



## NON-PARTISAN ADVOCACY

As PTAs we are dedicated to bringing positive change to our communities in a way that is nonpartisan, nonsectarian and noncommercial. As advocates, we help raise awareness about issues that impact our communities and speak with local, state and federal lawmakers about policies, legislation or budget priorities that impact our schools and students.

PTA is the largest and oldest volunteer child advocacy association in the United States. For the past 100 years Virginia PTA has served as a trusted community voice that works in collaboration with our schools to engage and empower children, families, and educators, secure high-quality education opportunities for all youth, and promote the health and welfare of children. A guiding principle of our work is a commitment to inclusiveness and equity, knowledge of PTA, and professional expertise. (Bylaws Article 3, Principles)

PTAs are organized exclusively for charitable, scientific, literary or educational purposes under Section 501(c)(3) of the Federal Internal Revenue Code. (Bylaws, Article 1. Section 3). As a nonpartisan association we lack affiliation with, or bias toward a political party.

***Advocacy should always be non-partisan, based on PTA approved Resolutions, Position Statements and Legislative Priorities and grounded in the PTA Values, Objectives and Principles described in our bylaws.***

- Virginia PTA recommends local units refer to the 'Take Action' section of our website for current legislative priorities and calls to action that your PTA may like to consider engaging in.
- Local PTAs can share Council PTA, Virginia PTA and National PTA calls to action, research or advocacy news without a formal vote of their General Membership.
- Local Unit and Council PTAs should take a General Membership vote to ratify Virginia PTA and National PTA Positions and Resolutions prior to issuing a letter to their School Board or providing public comment. Local Units should also ratify Council Positions/Resolutions prior to a public statement by their PTA.
- Local PTA/PTSAs and Council PTAs may develop a Position Statement or Resolution, with a vote by their General Membership, to address an issue within their community as long as the stance taken does not conflict with Virginia PTA or National PTA's Resolutions, Position Statements, Public Policy Letters, Mission, Values or Bylaws.
- Policy Letters, Public Statements, Resolutions, Positions and Calls to Action of other associations or of elected officials should not be shared by your PTA.
- No elected officer or PTA committee member should introduce themselves by their position title/role if they do not have General Membership approval to speak on any given topic of community concern.
- Advocacy within Council boundaries that impacts several units or has a council-wide impact shall be undertaken with direct involvement and collaboration with the Council PTA. Advocacy with a multi-Council, multi-region, state-wide or a nation-wide impact shall be undertaken only with direct involvement and collaboration with Virginia PTA.

## Mission Driven Advocacy for Your Community

Advocacy is as simple as stating a problem and the change that would be impactful. That change could be a local school board policy, a funding or staffing formula, a protocol or process, improved training, enhanced communication, or modifications to state or federal legislation and regulations.

A good starting point for your advocacy is to look at the things you may be fundraising for and the challenges faced in your school community and ***ask your membership to consider three questions:***

1. *Are we raising money for something that the school division should provide?*
2. *Does the fact that we are paying for it create inequity with other schools in our county/city?*
3. *What prohibits our students from being successful?*

If you answered ‘yes’ to the first two questions, it’s time to examine why you are raising money instead of raising your voices to advocate for funding and resources for every school and student in your school division.

The answer to question three is a good reference point to guide the selection of a key issue from Virginia PTA’s Legislative Priorities that can serve as a focal point for advocacy and family engagement events (e.g. food security, mental health, building infrastructure, staffing levels). PTA Councils may like to take an annual membership vote on 3-4 county-wide advocacy priorities to serve as a focal point for collaborative advocacy and programs.

The definition of an advocate is someone who publicly supports or recommends a particular cause or policy. Advocates work to promote the interests of another person, group or organization and work within the system to influence public policy, laws and budgets by using facts, their relationships, the media, and messaging to educate government officials and the public about a cause. This is different from activism. Activists campaign to bring about political, social, economic or environmental change. Activists support strong actions (rallies, politically backed campaigns, boycotts, litigation) and may work outside of the system in support of or in opposition to one side of a controversial issue with the desire to make changes in society toward a perceived greater good.

