

# 2008



# Electoral Advocacy Toolkit

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A Guide to Making an Impact on the 2008 Election  
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## Introduction

# Raising Your Voice in an Election Year

Elections offer an opportunity to build political capital with elected officials. By demonstrating that a set of issues resonates with the public or that a message can mobilize voters, advocates build a line of credit with officeholders that ensure an issue agenda will receive attention in the legislative session to ahead.

The 2008 elections offers 501(c)(3) nonprofits with a platform to elevate public awareness and political support for a policy agenda and a foundation for accountability as public policy is enacted. Electoral advocacy is a powerful strategy that encompasses a broad range of actions from providing an avenue for citizens to express their concerns and priorities to candidates to developing a candidate briefing book that contributes to the understanding of important children's issues.

Through electoral advocacy children advocates can educate candidates at all levels, from city council to state legislature to Congress and the presidency. Although federal law places certain limitations on the electoral advocacy of nonprofit organizations, there is a wide range of opportunities within those boundaries.

This toolkit opens with an overview of how federal law applies to 501(c)(3) public charity organizations conducting electoral advocacy. Large picture legal themes are related, however, this toolkit should only serve as a guide; it is not legal advice. It is good practice to have legal counsel review the planned activities before launching an electoral advocacy campaign.

The remaining sections offer information on the basics of electoral advocacy and ideas to effectively engage in the 2008 elections. Child advocates will have many opportunities to engage candidates and the public to elevate the discussion over how we as a nation will meet the needs of our children and fulfill the vision of a brighter future for every child.

To be effective child advocates must use every tool available to them, including drawing upon the work and experiences of the colleagues to develop an intentional strategy for advocacy. This toolkit is the first step toward ensuring a vigorous effort to make children's issues a political force in the 2008 elections and to build new and stronger ties between child advocates and future office holders. Across the nation, the Voices for America's Children members will employ an array of tools and strategies, including holding candidate forums and rallies, providing information to and meeting with candidates, conducting candidate surveys and scorecards, and engaging in voter registration drives. Oftentimes, the purpose of these efforts will be to help voters answer the question, "who's for kids and who's just kidding?"

It is hoped this toolkit will spark new ideas; and if so, that you will share them. Although produced with paper and ink, this toolkit is intended to be an interactive tool, with ideas and messages shared throughout the VOICES network in order to increase the impact of child advocates on campaigns, candidate positions, and public policy.

# Understanding the Parameters:

## An overview of federal advocacy law

Before conducting an electoral advocacy campaign, it is crucial for nonprofit organizations to understand the legal parameters that regulate such activity. The Internal Revenue Code (IRC) sets legal boundaries for nonprofit organizations conducting electoral advocacy at any level. The Federal Election Commission (FEC) governs allowable election activities for federal political campaign only. States and many localities have their own legal parameters, which advocacy organizations should become familiar with and/or consult legal counsel before engaging in electoral advocacy.

### Internal Revenue Service (IRS) Regulations

IRS regulations state that nonprofit organizations registered as 501(c)(3) organizations may not engage in partisan political activity. This means that nonprofits cannot support or oppose a candidate for any elected public office. This includes local and federal levels and anywhere in between. The IRC further defines non-support as no "political intervention," which entails implied advocacy of a particular candidate through the use of expressions such as "liberal" or "conservative" when describing a candidate or the candidate's platform. Other prohibited activities include:

- » Contributing financially to a campaign
- » Making expenditures on behalf of candidates
- » Restricting rental of mailing lists and facilities to certain candidates
- » Asking candidates to sign pledges on any issue (tacit endorsement)
- » Increase the volume or amount of incumbent criticism as election time approaches

501(c)(3) organizations can, however, engage in a variety of nonpartisan election-related activities, including:

