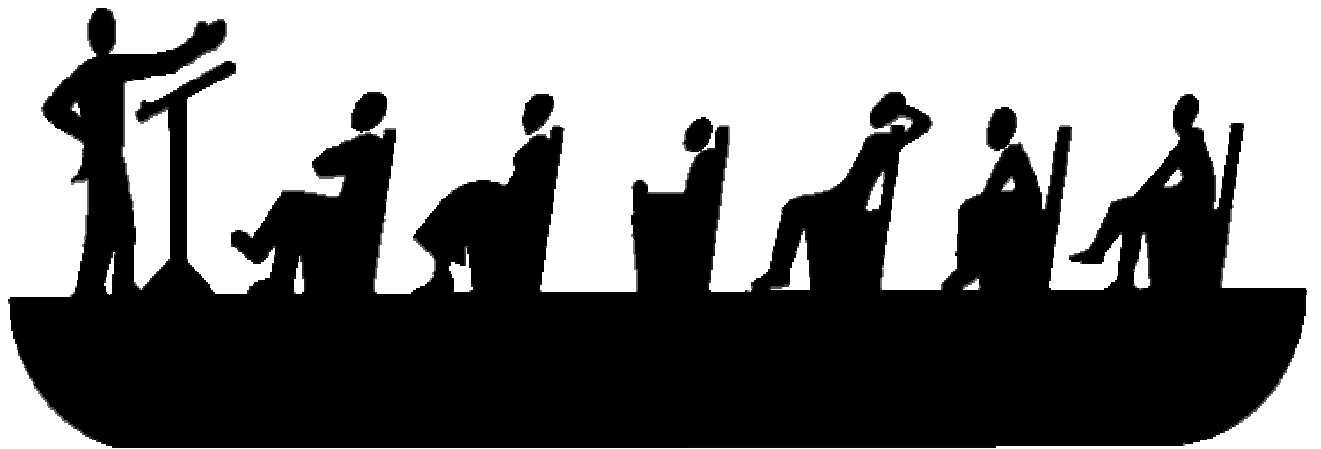


# Chapter 5

# Legislative

# Activity





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## Legislative Activity

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### Legislative Purpose

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*To motivate and give direction to all levels of PTA for involvement in legislative action and to help each unit/council be involved in securing “adequate laws for the care and protection of children and youth.”*

All Americans have an obligation to exercise the rights and duties of citizenship while receiving the benefits of living in our country. It is an ongoing obligation, requiring persistent study and action. Good citizenship requires active participation in the many cooperative projects that are dedicated to community betterment.

Training in citizenship begins in the home, where example, precedent, and participation in family activities are the teachers. The experiences gained in school broaden the concept of the objectives to be attained. Advancing to actual and active sharing with others in community and civic affairs brings realization and fulfillment to these objectives.

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### Oregon PTA Legislative Procedures

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PTA has always recognized that an organization dedicated to the welfare of children must inevitably be concerned about laws that affect children. The Oregon PTA Legislative Platform together with the Oregon PTA Legislative Action Program are the declarations of our organization's stand on legislative issues in areas of concern to Oregon PTA. These documents are a direct result of local unit participation.

Any local unit or council may bring issues they believe are of concern to PTA by proposing a resolution or position statement to the Oregon PTA Vice President for Legislation and/or Oregon PTA Resolutions Committee. Proposals that meet the resolution criteria are voted on at the annual convention and, if they pass, become the property of the general membership. This is democratic participation in action!

Each local PTA/PTSA unit and council should appoint a legislative chair, or add these responsibilities to the job description of a current officer. Legislative information will be sent periodically to that chairperson/officer. In addition, “Legislative Chair Calendar” has been created to assist the legislative chairs.

A legislative summit is held every other year. Each local unit should plan to send a delegate to this event.

Visits to Senators and Representatives are encouraged throughout the session. If you would like more information about visiting your representatives, please contact the Oregon PTA Vice President for Legislation.

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### Legislation & the PTA Unit/Council

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Local PTA/PTSA units and councils can initiate PTA legislation. Examples of ways to do this are listed below:

- Write and submit a RESOLUTION, which is then considered by delegates to the Oregon PTA annual convention, and possibly forwarded for consideration at the National PTA convention.
- Write and submit proposed changes to the Oregon PTA Legislative Platform and Action Program.
- Write and submit proposed “position statements” for adoption by delegates at state convention.
- Write and submit proposed changes to the National PTA Legislative Program.

