

advocacy resource

COALITION CHECKLIST



BOLDERADVOCACY



About Alliance for Justice and Bolder Advocacy

Alliance for Justice (AFJ) is a national association of more than 100 organizations united by a commitment to a fair, just, and free America, where everyone has equal access to justice and can fully participate in our democracy. Learn more at afj.org.

For over 25 years, AFJ has promoted active engagement in the democratic process by giving nonprofits and foundations the confidence to advocate effectively. Within AFJ, **Bolder Advocacy** helps foundations and their nonprofit grantees understand the complex rules governing advocacy and advance their mission. Bolder Advocacy offers resources, best practices, tools, coaching, and the Technical Assistance Hotline (866-NP-LOBBY). Bolder Advocacy also works to protect and expand the right of nonprofits and foundations to advocate. Learn more at bolderadvocacy.org.

contents

About the Coalition Checklist

Identifying Types of Nonprofits

Structuring a Coalition

**Three Principles for 501(c)(3)
Coalition Work**

Putting It Together

Coalitions in Action

AFJ's Capacity Building Tools

Appendix

*Comparing 501(c)(3)s, (c)(4)s, and
Political (527) Organizations*

Sample List-Sharing Agreement

*Sample Coalition Operating Agreement
Provisions*

Model Coalition Sign-On Agreement



About the Coalition Checklist

Working in coalition is an effective way for advocacy organizations to share and maximize resources to achieve a common goal. Coalitions can draw on the expertise of partner organizations, harness the power of supporters, and speak with a unified voice to promote policy changes.

Creating political change in our divisive political system is often a long and difficult process—especially when powerful interests gear up to maintain the status quo. Working in coalition can combine the powers, skills, and funds of a diverse array of organizations to make lasting and significant change. For example, in 2017, Maine advocates, frustrated at their Governor’s five vetoes of legislation to expand Medicaid coverage, formed a coalition, Mainers for Health Care, to put the issue to the voters in a ballot measure. Their efforts to encourage voters to approve the measure resulted in a resounding victory with almost 60% of voters supporting the measure. Similarly, in New York, the Women’s Equality Coalition worked for two years to support passage of a package of legislation designed to address barriers to women’s equality and to promote equity. The package of bills, which included an equal pay law, included legislation that had been stalled for years before the coalition members combined their efforts to promote passage of the package of legislation. To address gerrymandered districts, in 2015, the Fair Districts for Ohio coalition was successful in promoting passage of a ballot measure that created a bipartisan commission to draw legislative district lines. In all of these examples, the voices of individuals and organizations were amplified by the collective power of working in coalition.

This guide offers practical tips on how other groups can work in coalition to achieve their goals. It is structured in five sections:

Identifying Types of Nonprofits discusses the most common types of nonprofits and the kind of work in which they can engage.

Structuring a Coalition discusses the most common coalition structures.

Three Principles for 501(c)(3) Coalition Work discusses the broad principles that guide how coalitions shape their structure and activities.

Putting It Together discusses the nuts and bolts of putting together a coalition, from how it should be structured, to how to fund coalition activities, to decision making.

Coalitions in Action provides tips and guidance on the activities typically engaged in by coalitions.

Identifying Types of Nonprofits

Before deciding to work in coalition, organizations, particularly 501(c)(3) public charities, should have a basic understanding of the different types of nonprofits and the activities they can engage in. Below is a short snapshot of the common types of nonprofits. (See Appendix I for a complete breakdown of the types of nonprofits.)

501(c)(3)s

501(c)(3)s are either private foundations, which generally provide grants, or public charities. Public charities, the most common type of 501(c)(3)s, are required to devote their resources to educational, religious, scientific, or other charitable purposes. 501(c)(3)s are permitted to engage in only limited lobbying activities and are prohibited from engaging in any political activity in support of or in opposition to a political candidate or party. Contributions to 501(c)(3)s are tax deductible. Private foundations are prohibited from lobbying in most situations.

501(c)(4)s

501(c)(4)s are social welfare organizations that exist to further the common good and general welfare of the people of the community. 501(c)(4)s can engage in unlimited lobbying activities and some limited political activities. Contributions to 501(c)(4)s are not tax deductible. 501(c)(4)s can be formed and dissolved quickly, so they may be an option for short-term goals.