- » Conduct nonpartisan public education and training sessions about participation in the political process
- » Educate all candidates on public interest issues
- » Publish legislative scorecards (with certain restrictions)
- » Prepare candidate questionnaires and create voter guides (with certain restrictions)
- » Canvass the public on issues
- » Sponsor candidate debates
- » Rent at fair market value mailing lists and facilities to other organizations, legislators, and candidates
- » Conduct nonpartisan get-out-the-vote and voter registration drives
- » Engage in limited lobbying, including work on ballot measures

For more detailed information on IRS regulations and the parameters for nonprofit electoral advocacy, the Alliance for Justice maintains an online library of resources and publication on election activity. The Alliance for Justice electoral advocacy library can be accessed at:

<http://www.afj.org/for-nonprofits-foundations/resources-and-publications/about-advocacy-election.html>

### State Regulations

The Alliance for Justice has also begun to compile resources to assist nonprofits with navigating the state laws that impact their advocacy campaigns. The materials are available to nonprofits free of charge, but a pass code must be requested to access the online site. The state regulations information can be accessed at:

<http://www.afj.org/for-nonprofits-foundations/state-resources/>

# Electoral Advocacy Overview

Polls consistently demonstrate that voters rank children's issues high among their political priorities. Yet when child advocates call on politicians to support specific children's initiatives all too often they hear a list of other policy goals that considered more important. From cutting taxes to financing roads, other priorities often are ranked ahead of investing in the needs of children. Elections offer child advocates an opportunity to focus political attention on children's issues and to bring popular opinion to bear on policy makers.

Electoral advocacy is about increasing awareness about children's needs and raising the commitment of candidates to address those concerns through public policies.

Child advocates are in a unique position to make the public, the media, and the candidates see how important children's issues are and educate them on when can be done to improve child well-being. While support or opposition to specific candidates cannot be expressed, advocates can and should encourage the public to learn where candidates stand on issues important to children.

The first step in organizing an effective electoral advocacy campaign is to determine what the primary goals of the effort should be. For child advocates these goals could include any or all of the following:

- » Educate candidates about children's issues so that they are better prepared to act if elected, and in the process strengthen relationships with them so they will respond to advocates when approached after the election
- » Engage voters in the public debate on the key issues facing the nation or community
- » Encourage candidates to address child well-being issues and detail their proposals for meeting children's needs
- » Direct media and public attention to children's issues that may not receive attention at other times of the year
- » Draw public attention to the key issues for children and encourage voters to learn where the candidates stand so they can make informed voting decisions
- » Motivate people to vote and to actively raise children's issues with candidates

Equally important to educating candidates is educating the public and creating an informed voter base. The target audience may include persons involved in the political process such as community leaders, regular voters, and other individuals who can get the attention of the candidate. The target audience may also include parents and members of communities most affected by the children's issues. If the target audience or base understands and prioritizes children's issues then in turn they can educate candidates and shape the public debate.

## Electoral Advocacy Tactics & Activities

Electoral advocacy is a powerful strategy that encompasses a broad array of activities. Detailed below is a listing of tactics being employed by the VOICES network and the regulations that govern the use of these activities.

### Candidate Briefings

Nonprofit organizations can visit, call, or send materials to candidates addressing their issues of concern. Federal law states that nonprofit organizations must provide all candidates with the same research materials. It is illegal provide one candidate with issue research without making it available to all candidates. An issue briefing can involve attempting to persuade a candidate to lean a certain way on an issue, but the candidate must not be asked to sign a pledge of support. If the candidate is an incumbent, the communication would be considered direct lobbying if the materials address a view on a specific legislative proposal. If not reference to legislation is made then lobbying has not occurred.

Kansas Action for Children has produced as part of their "I Vote for Our Future" campaign a candidates briefing titled, Policymaker's Guide to Children's Issues. Widely distributed on the Web site and mailed to all state legislative and state school board candidates, as well as the media, the briefing is an excellent example of how to educate candidates for public office on children's issues and get them talking about the children's agenda. The briefing can be access at:

<http://www.kac.org/ftp/File/Misc.%20Files/policyguide.pdf>

## Candidate Questionnaires and Surveys

Questionnaires can be a great tool for getting candidates to detail their positions on key children's issues and a platform for allowing the public to learn where the candidates stand. However, federal regulations require nonprofit organizations to impartially educate voters with their questions – no commentary is permitted that would allow for the comparison of candidate's positions with that of the organizations. A candidate questionnaire should ask a broad range of questions that are worded in a non-biased manner that does not imply a correct answer. The questionnaire must be provided to all candidates and the responses published exactly as submitted. Nonprofits are not allowed to editorialize on candidates answers.