For additional explanation of any material in this section, please contact the Oregon PTA Vice President for Legislation.

For Oregon PTA Legislative Platform and Positions, please see [www.oregonpta.org/docs/LegislativePlatform.pdf](http://www.oregonpta.org/docs/LegislativePlatform.pdf)

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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.

EX: 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.

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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 (remove influence) 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.—conditioned upon the limitations outlined in this booklet for nonprofit, tax-exempt organizations and limitations imposed by the unit's membership.

### Use of PTA Title

PTA officers may use their PTA title when publicly supporting or opposing ballot measures only if/when

the general membership of the local unit, state, or National PTA has voted to endorse/oppose said measure.

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, that officer must refrain from publicly supporting or opposing any candidate.

### **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 the activities it is 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.

### **The Oregon PTA Legislative Electronic Alert List**

All local unit and council legislative chairs and any other interested party are kept up-to-date on

legislation being considered on the state and national levels via e-mail alerts. They are then asked to send the alerts to their own local list.

The alerts may be informational only, or they may request a specific action; which would be to e-mail, telephone or fax the recipient's state or federal senators and/or representatives on an issue of importance to our children. This enables Oregon PTA and National PTA to maintain a high profile on these issues, and to be taken seriously in the legislative arena.

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### **How to Change Oregon and National PTA Legislative Platforms and Action Programs**

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Any local PTA/PTSA unit or council may bring matters believed to require legislative action to the attention of Oregon PTA by writing to the Oregon PTA Vice President for Legislation.

- Requests should be signed by the president of the submitting unit.
- Background information and rationale are to be submitted with all proposals.
- Suggested policy statements must concern the well-being of children and youth, be statewide in scope and be in accord with the Oregon PTA objectives.
- All suggestions for changes must be in writing and received at the Oregon PTA office by December 31<sup>st</sup> of each year.

All letters about legislation and all proposed changes—additions as well as deletions in the legislative platform are referred to the Legislative Program Committee. The committee then recommends to the Oregon PTA Board of Directors the proposal, for approval, before presentation to the annual convention. If a favorable vote is received from the convention body, it becomes part of the Legislative Program of Oregon PTA. Although a local PTA/PTSA unit or council may decide not to give active support to an item that has been adopted, it is expected that it will refrain from active opposition.

A local PTA/PTSA unit may also initiate changes in the National PTA Legislative Platform. The same procedure is used as with initiating changes in the Oregon programs. However, upon final approval by the convention body, the item would then be forwarded to National PTA for their consideration.

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## Resolutions

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New activity for Oregon PTA and its constituent bodies (regions, councils, and local PTA/PTSA units) begins at a state convention with the passage of a STATE RESOLUTION.

State resolutions are a call for action regarding problems, situations, or concerns that affect children and youth statewide.

Local PTA/PTSA units and councils are encouraged to express statewide concerns through the resolution process.

The following information is provided to assist in the development of resolutions.

### Resolution Criteria

A resolution is a motion that, because of its importance, is submitted in writing. At conventions, new business is introduced through a resolution.

A resolution usually consists of two main parts:

- a preamble—the whereas clause(s);
- a request for action—the “resolved” clause(s).

The “whereas” clauses contain the background information and the reasons for the resolution. The “resolved” clauses contain requests for action. Each action requested should have its own “resolved” clause. Following is a sample resolution, showing the correct structure, punctuation, and form. For additional information and help, refer to “Robert’s Rules of Order”.

#### Sample Resolution

Whereas, That portion of a resolution comprising the phrases starting with word “Whereas” is known as the preamble of the resolution;  
and

Whereas, The preamble includes statements of fact or background relating to reasons for the action proposed in the “Resolved” clauses or information that is not common knowledge or that may be overlooked if not stated; and

Whereas, The action taken on a resolution is action only on the motion in the “Resolved” clauses; now therefore be it

Resolved, That any resolutions being proposed for consideration at the annual convention be submitted to the Oregon PTA office no later than December 31, 20XX; and be it further

Resolved, That it be directed that resolutions submitted to Oregon PTA for consideration

shall follow this sample resolution in structure, punctuation and form; and be it further

Resolved, That such resolutions meeting all established requirements and procedures be presented to convention delegates for consideration at said convention.