501(c)(5)s & (6)s

501(c)(5)s are labor organizations (unions) and 501(c)(6)s are business leagues or trade associations. The rules that apply to 501(c)(3) organizations when working with 501(c)(4)s are the same as when they work with 501(c)(5)s and 501(c)(6)s, so any references to coalition activities with 501(c)(4)s would also apply to work with 501(c)(5) and 501(c)(6) organizations.

For more information, see [Comparison of 501\(c\)\(3\) and 501\(c\)\(4\) permissible activities](#).

Structuring a Coalition

How a coalition is structured has a significant impact on the activities it can engage in, how it raises funds, and how it is managed. Typical coalition structures include:

- » Informal working groups
- » Coalitions operating under a fiscal sponsor arrangement
- » Coalitions operating as independent 501(c)(3) organizations
- » Coalitions operating as independent 501(c)(4) organizations

The goals of the coalition will help determine its structure. The following discussion covers the most common options for structuring a coalition.

Informal working group (ad hoc) coalition. Not all coalitions need a formal structure. Organizations that want to work jointly on an issue can certainly work together without creating a formal organization or finding a fiscal sponsor. Just remember: if the coalition's work includes lobbying activities, each organization needs to track its own lobbying.

Operating under a fiscal sponsor. An informal coalition can also conduct its activities with another nonprofit, usually one of the coalition's members, acting as a fiscal sponsor. The fiscal sponsor can be a 501(c)(3) or 501(c)(4), and will handle the coalition's funds and serve as the administrative home. When using a fiscal sponsor, all of the coalition's activities, including lobbying, will be treated as activities of the sponsor and reported on its annual 990 information return. If the coalition plans to engage in a significant amount of lobbying, a 501(c)(4) may be a better option for a fiscal sponsor, since 501(c)(3)s can engage in

only a limited amount of lobbying. However, if a coalition will receive foundation funds, a 501(c)(3) would be preferable.

Operating as an independent 501(c)(4). A coalition formed to advance a legislative goal or to work on a ballot initiative may decide to form a 501(c)(4) organization. 501(c)(4)s can engage in an unlimited amount of lobbying, but 501(c)(3)s that are part of a coalition structured as a 501(c)(4) still have to track how much of their own funds are used for lobbying and count that toward its own lobbying limit. Additionally, since 501(c)(4)s can engage in political activity, a 501(c)(3) partner must ensure its name and resources are not used for impermissible political activities.

Operating as an independent 501(c)(3). It's always easier to fundraise for a 501(c)(3) than a 501(c)(4) - so a coalition that plans to engage in a wide range of advocacy activities and only limited lobbying may find a 501(c)(3) structure more advantageous.

No matter what structure is chosen, coalition partners should have a clear understanding of each others' obligations, how they will work together, and how resources will be used (see AFJ's sample Coalition Sign On Agreement and Coalition Operating Agreement in Appendix II). Remember, these are *templates* that include many of the decisions that need to be made when forming a coalition. They should be adapted to meet your coalition's specific needs. A coalition that plans to engage in lobbying should also be aware of any state lobbying registration and reporting rules that are applicable. For more information, check AFJ's [State Resources](#). See also AFJ's [resources for forming 501\(c\)\(3\) and 501\(c\)\(4\) organizations](#).

Three Principles for 501(c)(3) Coalition Work

Coalitions are great structures for organizations looking to work together and pool resources towards a common goal. When the organizations have the same tax-exempt status, few legal issues are likely to arise from this coordinated participation. However, when a 501(c)(3) participates in coalition with other types of organizations like 501(c)(4)s, 501(c)(5) unions, or 501(c)(6) trade associations, it is important to structure the coalition's activities so that they do not put the 501(c)(3) at risk. 501(c)(3)s can engage in a variety of advocacy activities, including lobbying within generous limits, but cannot support or oppose candidates running for public office. The other types of organizations listed above have an unlimited capacity to lobby and can engage in some partisan activity, so 501(c)(3)s need to make sure the coalition is not engaging in activities under the 501(c)(3)'s name or using its funds in ways that 501(c)(3)s cannot.

Here are three best practices for 501(c)(3)s engaging in coalition work.

