

# PPPM

Department of Planning, Public Policy and Management



UNIVERSITY  
OF OREGON

## University of Oregon | College of Design Department of Planning, Public Policy and Management

### PPPM 488 / 588: Seminar: Nonprofit Legal Issues Fall 2022 (CRN 11712/11741) 4 Credits

Professor: Diane Lang JD  
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Class Time: Friday 10AM -12:50PM  
Room: HED 142

#### Course Description

Nonprofit Legal Issues is a 4-credit course for those who will be managing and leading nonprofits. In one class per week, using practical examples, this course will review and put into context legal issues affecting nonprofit organizations. A wide range of subjects will be covered, giving a broad layman's overview of many basic areas of law, along with best practices and red flag areas. Readings will be articles and other practical materials. This course is not intended for those who will practice law.

#### Course Objectives/Learning Outcomes

Upon completion of this course students will be able to:

1. Understand the broad categories of legal risk to nonprofit organizations.
2. Recognize resources available to nonprofit leaders related to legal issues.
3. Understand bright legal lines, i.e. "do and don't", necessary for management and oversight.
4. Critically assess situations for the need for outside legal assistance.
5. Apply legal principles and analysis to day-to-day operations, management and oversight.

#### Course Website

The course website will be located on the University of Oregon's Canvas system.  
<https://canvas.uoregon.edu/>

The class syllabus, announcements and other materials will be posted on the established course website. Please check the course website frequently for updates. Assignments must be submitted on the Canvas course site. In addition, make sure that the University registrar has your correct email address; we will use this email address to communicate with you as needed.

#### Required Readings

The required readings for this class are all available on the internet. The reading list is contained in this Syllabus which is in Files on the course Canvas site. Students are required to read the materials **in advance of the specified class and be prepared to apply to practical situations**, i.e. understand the main points and do's and don't's.

#### Assignments and Course Grades

The course grade will be based on the following components:

**PPPM 488:**

Pre-Class Assignments/Class Participation and Discussion	25%
Student On Point for Two Classes	25%
Nonprofit Legal Issues in the News for Two Classes	25%
Final Paper	25%

**PPPM 588: Per UO Credit Hour and Workload Policies, please note that graduate students are expected to perform not only additional work but also work that is more in-depth and of higher quality and expected to perform roughly a third more work than their undergraduate counterparts.**

Pre-Class Assignments/Class Participation and Discussion	20%
Student On Point for Two Classes	20%
Nonprofit Legal Issues in the News for Two Classes	20%
White Paper Project	20%
Final Paper	20%

### **Pre-Class Preparation, Class Participation and Discussion**

Students are expected to have obtained, read, and retained the readings for each week, to come to class prepared to discuss their content and implications, and to meaningfully contribute to the class discussion in EVERY class. **A 3-2-1 Reading Response pre-class assignment about the readings is due by noon the day before class.** Instructions for the 3-2-1 assignment is in Files on Canvas.

### **Student on Point**

#### During Class:

Each student will be expected to be a Student on Point for two classes by

- reading the materials in depth,
- thinking deeply about implications and issues raised,
- helping to share questions and insights during class discussion,
- responding when the other students aren't responding, and
- leading small group discussion and problem solving,
  - o ensuring the ALL students participate and that a recorder records the names of students and highpoints of the discussion and group decisions, and
  - o posts this summary document in Discussions on Canvas.

Given that we have a three-hour class, invigorating discussion and participation is essential!

#### After Class:

1. The Student on Point will submit a written "Top Ten" list and present the Top Ten to the class the FOLLOWING week as closure for the previous week's learning, i.e. the week following the class you were Student on Point.
2. **Students will post their Top Ten on Canvas by noon the day BEFORE the FOLLOWING class.** A student's Top Ten is a list of their top takeaways **from the class and readings combined** and can be on the subject and class overall or on a narrower topic that interests the student.
3. Afterwards, the Students on Point from that class will collaborate to put their Top Ten into one document on the subject and post this topic's Top Ten in the Top Ten folder in Files on Canvas for the benefit of all students.

Note: because there are different due dates for each student, you will not see the Assignment for your written Top Ten in your Canvas To Do.

### **Nonprofit Legal Issues in the News**

For TWO different classes, students will prepare a 1-pager (a brief summary of the facts and an analysis of why relevant to our current topic, including the link to or citation for the article(s), and make a 5-minute presentation and engage in class discussion concerning a nonprofit legal issue in the news. The summary and presentation will relate to the class topics of either the class in which you are presenting OR from the previous class. **The 1-pager must be posted on Canvas by noon the day before class.**

### **White Paper Project (PPPM 588 ONLY)**

Students will participate in a group project. Each group will prepare a White Paper intended to be a general overview of a legal issue. The audience for the white paper is nonprofit managers and board members. A higher level of professionalism, rigor, research and effort will be expected of graduate students with a view that graduate students imminently will be entering into nonprofit management. The White Papers will cover the topic with e.g. helpful advice, lists, recommendations, summaries of the law and must include additional helpful resources and must include resources cited. **The White Paper must be submitted on Canvas before Thanksgiving.** Students who do not wish to do a group project may complete a white paper on their own.

### **Final Paper**

**PPPM 488 students** will be expected to write a minimum 1,250-word (not including footnotes or bibliography) double-spaced academic research paper on a nonprofit, legal topic of their choice from the class topics. Several works and references, including resources outside class readings, should be cited in footnotes and bibliography, using proper citation style. Grading for undergraduates will be based upon a comparison to undergraduate work in the class. Because there is no final exam in this class, **the paper is due on Canvas by the scheduled time for the final exam**, if there were one.

**PPPM 588 students** will be expected to write a professional-quality, minimum 1,750-word (not including footnotes or bibliography) double-spaced academic research paper on a nonprofit, legal topic of their choice from the class topics. Several works and references, including resources outside class readings, should be cited as footnotes and bibliography, using proper citation style. Grading for graduates will be based upon a comparison to graduate work in the class. A higher level of professionalism, rigor, research and effort will be expected of graduate students with a view that graduate students imminently will be entering into nonprofit management. Because there is no final exam in this class, **the paper is due on Canvas by the scheduled time for the final exam**, if there were one.

### **Grading Rubric**

A – Outstanding – Not only fulfilling the requirements, but going far beyond the expectations of the project. The student has demonstrated a superior grasp of the subject matter coupled with a high degree of creative or logical expression, and strong ability to present these ideas in an organized and analytical manner.

B – Very Good – The student has demonstrated a solid grasp of the material with an ability to examine the material in an organized, critical, and constructive manner. The projects and in-class performance reveal a solid understanding of the issues and related theories or literature.

C – Acceptable –The student has completed all work, and shown a moderate ability to grasp concepts and theories for the class, producing work that, while adequate, is not in any way exceptional. Through projects and class discussions, the student displays a basic familiarity with the relevant literature and techniques.

D – Unacceptable – The student's work does not meet the requirements, or demonstrates a minimal understanding of the fundamental nature of the material or the assignment with a performance that does not adequately examine the course material critically or constructively.

F – Failure – The student has demonstrated a lack of understanding or familiarity with course concepts and materials. Their performance has been inadequate. Failure is often the result of limited effort and poor attendance, that may indicate that the student is not in the proper field of study.

### **Course Workload**

Generally, the expected workload for a graduate level class is approximately 3-4 hours/week per credit hour. Thus, this four-credit course will require approximately 12-16 hours of effort per week. Our class meets for nearly three hours each week, so students should expect to spend an additional 9 to 13 hours per week preparing and studying for this course. Per UO Credit Hour and Workload Policies, undergraduates are expected to work 30 hours per credit hour, counting both in class and out of class; while graduate students are expected to work 40 hours per credit hour, counting both in class and out of class.

