GEORGIA STATE UNIVERSITY
ANDREW YOUNG SCHOOL OF POLICY STUDIES
DEPARTMENT OF PUBLIC MANAGEMENT AND POLICY
SYLLABUS
PMAP 8203-005 (CRN 85040)
FALL 2013
NONPROFIT ADVOCACY LAW AND POLICY

(Course Information)

IMPORTANT: IF YOU ARE ENROLLED OR PLAN TO BE ENROLLED IN THE JOINT MPA/JD PROGRAM, YOU SHOULD NOT TAKE THIS COURSE. THIS COURSE MAY NOT BE COUNTED TOWARD YOUR REQUIREMENTS FOR THIS JOINT Degree.

Instructor: Jim Martin, Professor of Practice (herein referred to as “I” or “me”)

Office: Room 348, 3rd Floor Andrew Young School of Policy Studies Building, 14 Marietta St.

Telephone: (404) 413 0120

Email: Email communications between students (herein referred to as “you”) and me are through the class Desire2Learn site. However, if you experience a problem communicating with me through Desire2Learn, my personal email address is jimmartin@gsu.edu.

1 This syllabus is based in large part on the syllabus prepared by Dr. Janelle Kerlin for the PMAP 8203 course she taught in the Fall Semester 2011.

2 Revisions from original syllabus dated 8-19-13 in italics and typed in red.
Class Time: Monday, 7:15 p.m.-9:45 p.m.

Classroom: Classroom Building South 201.

Office Hours: My office hours, when I am scheduled to be available to meet with you or talk with you over the phone, are listed below. I also can meet with you or talk with you over the phone at other times by prior arrangement. Of course, if I am in my office at any other time, I will be happy to talk with you by phone or meet with you if I am able.

Monday: 6:00-7:00 p.m. (Except for Monday October 28)

Wednesday: 6:00 p.m.-7:00 p.m. (Except for Wednesday October 30)

Thursday: 3:00-4:00 p.m.

COURSE DESCRIPTION

The Georgia State University Graduate Catalog describes this course:

Policy directs and shapes the activities of nonprofits in many ways including how they structure themselves, raise funds, and advocate for policy change. This course examines both how policy influences nonprofits as well as how nonprofits impact policy. It will address the role of nonprofit organizations in the public policy process including advocacy strategies and techniques and examine in turn how laws shape nonprofit involvement in that process. The course will also review state and federal policy that enables and regulates nonprofits including legal forms, tax exemption, fundraising regulations, and employee compensation.
Students will gain an understanding of where policy intersects with nonprofit activities and learn how to operate within a basic nonprofit legal framework.

In order to understand the course material, it is important that you read the assigned reading before class and be prepared to engage actively in the class discussion. This course is not like a law school course with a narrow practical focus. This course considers the broad policy issues associated with nonprofit advocacy, law and policy. It is like a law school class, however, in that class discussion and debate are essential parts of this graduate level course. On occasion the course may be supplemented with additional readings, guest lecturers and field trips including a trip to the Georgia State University Law Library. The additional readings, if any, will be posted on Desire2Learn.

COURSE OBJECTIVES

Upon successfully completing the class, you will have the followings competencies:

1. An understanding of the role of nonprofit organizations in the public policy process.
2. A working knowledge of how nonprofits shape public policy through advocacy.
3. An understanding of nonprofit law in the areas of charitable giving, advocacy, lobbying, commercial activity, fundraising and employee compensation.
4. A basic understanding of how to operate within the existing legal framework for nonprofit organizations.

REQUIRED BOOKS

The following required texts are available for purchase at the GSU Bookstore.


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OTHER REQUIRED READING

The following required reading selections can be found on-line or will be made available on Desire2Learn, as indicated.


COURSE REQUIREMENTS

**Overall:** You are required to read the assignment for each class before class and to stay up-to-date with the course via Desire2Learn. The class lecture and discussion are designed to expand on the material you have read for the class. If you miss a class, you are responsible for obtaining any information missed. This course syllabus provides a general plan for the course. Deviations may be necessary.

**Class Attendance:** Class preparation and timely attendance are expected. **Please communicate with me in advance if it is necessary for you to be late or absent.**

**Use of Electronic Devices:** Except as provided in this paragraph, the use of cell phones, pagers, and electronic equipment in class is prohibited. You may use a laptop or similar device for class purposes **but may not use the device for any other purpose.**

**Class Participation:** Class participation is a course requirement (5% of the grade). Attendance is an important element of class participation. The quality of participation is more important than the quantity. This course is predominately conducted as a seminar. Student participation is required. In order to assure that multiple points of view are considered, I will call on you on occasion to answer a question based on the readings and the discussion. Each class is designed to build on the readings assigned and to actively engage students in contributing to their own learning experience through student discussion of the readings and related case studies.