Principle #1: Moving resources from a 501(c)(4) to a 501(c)(3) is simpler from a legal standpoint than the opposite. It is much easier to move resources from a 501(c)(4) to a 501(c)(3) because a 501(c)(3) cannot subsidize a 501(c)(4). The same concern does not exist when a 501(c)(4) wants to provide resources to a 501(c)(3), since a 501(c)(4) can do everything a 501(c)(3) can do, and more. 501(c)(3)s have to ensure that their resources are not used for activities incompatible with their 501(c)(3) status, and should use a formal agreement if they move resources from their 501(c)(3) to a 501(c)(4).

Principle #2: Your tax exempt status will follow you into your work with coalitions. Even if a 501(c)(3) is participating in a coalition organized as a 501(c)(4), a 501(c)(3) does not take on the tax status of its coalition partners. The 501(c)(3) still cannot participate in any 501(c)(3)-impermissible activities, like supporting or opposing candidates, and cannot exceed its lobbying limit. Similarly, any funds the 501(c)(3) provides to a coalition remain 501(c)(3) funds that can only be used for 501(c)(3)-permissible activities. The 501(c)(3) should make sure its name or resources are not used for activities that may be permissible for 501(c)(4)s, but are prohibited for 501(c)(3)s.

Principle #3: Documentation is important. 501(c)(3)s can best protect themselves by entering into agreements with coalition partners that restrict the use of the 501(c)(3)'s funds and name to 501(c)(3) activities. Documentation showing how the coalition uses 501(c)(3) funds helps demonstrate that your organization's funds were not used for impermissible purposes. Other records like time sheets, grant

agreements, reports and cost-sharing agreements can all show how 501(c)(3) resources were used in coalition activities. If a coalition is structured as a 501(c)(4), 501(c)(3) partners should document their activities so they can show they did not engage in 501(c)(3)-impermissible actions.

Keeping these three principles in mind, the following is a roadmap that will help organizations decide how to structure their coalition to most effectively achieve their goals while remaining in compliance with applicable laws that govern the activities of nonprofits.

Putting It Together

Funding the coalition

All coalitions need resources to accomplish their goals. Sometimes coalitions will operate without their own separate funds, and have members contribute resources of staff time and meeting space, but most will need some funding to pay for things like handouts, rally signs, or website maintenance. Coalitions that lobby may also need to pay fees in conjunction with reporting their lobbying activities.

Fees or dues. Many coalitions establish a membership fee to pay for its operating expenses. Some will base fees on the size and budget of the participating organization, so larger, better-funded organizations pay a higher fee than others. Some coalition participants may also have volunteers or specific experiences that add value to the coalition and allow an organization with scarce funds to provide a resource that is valuable to the coalition as a whole.

501(c)(3) organizations need to keep in mind that any dues or fees they pay that are used for lobbying expenditures will generally count toward the 501(c)(3)'s lobbying limit. If the coalition is structured as a 501(c)(4) organization, the best way for the 501(c)(3) to protect itself is to pay its dues through a grant agreement that restricts the use of the funds to 501(c)(3)-permissible purposes. A 501(c)(3) public charity can make a grant to a 501(c)(4) for lobbying, but the 501(c)(3) must specify how the funds will be used. A grant made by a 501(c)(3) to a 501(c)(4) to support a combination of direct and grassroots lobbying (both typical activities of coalitions that engage in advocacy) will count towards the 501(c)(3)'s grassroots lobbying limit, unless the grant terms specify which portion will be used for direct lobbying and which amounts can be applied toward grassroots lobbying. Grants should also require the 501(c)(4) to provide reports that specify how the funds were used and which activities were supported by the 501(c)(3) dues. See AFJ's [sample grant agreement](#) that can be used when a 501(c)(3) pays dues to a coalition that is structured as a 501(c)(4) or is composed of a mix of 501(c)(3) and 501(c)(4) organizations.

Foundation funding. Grants from public and private foundations are another source of funding for many organizations and coalitions. Foundations will often fund several different organizations to work jointly in an issue area, bringing together organizations to work in coalition towards its funding focus. The decision to seek foundation funding could impact how the coalition structures itself because it is much easier for foundations to fund 501(c)(3)s than 501(c)(4)s. A foundation is not likely to provide funding to a coalition unless the coalition is incorporated or conducts its work through a fiscal sponsor. For more information, see [AFJ's extensive resources on foundation funding for advocacy](#).