### Requirements for Submitting Resolutions

To be appropriate for consideration by the Oregon PTA Convention Resolutions Committee, a resolution shall:

- concern a field of interest of Oregon PTA;
- be in harmony with the Objects and basic policies of National PTA;
- concern a matter which is statewide in scope and requires statewide action for solution;
- be written in appropriate resolution form (i.e., “Be it resolved that Oregon PTA shall...);
- be accompanied by background material and a brief narrative summary of that material;
- state a position not previously adopted by Oregon PTA; and
- be submitted to the Oregon PTA office by December 31<sup>st</sup>.

An example of documentation would be evidence of substantive compiled research. Reprints of newspaper editorials and articles are not necessarily adequate documentation. The background material should be sufficient to give a person with no previous knowledge of the subject enough information to make an intelligent decision.

### Procedure for Submitting Resolutions

- Resolutions shall originate only from local PTA/PTSA units, councils, Board of Directors, or Executive Committee. In each case, the Resolutions shall be signed by the president and the secretary of the submitting group.
- Resolutions from local PTA/PTSA units and councils shall be forwarded to Oregon PTA, by December 31<sup>st</sup>.
- All resolutions will be forwarded to the Resolutions Committee. After study, the committee will submit all resolutions to the Executive Committee, and it will submit to the Board of Directors only those resolutions it considers pertinent and within the scope of the National PTA Policies and Oregon PTA Policies and Program. With the approval of the Board of Directors, the Resolutions Committee will submit to the convention delegates all resolutions recommended for consideration.

## Rejected Resolutions

In the event that a resolution submitted to the committee is not recommended by the Board of Directors for convention action:

- The Oregon PTA Resolutions Committee shall notify, by March 1<sup>st</sup>, the group that submitted said resolution of the action and reasons for rejection.
- A rejected resolution may be brought to the convention floor with a two-thirds (2/3) affirmative vote of the convention delegates to consider the resolution, providing notice of such intention to submit this resolution has been presented to Oregon PTA no later than March 15<sup>th</sup>.

## Emergency Resolutions

The following provision is made for submitting an emergency resolution:

- The urgency of the subject matter shall have arisen after the deadline for submission of a resolution.
- Emergency resolutions shall conform to all established criteria for other resolutions.
- The Resolutions Committee shall meet prior to the opening of the convention, and thereafter as necessary, to consider emergency resolutions.
- Six copies of the emergency resolution must be submitted to the state president prior to the opening of the first general session.
- Sufficient copies for the entire delegation must be furnished by the end of the first general session by the delegate presenting the resolution.
- A two-thirds (2/3) affirmative vote of the delegate body is necessary before an emergency resolution shall be considered.

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## Resolutions Previously Adopted at Oregon PTA Conventions

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Oregon School Funding Defense Foundation....	2006
State Spending Limit Initiatives.....	2006
School Trust Lands.....	2005
Physical Education .....	2004
Unintentional Injury Prevention.....	2001
System Development Charges (System Impact Fees) .....	1997
Kicker-Surplus Tax Credit.....	1997
Family Involvement Leave Time.....	1996
Support for the "Kids First" Initiative .....	1994
Respect for Differing Views on Sexual Orientation .....	1994

Gun Violence, Education, and Awareness .....	1991
Afternoon Television Viewing for Children.....	1989
Uniform Regulations for Tanning Facilities.....	1989
Education on Risks of Indoor Tanning.....	1989
Driving Education Programs .....	1989
Reaffirmation of National PTA AIDS Resolution.....	1988
Federal Seat Belt Standards on Type 1 Large School Buses.....	1987
Comprehensive Teen Health Clinics .....	1987
Video Access and Display Regulation.....	1987
Clove Cigarettes .....	1986
Smokeless Tobacco.....	1986
Liberty Centennial Celebration & the Restoration of the Statue of Liberty and Ellis Island .....	1986
Stability of School Finance .....	1986
Mandatory Seat Belts on School Buses .....	1985

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## Taking Action on State & Federal Issues

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The power of our association is the ability to work locally as well as on a statewide and national level on issues affecting the health, welfare, and education of children. While you work and advocate on the local level, members of the Oregon PTA are working for our members interests at the state and national level.

