

# New Nork NonProfits

**MAY 2017** 

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|   |     |  |      |  |

| TRENDING            | 1 |
|---------------------|---|
| ABOUT NYN           | 3 |
| INSIDE NPCC         | 2 |
| INSIDE NONPROFITS   | 2 |
| OTHER OPPORTUNITIES | 3 |
| RESOURCES           | 4 |
| UPCOMING WORKSHOPS  | 4 |

#### WELCOME NEW MEMBERS!

- \* The Arthur R. Lambert Memorial Foundation
- \* Association of Nonprofit Specialists
- \* Brooklyn Movement Center
- \* ICAHD-USA
- \* John Lege Project
- \* The Paulist Fathers
- \* Planned Parenthood Federation of America
- \* Stonewall Community Development Corporation
- \* Women in Derivatives

#### SPACE ADS

Do you need to rent a meeting, office or event space? Do you have space to rent? NPCC connects you through our Space Ads. These Ads are solely for 501(c)(3) nonprofit organizations with office space available, those seeking space, or those with meeting or conference space for rent in the New York City area. Space Ads are solely for 501 (c)(3) nonprofit organizations with office space available, those seeking space, or those with meeting or conference space for rent in the New York City area. Visit npccny.org/spaceads to view the latest available listings.







#### Message From NPCC President, Sharon Stapel: The Next Step

On March 6, 2017, NPCC and the Lawyers Alliance for New York <u>sued the New York State Attorney General</u> to stop <u>New York Executive Law Section 172-e</u> from being implemented. The law requires 501 (c)(3) nonprofits to report their donations simply because they provided a certain level of support to certain 501(c)(4) entities, even when that support is not connected to lobbying or political speech. On April 13, 2017, NPCC and the Lawyers Alliance for New York reached an interim agreement with the Attorney General that protects NPCC members from having to comply with the law. This means that organizations that were members of NPCC as of April 13, 2017 cannot be required by the Attorney General's office to maintain, prepare or file any records or reports under the Nonprofit Disclosure Provision (Section 172-e) of New York Executive Law while the lawsuit is pending. Notably, NPCC members cannot be asked to retroactively report on activities - even if the Court ultimately makes a decision allowing the reporting requirements moving forward. This interim agreement will stay in place at least until the Court's first decision on the merits, which is several months away.

This agreement is a significant step in NPCC's ability to protect its members from an unconstitutional law. NPCC believes that transparency and accountability are fundamental to nonprofits, particularly when engaging in lobbying; however, this overbroad law catches nonprofits up in a net of reporting for everyday activities that have no connection to lobbying. These burdensome reporting requirements could harm nonprofits' ability to fundraise and to meet their mission. We are glad to have this interim agreement and will continue to work with our friends at the Lawyers Alliance for New York to fight to protect the sector in this lawsuit. We thank our pro bono counsel, <a href="Gibbons P.C.">Gibbons P.C.</a>, for representing NPCC and the Lawyers Alliance for New York in this case.

To view a copy of the agreement (which was "so ordered" by the Court) visit bit.ly/052017nyn-1.

#### **TRENDING**

# NPCC Members Take Action to Keep Nonprofits Nonpartisan

NPCC's members joined nearly 4,500 nonprofits from across the country to sign the Community Letter in Support of Nonpartisanship (<a href="www.givevoice.org/">www.givevoice.org/</a>). This letter was delivered on the Hill by the National Council of Nonprofits on April 5, 2017. NPCC sent the letter to Senators Gillibrand and Schumer, and to Representatives in Districts 1 through 17 (NYC, Long Island and Westchester) to urge our representatives to reject the effort to repeal the Johnson Amendment.

As the National Council of Nonprofits Reports: Two subcommittees of the House Oversight and Government Reform Committee have scheduled a hearing for Thursday, May 4 on "<u>Examining a Church's Right to Free Speech</u>." The hearing is expected to debate the impact of the Johnson Amendment on religious liberties.