Raising funds from individual supporters or corporations. A coalition may also want to conduct a fundraising appeal directed to individuals or businesses. A coalition raising funds in its own name should check to see if they must register with their state before sending out a fundraising appeal. Charitable fundraising is regulated under state law, and each state has its own requirements. For information on state requirements on charitable solicitations see The National Council of Nonprofits' [resources](#).

A member of the coalition could also serve as a fiscal sponsor of the coalition and raise funds in its name, with any funds raised earmarked for coalition activities. This, too, could be regulated by state law, so before raising funds that will then be shared by multiple organizations, be sure to check to see if this activity must be reported under state law.

Coalition purpose. An initial decision that must be made is the purpose for the coalition. Will it be a single-issue coalition that is narrowly focused, or will it be more general and work on a broad array of issues? Some coalitions form to work on a specific legislative agenda or other specific goal, while others may bring together diverse groups to address a range of issues and concerns.

Decision making

Working together in coalition invariably requires compromise. For example, if a coalition working during a legislative session knows the legislative process can move at breathtaking pace, it will need a decision-making structure that allows decisions to be made rapidly. It is also helpful for coalitions to decide where they will compromise and where they will not when setting their policy goals. Laying out a clear decision-making process in advance will help the coalition function more efficiently. Will your coalition decide issues with a majority vote of all members? Will you give members a time frame, say 48 hours, to provide their decisions? Will all coalition members have the same number of votes, or will vote numbers be determined on some other basis, like an organization's number of members? Many coalitions use a streamlined executive committee authorized to make decisions within an agreed-upon framework as a way to address the necessity of making rapid-fire decisions.

Dealing with conflict

Conflict is usually inevitable when groups work together in a coalition structure. When groups with different priorities and tactics come together, priorities won't always align, personalities may clash, turf issues may arise, and sometimes different groups just cannot come to an agreement. It helps to have a decision-making structure and process in place *before* conflict arises. To help avoid conflict, many coalitions have a statement in their operating agreements that no member will act against the interests of the coalition. A process to remove members for serious conflicts is also helpful. For example, a coalition could decide that a member could be removed if the majority, or super-majority (such as 3/4s or 60%), of the other members agree. Most coalitions will find it easier to set up a conflict resolution process in advance, rather than trying to create one in the midst of a conflict.

Lists

Communicating with supporters is an activity that nearly all coalitions engage in as part of their work. Lists that are created for reaching supporters take time and effort to build and maintain and are considered valuable resources. As they may choose to do with any other resource, 501(c)(3)s may wish to share their lists – given appropriate compensation and safeguards.

Sharing lists with a 501(c)(4). A 501(c)(3) can rent or sell its list to a 501(c)(4), provided the 501(c)(3) receives fair market compensation. A 501(c)(3) and a 501(c)(4) could also agree to build lists and exchange the information with each other, provided the lists are of comparable value – otherwise, the 501(c)(4) should reimburse the 501(c)(3) for the difference in value. If a 501(c)(4) wants to share a list with a 501(c)(3), it can do so for free. The 501(c)(3) must ensure the list is scrubbed of partisan information, since 501(c)(3)s cannot engage in partisan political activity. For example, a 501(c)(3) should not do get-out-the-vote activities with a list that is composed of voters who have been identified as likely to vote for a particular candidate.

Sharing lists with a political entity or candidate. A 501(c)(3) can make its lists available to a political entity or candidate – if it takes certain steps. For more information, check out Bolder Advocacy's [The Connection](#).

Sharing lists with a non-501(c)(3). A 501(c)(3) could also exchange a list with a non-501(c)(3) if an equivalent number of names and information is provided in exchange.

Some coalitions do not create lists; instead, coalition members use their own lists to send out information and action alerts. Other coalitions choose to create a new list that contains names from all members. Before a coalition decides to generate its own list of supporters, members should decide how the list will be used and what will happen to the names after or if the coalition disbands. If the coalition gathers cell-phone information, members must be sure to obtain explicit permission to contact the supporter on their cell phone. See AFJ's guide on [robocalls](#) for more information on collecting and contacting supporters on cell phones.

It is also important to ensure that a 501(c)(3) does not subsidize the creation of a list that is used by 501(c)(4) or political organizations. All organizations should pay a reasonable share of the costs of list development.

