

ANTI-HUNGER NONPROFITS and ELECTIONS



A Guide to Permissible Activities for 501(c)(3)s

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HOW TO USE this GUIDE

This guide is intended to help nonprofits working to end hunger get started in planning and carrying out simple, effective nonpartisan election-related activities.

Designed as a primer for busy 501(c)(3) public charities, this guide will help you build buy-in among staff and leadership, understand and identify which voter engagement and other election-related activities are permissible and right for your organization, and develop a plan to implement those activities. This guide includes links to resources from Nonprofit VOTE (www.nonprofitvote.org) and other experts you should use when planning election-related activities.

About FRAC



The Food Research & Action Center (FRAC) is the leading national organization working for more effective public and private policies to eradicate domestic hunger and undernutrition.

About Nonprofit VOTE



Nonprofit VOTE is a leading source of nonpartisan training, materials and other resources for nonprofits doing voter engagement work.

Acknowledgments

This guide was adapted for an anti-hunger nonprofit audience by Caitlin Donnelly, Nonprofit VOTE's education and engagement coordinator, and Susan Beaudoin, FRAC's special projects associate and senior grant writer, with support from Alexandra Ashbrook, FRAC's director of special projects and initiatives.

FRAC gratefully acknowledges the Naomi and Nehemiah Cohen Foundation for its support of work to engage anti-hunger organizations in permissible election-related activities.

The information contained in this guide is for general guidance only and only intended to be used for nonpartisan activities. Information in the guide should not be used as a substitute for consultation with professional legal or other competent advisers. The authors are not responsible for any errors or omissions, or for the results obtained from the use of this information.



James D. Weill, President

LETTER from JIM WEILL

President, FRAC

As anti-hunger organizations like yours know all too well, hunger is present in communities throughout America. More than 41 million Americans lived in food-insecure households in 2016. Families struggling with hunger are not concentrated in one type of community or one region. They are in every part of our nation. They are our neighbors, our families, and our friends.

We also know that hunger is solvable. The research is clear that the Supplemental Nutrition Assistance Program (SNAP), school meals, afterschool meals, summer food, childcare food, WIC, The Emergency Food Assistance Program (TEFAP), and other federal programs, are effective mechanisms for combatting hunger and lifting families out of poverty.

But, unfortunately, this research is not enough to secure the future of these programs and the future of the millions of Americans who need them.

Solving hunger requires building engagement of supporters to safeguard and strengthen these programs.

Private sector – business, labor and charitable – efforts can bolster government's leadership in alleviating hunger, but cannot take the place of government's steadfast commitment, strong policies, and adequate investments to end it.

The work of anti-hunger organizations in championing federal, state, and local policies that protect and strengthen these programs and in implementing these programs is essential to the nutrition, health, and well-being of families and communities across the country.

There are concrete steps your 501(c)(3) can start taking now to bolster your current advocacy efforts to build the political engagement necessary to protect and improve programs and help low-income families. Election years are an opportune time to work on a range of permissible election-related activities, including candidate and voter education and voter registration.

Low-income citizens are registered to vote at much lower rates than higher income citizens – meaning many of your clients are likely missing out on the opportunity to fully participate in the democratic process and to voice their support for the programs. When citizens in your community don't vote, candidates and elected officials are less likely to focus on issues – like hunger and poverty – and solutions – like federal programs – important to your community.

There are many nonpartisan and legally permissible ways your anti-hunger organization can work to remedy this – ranging from assisting clients with voter registration to educating the public and candidates about hunger and poverty in your community and the effective response of federal programs.

Engaging in these efforts has many benefits that align with and augment your mission. As just one example, civic engagement helps to strengthen an individual's social connections, which also contributes to improved social, emotional, and physical well-being.

We hope you will join us in this critical work.

INTRODUCTION

Only 60.2 percent of the nation's 231 million eligible voters cast ballots in 2016 – meaning tens of millions of eligible Americans did not exercise their right to vote.

As key community resources, anti-hunger nonprofits are in a prime position to conduct permissible election-related activities – such as registering voters, co-hosting candidate forums, weighing in on ballot measures, and educating candidates and the public on hunger – to help the citizens they serve exercise their right to vote and to elevate the issue of hunger. Yet, many nonprofits engage in limited or no activities around this topic because of misconceptions about what 501(c)(3) organizations are allowed to do or because they don't feel they can fit another initiative into already packed schedules.

FRAC and Nonprofit VOTE designed this guide to serve as a primer for anti-hunger nonprofits on some of the permissible election-related activities 501(c)(3)s can engage in and to share ideas on how to get started. Engaging in the activities discussed can raise legal issues for your organization. Consulting with legal counsel to ensure that you are aware of and following the legal rules should be the first step. Nonprofits, like Alliance for Justice through its Bolder Advocacy Initiative, may offer free legal advice.

Why Voting Matters

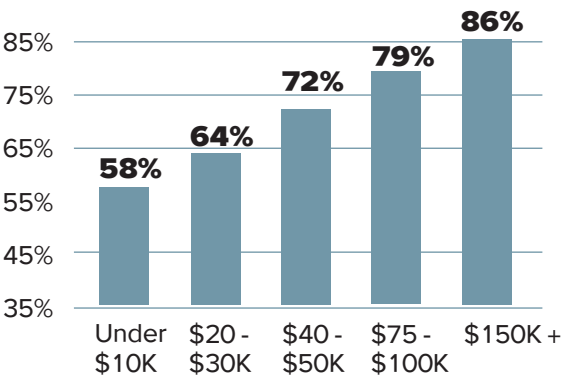
Voting is a way of connecting to and caring about our neighborhoods, our local, state, and national governments, and the direction of public policy. Be it at the national, state, or local level, voting matters.