Examples of acceptable candidate questions include:

- » Studies show that zero to three are critical years for brain development. What steps would you take to ensure that all children enter kindergarten ready to learn?  
.....
- » What is your position on child care subsidies that reflect the current costs of quality child care, and to allow all low income, working parents earning up to the state's median income to choose quality care for their children?  
.....
- » Many states are supporting the provision of universal pre-kindergarten for three-and/or four-year-old. Do you support a universal pre-kindergarten program? If yes, how would you fund it?  
.....
- » [X] children in this state lack health insurance. If elected, how would you address the issue of health care for children?  
.....
- » What are some of the actions that you think would make it easier for businesses to provide health insurance for their employees and their families?  
.....
- » What steps should the state take to simplify the health coverage enrollment process?

For the last sixteen years, the Child and Family Policy Center (CFPC) has collaborated with a large number of organizations in Iowa (as an ad hoc Child Policy Coalition) to present a survey to question candidates for Governor on eight to ten key child policy issues – including early care and education, child health, child mental health, child welfare, family economic stability, immigrant children, and closing gaps in child outcomes – that allows candidates to respond in their own words to a number of issues that would otherwise not be raised. The responses are not only produced in booklet form and posted on the Web site, but are also distributed by the organizations through their members. CFPC produced a similar questionnaire on federal issues that was provided to all Presidential candidates during the 2008 caucus season in Iowa.

## Candidate Forums and Debates

Forums encourage the media and members of the community to discuss relevant issues with candidates. This in turn, encourages candidates to educate themselves on children's issues and to take those issues seriously. To abide by federal regulations, 501(c)(3) organizations sponsoring a candidate forum must:

- » Invite all viable candidates  
(Note: a good practice is set an objective criteria for what constitutes a viable candidate in advance of issuing invitations and apply is to all candidates)
- » Organize an independent panel to prepare questions on topics that cover a broad range of issues
- » Provide each candidate with an equal opportunity to present his or her views
- » Find a neutral moderator to act in an unbiased manner
- » Make a statement at the beginning and end of the program that the views expressed are not those of the sponsoring organization

Candidate forums can take several forms. Forums can be in the form of a debate where candidates are on the same stage and respond to the same questions in a debate-style format. Alternatively, candidates can be brought in sequentially to present their views and respond to questions. Either format can be an avenue for advocacy organizations to elevate their perception as a respected and objective source for policy information.

It is generally much easier to secure candidate commitments to debate at the legislative or local government level than it is at the Congressional or state level. There are many groups seeking to hold Congressional or Gubernatorial debates, and the candidate negotiation process for which debates they will participate in can be intense and complicated. Child advocates can also work with those who are most likely to be conveners of debates (major news organizations, the League of Women Voters, etc.) to ensure that some child policy questions are raised in the debates. When it is possible to post questions floor, advocates can also organize to have people to attend to ask spec child-focused questions.

In Arizona, where there is a strong public financing system for state legislative races, the Children's Action Alliance received a grant from the state to hold a series of candidate forums throughout the state for legislative candidates to discuss the positions on children's issues. In an effort to ensure that the forums focus on issue of broad public concern audience members are encouraged to submit questions at the debates.

Voices for Utah Children has partnered with their local PBS affiliate on election programming to ensure a strong focus on children's issues. In this year's televised debates, a one hour debate between the candidates for Governor will focus solely on children's issues. The debates with the Attorney General and Congressional candidates will devote half of a debate (30 minutes) to children's issues. Additionally, the station provides candidates with the opportunity to air a 3-minute primetime message, this year children will be a required topic to address. The PBS affiliate was so excited about the potential of the electoral partnership that they applied for a grant from the Corporation for Public Broadcasting under the Station Based Election Programming Initiative. The grant proposal was approved guaranteeing that children's issues will receive a level of visibility in the candidate debates and Utah's 2008 elections.