See AFJ's *sample list sharing agreement* in Appendix II.

Websites, social media, and publications

501(c)(3)s' use of websites and social media is governed by the same principles applied to other resources and forms of communication. A 501(c)(3) may only post and share 501(c)(3)-permissible activities or information on its website, social media, or in printed publications. A 501(c)(3) should be careful that its name is not associated with partisan activity and make sure not to share partisan activity of allied organizations. Links can pose particular problems for 501(c)(3)s. When linking to another organization's website, a 501(c)(3) should generally avoid linking to a website with partisan information. Similarly, a 501(c)(3) should not tweet or retweet anything partisan. For more information on the use of the internet and social media, see AFJ's [fact sheet on social media](#) or guide, [Influencing Public Policy in the Digital Age: The Law of Online Lobbying and Election-Related Activities](#).

Coalitions in Action

Taking all of these rules and principles into account, there are many advocacy activities that 501(c)(3)s can participate in with coalitions that include 501(c)(4)s. The following are examples of common activities coalitions can use to advance their advocacy agenda.

Lobbying and advocacy

Many coalitions form to lobby for or against legislation or engage in issue advocacy that is designed to educate policy makers and the public about pressing issues. A 501(c)(3) public charity must carefully track how much lobbying it is engaging in to avoid exceeding its lobbying limit. These limits may affect how the coalition is structured; for example, the 501(c)(4)s of the coalition may take on the lobbying activities (since they have an unlimited capacity to lobby) while the 501(c)(3)s focus more on educating policy makers and the public. 501(c)(3) private foundations, which can't lobby, may only engage in activities that are designed to educate policymakers or the public. For more information on lobbying, see Bolder Advocacy's publication [Being a Player](#) and resources on [influencing legislation](#).

Voter education/registration and GOTV

Voter education, registration, and get-out-the vote (GOTV) activities can be great ways to increase participation in elections. Just remember: 501(c)(3)s can engage in voter education, registration, and GOTV with a 501(c)(4), but only if the activities are conducted in a strictly nonpartisan way. 501(c)(3)s can keep their activities nonpartisan by ensuring:

- » The region selected for the activities is determined on nonpartisan criteria.
- » None of the materials distributed have a partisan stance or endorse a particular candidate or party.
- » All of the coalition's written materials and communications are nonpartisan.

501(c)(4) coalition partners may continue to engage in their own partisan activities, but those activities must be conducted separately and independently from the nonpartisan actions they take as a coalition partner.

A 501(c)(3) may not freely give the voter registration list and other data it may collect during voter registration/education/GOTV activities it conducts in coalition to organizations that engage in partisan work. This information is owned by the 501(c)(3) and may only be rented to 501(c)(4)s at fair market value or exchanged for data of equal value. A 501(c)(3) also has to ensure that if its coalition partners gather partisan information about people on the list—such as political party affiliation—the 501(c)(3) is not the recipient of that information.

Finally, a word of caution for groups engaging in nonpartisan voter registration and GOTV: train your volunteers to avoid falling for partisan tricks. Provide volunteers with talking points that describe your nonpartisan mission and the

fact that you do not support or oppose any candidates for office. When working with partisan groups, be cautious about the perception that partisan efforts of their partners will be attributed to the 501(c)(3). While it is certainly possible to work together in permissible ways, organizations need to assess the risk for adverse publicity and carefully document their activities.

Trainings

501(c)(3)s are often asked to provide trainings to the general public, professionals, or other organizations. For example, coalition partners may want to offer a training on a shared subject area, or on the implementation of a new law or policy that the coalition has supported.

If a 501(c)(3) receives a request for a training from a political entity, such as a PAC or a political party, the 501(c)(3) should make sure the information it provides is not directly going to a partisan political activity. Sometimes, 501(c)(3)s may also want to accept a training *from* a political entity. For example, a 501(c)(3) may want its staff and volunteers to attend a training on door-to-door canvassing. In this case, the 501(c)(3) should ensure that the information and programs provided by the political entity are strictly nonpartisan.