The officials elected directly impact our lives in many ways:

- They create legislative agendas and help determine what issues are included.
- They create and shape laws that can improve, or harm, the current and future nutrition, health, economic security, and learning of children and families.
- They decide whether important programs, including SNAP, child nutrition programs, and TEFAP, are adequately funded.
- They support or oppose legislation that impacts every aspect of the lives of families – from legislation that focuses on immigration, to the minimum wage and unemployment insurance, to housing, health, and childcare.
- They decide if and how to respond to natural, man-made, and humanitarian disasters that impact children and families.

Voter Registration Gap

Voter Registration by Income



Low-income citizens are less likely to be registered to vote than higher-income citizens. In recent presidential election years, approximately 36 percent of all adult citizens with annual household incomes below \$25,000 were not registered to vote. In those same periods, only approximately 17 percent of those with annual incomes of at least \$75,000 were not registered. If low-income citizens were registered at the rate of citizens with higher incomes, millions more citizens would have the opportunity to vote.



Voter Turnout Gap

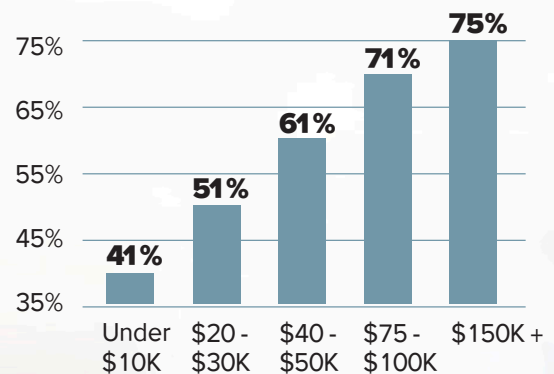
Who is selected to make these decisions for our communities and our nation is determined by the citizens who show up to the polls on Election Day.

Our democracy functions most effectively when more citizens engage.

Yet, voter turnout in our nation is strikingly low, and varies widely by population characteristics, such as age, race, ethnicity, and income.

Every vote does count!

Voter Turnout by Income



Remember: there is power in numbers. When we vote and get our community to vote, we can impact outcomes and change the debate. Many elections are decided by less than 100 votes.

While there are many reasons citizens don't vote, we know the first step to increasing voter turnout is to get more citizens registered.

Empowering citizens through education also helps promote voting. Citizens are more likely to vote if they have the information they need (such as where, when, and how to vote), believe candidates are addressing issues important to them, and feel that their vote counts.

Anti-hunger nonprofits are well-situated to engage in nonpartisan efforts to convey the importance of voting, assist people who are underrepresented among voters to register and turn out to vote, and elevate issues of hunger and poverty. Registering and encouraging people to vote translates to more power for your community, more clout for your nonprofit, and many benefits for individual voters.

Power for Your Community

Voting is one important way of engaging in the life of your community. When you talk to your clients about voting, you are telling them that their voice matters in determining what is best for their community. Neighborhoods and communities that vote get more attention from candidates and office holders. They are less likely to visit and listen to communities that don't participate in elections.

Clout for Your Nonprofit

Nonprofits depend on relationships with the local, state, and federal government to maintain funding and protect and improve programs. When your nonprofit starts registering voters, candidates will take notice! Public officials generally will recognize your organization as one with an engaged community of voters and will be more likely to return your phone calls and listen to your needs as an organization.

Benefits for Voters

Registered voters are more likely to engage in civic and political activities than those who are not registered. They are also more likely to talk to elected officials and advocate for themselves and their families. Voters tend to have stronger social connections, leading to a greater quality of life and longevity. Census surveys suggest that registered voters are, compared to non-voters, more strongly connected with their neighbors and family members.



STAYING NONPARTISAN:

Permissible Election-Related Activities for 501(c)(3) Nonprofit Organizations.

A single sentence in the federal tax code defines the prohibition of partisan political activities by 501(c)(3) charitable organizations. It states 501(c)(3) organizations are “prohibited from directly or indirectly participating in – or intervening in – any political campaign on behalf of or in opposition to any candidate for elective public office.” Whether activities are considered partisan political activity on behalf of or in opposition to a candidate depends on the “facts and circumstances” in each situation. While partisan activities are prohibited, it’s clear there’s still a lot a 501(c)(3) can do on a nonpartisan basis to promote voter and civic engagement as part of its charitable and educational mission during the election season and beyond.