**Group Project:** Group projects (35% of grade) **will** involve a comprehensive review of a nonprofit organization’s advocacy program, from the laws governing its advocacy activities to the strategies used and outcomes achieved. The group project **will** culminates in an in-class presentation at the end of the course. Groups **will** select their organizations from among nonprofits actively involved in advocacy **on the state level.**
including the Georgia State Legislature, State Courts, State Government etc. See attached Nonprofit Advocacy Group Project Guidelines for details.

**Examinations:** The course includes a midterm exam which accounts for 30% of your grade for the course and a final exam which accounts for 30% the percent of your grade for the course. A make-up exam may be allowed if the request is consistent with University policy and made prior to the scheduled exam time.

**ASSIGNMENT FORMAT AND REQUIREMENTS**

All written work must be submitted in Microsoft WORD on Desire2Learn.

The official style manual of the Department of Public Management and Policy is Kate L. Turabian, *A Manual for Writers of Term Papers, Theses, and Dissertations*, Sixth Edition. While this is the official style manual of the Department of Public Management and Policy, other style manuals may be used if followed correctly.

Unless excused by me for reasonable cause, if you fail to turn in the assigned exercises by the beginning of class on the day the exercises are due, your grade will be reduced. The maximum deduction is 30 points. If you do not turn in an assignment, you will receive a grade of 59 (F) on the assignment.

**GRADING**

- Class Participation 5%
- Group Project 35%
- Midterm 30%
- Final Exam 30%
- Total 100%
Grades are based on a 100-point system. Grades are not rounded upward; thus, an average of 89.9 is a grade of B+. Address any questions you may have about your grade(s) to me in writing. Points earned on each of the previous elements are totaled and letter grades are assigned as follows:

<table>
<thead>
<tr>
<th>Total Points Earned</th>
<th>Letter Grade for the Course</th>
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<tbody>
<tr>
<td>98-100</td>
<td>A+</td>
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<tr>
<td>93-97</td>
<td>A</td>
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<tr>
<td>90-92</td>
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<td>88-89</td>
<td>B+</td>
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<td>83-87</td>
<td>B</td>
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<td>80-82</td>
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<td>73-77</td>
<td>C</td>
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<td>70-72</td>
<td>C-</td>
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<td>60-69</td>
<td>D</td>
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<tr>
<td>Less than 60</td>
<td>F</td>
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**STUDENTS WITH DISABILITIES**

I encourage students with disabilities to take this course. If you are a student who wishes to request accommodation for a disability you may do so by registering with the Office of Disability Services. You may only be accommodated upon the issuance by the Office of Disability Services of a signed Accommodation Plan and you are responsible for providing a copy of that plan to me and all of your other instructors of classes in which you seek accommodations.
ACADEMIC HONESTY

Academic Honesty: You are required to follow Georgia State University’s Policy on Academic Honesty. The policy may be found in the On Campus, the Official Student Handbook, [http://www.gsu.edu/deanofstudents](http://www.gsu.edu/deanofstudents). The introduction to the policy reads as follows:

As members of the academic community, students are expected to recognize and uphold standards of intellectual and academic integrity. The University assumes as a basic and minimum standard of conduct in academic matters that students be honest and that they submit for credit only the products of their own efforts. Both the ideals of scholarship and the need for fairness require that all dishonest work be rejected as a basis for academic credit. They also require that students refrain from any and all forms of dishonorable or unethical conduct related to their academic work.

The University’s policy on academic honesty is published in the Faculty Affairs Handbook and the Student Handbook, *On Campus*, which is available to all members of the University community. The policy represents a core value of the University and all members of the University community are responsible for abiding by its tenets. Lack of knowledge of this policy is not an acceptable defense to any charge of academic dishonesty. All members of the academic community, including students, faculty, and staff, are expected to report violations of these standards of academic conduct to the appropriate authorities. The procedures for such reporting are on file in the offices of the deans of each college, the Office of the Dean of Students, and the Office of the Provost.

In an effort to foster an environment of academic integrity and to prevent academic dishonesty, students are expected to discuss with faculty the expectations regarding course assignments and standards of conduct.
Students are encouraged to discuss freely with faculty, academic advisors, and other members of the University community any questions pertaining to the provisions of this policy. In addition, students are encouraged to avail themselves of programs in establishing personal standards and ethics offered through the University’s Counseling Center.

The Georgia State University’s Policy on Academic Honesty provides penalties for violations of the policy:

Penalties to be imposed in incidents of academic dishonesty are classified as academic or disciplinary. Academic penalties include such sanctions as assignment of a failing grade for a particular course requirement, or for the course itself, or for other tests or program assignments. They are set by the faculty member. Disciplinary sanctions can be sought in addition to those considered academic and could include, but are not limited to, the following penalties: suspension, expulsion, transcript annotations. Disciplinary penalties can be requested by the faculty member, in consultation with the chair; they must be reviewed by the University Senate Committee on Student Discipline and they are set by the provost.