### **Classroom Environment**

To create a classroom in which students are comfortable expressing their opinions and perspectives, students should approach the readings and others' contributions with both an open mind and a willingness to question one's own assumptions and biases.

## **Professional Practice and Conduct**

Students are expected to behave in a professional manner at all times in the classroom and on class assignments outside the classroom. Furthermore:

- Students should treat each other and the instructor with the professional courtesy and respect expected in a workplace.
- All communications relating to this course and all work turned in for this course should reflect professional standards in tone, presentation, formatting, and spelling.
- The classroom is a place of focused learning. This requires that students arrive on time, stay until the end of the class period, and do not disrupt the class by leaving the room temporarily. I also expect students to refrain from non-learning activities during class and to mute all cell phones before entering the classroom. Students who fail to adhere to these guidelines will be asked to leave for the remainder of the class session.
- I expect all course assignments to be completed using a word processor.

## **Writing Lab**

This is a writing intensive course. If you struggle with writing, I strongly encourage you to use the services of the Writing Lab: The Writing Lab begins week two of the term and closes at 5:00PM the Wednesday of finals week. Free tutors are available. Upper-division and graduate student tutors are available on a drop-in basis or by appointment.

## **Email**

I will try to respond to all email within 48 hours of receiving them. Given the quantity of email we all receive, I ask that you make sure you have reviewed the course website and ESPECIALLY THE SYLLABUS prior to sending a note about course logistics!

## **Written, Graphic & Visual Materials**

Your ability to communicate orally and using written, graphic, and visual techniques are critical and valuable skills in nonprofit management. Evaluation of assignments will consider the following communication criteria:

- Document structure (clear organization and flow)
- Findings (conclusions supported by evidence)
- Tone and voice (professional, avoiding bias and using active voice)
- Presentation (appropriate use of graphics, tables, photos, etc.)
- Formatting
- Grammar and punctuation
- Proper reference citations

## **Documented Disabilities**

Students with a documented disability and anticipate needing accommodations in this course should make arrangements to see the instructor as soon as possible and should request that the Counselor for Students with Disabilities send a letter to the instructor verifying the disability.

## **Late Assignment Policy**

Because the class builds consecutively, we strongly discourage submitting assignments late. Late assignments will be assessed a 10% per day penalty (including weekends). All late assignments must be submitted before the next class.

## **Missed Class Policy**

This is a synchronous, participatory discussion class. Research indicates that students who attend class are more likely to be successful. The ability to engage you with your classmates and the content is no less important. This is a very interactive class, depending very much on collective work in class each week focused on the class readings. In addition, each class builds consecutively upon previous classes and exercises we do together. As a 3-hour class, it's built for in-class and group activities. Having only one long class per week makes it doubly important to have most of it be interactive and not purely lecture or individual work. Because of this, class preparation, attendance and participation is a substantial part of the grade.

The following will be how we handle missed classes: Email me ahead of class if you must miss class. Classes were recorded by Zoom during the pandemic. This recording will be available for a student who must miss a class. The student will request access to the Zoom recording from me, listen to the entire class session, then video-record a 3–5-minute response to the class lecture and discussion. This recorded response can be questions or points we discussed, points to build on or add to our discussions, challenges or other

considerations raised. This recording will be presented to the whole class at the beginning of our next class meeting as part of the review for the previous class.

Please note that preparation, attendance and participation is a substantial part of the grade so listening to the recording of a class and responding by video will not give full credit for that class. Please also note that Zoom recordings of class do not record the break out sessions where students work together to apply the readings.

### **Incomplete Policy**

Students are expected to turn in all materials at the designated time and date. In accordance with university regulations, an incomplete is only be given when the quality of work is satisfactory, but a minor yet essential requirement of the course has not been completed.

According to UO policy

“The student:

- has been making satisfactory progress on coursework as determined by the criteria in the syllabus;
- has been active in the course;
- is unable to complete a portion of the course requirements due to extenuating circumstances beyond their control that occurred after the last day to drop a class (End of Week 7 of Fall/Winter/Spring terms; variable dates for summer courses);
- is able to independently complete the remaining requirements without attending additional classes beyond the term or receiving additional instruction; and
- requests an Incomplete by the published deadline.”

See <https://provost.uoregon.edu/grades-incompletes-policy>

### **Academic Misconduct**

You are always expected to do your own work. Copying content from other students and submitting it as your own work is grounds for failing the class. The University Student Conduct Code (available at [conduct.uoregon.edu](http://conduct.uoregon.edu)) defines academic misconduct. Students are prohibited from committing or attempting to commit any act that constitutes academic misconduct. By way of example, students should not give or receive (or attempt to give or receive) unauthorized help on assignments or examinations without express permission from the instructor.

### **Plagiarism**

Students should properly acknowledge and document all sources of information (e.g., quotations, paraphrases, ideas) and use only the sources and resources authorized by the instructor. If there is any question about whether an act constitutes academic misconduct, it is the students' obligation to clarify the question with the instructor before committing or attempting to commit the act. Additional information about a common form of academic misconduct, plagiarism, is available at:

[www.libweb.uoregon.edu/guides/plagiarism/students](http://www.libweb.uoregon.edu/guides/plagiarism/students).

### **Equity and Inclusion**

#### **Diversity Statement** *(Written by the Department of Education, used with permission)*

In this course, class discussions, projects/activities and assignments will challenge students to think critically about and be sensitive to the impact of cultural, religious, gender, race, socioeconomic, physical and cognitive ability, and sexual differences. Students will be encouraged to develop or expand their respect and understanding of such differences.

#### **Classroom Behavior** *(Written by Maure Smith-Benanti, used with permission)*

Maintaining a safe classroom environment where everyone feels comfortable expressing their ideas, beliefs, and values will not only be my responsibility, but the responsibility of each class member as well. Behavior that disregards or diminishes another student will not be permitted for any reason. This means that no racist, ableist, transphobic, xenophobic, chauvinistic or otherwise derogatory comments will be allowed, but it also means that students must pay attention and listen respectfully to each other's comments.

#### **Sexual Violence, Harassment and Survivor Support**

The UO is committed to providing an environment free of all forms of discrimination and sexual harassment, including sexual assault, domestic and dating violence and gender-based stalking. If you (or someone you know) has experienced or experiences gender-based violence (intimate partner violence, attempted to completed sexual assault, harassment, coercion, stalking, etc.), know that you are not alone. UO has staff members trained to support survivors in navigating campus life,

accessing health and counseling services, providing academic and housing accommodations, helping with legal protective orders, and more. If you wish to speak to someone confidentially, you can call [541-346-SAFE](tel:541-346-SAFE), UO's 24-hour hotline, to be connected to a confidential counselor to discuss your options. You can also visit the SAFE website at [safe.uoregon.edu](http://safe.uoregon.edu).