As stated in our Bylaws under PTA Values, Purpose and Principles, as advocates, we work to engage and empower children, families, and educators by *educating families* and by *encouraging participation* in the decision-making process. We recognize that the legal responsibility to make decisions has been delegated by the people to boards of education, state education authorities, and local education authorities and *we seek to promote collaboration among* families, schools, the community and public agencies in order to bring change.

## Understanding Advocacy Tools

We document the changes that would benefit students and school communities through Resolutions, Position Statements and Legislative Priorities. These documents are non-partisan; based on research; voted on by an approving body and aligned with our mission. We take action using Policy Letters, school board (and local government testimony), letters to legislators and testimony during General Assembly Session.

**RESOLUTION:** Formal authorization or expression of an action, decision, intention, or opinion to drive action on a topic of statewide concern related to the education, health, safety, or welfare of children and youth, or parental education and involvement.

<b>Style</b>	Resolutions are written with ‘whereas’ statements of fact each of which is substantiated by three sources that are no more than six years old and conclude with ‘resolved’ statements indicating the change your PTA seeks.
<b>Who Writes</b>	Resolutions are written by members.
<b>Who Approves</b>	Resolutions are always approved by the General Membership of a PTA

- Usage** Resolutions that are approved by Virginia PTA’s General Membership are automatically part of the state Legislative Priorities for the year in which they are adopted. Resolutions adopted by your members can be submitted to Virginia PTA for statewide consideration. Resolutions approved by Virginia PTA’s Membership are submitted to National PTA for consideration and approval by National PTA’s Members.
- Periodic Review** Virginia PTA’s Advocacy Committee and Resolutions Committee reviews resolutions that are more than 5 years old to determine if they are still applicable, need to be consolidated into a Position Statement, retired or brought to membership for revision.

**POSITION STATEMENT:** Reflects the will or intent of the association to address a statewide current event, situation or concern that affects children and youth and requires clarity and statewide or national action based on research, standing resolutions, work and/or values of the PTA.

- Style** Prose with factual background and a desired action or need that is based on research
- Who Writes** Position Statements are written by a PTA’s Advocacy Committee
- Who Approves** Position Statements are approved by the General Membership of your PTA. Virginia PTA’s Board of Directors may adopt Position Statements to provide leadership on statewide areas of concern and likewise National PTA’s Board of Directors may adopt Position Statements to address a nationwide area of concern.
- Usage** Position Statements are used as reference for advocacy work in the same way a resolution is but they are not automatic legislative priorities.
- Periodic Review** Virginia PTA’s Advocacy Committee reviews Position Statements that are more than 5 years old to determine if they are still applicable, need to be re-drafted as Resolutions or retired.

**LEGISLATIVE PRIORITIES & CALL TO ACTION:** Legislative Priorities are approved annually by the Virginia PTA Board of Directors based on existing Position Statements and Resolutions as well as an understanding of the opportunity that exists in the coming year to impact legislative change. The Virginia PTA Advocacy Committee uses these approved priorities to define a call to action and bill watch list for each General Assembly session. Virginia PTA’s Bill Watchlist may include legislation that we support, oppose or take no position on.

- PTAs can directly share legislative priorities and session specific calls to action with their members.

**POLICY LETTERS & PUBLIC STATEMENTS:** Virginia PTA and National PTA periodically issue formal letters to elected officials or government agencies; sign-on to coalition letters; or provide formal comment to support and advance approved positions, resolutions, state legislative priorities and the PTA mission.

- As an Officer of your PTA, you may speak as an individual PTA member on a resolution/position, but you SHOULD NOT make a public statement on behalf of your PTA or the families in your community UNLESS your General Membership has voted to take a stance/make a public statement and your President has designated you to speak on behalf of the PTA.
- Local PTAs and Council PTAs may issue Policy Letters or make formal statements to their School Board after their General Membership approves or ratifies a related PTA resolution or position statement.
- Council PTAs may issue formal statements to share the PTA mission or values and/or ensure parents, and caregivers are included in the decision-making process following an Executive Board vote.
- Local PTAs should reach out to their Council PTA for guidance before initiating a partnership or signing-on to a letter or statement with non-PTA associations.