This policy applies to all incidents of academic dishonesty, including those that occur before a student graduates but are not discovered until after the degree is conferred. In such cases, it is possible that the application of this policy will lead to a failure to meet degree completion requirements and therefore a revocation of a student’s degree.

**DESIRE2LEARN AND COMMUNICATIONS**

A web site for the course is available on-line through Desaire2Learn. The web site includes the course syllabus, supplemental readings, and additional information I may post. **Email communications between you and me are through the class Desire2Learn. For this reason you need to check your Desire2Learn emails**
frequently. However, if you experience a problem communicating with me through Desire2Learn my personal email address is jimmartin@gsu.edu.

The Desire2Learn web site may be accessed through the GSU homepage at www.gsu.edu. See the icon in the top right corner for the link. Students are responsible for any material that may be posted on Desire2Learn.

ADVICE AND ASSISTANCE

You are responsible for contacting me when you are having trouble understanding the material or requirements of the course. I am available during office hours or by appointment.

ANDREW YOUNG SCHOOL CAREER SERVICES & STUDENT LIFE OFFICE

Website: http://aysps.gsu.edu/career

The Andrew Young School provides career planning services & student leadership opportunities (student clubs & organizations) to all current AYS students and alumni. AYS Career Services can help students with resume writing, interviewing, job searching, internship development, preparing for graduation school, and networking. Students are invited to attend our career events and workshops, and individualized career counseling appointments can be arranged. To see what career panels, career fairs, and events are available this semester, please visit: http://aysps.gsu.edu/career/calendar. The office also supports all AYS student clubs and organizations – so read about the various groups within the college, and join one today: http://aysps.gsu.edu/career/student-organizations. The AYS Career Services & Student Life office is located on the ground floor of the Andrew Young Building, in rooms G47-51.

Other Necessary Information

It is required that I:

1. Give a WF to all those students who are on the roll after the midpoint of the semester, but no longer actively taking this class,

2. Report the last day the student attended or turned in an assignment, and
3. Handle any cases of plagiarism or cheating according to university guidelines as outlined in the student handbook.

Teacher Evaluation:

Your constructive assessment of this course plays an indispensable role in shaping education at Georgia State. Upon completing the course, please take time to fill out the online course evaluation.

Disclaimer:

The course syllabus provides a general plan for the course; deviations may be necessary and are made at the discretion of the instructor.

COURSE SCHEDULE AND READING ASSIGNMENTS

<table>
<thead>
<tr>
<th>DATE</th>
<th>MATERIAL TO BE COVERED AND READING ASSIGNMENT</th>
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<tbody>
<tr>
<td>AUGUST 26</td>
<td>CLASS OVERVIEW.</td>
</tr>
<tr>
<td>SEPTEMBER 2</td>
<td>LABOR DAY: NO CLASS.</td>
</tr>
<tr>
<td>SEPTEMBER 9</td>
<td>NONPROFITS AND THE POLICY PROCESS; LAWS SHAPING NONPROFIT FORMATION.</td>
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<tr>
<td></td>
<td>Reading: Bass et al. pp. 56-68; Hopkins Ch. 1-3.</td>
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<tr>
<td>SEPTEMBER 16</td>
<td>AN INTRODUCTION TO LEGAL RESEARCH.</td>
</tr>
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<td></td>
<td>TAX LAW APPLICABLE TO NONPROFIT ORGANIZATIONS.</td>
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<tr>
<td></td>
<td>Reading: Hopkins Ch. 4-7.</td>
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</tbody>
</table>
SEPTEMBER 23  NONPROFIT GOVERNANCE AND OUTSIDE OVERSIGHT OF GOVERNANCE.  
NONPROFIT ADVOCACY BASICS AND YOUR PROJECT WITH EXAMPLES.  
**Reading:** Hopkins Ch. 8-10, 21-22, 24; *Strengthening Transparency, Governance, Accountability of Charitable Organizations: A Final Report to Congress and the Nonprofit Sector* (posted on Desire2Learn; see page 4 of syllabus for citation).

*Form groups for Group Project.*

SEPTEMBER 30  CHARITABLE GIVING.  
**Reading:** Hopkins Ch. 11, 19.

OCTOBER 7  NONPROFIT FUNDRAISING.  
**Reading:** Hopkins Ch. 12.; “State Regulation of Nonprofit Organizations: Accountability Regardless of Outcome”. (posted on Desire2Learn; see page 4 of syllabus for citation).