## Course Schedule (Weekly Planner)

Class 1/Sept 30	Formation and Types of Nonprofit Organizations 1023 EZ Form, LLC, B Corp Member Organizations Fiscal Sponsorships Merger, Acquisition, Affiliation Bylaws, Articles of Incorporation
Class 2/Oct 7	Boards of Directors Duties of Care, Loyalty, Obedience - Fiduciary Duties Conflicts of Interest Personal Liability Executive/Reasonable Compensation
Class 3/Oct 14	Regulation of Nonprofit Organizations Attorney General, IRS Form 990 Sarbanes-Oxley
Class 4/Oct 21	Risk Management Law of Agency Enterprise Risk Management Incident Reporting
Class 5/Oct 28	Employees and Volunteers (HR) Volunteers - Volunteer Contact Protections for Volunteers – Federal Volunteer Protection Act and State Laws Hiring and Employment Practices Dual Relationships Exempt Employees – FLSA Changes Minimum Wage Proposals Independent Contractors
Class 6/Nov 4	Lobbying and Advocacy 501(h) Election
Class 7/Nov 11	Fundraising and Income Production Charitable Solicitation 990 Reporting Events Risk Management Unrelated Business Income UPMIFA
Class 8/Nov 18	Discrimination, Accommodation Laws Against Discrimination Reasonable Accommodation Civil Rights, USDOJ Harassment/Sexual Harassment Criminal Records - Arrests
Class 9/Nov 25	Thanksgiving – No Class
Class 10/Dec 2	Other General Principles of Law Contracts Torts Duty to Warn Copyright Executive Sessions Open Records and Meetings Laws



Class	Lecture Topic	Assignments and Readings
1	Formation and Types of Nonprofit Organizations Bylaws, Articles of Incorporation <ul style="list-style-type: none"> <li>▪ 1023 EZ</li> <li>▪ Form, LLC, B Corp</li> <li>▪ Member Organizations</li> <li>▪ Fiscal Sponsorships</li> <li>▪ Merger, Acquisition, Affiliation</li> <li>▪ Bylaws, Articles of Incorporation</li> </ul>	<ol style="list-style-type: none"> <li>1. Nonprofit Law 101 for Journalists <a href="http://www.nonprofitlawblog.com/nonprofit-law-101-for-journalists/">http://www.nonprofitlawblog.com/nonprofit-law-101-for-journalists/</a></li> <li>2. Legal Issues Facing Nonprofit Start-up Organizations <a href="http://www.nonprofitlawblog.com/legal-issues-facing-nonprofit-start-up-organizations-foundation-center-san-francisco/">http://www.nonprofitlawblog.com/legal-issues-facing-nonprofit-start-up-organizations-foundation-center-san-francisco/</a></li> </ol> <p><b>1023 EZ</b></p> <ol style="list-style-type: none"> <li>3. Is The New Form 1023EZ Too Easy? Part I – Introduction <a href="https://www.fplglaw.com/insights/new-form-1023-ez-easy-part-introduction/">https://www.fplglaw.com/insights/new-form-1023-ez-easy-part-introduction/</a></li> <li>4. Is The New Form 1023EZ Too Easy? Part II – What The Experts Think <a href="https://www.fplglaw.com/insights/new-form-1023-ez-easy-part-ii-experts-think/">https://www.fplglaw.com/insights/new-form-1023-ez-easy-part-ii-experts-think/</a></li> <li>5. Is The New Form 1023EZ Too Easy? Part III – The Applicant’s Decision <a href="https://www.fplglaw.com/insights/form-1023-ez-easy-part-iii-applicants-decision/">https://www.fplglaw.com/insights/form-1023-ez-easy-part-iii-applicants-decision/</a></li> </ol> <p><b>Form, Bylaws, Articles of Incorporation</b></p> <ol style="list-style-type: none"> <li>6. Starting a Nonprofit: See <a href="https://www.nonprofitoregon.org/pp/legal#StartingNonprofit">https://www.nonprofitoregon.org/pp/legal#StartingNonprofit</a> for variety of resources. For class, read:               <ul style="list-style-type: none"> <li>- NAO Nonprofit Start-up Packet 2020 <a href="https://nonprofitoregon.org/sites/default/files/uploads/file/NAO%20Nonprofit%20Start-up%20Packet%202020.pdf">https://nonprofitoregon.org/sites/default/files/uploads/file/NAO%20Nonprofit%20Start-up%20Packet%202020.pdf</a></li> <li>- Choose a Business Structure <a href="https://www.oregon.gov/business/Pages/choose.aspx">https://www.oregon.gov/business/Pages/choose.aspx</a></li> </ul> </li> <li>7. Nonprofit Bylaws – Common Issues <a href="http://www.nonprofitlawblog.com/nonprofit-bylaws-common-issues/">http://www.nonprofitlawblog.com/nonprofit-bylaws-common-issues/</a></li> </ol> <p><b>Member Organization</b></p> <ol style="list-style-type: none"> <li>8. Nonprofit Law Jargon Buster – Voting Members vs. Self-Perpetuating Boards <a href="http://charitylawyerblog.com/2011/04/26/nonprofit-law-jargon-buster-voting-members-vs-self-perpetuating-boards/">http://charitylawyerblog.com/2011/04/26/nonprofit-law-jargon-buster-voting-members-vs-self-perpetuating-boards/</a></li> <li>9. Difference Between Membership and Nonmembership Nonprofits <a href="https://www.nolo.com/legal-encyclopedia/difference-between-membership-and-nonmembership-nonprofits.html">https://www.nolo.com/legal-encyclopedia/difference-between-membership-and-nonmembership-nonprofits.html</a></li> </ol> <p><b>Fiscal Sponsorships</b></p> <ol style="list-style-type: none"> <li>10. Fiscal Sponsorship A Balanced Overview <a href="https://nonprofitquarterly.org/fiscal-sponsorship-a-balanced-overview/?_hsenc=p2ANqtz-8Cfscse5xKu1Oqc1ZsAyJuTc5SAdi0zd4FQlgFouqktx4Gu92Ot_lvs5oOwRnme78AWN1HXuW3WdiGFcpmCZq2MLv343Oo_4hNmsVi9G7NCZSL8dZ4&amp;_hsmi=25388277&amp;utm_source=hs_email&amp;utm_medium=email&amp;utm_content=25388277">https://nonprofitquarterly.org/fiscal-sponsorship-a-balanced-overview/?_hsenc=p2ANqtz-8Cfscse5xKu1Oqc1ZsAyJuTc5SAdi0zd4FQlgFouqktx4Gu92Ot_lvs5oOwRnme78AWN1HXuW3WdiGFcpmCZq2MLv343Oo_4hNmsVi9G7NCZSL8dZ4&amp;_hsmi=25388277&amp;utm_source=hs_email&amp;utm_medium=email&amp;utm_content=25388277</a></li> <li>11. Fiscal Sponsorship: Six Ways to Do It Wrong <a href="http://www.nonprofitlawblog.com/fiscal-sponsorship-six-ways-to-do-it-wrong/">http://www.nonprofitlawblog.com/fiscal-sponsorship-six-ways-to-do-it-wrong/</a></li> </ol> <p><b>Merger, Acquisition, Affiliation</b></p> <ol style="list-style-type: none"> <li>12. The M Word: A Board Member’s Guide to Mergers <b>(THIS READING IS ALSO IN FILES ON CANVAS)</b> <a href="https://www.compasspoint.org/sites/default/files/M_Word%20FINAL%202005.pdf">https://www.compasspoint.org/sites/default/files/M_Word%20FINAL%202005.pdf</a></li> <li>13. Preparing for a Merger or Affiliation: A Guide for Board Members <a href="https://www.bdo.com/blogs/nonprofit-standard/october-2012/preparing-for-a-merger-or-affiliation-a-guide-for?feed=8799bc52-2237-4688-aeac-83e40e623b56">https://www.bdo.com/blogs/nonprofit-standard/october-2012/preparing-for-a-merger-or-affiliation-a-guide-for?feed=8799bc52-2237-4688-aeac-83e40e623b56</a></li> </ol> <p>OPTIONAL FOR THOSE INTERESTED IN MORE:</p> <p><b>Form, LLC, B Corp</b></p> <ol style="list-style-type: none"> <li>13. Profit + Purpose: Structuring Social Enterprise for Impact <a href="http://www.slideshare.net/brazencareerist/profit-purpose-with-kyle-westaway">http://www.slideshare.net/brazencareerist/profit-purpose-with-kyle-westaway</a></li> <li>14. Nonprofit Limited Liability Company <a href="http://www.nonprofitlawblog.com/nonprofit-limited-liability-company-2/">http://www.nonprofitlawblog.com/nonprofit-limited-liability-company-2/</a></li> <li>15. File to Become a Benefit Company <a href="http://sos.oregon.gov/business/Pages/benefit-company.aspx">http://sos.oregon.gov/business/Pages/benefit-company.aspx</a></li> <li>16. Nonprofit Chapters and Affiliates <a href="https://www.venable.com/files/Event/822f0614-8e54-45f3-b48a-9fad90f4f4ed/Presentation/EventAttachment/b04e259d-59c7-4203-9400-044198b100e3/Nonprofit_Chapters_and_Affiliates_Presentation.pdf">https://www.venable.com/files/Event/822f0614-8e54-45f3-b48a-9fad90f4f4ed/Presentation/EventAttachment/b04e259d-59c7-4203-9400-044198b100e3/Nonprofit_Chapters_and_Affiliates_Presentation.pdf</a></li> </ol>