Permissible Nonpartisan Activities and Common Examples

The IRS affirmatively states that 501(c)(3) organizations may conduct voter engagement or connect with candidates on a nonpartisan basis. 501(c)(3) organizations under this principle may:

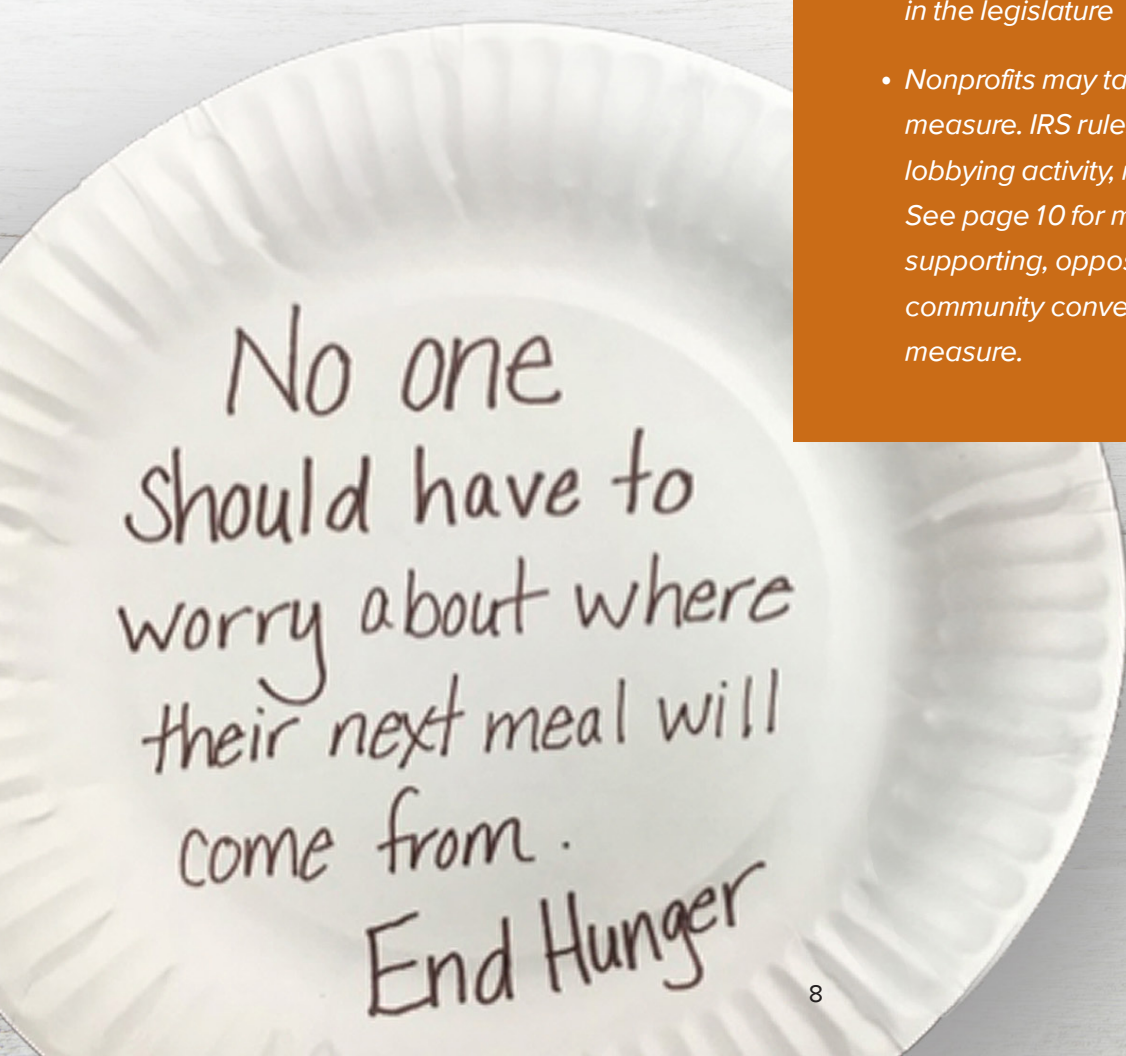
- Conduct or Promote Voter Registration;
- Educate Voters on the Voting Process;
- Distribute Sample Ballots or Nonpartisan Voter Guides;
- Encourage People to Vote; and
- Conduct Nonpartisan Candidate Education.

The main principle for being nonpartisan is to conduct voter engagement and education in the context of your educational and civic mission and not in a way intended to support or oppose a specific candidate or political party. If you hold a candidate forum or offer to brief the candidates on issues of importance to your organization, make sure you treat the candidates equally. When you do voter registration or remind people to vote, do it in the context of the importance of voting—encouraging active citizenship and giving voice to the communities you serve. Please refer to the resource list at the end of this section for more complete guidance on these activities as well as campaign finance rules that may apply.

Issue advocacy during an election

The IRS explicitly states that nonprofits may continue lobbying activities during an election. Communications on issues during an election could be considered partisan if they appear timed to support or oppose a candidate, rather than being a part of an organization's normal advocacy activities.

- *Be careful before increasing advocacy activities close to an election.*
- *A history of work on an issue in the past is a key factor. Your activity is far more likely to be seen as nonpartisan if you have engaged in the same or similar activities in non-election years.*
- *Doing advocacy close to an election in response to an external event is often safer. Examples include responding to an event you believe calls for government action, or to an imminent vote on a bill in the legislature*
- *Nonprofits may take sides on a ballot measure. IRS rules treat this as a lobbying activity, not electioneering. See page 10 for more details on supporting, opposing, or hosting a community conversation on a ballot measure.*



No one
should have to
worry about where
their next meal will
come from.
End Hunger

Prohibited Partisan Activities

A 501(c)(3) organization or a staff member speaking or acting on behalf of the nonprofit may not:

- Endorse a candidate;
- Make a campaign contribution or expenditure for or against a candidate;
- Rate or rank candidates on who is most favorable to your issue(s); or
- Let candidates use your facilities or resources, unless they are made equally available to all candidates at fair market value – such as a room commonly used for public events.