OCTOBER 14  NONPROFIT COMMERCIAL ACTIVITY AND SUBSIDIARIES.  
**Reading:** Hopkins Ch. 13, 17, 23.

OCTOBER 21  NONPROFIT ADVOCACY LAW; REVIEW.  
**Written project status reports (establishing contact with organization and discussions).**  
**Reading:** Hopkins Ch. 14-15; Bass et al. pp. 73-108 and 173-195.
OCTOBER 28  MIDTERM.

NOVEMBER 4  POLICY ADVOCACY BY NONPROFIT ORGANIZATIONS

**Reading:** Bass et al. pp.196-217; *Nonprofit America: A Force for Democracy?* (posted on Desire2Learn; see page 4 of syllabus for citation).

NOVEMBER 11  IMPROVING POLICY ADVOCACY BY NONPROFIT ORGANIZATIONS.
**Written project status report (Summary of interviews and information described in I, II, and III of project outline)**

**Reading:** Berry, Chap 6 (posted on Desire2Learn; see page 4 of syllabus for citation); Bass et al. pp. 38-55.

*Group project work.*

NOVEMBER 18  THE FUTURE OF POLICY ADVOCACY BY NONPROFIT ORGANIZATIONS.
**Written project status report (Information described in IV, V, VI and VII of project outline)**

**Reading:** Berry, Ch. 7; Aspen Institute (2008) *Mobilizing Change* (both posted on Desire2Learn; see page 4 of syllabus for citation)

*Group project work.*

NOVEMBER 25  THANKSGIVING HOLIDAY BREAK (11-25 THROUGH 11-29)- NO CLASS

DECEMBER 2  GROUP PRESENTATIONS.

DECEMBER 9  GROUP PRESENTATIONS.

*Group Summary Papers Due. (Professional quality*
Nonprofit Advocacy Group Project Guidelines

The purpose of the group project is for students to research advocacy practices in an operating 501(c)(3) nonprofit to understand how advocacy efforts are started, strategized, implemented, and aligned with existing nonprofit law. Students have the opportunity to evaluate the nonprofit’s advocacy efforts against established best practices and available research towards the goal of providing recommendations for improving advocacy in the organization. Groups select their organizations from among nonprofits actively involved in advocacy.

Students work in groups to prepare an in-class presentation that details the findings of their research. Research should include at least one interview with an individual at the nonprofit familiar with the advocacy effort there. Each group is required to submit a 16-18-page paper (double-spaced, 12-pt font, 1-in. margins) summarizing their work. The presentation and paper should cover the topics outlined below with the questions used as starting points. **At least one other topic of particular interest to the group should also be covered.** Group presentations will take place on Dec. 2 and Dec 9. **Summary papers are due in class on Dec 9.**

I. Introduction
   - Provide a paragraph or two on the history and purpose of the organization.

II. Methodology
   - How was contact made with the organization?
   - Who was interviewed? Why these individuals in particular?
   - What interview questions were used? (attach as appendix to the summary paper)
   - How was other information collected?

III. Starting the Advocacy Effort
   - Who initiated the advocacy effort in the organization?
   - How did they go about it?
   - What resources were used?
IV. Current Advocacy Practices
- What is the overall goal(s) of the organization’s advocacy efforts?
- What are the current strategies in place to achieve those goals?
- Is the organization an H-elector? If not, why?
- Who manages and oversees the organization’s advocacy work?
- How are decisions made about the resources supporting it?
- How important are personal relationships, resources, research in the advocacy work?

V. Reporting on Advocacy
- Where and how does the organization report its advocacy work?
- Are there differences in what is reported where?
- What is included in “lobbying” and what is not?
- Are there differences in how lobbying is informally discussed and how it is formally reported?

VI. Alignment of Advocacy with Nonprofit Law
- What laws are relevant to the organization’s advocacy practices?
- Does the organization make use of any exceptions in the law?
- How well does the organization know relevant nonprofit advocacy laws?
- Do they consult with a lawyer on these issues?
- Has the organization ever been audited by the IRS or state agency?
- How fearful is the organization of an audit? Of losing its 501(c)3 status?

VII. Evaluating Advocacy Practices
- How successful has the organization been at meeting advocacy goals?
- How well does the organization strategize, manage and oversee the process?
- Which factors were most important in any successes and/or failures?

VIII. Future Advocacy Plans
- Is there ongoing planning for future advocacy work?
- What are any future plans and what has spurred them on?

IX. Recommendations for Improving Advocacy
- What can the organization do differently to improve its strategizing, implementation, reporting, etc.?
- Would a different type/arena of advocacy be more effective in place of what they are doing?
- Is there any additional advocacy the organization could/should be doing?

X. Additional Topic Related to the Nonprofit and Its Advocacy