On occasion, it is important for you to help us make our point.

Oregon PTA makes it easy for members to stay in touch:

Encourage members to sign up for National PTA legislative alert at <http://capwiz.com/npta2/home>

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## Calendar of Suggested Activities for Legislative Chairs

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### May—August

- Attend officer training.
- Study materials received from previous chair.
- Be sure your name is on file as the legislative chair at the Oregon PTA office and contact the VP for Legislation to make sure you are on any “lists” to keep informed about state and national issues.
- Become informed about local issues, school board members, and legislative representatives.

- Write a thank you to your legislators afterward.
- Write an editorial for your local newspaper.

### December

- Develop a telephone tree or local email list.
- Publish legislators' phone numbers and addresses in January newsletter.
- Submit Resolutions to the Oregon PTA Office.

### September

- Request time for legislative issues on monthly PTA meeting agendas.
- Organize voter registration tables at Open House/other opportunities.
- Survey your members for responses to issues.
- Include legislative articles in the newsletters.

### October

- Elections are in November. Remind members to vote, even if by absentee ballot.
- Formulate "Resolutions."

### November

- Keep informed about local issues.
- Write letters to your legislators. Introduce yourself and the PTA's legislative priorities.
- Plan a forum or coffee with your elected legislators.

### **January**

- Update information on Legislative session.
- Begin to call hot line numbers to inform yourself and members of current bill status.
- Write letters to your legislators and encourage your unit/council members to also do.

### **February**

- Write a legislative article for the newsletter.
- Visit [www.leg.state.or.us](http://www.leg.state.or.us) for bill updates.
- Write letters and inform your membership of bills to support or oppose.
- Confirm date/time with your legislators for capitol visits.
- Register for the Oregon PTA Legislative Summit and annual convention

### **March**

- Continue phone tree and letter writing activities.
- Submit legislation article for newsletter on bills' status.
- Maintain contact with Oregon PTA Vice President for Legislation.
- Register for the Oregon PTA Legislative Summit and annual convention.

### **April**

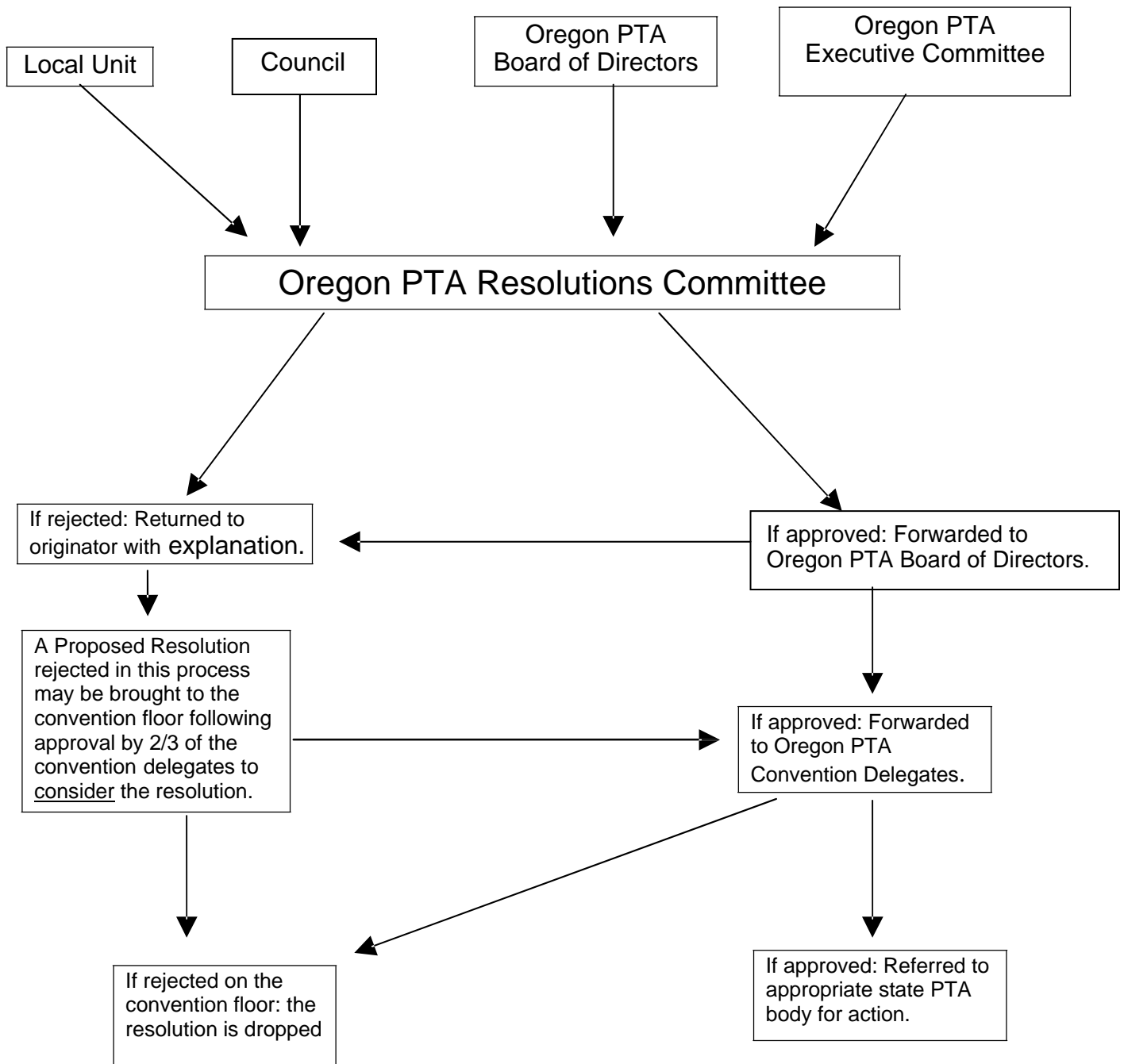
- Write your final report for the legislation notebook to be handed on to next year's chair.
- Continue phone tree, hot line and letter writing activities.
- Attend Oregon PTA Legislative Summit and annual convention.