Nonprofit Staff May Conduct Partisan Political Activities on Their Own Time.

Generally, outside of normal work hours, nonprofit staff may engage in partisan campaign activities, like supporting a candidate for office. Staff may also take vacation or personal time, as permitted under a personnel manual, for the purpose of engaging in political activity. Nonprofits may have specific internal policies regarding political activities staff can undertake in their personal time. Make sure staff at your organization are aware of this policy.

For more information see:

Sample 501(c)(3) Organizational Policy for Election Season, Alliance for Justice Bolder Advocacy https://www.bolderadvocacy.org/wp-content/uploads/2014/07/Sample_501c3_Policy_for_Election_Season.pdf

Separate Your Personal Political Participation from Your Nonprofit Work

Provide political campaigns or candidates a personal email address. Ask them to call you on your mobile or personal phone outside of work hours. Don't use any of your organization's resources (e.g., organizational vehicles, copy machines, or supplies) to support or oppose a candidate.

Funding Restrictions

Some public and private grantmakers place restrictions on use of their grant funds for voter registration and other permissible activities. This does not automatically mean that the grantee is prohibited from engaging in such activities – only that they cannot do so with that particular source of funding. Nonprofit VOTE, Independent Sector, and the Council on Foundations released guides to help grantmakers promote nonpartisan voter engagement activities in their programs or grantmaking. <https://www.nonprofitvote.org/foundationtoolkit/>

If your organization receives public funds for programs, activities, or staff, you should be aware that some publicly-funded programs have prohibitions on election-related activities. Ensure that you are aware of and comply with such prohibitions.

For more information see:

Federal Funds and Voter Participation, Nonprofit VOTE

<https://www.nonprofitvote.org/documents/2010/09/federal-funds-and-voter-participation-en.pdf/>

Resources

If you have a question, feel free to contact Nonprofit VOTE at info@nonprofitvote.org or the legal team of the Alliance for Justice’s Bolder Advocacy Initiative at advocacy@afj.org. Or visit them online:

Nonprofit VOTE – www.nonprofitvote.org

Voter Engagement Resource Library, www.nonprofitvote.org/resources, the largest source of nonpartisan guidance on voter engagement for nonprofits, organized by topic and type.

Alliance for Justice Bolder Advocacy <https://www.bolderadvocacy.org/>



WAYS NONPROFITS CAN ENGAGE IN VOTING ACTIVITIES

Voter Registration

Making sure staff, volunteers, and the people you serve are registered to vote is a first step toward increased voter and civic engagement in your community.

There are different levels of voter registration activities. Consider the capacity and mission of your organization, as well as the character of your relationships and interactions with clients when planning what type of voter registration activity to do.

Before you begin: Ensure that you are aware of state and federal laws related to voter registration.


Only U.S. citizens who are 18 years of age or older and meet the residency requirements for their state are eligible to vote. Your state may have additional eligibility requirements or special circumstances for certain populations. These rules vary greatly from state to state. Nonprofit VOTE's Voting in Your State: A 50 State Guide is a great place to find information from your state election website on registering to vote, voting early or absentee, finding your voting site, what ID to bring to the polls, and more. You should also contact your local election officials.

Level One: Publicize and Promote

Promote voter registration deadlines and how-to's in the weeks before an election, in a nonpartisan manner.

- Announce registration deadlines and how or where to register to vote at events, in newsletters, in e-blasts, or on your website.
- Talk about registering to vote at a staff or board meeting.
- Put up posters advertising voter registration deadlines, along with where to get and return voter registration forms.





The Food Bank of Northern Nevada – which provides emergency food services to families through a network of more than 140 partner agencies in a 90,000 square mile service area throughout northern Nevada and the eastern slope of the sierra in California – began inviting nonpartisan partner organizations, such as the League of Women Voters and Indivisible, to help clients register to vote, in 2016. In the first year of these efforts, at least 1,000 citizens were registered to vote at their Mobile Harvest, Bridges to a Thriving Nevada, and other direct service sites. Approximately 80% of clients assisted with voter registration exercised their right to vote during the next election. As the organization’s president and CEO Al Brislain shared, “Adding voter registration to our existing efforts has been an easy way to provide another important service that has benefits for both the individuals we serve and the broader community.”

Level Two: Do Registration on Site

Incorporate voter registration into your interactions with clients, including food distribution, nutrition education classes, and other ongoing activities.

- Assign a staff member to plan and direct voter registration activities. Train a staff member on how to do voter registration and the eligibility requirements in your state. Use Nonprofit VOTE's Voter Registration checklist and resources from your local election office.

Paper Registration

- Have voter registration forms available and offer voter registration to new clients at intake and to clients who may have recently moved. Ensure that you have forms available and staff proficient in the languages in which your clients are most comfortable.
- Designate a staff person to promptly return forms to your Local Election Office in person in compliance with state regulations.
- Set up a space in your lobby with voter registration cards, instructions and a drop box for completed registrations. Consider leaving out a sample registration form. Make sure that there is no information or indication of any kind about favoring or opposing certain candidates or parties.