Ballot initiatives and referendum

Coalitions maximize the use of resources to support or oppose a ballot initiative or referendum. Tax law treats ballot measure and referendum activity as lobbying because the general public acts as legislators when they vote to approve or reject an initiative or referendum. One caution: many states regulate ballot measure activity, so it is important to have a good understanding of your state's laws on this type of advocacy. Learning the laws of your state is an important first step to take when planning to work on an initiative or referendum.

Because ballot initiative (or referendum) advocacy generally focuses on lobbying activities, most formal coalitions will want to take on a 501(c)(4) structure. A 501(c)(4) can be formed quickly and then dissolved when the campaign is over. As with other lobbying activities, a 501(c)(3) coalition partner must treat any funds it provides to the coalition for lobbying toward its own lobbying limit. 501(c)(3)s in a coalition focused on ballot measure advocacy may:

- » Propose ballot measures
- » Draft language for a ballot measure
- » Organize volunteers to gather signatures for a petition
- » Send staff to gather signatures or conduct other ballot measure work
- » Publicly endorse or oppose a ballot measure
- » Contribute money or in-kind services to ballot measure campaigns
- » Host ballot measure campaign events at their offices
- » Register people to vote
- » Encourage people to vote for or against a ballot measure

501(c)(3)s cannot engage in partisan political activity, so make sure the coalition stays away from connecting its ballot measure activity to a particular candidate or political party. For more information, see AFJ's resources on [ballot initiative advocacy](#).

AFJ's Capacity Building Tools

Are you uncertain about the role your organization should play in a coalition, or is the coalition trying to decide where it needs to develop skills and resources? AFJ has several tools that can help organizations assess their advocacy capacity and identify their strengths, weaknesses, and areas where they may want to rely on partner organizations. Our [ACT!](#) assessment tool and its shorter version, [ACT!Quick](#), can help coalitions determine the roles different partners can play by highlighting the skills and resources each partner could contribute to coalition efforts. These tools can be completed online or organizations can request PDF copies of the tools.

Appendix I: Comparing 501(c)(3)s, (c)(4)s, and Political (527) Organizations

Comparison of 501(c)(3)s*, 501(c)(4)s, and Political (527) Organizations

	501(c)(3)s	501(c)(4)s	Political (527) Organizations
Tax Status	Tax-exempt; contributions to a 501(c)(3) are generally tax deductible	Tax-exempt; contributions to a 501(c)(4) are not generally tax deductible	Tax-exempt; contributions to a 527 are not tax deductible
Related Organizations	May establish a 501(c)(4)	May establish a 501(c)(3) and 527	May be established by a 501(c)(4)
Lobbying Activities	Limited lobbying expenditures, including ballot measures and judicial nominations	No limit on lobbying expenditures, including ballot measures and judicial nominations	Limited (insubstantial) lobbying expenditures permissible, but may be subject to tax if not furthering political purposes
Political Activities	<p>Prohibited from engaging in any partisan political activities; may conduct nonpartisan voter engagement activities</p> <p>May not establish a 527 for political activities</p> <p>Penalties: revocation of tax exempt status and excise taxes on both the organization and its managers</p>	<p>May carry on partisan political activities subject to federal and state campaign finance laws</p> <p>Must be "secondary," not "primary" purpose of the organization</p> <p>May establish a 527 for political activities</p> <p>May be taxed on political expenditures</p>	No limit on aggregate expenditures; subject to federal and state campaign finance laws including limits on contributions to candidates or political parties
Application for Tax Exempt Status and Subsequent Reporting Requirements	IRS Form 1023; report annually on IRS Form 990	IRS Form 1024 and/or Form 8976; report annually on IRS Form 990; Form 1120-POL for political expenditures	Depends on type of 527; see our resource, <i>The Connection</i> , for more information

Comparison of 501(c)(3)s*, 501(c)(4)s, and Political (527) Organizations

	501(c)(3)s	501(c)(4)s	Political (527) Organizations
IRS Requirements for Disclosing the Non-Deductibility of Contributions on Fundraising Solicitations	Not required	For contributions, disclosure of non-deductibility required on all solicitations by writing, television, radio, or telephone (with limited exceptions) For business expense deductions, may be required to disclose percentage of dues used for lobbying and political activities (with limited exceptions)	Disclosure of non-deductibility required on all solicitations by writing, television, radio, or telephone; other disclosures and requirements may apply under federal or state campaign laws
Public Disclosure of Contributors	Not required for public charities; disclose on Form 990 but not for public inspection	Not required; disclose on Form 990 but not for public inspection; may be required for ballot measure activity or electoral activity	Yes; disclose on Form 8872 or under federal or state campaign finance laws

* These rules apply to public charities only. Private foundations are subject to more restrictive rules. For more information on the rules for private foundations, see Bolder Advocacy's [Philanthropy Advocacy Playbook](#).