## Voter Registration

Voter registration is a basic electoral activity and a crucial first step toward ensuring that a citizen can effectively made their voice heard in our political system. Voter registration involves providing citizens with the online forms, paperwork or other assistance to enroll as an eligible voter. Federal regulations allow nonprofit organizations to coordinate nonpartisan voter registration drives, but the campaign must be designed solely to educate the public on the importance of voting.

Nonprofit voter registration campaigns are strictly prohibited from organizing around issues that divide candidates or political parties. Issue advocacy can be mentioned, as long as the presentation does not favor a candidate or party. For example, a voter registration drive can focus around education and poverty, but it cannot encourage a voter to favor a certain candidate. In addition, the geographic locations at which a 501(c)(3) chooses to run a voter registration drive must be nonpartisan as well. Target populations can include sectors such as the homeless, low-income, or under represented minority citizen, but they cannot be based upon affiliation with a certain political party or residents of an area in which there is a close political race. Focusing voter registration efforts on people who live in a local community or are members of the nonprofit's constituency is allowable under federal law.

In 2008, VOICES established a partnership with Project Vote to provide on the ground resources for organizing voter registration drives and online tool that provides a simple pathway to register voters. All VOICES members received an icon an a link to an voter registration site that allows citizen to fill out an online form and have a voter registration form for their state sent to them directly.

This is the Project Vote voter registration icon, which appears on the VOICES Web site and a number of members Web sites:



## Video Questions/Response

In the 2008 presidential elections several media outlets have called on the public to participate in candidate forums by submitting video tape of questions on the issues that matter to this. In response a number of political campaigns have joined in by directly requesting video questions. In order to leverage this trend with gubernatorial, congressional, and state legislative campaigns, child advocates should utilize videos or web cams to tape children asking questions. The video should be taped in advance and the children should ask template questions that reinforce the message and priority issues of the organization's electoral advocacy effort. . The taped questions can be posted on the organization's website or used to launch a social networking site, such as YouTube or Facebook. Candidate responses can also be taped from televised forums or copied from the campaign Web sites and posted to the organization's Web site, creating a public debate loop that allows candidates to address children's issues in their own words.

## Public Opinion Polls

Polls allow advocates to demonstrate that voters connect with their messages and that children's issues are priority. Polls can serve two purposes. One is to determine how the public stands on particular messages and what messages might appeal to them, in order to develop strategies. The second is to provide state-specific or district specific information about voters that can be used to demonstrate the importance of children's issues to the public. Polls can be used effectively during elections to show that voters care deeply about children's issues and place them high on their political priority list, but how questions are framed can make a great deal of difference in what responses those polled provide. Therefore, it is crucial to develop polls designed to demonstrate voter interest and concerns.

Depending on the size of the poll and the demographic information collected, it can also provide information on the importance of an issue to targeted demographic groups. There are a number of poll questions about children's issues health care, child welfare, preschool, and the like – that demonstrate strong public support across voters of both political parties (although support is often stronger among those who identify with Democrats). Such breakdowns can be helpful in making the case that children's issues cross party lines and deserve from candidates of both parties. While candidates may be the actual audience for a poll, in

most instances the goal is to get press coverage and to generate more visibility of children's issues. A nonprofit cannot provide the poll results to one candidate first, but must release the results to the public.

Increasingly, political parties and candidates themselves do regular polling on issues and messages, so simply providing a poll to candidates does not necessarily mean they will be swayed by its findings. Candidates have become very sophisticated (some would argue too sophisticated) on the use of polling, making it essential that polls are well constructed to gain their personal attention. At the same time, polling is a factor both in assessing and solidifying public opinion. Advocates can be effectively use poll results in a variety of meetings, presentations, and media opportunities to demonstrate support for the need to address children's issues.