Online Registration

- Have a laptop or tablet available for clients to register online.
- If registering can be done from a smartphone, post signage explaining how people can use their phone to register.
- When offering online voter registration, it can be helpful to also have paper applications available for clients who may prefer that method or who don't have a driver's license or other state-issued ID (a requirement for many online systems).

Level Three: Mobilize and Partner

For organizations with the time and resources, extend your registration efforts outside your agency to the community you serve.

- Identify other nonpartisan partners – like other nonprofits, libraries, schools or small businesses – in your neighborhood or service area and encourage them to register voters.
- Have staff or volunteers conduct voter registration at community events or highly-trafficked locales. Good locations are where likely voters from the neighborhood congregate – supermarkets, recreation centers, stores, school events, places of worship, transit stops, etc.
- Bonus: Voter registration tabling is a great opportunity to educate people about your organization!



National Voter Registration Day (NVRD) takes place each year on the fourth Tuesday of September. It's sponsored by the bipartisan National Association of Secretaries of State. Falling two weeks before the first state registration deadlines for the November election, NVRD is a great day to register new voters and celebrate democracy. Starting in July you can sign up as an NVRD partner and receive free materials. For more information visit www.nationalvoterregistrationday.org.

Advocacy Opportunities to Close the Voter Gap and Make Voting Easier

If direct voter registration or get out the vote activities aren't the right fit for your organization – or if you'd like to engage in a broader range of activities – there are other opportunities to help ensure low-income citizens have the opportunity to exercise their right to vote.

National Voter Registration Act

Section 7 of the National Voter Registration Act requires public assistance agencies such as those that administer WIC, SNAP and Medicaid to provide voter registration applications and affirmatively offer to help clients register to vote any time they apply for benefits, recertify benefits, or submit a change of address. Contact FRAC if you are interested in discussing opportunities related to this issue in your state.



State Voting Policies

Some states have passed legislation aimed at helping more people vote and a more diverse representation of the population vote (e.g., policies focused on automated voter registration or expanding the voting age). Your organization can weigh in on policies that would help disenfranchised and underrepresented citizens in your state.



Why is voter education important?

People often say they don't vote because "they don't like the candidates" or they're "too busy." Often times this really means that voters aren't familiar with their choices or what will happen when they arrive at their polling station. Basic information from a trusted messenger like a nonprofit organization about where, when, and how to vote helps new voters participate. A potential voter educated about the basics is a likely voter.



Voter Education

Nonprofits may conduct a range of voter education activities as long as they are nonpartisan and do not in any way suggest support for or opposition to candidates running for office. There are two basic types of voter education: the when, where, and how of voting; and what's on the ballot.

Promote the When, Where, and How of Voting

One of the most helpful things nonprofits can do is to provide clients and the community information on when, where, and how to register and vote. Some examples on information on how to vote include:

When: election date, deadline to vote by mail or vote early, polling hours

Where: polling places, early voting locations

How: how to vote absentee, early in-person, or by mail (if applicable in your state), where to get help, voting ID needed, especially for first time voters or states with stricter requirements



Get People to Commit to Voting
Pledge cards are a great addition to any voter engagement strategy. People who sign nonpartisan pledge cards are more likely to actually turn out and vote. Pledge cards are useful with new registrants and those who are already registered, and by collecting their contact information you can more readily scale up your get out the vote efforts.

Display or Distribute Sample Ballots

A sample ballot helps voters feel more comfortable with the process of voting, which gives them more confidence when casting their ballot. Print out copies of sample ballots and post them in your lobby, or have a stack of them available in waiting rooms and intake areas.

Where to Find Sample Ballots:

- Your state election website;
- Your local election website; and
- Your local newspapers.

It is important that staff and volunteers are trained, particularly on the importance of not telling people how to vote, not sharing your opinion on candidates, and not directing people to partisan organizations. This applies even when asked by the person who is registering.

Distribute Nonpartisan Voter Guides

Nonpartisan voter guides can be great documents to have on hand in a lobby or service area of a nonprofit organization for clients to review onsite and take home to share with family and friends. These guides provide an important, unbiased overview of what your community will be voting on come Election Day. Some voter guides may also come out in multiple languages.



Where to Find Voter Guides:

- Some State Election websites have official guides;
- Nonpartisan organizations like the League of Women Voters or Smart Voter (CA); and
- Issue coalitions in your area that produce nonpartisan candidate guides for their members.



Using Social Media to Promote Voting



While social media can be a powerful tool to remind people to vote, don't use organizational accounts to tag, re-tweet, share posts, or engage with political campaigns or partisan organizations that have endorsed candidates. You may encourage people to register and vote on a nonpartisan basis, but you may not use social media, or other organizational resources to indicate support for, or opposition to, candidates for public office.

More Resources

Legal Tips on Using Social Media for Advocacy, Alliance for Justice Bolder Advocacy, www.bolderadvocacy.org/resource/tips-on-using-social-media-for-advocacy

Friends, Tweets, and Links: IRS Treatment of Social Media Activities by Section 501(c)(3) Organizations, Allen Mattison, The Exempt Organization Tax Review May 2011 http://tristerross.com/documents/mattison_000.pdf

Get Out the Vote (GOTV)

Nonpartisan Get Out the Vote efforts can help ensure that those you helped register to vote and others in your community are energized and ready to exercise their right to vote.