2	<p>Boards of Directors</p> <ul style="list-style-type: none"> <li>▪ Duties of Care, Loyalty, Obedience - Fiduciary Duties</li> <li>▪ Conflicts of Interest</li> <li>▪ Personal Liability</li> <li>▪ Executive/Reasonable Compensation</li> </ul>	<p>1. A Guide to Nonprofit Board Service in Oregon  <a href="https://www.doj.state.or.us/wp-content/uploads/2017/03/guide-nonprofit-board-service.pdf">https://www.doj.state.or.us/wp-content/uploads/2017/03/guide-nonprofit-board-service.pdf</a></p> <p>2. What are the Basic Responsibilities of Nonprofit Boards?  <a href="https://boardsource.org/wp-content/uploads/2017/01/Board-Service-Graphic.pdf?hsCtaTracking=2d07beb4-0612-426a-95ce-f01b4347510a%7C23890670-f8a8-43ea-b96b-8c911503821e">https://boardsource.org/wp-content/uploads/2017/01/Board-Service-Graphic.pdf?hsCtaTracking=2d07beb4-0612-426a-95ce-f01b4347510a%7C23890670-f8a8-43ea-b96b-8c911503821e</a></p> <p>3. Read Executive Sessions: How to Use Them Regularly and Wisely <a href="https://www.nonprofitmaine.org/wp-content/uploads/2009/09/Executive-Sessions.pdf">https://www.nonprofitmaine.org/wp-content/uploads/2009/09/Executive-Sessions.pdf</a> (ALSO IN FILES ON CANVAS)</p> <p>4. Avoiding Liability:A Hospital Board Member Primer <a href="https://ruralhealth.und.edu/assets/993-4283/avoiding-liability-a-hospital-board-member-primer.pdf">https://ruralhealth.und.edu/assets/993-4283/avoiding-liability-a-hospital-board-member-primer.pdf</a></p> <p>5. Top 15 Non-profit Board Governance Mistakes (From a Legal Perspective)  <a href="http://charitylawyerblog.com/2009/10/05/top-15-non-profit-board-governance-mistakes-from-a-legal-perspective/">http://charitylawyerblog.com/2009/10/05/top-15-non-profit-board-governance-mistakes-from-a-legal-perspective/</a></p> <p>6. <b>NO LONGER AVAILABLE!</b> Nonprofit Corporate Governance – Directors’ Fiduciary Responsibilities  <a href="http://mcgladrey.com/content/mcgladrey/en_US/our-insights/newsletters/muse/nonprofit-corporate-governance-directors-fiduciary-responsibil.html">http://mcgladrey.com/content/mcgladrey/en_US/our-insights/newsletters/muse/nonprofit-corporate-governance-directors-fiduciary-responsibil.html</a></p> <p>7. Nonprofit Conflict of Interest: A 3-Dimensional View  <a href="http://www.blueavocado.org/content/nonprofit-conflict-interest-3-dimensional-view">http://www.blueavocado.org/content/nonprofit-conflict-interest-3-dimensional-view</a></p> <p>8. <b>LONG ARTICLE – Students on Point and Grads read in full, undergrads skim for main points about nonprofits. For our class exercise, know the arguments for and against shareholder primacy and director primacy.</b> Corporate Governance Without Shareholders: A Cautionary Lesson from Non-Profit Organizations  <a href="http://www.djcl.org/wp-content/uploads/2014/09/Corporate-GOVERNANCE-WITHOUT-SHAREHOLDERS-A-CAUTIONARY-LESSON-FROM-NON-PROFIT-ORGANIZATIONS.pdf">http://www.djcl.org/wp-content/uploads/2014/09/Corporate-GOVERNANCE-WITHOUT-SHAREHOLDERS-A-CAUTIONARY-LESSON-FROM-NON-PROFIT-ORGANIZATIONS.pdf</a></p> <p>9. The Liability Exposures of Nonprofit Board Members  <a href="http://hpd.zurichna.com/Whitepaper/Zurich-Liability-Exposures-Nonprofit.pdf">http://hpd.zurichna.com/Whitepaper/Zurich-Liability-Exposures-Nonprofit.pdf</a></p> <p>10. <b>NOTE: YOU MIGHT NEED TO SIGN UP FOR GUIDSTAR AND THEN SEARCH FOR THIS 5 PG DOC</b> What You Need to Know about Nonprofit Executive Compensation (2022 new link for Reading)  <a href="https://guidestar.candid.org/nonprofit-compensation-report/publication/">https://guidestar.candid.org/nonprofit-compensation-report/publication/</a></p>
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3	<p>Regulation of Nonprofit Organizations</p> <ul style="list-style-type: none"> <li>▪ Attorney General, IRS</li> <li>▪ Form 990</li> <li>▪ Sarbanes-Oxley</li> </ul>	<ol style="list-style-type: none"> <li>1. Principles for Good Governance and Ethical Practice  <b>Read the 4 page Preamble and skim the 33 principles</b> <a href="https://independentsector.org/wp-content/uploads/2016/11/Principles2018-Final-Web.pdf">https://independentsector.org/wp-content/uploads/2016/11/Principles2018-Final-Web.pdf</a></li> <li>2. The Rising of the States in Nonprofit Oversight  <a href="https://nonprofitquarterly.org/rising-states-nonprofit-oversight/">https://nonprofitquarterly.org/rising-states-nonprofit-oversight/</a></li> <li>3. The Shifting Boundaries of Nonprofit Regulation and Enforcement: A Conversation with Cindy M. Lott  <a href="https://nonprofitquarterly.org/shifting-boundaries-nonprofit-regulation-enforcement-conversation-cindy-m-lott/">https://nonprofitquarterly.org/shifting-boundaries-nonprofit-regulation-enforcement-conversation-cindy-m-lott/</a></li> <li>4. The Attorney General's Authority over Charitable Nonprofit Corporations  <a href="http://www.texasbarcle.com/Materials/Events/11460/145153.pdf">http://www.texasbarcle.com/Materials/Events/11460/145153.pdf</a> (Note: read the table of contents only!)  <b>Optional:</b> <a href="https://lawprofessors.typepad.com/nonprofit/2021/09/supreme-court-of-hawaii-upholds-subpoenas-to-environmental-advocacy-nonprofit.html?utm_source=feedburner&amp;utm_medium=email&amp;utm_campaign=Feed%3A+typepad%2FNoeH+%28Nonprofit+Law+Prof+Blog%29">https://lawprofessors.typepad.com/nonprofit/2021/09/supreme-court-of-hawaii-upholds-subpoenas-to-environmental-advocacy-nonprofit.html?utm_source=feedburner&amp;utm_medium=email&amp;utm_campaign=Feed%3A+typepad%2FNoeH+%28Nonprofit+Law+Prof+Blog%29</a></li> <li>5. IRS Form 990  Read one of the following two articles:  IRS opens up Form 990 data, ushering nonprofit sector into the age of transparency  <a href="https://sunlightfoundation.com/2016/06/16/irs-opens-up-form-990-data-usher-ing-nonprofit-sector-into-the-age-of-transparency/">https://sunlightfoundation.com/2016/06/16/irs-opens-up-form-990-data-usher-ing-nonprofit-sector-into-the-age-of-transparency/</a>  OR What is the IRS Form 990? <a href="https://turbotax.intuit.com/tax-tools/tax-tips/IRS-Tax-Forms/What-Is-the-IRS-Form-990-/INF14515.html">https://turbotax.intuit.com/tax-tools/tax-tips/IRS-Tax-Forms/What-Is-the-IRS-Form-990-/INF14515.html</a></li> <li>6. How to Read the IRS Form 990 &amp; Find Out What it Means <a href="https://roadmapconsulting.org/wp-content/uploads/2016/03/how_to_read_form_990.pdf">https://roadmapconsulting.org/wp-content/uploads/2016/03/how_to_read_form_990.pdf</a></li> <li>7. Sign up for Guidestar.org (FREE). Look up and review the 990 form for a nonprofit that you are interested in – <b>come to class with a point of information that you find interesting about this nonprofit</b></li> <li>8. Charity and Nonprofit Audits  <a href="https://www.irs.gov/Charities-&amp;-Non-Profits/Exempt-Organizations-Audit-Process">https://www.irs.gov/Charities-&amp;-Non-Profits/Exempt-Organizations-Audit-Process</a></li> <li>9. How to lose you 501(c)(3) tax-exempt status (without really trying)  <a href="https://www.irs.gov/pub/irs-tege/How%20to%20Lose%20Your%20Tax%20Exempt%20Status.pdf">https://www.irs.gov/pub/irs-tege/How%20to%20Lose%20Your%20Tax%20Exempt%20Status.pdf</a></li> </ol> <p>From Fixing the IRS series: <b>Note: You have to create free account for The Chronicle of Philanthropy.