As an illustration, in March 2008, Voices for Georgia's Children released a poll that found a majority of Georgians favored using additional lottery funds to expand the state's pre-kindergarten program. The release coincided with the consideration of several bills to strengthen and expand the state's pre-kindergarten program. As an example of how to use polls to persuade candidates and policymakers, the press release by Voices for Georgia's Children can be accessed here:

<http://www.georgiavoices.org/PressRoom/VoicesNews/vv3KPressRelease.aspx>

## Strategic Communications

In an election year it is important to retool your communications outreach efforts to ensure dissemination of information to additional interested audiences. Specifically, candidates and their staffs, but also others who are a part of electoral activity. There may be additional reporters and media figures who can be contacted. Political, and every party, events offer the opportunity for disseminating information, providing both parties are covered. Information dissemination to the public may take a number of forms, which can be designed to target key audiences. These communications vehicles can include community forums, electronic or print newsletters, action alerts, Web sites, brochures, fact sheets, calendars, postcards, palm cards, videotapes, and podcasts.

In Florida, the Children's Campaign, Inc. launched Our Children: 2008 Truth Tour to educate citizens and candidates about the reality of child well-being in the state. Through a series of informational community meetings, the campaign will promote citizen engagement while bringing compelling information directly to local media. To learn more about Our Children: 2008 Truth Tour, the fact sheet can be accessed here: [http://dev.projectspartha.org/capital\\_connection/CanConnec08/2008Truth\\_Tour\\_Factsheet.pdf](http://dev.projectspartha.org/capital_connection/CanConnec08/2008Truth_Tour_Factsheet.pdf).

## Legislative Scorecards

Legislative scorecards provide a list of votes on different amendments or bills and detail how legislators voted on each bill. Federal law regulates score cards designed and issued by nonprofit organizations. Scorecards released solely to the organization's membership may rate elected officials' performance and can focus on a few select issues. Scorecards released to the general public may not editorialize on the elected officials' performance and must include a broad range of issues.

Organizations should issue score cards at the end of a legislative cycle to hold elected officials to their public commitments by demonstrating vividly if their actions upheld their words. It is a best practice to first issue legislative scorecards in a non-election year in order to ensure that the work is not perceived as partisan.

Using scorecards during an election season provides a different set of concerns. Scorecards may not be released near Election Day. The IRS may find this activity to be electioneering. To prevent the implication of influencing voters to support or oppose specific candidates:

- » Release the scorecard early in the election season and public cards on a consistent basis, not just in election years
- » Include a note on the report card stating that your purpose in producing the card is to inform the public about how legislators are improving the lives of children and families in their state
- » Pinpoint the bills that affect children and provide a balanced range of votes – the goal should be to push better government not to evaluate politicians' activities or support or oppose individual legislators

There are pros and cons to issuing scorecards, and only a handful of VOICES members currently do so. Selection of particular votes that truly reflect legislative positions on children's issues is selective and can be very tricky to do in a way that is not regarded as partisan and is perceived as reflecting meaningful votes. Moreover, legislators often respond negatively to poor rankings and feel they must that repudiate the scorecard if their rankings are raised in the press. This can damage relationships that advocates have worked to build with legislators.

At the same time, scorecards to provide a measure of accountability. In some instances, other independent organizations produce scorecards that can be used by children's advocates.

The key is that the information presented is nonpartisan and the scorecard is produced with the intention of informing the public. The Children's Advocacy Institute at the University of San Diego publishes a Children's Legislative Report Card each year to grade legislators on their votes on child-relation legislation. It is a great example of how to produce a legislative scorecard that is both effective and within the legal parameters. The 2007 scorecard can be viewed here: <http://www.caichildlaw.org/Misc/2007ReportCard.pdf>

## Targeting & Voter Files

Voter files can be an effective tool for developing targeted campaign activities. It is important to note that the regulations governing targeting are different for the general public and an organization's members. When choosing the general public as a target population, federal regulations state that targets must be chosen based on nonpartisan criteria. Organizations cannot choose targets based on political party affiliation or residence in a district that has a close race. Certain groups, however, are allowable targets because they have historically low voter turnout and it is permissible for nonprofits to target under-represented demographics such as low-income, minority, and student populations.