In the weeks leading up to the election...



Create Visibility

Your nonpartisan signs, displays and messages on the election should be visible to everyone who walks into your organization or attends any of your trainings or events.

- Place signage – posters, flyers, etc. – throughout the lobby and all public spaces and in food distribution boxes or bags. Ask public agencies to post nonpartisan information. Make sure the election date is featured prominently.
- Make announcements or hold discussions at meetings, events, classes, etc.
- Encourage popular local media sources to promote both the election and places where voters can go to find help.

Provide Help

Help your clients succeed in voting. Once a voter, they'll be more likely after the election to follow issues and participate in community affairs.

- Orient staff to answer basic election questions on where a voter can get help voting.
- When providing services, ask people if they're planning to vote and ask them if they know where to vote.
- Work with your 2-1-1 human service help line to have them answer basic voting-related questions, like those on finding polling places or how to check voter registration status.
- Advertise rides to the polls or where to get help from nonpartisan groups.
- With help from volunteers, call a list of your constituents about voting on Election Day. Make sure your volunteers, like your staff, know that partisan activity is prohibited.

Raise the Stakes

Ramping up your efforts in the last two weeks to stress the importance and urgency of voting will make your constituents more likely to take time to vote.

- Use all your methods of communications – in-person, online and otherwise – to get people excited about voting.
- Provide translated information and materials, where possible.



On Election Day

Make Election Day special. Treat it like a time to celebrate democracy.

- Ask everyone you connect with if they've voted or need help voting.
- Consider partnering with a local initiative to help people get to the polls.
- Put up big "Vote Today" signs with a number to call or place to go to for help.
- Have an Election Day party for clients and staff.

Make Election Day special for your staff too.

- Allow staff to spend part or all of Election Day doing nonpartisan get out the vote activities.
- Encourage your staff and volunteers to sign up as poll workers or translators.



MAKING A PLAN for YOUR VOTER ACTIVITIES

Tips for Success

Creating a clear plan for your voter engagement activities that aligns with your priorities and capacity can help make your efforts successful. Below are some best practices and tips to keep in mind as you begin to plan and execute voter engagement strategies.

Find a Point Person

Finding a staff member to spearhead and organize your voter engagement activities is key to your success. Ideally the point person should be someone who cares about voter engagement efforts. This person must have the time and the desire to boost voting and civic participation in your community and among your staff. Also of critical importance is ensuring that this person is well-trained regarding the legal issues and limitations that prohibit partisan activities.

- Determine who on your staff is best suited to lead your voter engagement efforts. This could be a program staff person, a public policy staff person, or a direct service provider.

Contact Your Local Election Officials

Reach out to your local election board and build a relationship. They can help you understand state and local requirements around registering people to vote and will appreciate hearing from you before they start receiving the forms of all the people you are about to register.



What to Plan

Once you have identified activities that are the right fit for your organization's priorities and capacity, and a person or group that will lead the voter engagement efforts, it's time to plan concrete steps for getting the work done.

Voter registration is the most common election activity promoted by nonprofits and a good starting point for voter education and get out the vote efforts, though organizations can use the same planning steps to prepare for other types of activities.

Research

Rules around voter eligibility and how voter registration can be conducted vary from state to state. Even if you do not plan on conducting direct voter registration, you should still know the rules and be able to answer questions regarding eligibility. Complete this step before doing voter registration. Research:

- Conducting voter registration:
 - What is the age requirement for volunteers registering people to vote?
 - Can staff or volunteers fill out registration forms on behalf of someone?
(if allowed, this is recommended to ensure the form is legible and complete)
 - Is there a required training for volunteers to be able to register voters?
 - How must registration forms be submitted to election officials and within what time period?
- Eligibility:
 - What is the required length of residency prior to an individual registering to vote?
 - What are the rules for people who have been convicted of a felony?
 - How do you register to vote people who are experiencing homelessness?
 - For survivors of domestic abuse, are there laws in your state that will allow them to have their personal information removed from public voter rolls?
 - For people under 18, are they allowed to register if they will turn 18 by the time of the election, or may they pre-register?
 - Are there special voting laws for people with disabilities?
- How long before the election do voters need to be registered to be eligible to vote? (Remember that there are primary and general elections, each with different voter registration deadlines.)
- Does your state have same-day voting?
- Do voters need to declare a party affiliation?
- In what languages are voter registration forms available and how will you support the language needs of the people you are registering to vote?

Identify

Complete this step 3-6 months before Election Day. Identify:

Who will be involved from your organization or network:

- A motivated staff member or committee to manage and oversee voter engagement efforts, including training for all staff and volunteers and learning about all the legal requirements for these activities;
- Front office staff who do intake or manage materials and signage in the lobby;
- Volunteers or interns who can take on a voter participation activity as a special project;
- Your communications team in charge of your website and communications; and
- Partners – will you collaborate with another agency, another branch of your agency, a coalition you're part of, or your local election board?

The audiences your efforts will target:

- Your service population or clients;
- Your staff, board members and volunteers; and
- Your neighborhood or local community.

Which services or activities will include voter engagement strategies, which could include:

- Tabling in the lobby;
- Point of service;
- Classes and trainings;
- Meetings; and
- Community events.