Appendix II: Sample List Sharing Agreement

This List Sharing Agreement is made as of [DATE] by and between [COALITION NAME] partners: [NAME ORGANIZATIONS ("Coalition Partners")].

1. Coalition Partners agree to equally share the names of activists and their associated information ("List") that were gathered by Coalition Partners in their joint activities in furtherance of the Coalition goals.
2. The List is to be used only by the Coalition Partners. Coalition Partners agree not to permit use of the list or make it available to any other entity, individual, or organization, except for vendors who need the information to facilitate the approved use of the list.
3. Coalition Partners agree that they will use the list only for purposes consistent with 26 U.S.C. §501(c)(3).
4. Coalition Partners agree that any fundraising communications to the list will be solely for Coalition purposes only. Any funds raised will be shared equally by Coalition partners. OR Coalition Partners agree that each partner may use the list 3 times in a one year period for fundraising purposes.
5. Each Coalition partner may use the list for non-coalition purposes no more than 3 times a year. In order to prevent overuse or activist fatigue, each Coalition Partner agrees to notify other partners 48 hours in advance of any individual use by a Coalition Partner.
6. When gathering names for the List, Coalition Partners agree to use the following opt-in language:
 - Yes, I want to receive information from (NAME ORGANIZATIONS) by texting, calling, emailing or other communications. By providing my cell phone number I agree that (NAME ORGANIZATIONS) may call or text my cell phone.*
7. Coalition Partners agree that (NAME OF ORGANIZATION) ("List Host") will maintain the List on its computer system. (NAME OF ORGANIZATION) agrees to protect the confidentiality of the list and to make it available to Coalition Partners pursuant to the terms of this agreement. (Add a provision describing how list host will provide list and time frame for providing.)
8. This List Sharing Agreement can be terminated at any time by any partner upon written notice to other partners. Upon termination, List Host agrees to transmit to or provide, the terminating partner the List of names as it existed on the termination date.
9. This Agreement is not assignable by any party.
10. This Agreement shall be construed in accordance with the laws of (NAME STATE).
11. This Agreement sets forth the entire agreement of the parties and may only be changed or modified in writing.

ORGANIZATION NAME

By:

Name: -----

Title: -----

ORGANIZATION NAME

By:

Name: -----

Title: -----

ORGANIZATION NAME

By:

Name: -----

Title: -----

Appendix III: Sample Coalition Operating Agreement Provisions

These sample coalition operating agreement provisions can be used by a coalition that is not formally incorporated to structure an agreement tailored specifically to its needs and situation. If the coalition is established as an incorporated organization, the organizational bylaws will generally serve the same function as an operating agreement.

1. Name

All coalitions need a name; in this section you specify the coalition name. If the coalition will use an acronym or a shortened version of the full coalition name mention that in this provision.

1.a. The name of this coalition is the (NAME OF COALITION).

2. Coalition Mission

In this section, list the mission of the Coalition and the issues it will work on.

2.a. Coalition is formed with the purpose of (FOR EXAMPLE: ensuring that all families have access to safe and affordable child care in Springtown by ensuring adequate funding, regulation and oversight of all childcare centers.) Coalition will work for policies in (LOCATION) that support (for example):

- » Adequate funding for childcare
- » Training and certification for childcare workers
- » Adequate pay for childcare workers
- » The development of safety standards for all childcare centers
- » Enforcement of regulations

3. Coalition Partners

Many coalitions will establish qualifications for joining the Coalition. Some coalitions will allow only nonprofit organizations to join and prohibit participation by for-profit corporations, others look for partners who have an active grassroots network, while others may require partner organizations to have a history of working on their issue, or to have specific expertise.