</b></p> <ol style="list-style-type: none"> <li>10. Provide More Money for Enforcement <a href="https://www.philanthropy.com/article/Fixing-the-IRS-Provide-More/154757">https://www.philanthropy.com/article/Fixing-the-IRS-Provide-More/154757</a></li> <li>11. Improve the Application Process <a href="https://www.philanthropy.com/article/Fixing-the-IRS-Improve-the/154761">https://www.philanthropy.com/article/Fixing-the-IRS-Improve-the/154761</a> (new link)</li> <li>12. Sarbanes-Oxley Act and Implications for Nonprofits <b>New link 2021</b>  <a href="https://www.groundworksnm.org/sites/default/files/SarbanesOxley.BoardSource.pdf">https://www.groundworksnm.org/sites/default/files/SarbanesOxley.BoardSource.pdf</a></li> <li>13. Is the Emperor Naked? <a href="https://surlysubgroup.com/2017/02/06/is-the-emperor-naked-non-enforcement-of-tax-exempt-organization-laws/#more-12025">https://surlysubgroup.com/2017/02/06/is-the-emperor-naked-non-enforcement-of-tax-exempt-organization-laws/#more-12025</a></li> <li>14. Unified Registration Statement <a href="http://multistatefiling.org/#yes_states">http://multistatefiling.org/#yes_states</a></li> </ol>
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4	<p>Risk Management</p> <ul style="list-style-type: none"> <li>▪ Law of Agency</li> <li>▪ Enterprise Risk Management</li> <li>▪ Incident Reporting</li> </ul>	<p>1. Top 10 Risks Faced by Nonprofits  <a href="http://nptimes.blogspot.com/2013/08/the-top-10-risks-facing-nonprofits.html">http://nptimes.blogspot.com/2013/08/the-top-10-risks-facing-nonprofits.html</a></p> <p>2. Take the multi-page Risk Management Tutorial:  <a href="https://www.mtnonprofit.org/wp-content/uploads/2018/01/DO_Basic_Risk_Management_Paper.pdf">https://www.mtnonprofit.org/wp-content/uploads/2018/01/DO_Basic_Risk_Management_Paper.pdf</a></p> <p>3. Pages 17-24 ONLY in <a href="https://nonprofitrisk.org/wp-content/uploads/2019/03/Risking-It-All-to-Save-the-World-NRMC-White-Paper-2019.pdf">https://nonprofitrisk.org/wp-content/uploads/2019/03/Risking-It-All-to-Save-the-World-NRMC-White-Paper-2019.pdf</a></p> <p>4. Organizational Assessment  <a href="https://www.surveymonkey.com/r/?sm=nqYAftld5pCME8J7VjJBQpvt%2b7TXVQBxdZt6z7liPZg%3d">https://www.surveymonkey.com/r/?sm=nqYAftld5pCME8J7VjJBQpvt%2b7TXVQBxdZt6z7liPZg%3d</a></p> <p>5. Legal Risk Management Checklist  <a href="https://www.carters.ca/pub/checklist/NFP-Checklist.pdf">https://www.carters.ca/pub/checklist/NFP-Checklist.pdf</a></p> <p>6. Everyone read ONE of the following, come to class ready to share a couple main points with everyone.  Youth: <a href="https://nonprofitrisk.org/resources/articles/key-principles-in-youth-protection-considerations-and-action-steps/">https://nonprofitrisk.org/resources/articles/key-principles-in-youth-protection-considerations-and-action-steps/</a>  Crisis: <a href="https://nonprofitrisk.org/resources/articles/crisis-management-essentials/#:~:text=The%20crisis%20management%20plan%20for%20your%20nonprofit%20will,of%20the%20CEO%2Fexecutive%20director%2C%20with%20obvious%20negative%20impact.">https://nonprofitrisk.org/resources/articles/crisis-management-essentials/#:~:text=The%20crisis%20management%20plan%20for%20your%20nonprofit%20will,of%20the%20CEO%2Fexecutive%20director%2C%20with%20obvious%20negative%20impact.</a>  Collaborations: <a href="https://nonprofitrisk.org/resources/articles/collaboration-building-intentional-partnershi/">https://nonprofitrisk.org/resources/articles/collaboration-building-intentional-partnershi/</a>  Abuse: <a href="https://nonprofitrisk.org/resources/articles/protecting-vulnerable-clients-from-abuse/">https://nonprofitrisk.org/resources/articles/protecting-vulnerable-clients-from-abuse/</a>  Fraud: <a href="https://nonprofitrisk.org/resources/articles/a-violation-of-trust-fraud-risk-in-nonprofit-organizations/">https://nonprofitrisk.org/resources/articles/a-violation-of-trust-fraud-risk-in-nonprofit-organizations/</a></p> <p>7. Agency: Definition  <a href="https://www.law.cornell.edu/wex/agency">https://www.law.cornell.edu/wex/agency</a></p> <p>Please review the following Policy and Form and take the Self-Test that are posted in FILES on Canvas:  8. <b>Incident Reporting Policy dlang 20120410</b>  9. <b>Incident Report Form_200707</b>  Take the Self-Test:  10. <b>Incident Reporting Self-Test 201204128.</b></p> <p><b>Optional FYI Readings::</b>  11. <i>How Nonprofit Organizations Manage Risk</i>  <a href="http://www.orgwise.ca/sites/osi.ocasi.org.stage/files/resources/How%20Nonprofit%20Organizations%20Manage%20Risk.pdf">http://www.orgwise.ca/sites/osi.ocasi.org.stage/files/resources/How%20Nonprofit%20Organizations%20Manage%20Risk.pdf</a> <i>New link 2022</i></p> <p>12. <i>A Nonprofits' Guide to Risk Management and Insurance</i>  <a href="https://www.lawhelp.org/files/7C92C43F-9283-A7E0-5931-E57134E903FB/attachments/BC5C891A-81F7-40BA-924A-7C0DE04F0E10/risk-management-manual-jan-2017.pdf">https://www.lawhelp.org/files/7C92C43F-9283-A7E0-5931-E57134E903FB/attachments/BC5C891A-81F7-40BA-924A-7C0DE04F0E10/risk-management-manual-jan-2017.pdf</a> <i>New link 2022</i></p> <p>13. <i>Nonprofit Risk Management Basics</i>  <a href="https://www.kynonprofits.org/assets/32/Nonprofit%20Risk%20Management%20Basics%206%20up.pdf">https://www.kynonprofits.org/assets/32/Nonprofit%20Risk%20Management%20Basics%206%20up.pdf</a></p> <p>14. <i>Risk Management Checklist for Boards</i> <a href="https://vawnet.org/sites/default/files/assets/files/2017-07/Risk%20Management%20Chklist%20for%20Bds.pdf">https://vawnet.org/sites/default/files/assets/files/2017-07/Risk%20Management%20Chklist%20for%20Bds.pdf</a></p> <p>15. <i>Checklist for Winding Down</i> <a href="https://portal.nonprofitrisk.org/library/fact-sheets/Checklist_for_Winding_Down.pdf#:~:text=Winding%20Down%3A%20A%20Risk%20Management%20Checklist%20.%20A,the%20process%20of%20dissolution%20%28which%20is%20an%20action">https://portal.nonprofitrisk.org/library/fact-sheets/Checklist_for_Winding_Down.pdf#:~:text=Winding%20Down%3A%20A%20Risk%20Management%20Checklist%20.%20A,the%20process%20of%20dissolution%20%28which%20is%20an%20action</a></p> <p>16. <i>Grievance Policies for Clients, Volunteers, Employees that are posted in FILES on Canvas</i></p>