The materials needed to be effective, which could include:

- Voter registration forms;
- Pens (blue or black ink preferred), clipboards, and other tabling materials;
- Signage and posters;
- Pledge cards;
- Buttons, stickers, or other “swag;”
- Sample ballots; and
- Technology, such as iPads, if you plan to offer online voter registration.

Train

Provide training to staff and volunteers 2-4 months before the election. A sample training agenda would include:

- The importance of voting;
- Staying nonpartisan so that the efforts do not in any way favor or oppose any candidate or political party even indirectly;
- Who is eligible to vote;
- Filling out the voter registration form and pledge cards and what to do with completed forms;
- Using a script to do a role play; and
- Knowing how to answer common questions, particularly regarding eligibility.

Promote

Make sure you promote your activities along the way. Use your communications, events, video displays, classes, or forums to:

- Announce the dates of elections and early voting period;
- Remind people of voter registration deadlines or how to register online;
- Include lessons about voting in adult or youth education classes. For example:
 - What different office holders do.
 - The difference between national, state, and local elections
 - A discussion of the history of voting as a right and a responsibility.
- Help people find their polling place or get information on early voting in-person or by mail via social media; and
- Make and circulate a short video with clips from clients and staff on why they think voting is important – it is both a citizenship activity and a way to have their voices heard.

Implement

One month before the registration deadline through Election Day is when your voter-focused efforts should intensify as you engage with your staff, clients, and community.

Whatever activities you choose to hold or participate in, make sure you are doing it in a way that is nonpartisan and gets across the importance of every voter. If you are doing registration, anticipate that many people may already be registered or believe they are registered. This makes using pledge cards and asking people if they have recently moved all the more important.




OTHER PERMISSIBLE ELECTION-RELATED ACTIVITIES for NONPROFITS

Engaging with Candidates

Nonprofits may wish to engage with candidates in order to elevate the issue of hunger and poverty in your community, build relationships with future elected officials, and inform candidates about the important work you do for the community.

This is permissible as long as any candidate engagement is done on a *nonpartisan basis*. Starting on page 29 are five common ways nonprofits can connect with candidates, along with resources to ensure that your activities follow best practices and guidelines for being nonpartisan.

The general principle is that you can not suggest in any way to voters your preference for a candidate(s), even indirectly. A specific question at a candidate forum that suggests what you prefer the answer to be, or where the audience can find your answer, is problematic. Organizations should be especially cautious if they are engaged in both candidate education and voter education activities during an election. Thus, while each of the following candidate-focused activities are permissible on their own, engaging in a combination of such activities should be done with care and after consultation with a lawyer knowledgeable about election law and nonprofits.



What every candidate should know about hunger

Having ready-to-go materials available to educate candidates on hunger is an easy way to share information with candidates, their staff, and the public. The general rule is that you must provide all viable candidates in a race the same educational materials. If a candidate reaches out to you, it is permissible to direct the candidate to pre-existing materials (such as materials on your website), but you cannot create new materials for the use of that candidate or answer specific questions.

FRAC has resources – including information on hunger in America and the federal nutrition programs, and FRAC’s Plan of Action to End Hunger in America – that advocates can use to ensure every candidate knows about the extent of hunger in America and the solutions that exist to solve it. Visit <http://www.frac.org/every-candidate-know-hunger> and <http://frac.org/wp-content/uploads/2016/10/plan-to-end-hunger-in-america.pdf>

1. Sponsor a Candidate Forum or Debate

Hosting a candidate forum or debate can raise the profile of your nonprofit and highlight your issues – and those of other groups – during an election. Candidate forums or debates typically involve candidates for a specific race, like state representative or mayor. They are time-intensive, require advanced planning, and should be done in collaboration with other community partners. All candidates for the office must be invited. Every candidate attending must receive equal time to answer a range of unbiased questions on a broad range of issues of concern to the sponsoring organizations and community. They typically use an experienced neutral moderator such as a community leader, educator, or someone from the media. Questions must cover broad areas and not be framed in ways that suggest what answer the sponsoring group(s) supports.



D.C. Hunger Solutions – which seeks to create a hunger-free community and improve the nutrition, health, economic security, and well-being of low-income District of Columbia residents – partnered with other local anti-hunger, anti-poverty, and social justice nonprofits to host a forum for city-wide D.C. Council candidates. During the forum, candidates were able to share their ideas and positions on issues such as food justice and health equity, school food and nutrition, urban agriculture, and economic development. As Beverley Wheeler, director of D.C. Hunger Solutions, shared: “We are proud to have joined this collaborative effort to provide District voters with an opportunity to learn about candidates’ positions on issues that are critical to the nutrition, health, and well-being of District residents.”

NOTE: There are 501(c)(3) tax code rules. Some campaign finance laws impose additional requirements for federal elections. For example, under federal campaign finance law the candidates must appear in a debate format; they may not appear in a series and answer questions even if that were allowable under the tax law.