3.a. Organizations participating in the (NAME OF COALITION) will be known as Coalition Partners. The minimum qualifications to be a Partner organization are (for example):

- » Demonstrate commitment to ensuring all families have access to safe and affordable childcare in Springtown.
- » Expertise in childcare policies and/or provision of safe and affordable childcare
- » Demonstrated ability to mobilize grassroots supporters in response to childcare policies
- » A minimum of at least one employee who can devote time to Coalition activities, including participation in planned conference calls and Coalition meetings
- » Commitment to Coalition priorities and an agreement that the Partner will share all relevant information it has about Coalition priorities and will not work to undermine any of the Coalition priorities.

3.b. Partner Organizations can leave the Coalition at any time by filing a written notice to the Convening group.

3.c. Partner Organizations can be removed from the Coalition by a vote of 60% of the current Coalition partners. Organizations voted out of the Coalition are eligible to apply to re-join the Coalition one year from the date of removal, provided 60% of current Partners approve the application of the removed Partner.

4. Decision Making Structure

Every coalition will need to decide how it will make decisions. Many coalitions will set policy agendas with

the participation of all coalition partners, but most will find that it is impractical to have all decisions made by all participants, especially with large coalitions or when a coalition needs to make decisions in a short time frame, as is common when a legislative goal is being pursued. Coalitions will typically set up a convening group or executive committee to make a range of decisions, from approving messages to approving expenditures.

5. Work groups

A coalition may want to establish work groups composed of coalition partners to work on a specific task of the coalition, such as drafting legislation or regulations, or to create coalition messages. In this section include information on work group membership and how it is formed and dissolved.

5.a. Coalition Partners can establish work groups by a vote of at least three Coalition Partners. Every workgroup shall have representatives from a minimum of three Coalition Partners.

5.b. Workgroups can be dissolved by a vote of 60% of all Coalition Partners.

6. Meetings

In this section, you can establish criteria for calling and holding meetings. A Coalition may decide that all participants should meet in person or by phone on a regular basis. Most will want a method to call meetings to address pressing issues, or allow for a group of participants to call a meeting to discuss issues relevant to the Coalition's work or its operations.

6.a. The Coalition shall meet in person twice a year, including once in January to elect executive committee members and at one other time as specified by the Executive Committee.

6.b. An in-person meeting may be called for by the Governing Committee or by the request of any three Coalition Partners.

6.c. Meetings by conference call shall be held on a monthly basis, except for the month in which an in-person meeting is held. Conference call meetings may be called for by the Governing Committee or by the request of any three Coalition Partners.

7. Funds

In this section, discuss whether Coalition Partners will pay dues, and if so, provide specifics on how dues amounts are calculated and when they should be paid.

8. Lists

In this section, discuss how lists can be used, or include language that will require Partner Organizations to adhere to the Coalition's list-sharing agreement.

9. Dissolution

The Coalition may also establish criteria for its dissolution. This clause should also mention how any remaining funds will be dispersed if the Coalition will have a bank account.

9.a. Coalition may be dissolved by a 60% majority vote by all current Partner Organizations. In the event of dissolution, any funds remaining after all Coalition debts are paid, shall be distributed to (NAME ORGANIZATION WITH A MISSION SIMILAR TO THE COALITION).

Appendix IV: Model Coalition Sign-On Agreement

(ORGANIZATION NAME), is committed to being a member of the (COALITION NAME) Coalition that has been formed to (ADD COALITION GOAL). We are committed to the goals, objectives and strategies that have been or will be established and agree that our organization will not work to undermine the coalition's goals or objectives. We agree to dedicate time for coalition meetings, calls, planning, and engaging in Coalition activities. As a member of the Coalition, our organization agrees to:

- » Appoint a person who will represent our organization
- » Attend Coalition meetings
- » Share relevant information with the Coalition
- » Share information with our supporters, members, and employees
- » Participate in Coalition activities
- » Follow Coalition [conflict resolution, lobby reporting, partisan activity] policies adopted for participation in the Coalition

In addition, our organization agrees to provide the following resources to the Coalition:

- Pay dues or a financial contribution of \$_____
- Provide in-kind contributions of
 - Meeting space
 - Photocopying
 - Staff time for _____(for example: communications, bookkeeping, legislative tracking, fund raising, graphic design)

By signing onto this Coalition agreement, our organization agrees to allow its name to be used in public statements as a member of the Coalition.

ORGANIZATION NAME

By:

Name: -----

Title: -----