### **May—June**

- Pass on notebooks and manuals.
- Send name of new legislative chair to the Oregon PTA office.
- Keep yourself informed on current bill status.
- Send thank you notes to everyone who has helped you.
- Collapse! Enjoy a short summer!

# Oregon PTA Convention Resolution Process

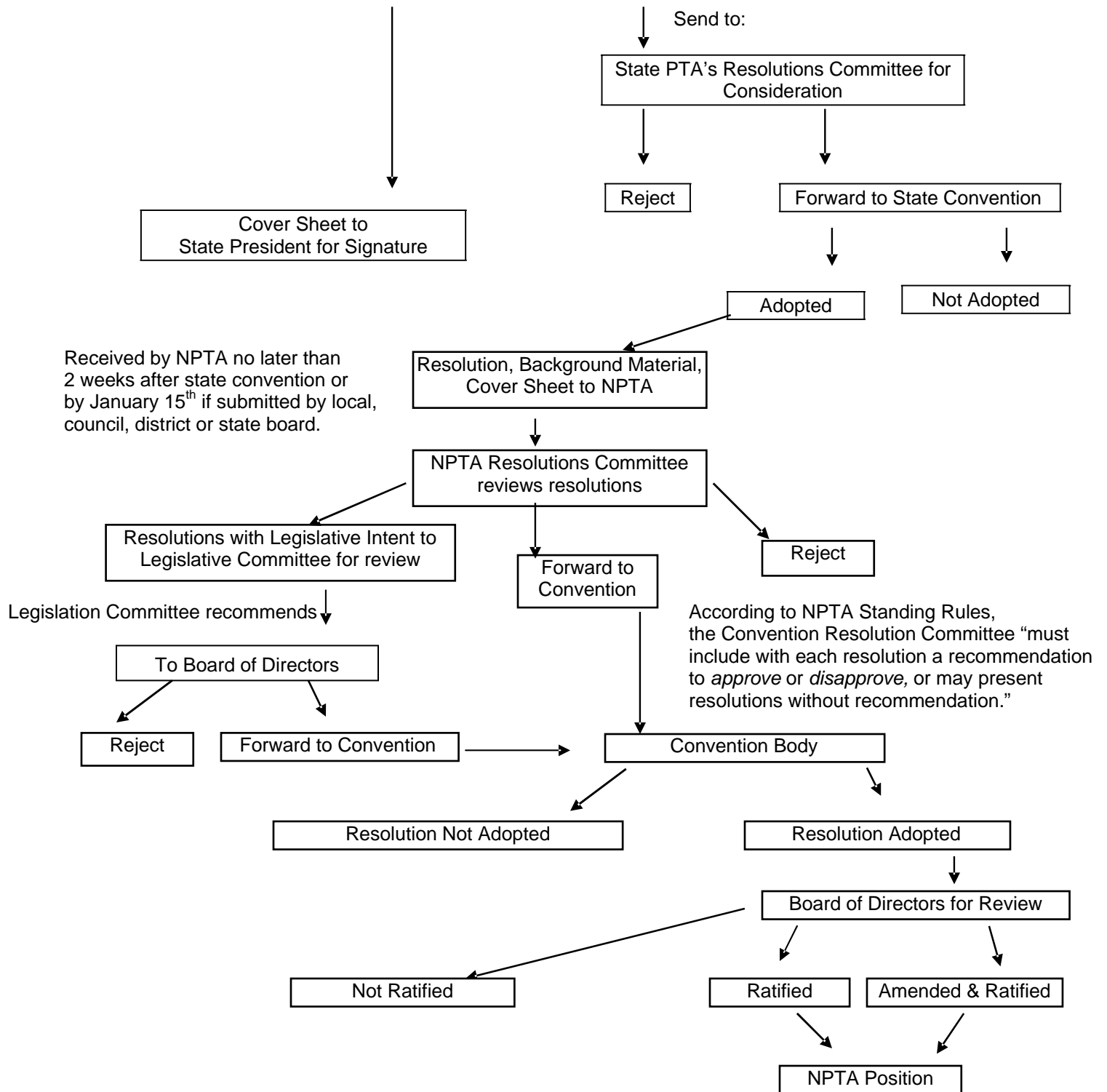
To be considered for presentation to the convention delegates, a resolution must be developed by and originate within a local unit, council, or the Oregon PTA Board of Directors or Executive Committee.