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## Coalitions & Partnerships

A coalition is a group of like-minded organizations or individuals who unite to create policy change over a long period of time. Many coalitions have a formal structure that determines who its members are, how work is completed, how often they meet and how votes are conducted on policy letters or joint advocacy work.

*Local PTAs and Council PTAs should reach out to the Virginia PTA Vice President of Advocacy before considering a coalition, partnership, or joint statement with non-PTA associations to determine if there is already an existing relationship and to ensure the purpose of the other association(s) are aligned with our PTA mission and will not jeopardize your tax-exempt status. Additionally, prior to joining a coalition, your PTA should discuss the framework of the coalition and take a General Membership vote on whether or not to join the coalition.*

## Avoiding Conflicts of Interest

- PTA Officers, committee chairs and your PTA should always remain nonpartisan and respectful of school administration and elected officials.
- Members of a PTA Executive Board should remember their *fiduciary duty of care, duty of loyalty and duty of obedience*, as mandated by state and common law and seek to maintain independence and objectivity and do what a sense of fairness, ethics and personal integrity dictate, even though not necessarily obliged to do so by law, regulation, policy or custom.
- As an officer of the association, you have higher visibility in your community. Any conflict of interest that may arise from personal involvement with other advocacy associations or due to participation in the partisan political process or other matters that impact your school should be disclosed to your local unit to preserve the integrity, independence, and tax exemption of the PTA. If necessary, you should recuse yourself from discussing or voting on a position, resolution, policy letter or public statement.
- Once the position/resolution has been adopted it is the opinion of our association. While everyone is not always in agreement with each position/resolution, it remains the responsibility of the Elected Officers not to publicly speak against those positions; to adhere to our bylaws and remain a guardian of the mission, brand and association.

## Protecting 501(c)(3) Non-Profit Status

Federal law prohibits 501(c)(3) associations from engaging in any activities in support of or in opposition to any candidate for public office. This means your PTA should not support, oppose or distribute campaign materials or social media posts of a political party or candidate for public office, including candidates for school board. Please refer to PTA's Get Out the Vote Guidance for information on candidate forums and avoiding conflicts of interest.

Nonprofits may engage in legislative lobbying as long as that activity is an "insubstantial" amount of a 501(c)(3)'s activities. The IRS considers a variety of factors, including the time devoted (by both compensated and volunteer workers) and the expenditures devoted by the organization to the activity, when determining whether the lobbying activity is substantial.

- **Activities that are considered lobbying include** advocating for the adoption or rejection of specific legislation with a legislator, staffer, or the public.
- **Activities that do not constitute lobbying include** webinars with subject matter experts, member education or family engagement activities related to a legislative priority, routine communication with legislators or government officials that shares a PTA position or resolution but is not specific to proposed legislation; conducting and/or publishing non-partisan studies or research that is presented in an independent and objective way; responding to a legislator’s request for feedback on pending legislation.

Local units PTAs may ‘take the 501(h) election’ by filing [Form 5768](#) which allows nonprofit’s lobbying efforts to be measured by the objective ‘expenditure test’ instead of the IRS’s ‘substantial part’ test. Under section the 501(h) expenditure test, lobbying activity should be less than 20% of expenditures. *Virginia PTA recommends that you spend no more than 10% of your income on activities that could be considered lobbying.*

A 501(c)(3) that engages in excessive lobbying activity over a four-year period may lose its tax-exempt status, making all of its income for that period subject to tax. Should the association exceed its lobbying expenditure dollar limit in a particular year, it must pay an excise tax equal to 25 percent of the excess. Form 5768 may be filed at any time during the year and remains in effect for succeeding years unless you file to revoke the status.