/oppose the issue or has a platform position on the issue.

PTA officers may never use their titles when supporting or opposing candidates. In the event of a local election in a community where a PTA officer is so closely linked with PTA that community members will associate that officer with PTA regardless of his/her use of title, it is advisable the PTA officer use particular care and diligence in their endorsement.

### School District Levy/Bond Issues

PTAs often contribute both funds and volunteer support to school district levy and/or bond issues. This is considered “attempting to influence legislation”.

### Coalitions

The reputation and credibility of PTA is determined, in great part, by the groups and organizations with which it works. PTA must always exercise “due diligence” in selecting organizations with which to support, endorse or work. “Due diligence” means assuring that the organization's purposes, goals, and specific objectives are consistent with the policies, principles, and ethics of PTA. Further information is available from the Oregon PTA office.

It is very important, when requested to donate support, funds and/or volunteer resources to a group that you take time to investigate what type of group it is.

- Is the group a PAC (political action committee), coalition or another non-profit?
- What is their IRS status? Is the group registered with the Secretary of State, Dept. of Justice or county election office?
- What is the make-up of the organization/committee (i.e. Membership, contributing organizations)?
- Do you have a voice in the direction the group is taking and what activities it's planning?

### PTA Members Holding Public Office

An officer or director of PTA is not prohibited or prevented from running for or holding a public office. To ensure the nonpartisan requirements placed on PTA, the PTA member must, when campaigning for office or serving in the office, sever his/her identity with PTA as it relates to that public office.

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### How to use the Legislative Platform, Action Program & Resolutions

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Oregon PTA Legislative Activity guide is intended to be used in conjunction with the National PTA Annual Resources.

The Legislative Platform and Action Program belong to every local unit and member. It serves as a reference and tool for advocacy for the member, unit, and children of the local school.

For example: If XYZ PTA was having a traffic issue, and wanted change to correct the issue, the XYZ PTA could use Health & Welfare Policy #16 as support for advocacy and the resolution of the issue.

*The above information is directly quoted from the Legislative section of the Oregon PTA Officer's Manual.*

**When in doubt, please call so we may answer your questions !**

### Oregon PTA Legislative Committee

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*Your PTA's success is ours too!*



- ✓ School districts abide by their own guidelines regarding use of facilities.
- ✓ Check with your administrators and or principals to find out what policies exist in the schools.
- ✓ Public employees must remain impartial during work hours and activities related to work.
- ✓ Print your own materials and imprint with:  
“Paid for by OUR PTA”