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5	<p>Employees and Volunteers (HR)</p> <ul style="list-style-type: none"> <li>▪ Volunteers - Volunteer Contact</li> <li>▪ Protections for Volunteers – Federal Volunteer Protection Act and State Laws</li> <li>▪ Hiring and Employment Practices</li> <li>▪ Dual Relationships</li> <li>▪ Exempt Employees – FLSA Changes</li> <li>▪ Minimum Wage Proposals</li> <li>▪ Independent Contractors</li> </ul>	<ol style="list-style-type: none"> <li>1. Read the entire Nonprofit Hiring Toolkit starting at <a href="http://www.bridgespan.org/Publications-and-Tools/Hiring-Nonprofit-Leaders/Nonprofit-Hiring-Toolkit.aspx">http://www.bridgespan.org/Publications-and-Tools/Hiring-Nonprofit-Leaders/Nonprofit-Hiring-Toolkit.aspx</a> Each section links to the topic.</li> <li>2. You Hired Who? Top 10 Nonprofit Employment Mistakes <a href="http://www.thenonprofittimes.com/news-articles/hired-top-10-nonprofit-employment-mistakes/">http://www.thenonprofittimes.com/news-articles/hired-top-10-nonprofit-employment-mistakes/</a></li> <li>3. Compensation for Nonprofit Employees <a href="https://www.councilofnonprofits.org/tools-resources/compensation-nonprofit-employees">https://www.councilofnonprofits.org/tools-resources/compensation-nonprofit-employees</a></li> <li>4. Employee or Volunteer: What's the Difference? <a href="http://portal.nonprofitrisk.org/library/articles/employee_or_volunteer.shtml">http://portal.nonprofitrisk.org/library/articles/employee_or_volunteer.shtml</a></li> <li>5. Read pages 2-8 <a href="https://www.sterlingvolunteers.com/wp-content/uploads/2017/07/Risk-Management-For-Your-Volunteer-Program-Whitepaper-2.pdf">https://www.sterlingvolunteers.com/wp-content/uploads/2017/07/Risk-Management-For-Your-Volunteer-Program-Whitepaper-2.pdf</a></li> <li>6. Oregon: Employee or Independent Contractor? <a href="https://www.oregon.gov/ic/independent/Pages/EE-IC.aspx">https://www.oregon.gov/ic/independent/Pages/EE-IC.aspx</a> Read first 2 FAQs only: What is "direction and control?" and What is "independently established business?" <a href="https://www.oregon.gov/ic/independent/Pages/FAQ.aspx">https://www.oregon.gov/ic/independent/Pages/FAQ.aspx</a></li> <li>7. BOLI: Weigh factors on independent contractor <a href="http://www.gazettetimes.com/business/boli-weigh-factors-on-independent-contractor/article_140c4a00-f224-51d1-a6d9-fc4c2822b949.html">http://www.gazettetimes.com/business/boli-weigh-factors-on-independent-contractor/article_140c4a00-f224-51d1-a6d9-fc4c2822b949.html</a></li> <li>8. Read the Consensual Relationships Policy posted on Canvas under FILES</li> <li>9. Read the Communications Protocols Policy posted on Canvas under FILES</li> <li>10. Internship Programs under FLSA <a href="https://www.dol.gov/whd/regs/compliance/whdfs71.htm">https://www.dol.gov/whd/regs/compliance/whdfs71.htm</a></li> <li>11. New Guidelines for Internships: The New Unpaid Intern Test <a href="https://www.nacweb.org/public-policy-and-legal/legislation-and-regulations/new-guidelines-for-internships-the-new-unpaid-intern-test/">https://www.nacweb.org/public-policy-and-legal/legislation-and-regulations/new-guidelines-for-internships-the-new-unpaid-intern-test/</a></li> <li>12. Interns in the Nonprofit World <a href="http://www.wtplaw.com/documents/2012/07/interns-in-the-nonprofit-world">http://www.wtplaw.com/documents/2012/07/interns-in-the-nonprofit-world</a></li> <li>13. Overtime Regulations: Overtime Final Rule <a href="https://www.councilofnonprofits.org/trends-policy-issues/overtime-final-rule">https://www.councilofnonprofits.org/trends-policy-issues/overtime-final-rule</a></li> <li>14. Must HR Post Job Openings Externally (Post or Promote) <a href="https://www.thebalance.com/must-hr-post-job-openings-externally-1919176">https://www.thebalance.com/must-hr-post-job-openings-externally-1919176</a></li> <li>15. New Oregon Law Criminal Background Check <a href="https://www.hklaw.com/Publications/New-Oregon-Laws-Criminal-Background-Checks-and-State-Retirement-Savings-Plan-07-07-2015/">https://www.hklaw.com/Publications/New-Oregon-Laws-Criminal-Background-Checks-and-State-Retirement-Savings-Plan-07-07-2015/</a></li> <li>16. Oregon Minimum Wage <a href="https://www.oregon.gov/boli/WHD/OMW/Pages/Minimum-Wage-Rate-Summary.aspx">https://www.oregon.gov/boli/WHD/OMW/Pages/Minimum-Wage-Rate-Summary.aspx</a></li> <li>17. Coaching Analysis: What is influencing unsatisfactory performance? <a href="https://hr.williams.edu/files/2014/05/Coaching-Analysis_Handout.pdf">https://hr.williams.edu/files/2014/05/Coaching-Analysis_Handout.pdf</a></li> </ol> <p><b>Optional Additional FYI Reading:</b> Post or promote?</p> <ol style="list-style-type: none"> <li>18. Employee Promotion Policy Guide <a href="http://smallbusiness.chron.com/employee-promotion-policy-guide-40500.html">http://smallbusiness.chron.com/employee-promotion-policy-guide-40500.html</a></li> </ol> <p>Volunteer Risk Management</p> <ol style="list-style-type: none"> <li>19. Risky Business: There's liability for the acts of your volunteers <a href="http://www.thenonprofittimes.com/news-articles/risky-business-theres-liability-acts-volunteers/">http://www.thenonprofittimes.com/news-articles/risky-business-theres-liability-acts-volunteers/</a></li> </ol> <p>Exit Agreements</p> <ol style="list-style-type: none"> <li>20. Exit Agreements for Nonprofit CEOs: A Guide for Boards and Executives <a href="https://nonprofitquarterly.org/exit-agreements-nonprofit-ceo-guide-for-boards-and-executives/">https://nonprofitquarterly.org/exit-agreements-nonprofit-ceo-guide-for-boards-and-executives/</a></li> </ol>