When targeting an organization's own members there is more leeway. Members can be targeted on the basis of voting history.

State and local election officials can provide voter files for qualified voters, but access to these lists and how the lists can be used is governed by state laws.

## Newspaper Advertising

Print ads can be prohibitively expensive for most nonprofits, but many local and weekly newspapers offer ads that are printed on stickers affixed to the front page at rates significantly cheaper than display or online prices. This year, Voices for Utah Children is planning a series of short snappy ads that will build on each other (using the Burma Shave model) to build interest and awareness of children's issues in the elections.

## Buttons, Bumper Stickers, and Yard Signs

The tools of a traditional political campaign. For some this paraphernalia has lost its power in an Internet age, but it still holds great appeal for many citizens and provides an avenue for delivering a message and/or the organization's Web site. Providing supporters and voters with pins, bumper stickers, yard signs, and other paraphernalia is a way of creating buzz and generating interest in an advocacy campaign.

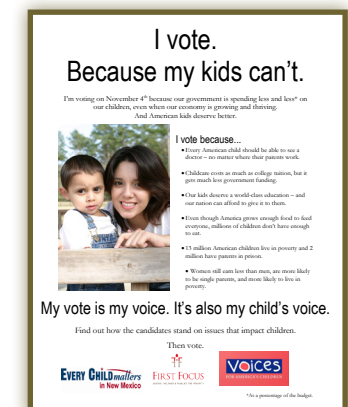
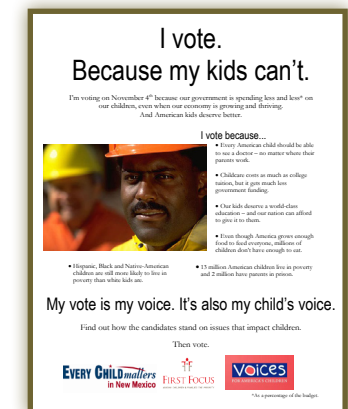
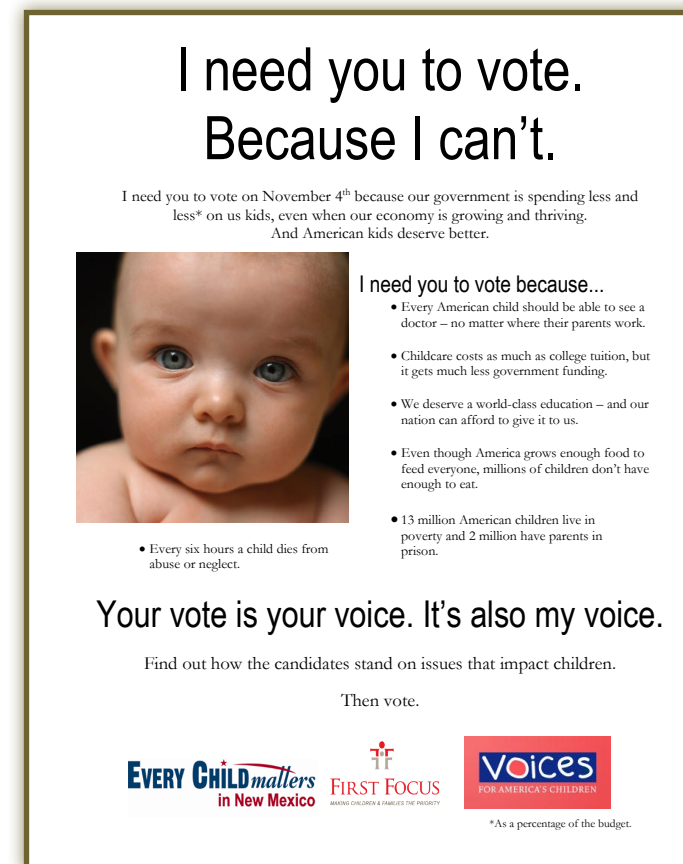
Kansas Action for Children has developed a full-scale electoral advocacy campaign focusing on state legislative races that includes yard signs, label stickers, and posters, featuring this logo (as displayed on a yard sign):