Recommended Resources

A Nonprofit's Guide to Hosting a Candidate Forum, Nonprofit VOTE

<https://www.nonprofitvote.org/documents/2018/02/hosting-candidate-forum-nonprofit-guide.pdf/>

A Checklist for Conducting a Candidate Forum, Nonprofit VOTE

<https://www.nonprofitvote.org/documents/2013/06/candidate-forum-checklist.pdf/>

The Rules of the Game A Guide to Election-Related Activities for 501(c)(3) Organizations,
Alliance for Justice Bolder Advocacy

<https://www.bolderadvocacy.org/wp-content/uploads/2012/01/Rules-of-the-Game.pdf>

Hosting Candidate Debates, Alliance for Justice Bolder Advocacy

https://www.bolderadvocacy.org/wp-content/uploads/2012/05/Hosting_Candidate_Debates.pdf

2. Create a Candidate Questionnaire

Candidate questionnaires can be a good way to let candidates know what issues you care about and to educate your audience on candidate positions. There are specific restrictions on who you need to ask and get responses from; the type of questions you can ask; and how the responses can be shared. Refer to the resources below, other information from Nonprofit VOTE and Alliance for Justice Bolder Advocacy, and guidance from your lawyer to ensure you comply with all restrictions.

Many candidates are often short on time and are fielding many requests, so consider collaborating with a partner or coalition to consolidate your efforts and increase the likelihood that the candidates will reply.

Recommended Resources

Candidate Questionnaires and Voter Guides, Nonprofit VOTE

<https://www.nonprofitvote.org/documents/2016/04/candidate-questionnaires-voter-guides.pdf/>

Candidate Questionnaires and Voter Guides, Alliance for Justice Bolder Advocacy

https://www.bolderadvocacy.org/wp-content/uploads/2012/05/Candidate_Questionnaires_and_Voter_Guides.pdf

3. Share Information about Your Nonprofit and Policy Ideas

While elected officials can benefit from your ideas and research year-round, elections provide a focused opportunity to share your organization's accomplishments and policy ideas. When you do so, make sure you make your ideas and existing research available to all candidates running for the same office.



Michael J. Wilson
Director, Maryland Hunger Solutions

Maryland Hunger Solutions, led by director Michael J. Wilson, seeks to end hunger, improve nutrition, and promote the well-being of Marylanders in need. During the 2016 election season, Maryland Hunger Solutions led a coalition that sent letters to every candidate for federal and state legislative office to educate them about hunger in Maryland and available solutions. As Michael J. noted, “Our ability to build deep relationships and actively engage and educate Maryland lawmakers – before and while they are in office – allows us to secure substantial state investments in anti-hunger programs.”

4. Asking a Question at a Candidate Event

Some organizations may wish to have someone attend a candidate event to ask unbiased, open-ended questions related to their issues or concerns. Nonprofit staff may always attend in their personal capacity. However, if you are representing your organization, your approach must be strictly nonpartisan. You must ask the same question at events for all candidates in the same race.

Vote to End Hunger (VTEH) is a broad coalition of individuals and organizations committed to ending hunger. VTEH launched in 2015 to elevate the issue of hunger during the 2016 election by asking presidential candidates: “If elected, what will you do to end hunger, alleviate poverty, and create opportunity in the U.S. and worldwide?”

Ballot Measures

Ballot measures ask voters to vote on such matters as laws, bonding issues, or constitutional amendments. About half of all states allow ballot questions or propositions to be put before the voters either by voter petition or legislative action.



Gina Cornia
Executive Director, Utahns Against Hunger

Utahns Against Hunger – a nonprofit dedicated to increasing access to food across Utah by working on public policy and advocacy for federal nutrition programs – has been actively supporting “Utah Decides” a ballot initiative to expand Medicaid. As executive director Gina Cornia noted, “Access to health care and food security are both social determinants of health and we can’t address food insecurity without making sure that all residents of Utah get the health care they need to thrive.”

Can Nonprofits Take a Position For or Against Ballot Measures?

Yes. Activity on ballot measures is direct lobbying – not electioneering. Ballot measure advocacy is an attempt to influence the passage or defeat of a law or constitutional amendment – not the election or defeat of a candidate. 501(c)(3) organizations are free to take sides as a lobbying activity, subject to normal limits. Ballot measure advocacy is more a first amendment right to advocate on issues, rather than a matter of federal tax law or election law. Any organization or individual is free to express their opinion for or against a proposed law or constitutional amendment. It is important, however, that before your organization expends any funds on influencing a ballot measure that you consult state or local campaign finance laws to ensure compliance. These activities can require registration and reporting with the campaign finance agency.

What are Common Activities for Nonprofits on Ballot Measures?

Your organization can engage in a range of activities related to ballot measures, such as making an endorsement, communicating your position to the public, organizing volunteers to work on passage or defeat of an initiative, or hosting a community conversation or an educational forum.

For More Information on Ballot Measures and Lobbying Check Out These Resources:

501(c)(3) Public Charities and Ballot Measures: An online toolkit, Alliance for Justice Bolder Advocacy,

www.bolderadvocacy.org/tools-for-effective-advocacy/toolkits/ballot-measures/501c3-public-charities-and-ballot-measures

A Guide to taking the 501h-election, National Council of Nonprofits,

www.councilofnonprofits.org/taking-the-501h-election

Lobbying Under the Insubstantial Part Test, Alliance for Justice Bolder Advocacy,

https://www.bolderadvocacy.org/wp-content/uploads/2012/11/Lobbying_under_the_insubstantial_part_test.pdf

State Law Resources, Alliance for Justice Bolder Advocacy

[https://www.bolderadvocacy.org/navigate-the-rules/state-resources](http://www.bolderadvocacy.org/navigate-the-rules/state-resources)