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6	Lobbying and Advocacy ■ 501(h) Election	<ol style="list-style-type: none"> <li>1. IRS: Lobbying <a href="https://www.irs.gov/Charities-&amp;-Non-Profits/Lobbying">https://www.irs.gov/Charities-&amp;-Non-Profits/Lobbying</a></li> <li>2. IRS: Substantial Part Test <a href="https://www.irs.gov/charities-non-profits/measuring-lobbying-substantial-part-test">https://www.irs.gov/charities-non-profits/measuring-lobbying-substantial-part-test</a></li> <li>3. IRS: Expenditure Test <a href="https://www.irs.gov/charities-non-profits/measuring-lobbying-activity-expenditure-test">https://www.irs.gov/charities-non-profits/measuring-lobbying-activity-expenditure-test</a></li> <li>4. IRS Schedule C to Form 990 <a href="https://www.irs.gov/pub/irs-pdf/f990sc.pdf">https://www.irs.gov/pub/irs-pdf/f990sc.pdf</a></li> <li>5. General Lobbying Rules for Nonprofit Organizations <a href="http://www.afterschoolalliance.org/documents/Toolbox/General%20Lobbying%20Rules%20for%20NonProfit%20Orgs%2008%2014%2008.pdf">http://www.afterschoolalliance.org/documents/Toolbox/General%20Lobbying%20Rules%20for%20NonProfit%20Orgs%2008%2014%2008.pdf</a></li> <li>6. Charities and Issues Advocacy: Doing It Right Part One and Two <a href="http://www.nonprofitlawblog.com/charities-issue-advocacy-right-part-one/">http://www.nonprofitlawblog.com/charities-issue-advocacy-right-part-one/</a> <a href="http://www.nonprofitlawblog.com/charities-issue-advocacy-right-part-two-2/">http://www.nonprofitlawblog.com/charities-issue-advocacy-right-part-two-2/</a></li> <li>7. Nonprofit Advocacy is More Than Lobbying <a href="http://www.nonprofitlawblog.com/nonprofit-advocacy-is-more-than-lobbying/">http://www.nonprofitlawblog.com/nonprofit-advocacy-is-more-than-lobbying/</a></li> <li>8. Self-Declared Exempt Organizations – A Guide to Ensure IRS Compliance <a href="http://charitylawyerblog.com/2012/04/10/self-declared-exempt-organizations-a-guide-to-ensure-irs-compliance/">http://charitylawyerblog.com/2012/04/10/self-declared-exempt-organizations-a-guide-to-ensure-irs-compliance/</a></li> <li>9. Nonprofit Lobbying – Don't Forget to Register <a href="http://charitylawyerblog.com/2011/10/17/nonprofit-lobbying-dont-forget-to-register/">http://charitylawyerblog.com/2011/10/17/nonprofit-lobbying-dont-forget-to-register/</a></li> <li>10. I.R.S. Expected to Stand Aside as Nonprofits Increase Role in 2016 Race <a href="http://www.nytimes.com/2015/07/06/us/politics/irs-expected-to-stand-aside-as-nonprofits-increase-role-in-2016-race.html?_r=0">http://www.nytimes.com/2015/07/06/us/politics/irs-expected-to-stand-aside-as-nonprofits-increase-role-in-2016-race.html?_r=0</a></li> </ol> <p>From "Fixing the IRS" Series: <b>Note: You have to create free account for The Chronicle of Philanthropy.</b></p> <ol style="list-style-type: none"> <li>11. Clarify the Rules on Political Involvement <a href="https://www.philanthropy.com/article/Fixing-the-IRS-Clarify-the/154765">https://www.philanthropy.com/article/Fixing-the-IRS-Clarify-the/154765</a></li> <li>12. Avoid Political Bias <a href="https://www.philanthropy.com/article/Fixing-the-IRS-Avoiding/154755">https://www.philanthropy.com/article/Fixing-the-IRS-Avoiding/154755</a></li> </ol> <p>Citizens United v. Federal Election Commission</p> <ol style="list-style-type: none"> <li>13. <a href="https://www.brennancenter.org/our-work/research-reports/citizens-united-explained">https://www.brennancenter.org/our-work/research-reports/citizens-united-explained</a></li> <li>14. <a href="https://www.opensecrets.org/political-action-committees-pacs/super-pacs/2020">https://www.opensecrets.org/political-action-committees-pacs/super-pacs/2020</a></li> </ol> <ol style="list-style-type: none"> <li>15. See page 12 only for chart of Lobbying Rules for Electing and Nonelecting Charities <b>New link 2022</b> <a href="https://bolderadvocacy.org/wp-content/uploads/2018/06/Worry_Free_Lobbying_paywall.pdf">https://bolderadvocacy.org/wp-content/uploads/2018/06/Worry_Free_Lobbying_paywall.pdf</a></li> </ol>
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7	<p>Fundraising and Income Production</p> <ul style="list-style-type: none"> <li>▪ Charitable Solicitation</li> <li>▪ 990 Reporting</li> <li>▪ Events Risk Management</li> <li>▪ Unrelated Business Income</li> <li>▪ UPMIFA</li> </ul>	<ol style="list-style-type: none"> <li>1. Oregon DOJ Charitable Activities Section <a href="http://www.doj.state.or.us/charigroup/Pages/index.aspx">http://www.doj.state.or.us/charigroup/Pages/index.aspx</a></li> <li>2. Oregon DOJ Fundraising for Nonprofits <a href="http://www.doj.state.or.us/charigroup/pages/howtofund.aspx">http://www.doj.state.or.us/charigroup/pages/howtofund.aspx</a></li> <li>3. Tax Deductions for Charitable Giving – The Nonprofit’s Responsibilities <a href="http://www.nolo.com/legal-encyclopedia/tax-deductions-charitable-giving-nonprofits-32212.html">http://www.nolo.com/legal-encyclopedia/tax-deductions-charitable-giving-nonprofits-32212.html</a></li> <li>4. Is my volunteer time (and other stuff) tax deductible? <a href="https://thenonprofitcollective.wordpress.com/volunteers-donors/is-my-volunteer-time-and-other-stuff-tax-deductible/">https://thenonprofitcollective.wordpress.com/volunteers-donors/is-my-volunteer-time-and-other-stuff-tax-deductible/</a></li> <li>5. Ethical Fundraising <a href="https://www.councilofnonprofits.org/tools-resources/ethical-fundraising">https://www.councilofnonprofits.org/tools-resources/ethical-fundraising</a></li> <li>6. IRS Issues Final Regulations on Nonprofit Donor Disclosure: States Likely to Take Action <a href="https://www.venable.com/insights/publications/2020/05/irs-issues-final-regulations-on-nonprofit-donor">https://www.venable.com/insights/publications/2020/05/irs-issues-final-regulations-on-nonprofit-donor</a></li> <li>7. Sound Advice for Functions and Events <a href="https://www.nonprofitmaine.org/wp-content/uploads/2013/03/SoundAdviceFunctionsandEvents.pdf">https://www.nonprofitmaine.org/wp-content/uploads/2013/03/SoundAdviceFunctionsandEvents.pdf</a></li> <li>8. What is Fundraising (990 Reporting) <a href="https://learn.claconnect.com/assets/0/77/278/c32691eb-529f-4eed-bf03-d78f01158fd9.pdf">https://learn.claconnect.com/assets/0/77/278/c32691eb-529f-4eed-bf03-d78f01158fd9.pdf</a></li> <li>9. Top Five Nonprofit Legal Risks <a href="http://charitylawyerblog.com/2015/02/11/top-five-nonprofit-legal-risks/">http://charitylawyerblog.com/2015/02/11/top-five-nonprofit-legal-risks/</a></li> <li>10. Does My Nonprofit Need to Pay Tax? Understanding Unrelated Business Income Tax <a href="https://nonprofitquarterly.org/2011/12/25/does-my-nonprofit-need-to-pay-tax-understanding-unrelated-business-income-tax/">https://nonprofitquarterly.org/2011/12/25/does-my-nonprofit-need-to-pay-tax-understanding-unrelated-business-income-tax/</a></li> <li>11. Tax Concerns When Your Nonprofit Corporation Earns Money <b>New link and title 2022 Previous title How to Avoid UBIT</b> <a href="https://www.nolo.com/legal-encyclopedia/taxes-nonprofit-corporation-earnings-30284.html">https://www.nolo.com/legal-encyclopedia/taxes-nonprofit-corporation-earnings-30284.html</a></li> <li>12. Restricted Gifts/UPMIFA: A Close Look at the Law Governing Endowment Funds <a href="https://www.insidephilanthropy.com/the-gift-adviser/2015/3/10/a-close-look-at-the-law-governing-endowment-funds.html">https://www.insidephilanthropy.com/the-gift-adviser/2015/3/10/a-close-look-at-the-law-governing-endowment-funds.html</a> <b>Note: You have to create free account for The Chronicle of Philanthropy.