## Get Out The Vote

A Get Out The Vote (GOTV) campaign is the effort to educate and motivate citizens on the importance of voting. Issues can be presented as long as words are not used that express or imply support or opposition of candidates or political parties. Federal regulations allow the distribution of materials about the polling process within 72 hours of the election and allow nonprofit organizations to provide transportation to the polls for those who need assistance. When choosing who to target for your GOTV efforts, nonprofit organizations must follow the same regulations for targeting as discussed in the Targeting & Voter Files section.

New Mexico Voices for Children has produced a series of GOTV flyers that provide compelling reasons to vote on the basis of children's issues, as well as key voter information. Copies of the GOTV flyers can be seen in these pdfs:



## Post Campaign Outreach

Election Day does not signal the end of advocacy efforts. During the election season diligent work has been undertaken to build strong relationships with candidates. Post campaign outreach allows advocates to build on the relationships and awareness that have been developed. Follow up activities include:

- » **Enhance the Perception as an Information Resource.** Let policymakers and their staffs know that the child advocacy organization they heard from in the elections is a constant and reliable information source. Set up meetings with successful candidates and new office holders in particular and prepare a briefing book on the key children's issues for the coming legislation session. Offer to provide educational seminars for newly elected legislators.
- » **Say Thank You.** It is important to show appreciation to policymakers who bring children's issues to the forefront during the campaign. A letter of appreciation is a simple but powerful gesture, especially if you send it to key staff members as well. Sometimes showing appreciation on topics is the best thing you can do to get a legislator to support children's issues in the future. Consider writing an op-ed or letter to the editor that explains the positive impact of the campaign and why it is so important for a policymaker to act in the way that they did. Buy an advertisement in state or local newspapers praising a policymaker's stance.
- » **Debrief Pollsters.** Pollsters, who conduct surveys for candidates and political parties, compile a lot of information that cannot be shared during the election process. However, they are often happy to discuss their findings after the election. Hold a pollsters' forum where advocates can debrief the pollsters on their findings. The findings can be included in issue briefing books to provide compelling information to policymakers.

When thanking people, don't forget your supporters. Call supporters together for a meeting or send information out electronically to debrief them on the campaign results. Not only does this help keep supporters engaged, but it also allows for the compiling of lessons learned that will shape the next electoral advocacy campaign. Detail how much has been accomplished through the work of supporters and what is hoped to be accomplished in the future. This is an important cultivation tool that will pay dividends in the future.

## Election Information Resources

Voices for America's Children posts its electoral advocacy resources online and highlights the work of its member organizations.  
[www.voices.org](http://www.voices.org)

Vote Kids 2008, a civic participation campaign by Voices for America's Children, is an effort to engage voters and candidates to speak out on the importance of investing in the key building blocks for children's positive and healthy development.  
[www.votekids08.org](http://www.votekids08.org)

League of Women Voters offers a wealth of information on candidates and voting.  
[www.dnet.org](http://www.dnet.org)

Project Vote Smart offers nonpartisan information on candidates and campaigns.  
[www.vote-smart.org](http://www.vote-smart.org)

C-SPAN'S Campaign 2008 Bus, a public service effort to inform voters, empower teachers, and enrich civics education.  
<http://www.cspan.org/schoolbus/index.asp>

### Child Well-Being Facts and Data Resources

KIDS COUNT: <http://www.kidscount.org/datacenter/databook.jsp>

Recent federal reports on children: [www.childstats.gov](http://www.childstats.gov)

Child trends: [www.childtrends.org](http://www.childtrends.org)

Kids and Poverty: [www.nccp.org](http://www.nccp.org)



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