This process presupposes that all rules, guidelines and procedures, as established by Oregon PTA, have been followed.

# National PTA Convention Resolution Process

Resolution developed and adopted by local unit, council, district or state PTA



Group submitting the resolution is notified of action by the Resolutions Committee. Notification to states with fall conventions and other groups that must submit resolutions by January 15<sup>th</sup> will be sent after the February-March meeting of the Resolutions Committee. Any group submitting a resolution with legislative intent will NOT be notified until the pre-convention board meeting in June. States submitting resolutions from spring conventions will be notified after the Resolutions Committee's pre-convention meeting in June.

Oregon PTA  
**CONVENTION RESOLUTION ACTION COVER SHEET**  
 For Use in Submitting Resolutions

This cover sheet **MUST** accompany any resolution proposed for action by delegates to the Oregon PTA Convention.

**DEADLINE: All resolutions must be postmarked no later than December 31<sup>st</sup>, and mailed to the Oregon PTA Office for review by the Oregon PTA Resolutions Committee.**

**Submitting Group:**

Local PTA/PTSA Unit \_\_\_\_\_ Council \_\_\_\_\_ Region \_\_\_\_\_ Committee \_\_\_\_\_

Name \_\_\_\_\_

Was the resolution voted on by the General Membership?      Yes \_\_\_\_\_ No \_\_\_\_\_

If not, what Governing body approved the Resolution for submission? \_\_\_\_\_

Please give the name of person to contact if the Oregon PTA Resolutions Committee wishes to get in touch with submitting group.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_

<b>CHECKLIST:</b> Is the proposed action:	Yes	No
• In accordance with PTA Objects and policies?	_____	_____
• Related to the education, health or welfare of children and youth?	_____	_____
• Accompanied by background data, table of contents and reference sheet, pages numbered consecutively?	_____	_____
• Signed by the group's president and secretary?	_____	_____
• (If legislative) Related to state or federal rules, regulations, agencies or congressional action?	_____	_____

Signature of President \_\_\_\_\_ Date \_\_\_\_\_

Signature of Secretary \_\_\_\_\_ Date \_\_\_\_\_



*Please mail, fax, or e-mail  
 this form to:  
 Oregon PTA  
 4506 SE Belmont, Suite 108B  
 Portland, OR 97208-4569  
 Fax 503.234.6024  
 or email to or\_office@pta.org*