</b></li> <li>13. Read article “Oregon Department of Justice Begins Issuing Disqualification Orders” <a href="https://nonprofitlaw.osbar.org/files/2015/12/NOLS_2015Winter.pdf">https://nonprofitlaw.osbar.org/files/2015/12/NOLS_2015Winter.pdf</a></li> </ol>
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8	Discrimination, Accommodation <ul style="list-style-type: none"> <li>▪ Laws Against Discrimination</li> <li>▪ Reasonable Accommodation</li> <li>▪ Civil Rights, USDOJ</li> <li>▪ Harassment/Sexual Harassment</li> <li>▪ Criminal Records - Arrests</li> </ul>	<ol style="list-style-type: none"> <li>1. Laws Enforced by EEOC <a href="http://www.eeoc.gov/laws/statutes/index.cfm">http://www.eeoc.gov/laws/statutes/index.cfm</a></li> <li>2. Discrimination by Type (read the sections related to Harassment, Sexual Harassment and two other sections of your choice) <a href="http://www.eeoc.gov/laws/types/index.cfm">http://www.eeoc.gov/laws/types/index.cfm</a></li> <li>3. Prohibited Employment Practices/Policies <a href="https://www.eeoc.gov/prohibited-employment-policiespractices">https://www.eeoc.gov/prohibited-employment-policiespractices</a></li> <li>4. ADA, Family and Medical Leave, Harassment             <ol style="list-style-type: none"> <li>a. ADA <a href="http://www.pbpatl.org/wp-content/uploads/2014/05/ProBono-Partnership-ADA-Overview.pdf">http://www.pbpatl.org/wp-content/uploads/2014/05/ProBono-Partnership-ADA-Overview.pdf</a></li> <li>b. Family and Medical Leave <b>new 2020</b> <a href="https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/fmlaen.pdf">https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/fmlaen.pdf</a></li> <li>c. Preventing Harassment in Workplace <a href="https://www.eeoc.gov/policy/docs/harassment-facts.html">https://www.eeoc.gov/policy/docs/harassment-facts.html</a></li> </ol> </li> <li>5. Criminal Records Arrests and Convictions: <a href="http://www.nolo.com/legal-encyclopedia/oregon-law-employer-use-arrest-conviction-records-hiring.html">http://www.nolo.com/legal-encyclopedia/oregon-law-employer-use-arrest-conviction-records-hiring.html</a></li> <li>6. Enforcing Civil Rights Laws (<b>Skim through all of the separate sections on this page</b>) <a href="http://www.oregon.gov/boli/CRD/pages/c_crprotoc.aspx">http://www.oregon.gov/boli/CRD/pages/c_crprotoc.aspx</a></li> <li>7. About the Civil Rights Division, USDOJ – <b>Read about one of the 11 sections or working groups</b>, thinking about its connection to the nonprofit sector <a href="http://www.justice.gov/crt/about-division">http://www.justice.gov/crt/about-division</a></li> </ol> <p><b>Optional Additional FYI Reading:</b>          Your Rights to Equality at Work: Training, Development, Promotion and Transfer  <a href="https://www.equalityhumanrights.com/sites/default/files/your_rights_to_equality_at_work_-_training_development_promotion_and_transfer.pdf">https://www.equalityhumanrights.com/sites/default/files/your_rights_to_equality_at_work_-_training_development_promotion_and_transfer.pdf</a> 94-page booklet (See pg. 18-19 re post or promote)</p> <p>Have I Been Discriminated Against? <a href="https://www.wageproject.org/pdf/mn.pdf">https://www.wageproject.org/pdf/mn.pdf</a></p>
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9	<p>Other General Principles of Law</p> <ul style="list-style-type: none"> <li>▪ Contracts</li> <li>▪ Torts <ul style="list-style-type: none"> <li>- Copyright</li> <li>- Duty to Warn</li> </ul> </li> <li>▪ Executive Sessions</li> <li>▪ Open Records and Meetings Laws</li> </ul>	<ol style="list-style-type: none"> <li>1. Contracts: The Basics <a href="http://www.nolo.com/legal-encyclopedia/contracts-basics-33367.html">http://www.nolo.com/legal-encyclopedia/contracts-basics-33367.html</a></li> <li>2. 10 Things a Non-Profit Should Include in its Contracts <a href="https://www.slideshare.net/mcclarty/10-things-a-nonprofit-should-include-in-its-contracts">https://www.slideshare.net/mcclarty/10-things-a-nonprofit-should-include-in-its-contracts</a> <span style="color: red;">New link 2022</span></li> <li>3. MOUs versus Contracts <a href="http://charitylawyerblog.com/2012/07/02/mous-versus-contracts/">http://charitylawyerblog.com/2012/07/02/mous-versus-contracts/</a></li> <li>4. Torts Rules of Law <a href="http://www.lawnerds.com/testyourself/torts_rules.html">http://www.lawnerds.com/testyourself/torts_rules.html</a></li> <li>5. <span style="color: red;">Link no longer available - See pdf in Resources/Files in Canvas for this article</span> <a href="http://www.mdf.org/documents/mdc_liability_basics.pdf">http://www.mdf.org/documents/mdc_liability_basics.pdf</a></li> <li>6. Risky Business – Using Unlicensed Images <a href="http://charitylawyerblog.com/2013/05/14/risky-business-using-unlicensed-images/">http://charitylawyerblog.com/2013/05/14/risky-business-using-unlicensed-images/</a></li> <li>7. Mental Health Professionals' Duty to Warn (See OREGON in chart) <a href="http://www.ncsl.org/research/health/mental-health-professionals-duty-to-warn.aspx">http://www.ncsl.org/research/health/mental-health-professionals-duty-to-warn.aspx</a></li> <li>8. Wikipedia: Duty to Warn <a href="https://en.wikipedia.org/wiki/Duty_to_warn">https://en.wikipedia.org/wiki/Duty_to_warn</a></li> <li>9. Arizona Open Meeting Law Basics <a href="http://charitylawyerblog.com/2013/04/26/open-meeting-law-basics/">http://charitylawyerblog.com/2013/04/26/open-meeting-law-basics/</a></li> <li>10. Executive Sessions: How to Use Them Regularly and Wisely (THIS READING IS ALSO IN FILES ON CANVAS) <a href="https://www.nonprofitmaine.org/wp-content/uploads/2009/09/Executive-Sessions.pdf">https://www.nonprofitmaine.org/wp-content/uploads/2009/09/Executive-Sessions.pdf</a></li> </ol>
10	All Topic Review	