#### **Trump Announces Tax Reform Proposals**

On April 26, 2017 President Trump offered a one-sheet plan of tax-related proposals that include doubling the standard deduction and repealing most deductions, except for mortgage interest payments and charitable donations. Despite proposing to keep the charitable deduction, these proposals could hurt the nonprofit sector. As Tim Delaney at the National Council of Nonprofits stated, "Keeping the existing tax deduction for charitable giving create[s] the impression that the status quo would remain, but proposals to double the standard deduction would effectively eliminate the tax incentives for millions of individuals and couples to give to support the work of charitable nonprofits in cities, towns, and rural areas across the country." As an example, nearly 1/3 of donors donate in December, an indication that they are, in part, motivated by a tax deduction; increasing the standard deduction would likely reduce the number of people itemizing their returns, and therefore reduce the incentive for charitable giving as an itemized deduction. NPCC will continue to monitor these trends and we encourage you to get involved in the conversations that most impact your organization's work. How might the tax reform impact your organization's mission-related work? If you are unsure about whether it is lobbying, e-mail us at info@npccny.org and let us know.

# Federal Judge Blocks Trump's Executive Order to Cut Sanctuary City Funding

From the National Council of Nonprofits: On Tuesday, a federal judge in San Francisco issued a <u>nationwide injunction</u> (<u>bit.ly/052017nyn-3</u>) blocking President Trump from withholding funds from sanctuary jurisdictions. In his ruling, Judge William H. Orrick sided with nonprofits, Santa Clara County, the City and County of San Francisco, and other jurisdictions who argued that a threat to take away federal funds from sanctuary jurisdictions could be unconstitutional. The nationwide injunction blocks the government from enforcing a key portion of Trump's January <u>executive order on immigration</u> (<u>bit.ly/052017nyn-4</u>), which ordered the Department of Homeland Security and Justice Department to block cities that do not cooperate with federal immigration enforcement from receiving federal funds. Read the <u>nonprofit amicus brief, CalNonprofits article on the court decision</u> (<u>bit.ly/052017nyn-5</u>), and the <u>White House Statement on Sanctuary Cities Ruling</u> (<u>bit.ly/052017nyn-6</u>).

#### **TRENDING**

#### **DOL Granted Third Extension to Defend Overtime Rule**

A federal court of appeals has granted the U.S. Department of Labor (DOL) its third extension in defending a lawsuit challenging the proposed <u>Fair Labor Standards Act (FLSA) overtime regulations</u> (bit.ly/ot-sheet-0518). The DOL cited lack of leadership as the reason for the request of the extension. In the meantime, the implementation of the federal overtime regulations remain delayed. Visit bit.ly/052017nyn-7 to read more.

#### 2017 Work Plan for Tax Exempt Organizations Issued by IRS

In 2016, the IRS launched an effort to use data gathered from the Form 990 series to identify existing and emerging high risk areas of noncompliance. The Tax Exempt and Government Entities division of the IRS issued its <u>FY 2017 Work Plan</u> (bit.ly/052017nyn-8) built upon the agency's findings from the data to help ensure organizations with tax-exempt status complied with the requirements for exemption and adhered to all applicable federal tax laws. Visit <a href="bit.ly/052017nyn-9">bit.ly/052017nyn-9</a> to read more.

#### INSIDE NONPROFITS

#### **Nonprofit Resiliency Committee Update**

NPCC is a member of the Nonprofit Resiliency Committee (NRC), an partnership between New York City and the human services field. The goal of the NRC is to identify, design and launch solutions in administrative processes, service and program design and organizational infrastructure. At the <u>April 6, 2017 meeting</u> (bit.ly/052017nyn-10) of the NRC, the City outlined the recent successes of the committee:

- Procurement Outreach: The City is teaching nonprofits how to engage in the city contract procurement process
- Adoption of some procurement recommendations: The Mayor's Office of Immigrant Affairs (MOIA) incorporated a number of early
  procurement recommendations and created new avenues for provider input.
- Cash Flow Recommendations: The City adopted a recommendation made by a subcommittee chaired by NPCC's President, Sharon Stapel, for a 25% advance standard across all agencies on all nonprofit contracts upon registration, and, for the subsequent years for multi-year contracts, automatically upon the anniversary of the contract start date.
- Procurement Outreach: The Mayor's Office of Contract Services (MOCS) is expanding the NRC contract procurement courses through a
  Brown Bag Lunch initiative launching this month. To increase transparency into the procurement process and to expand lines of communication
- Revised Standard Contract: NRC recommendations for changes to the contract are being reviewed with the Law Department
- Accelerator Enhancements: MOCS reported on the enhancements to Accelerator, including
  - Document Vault: More customization, organization, folder structures
  - Reporting: Detailed BI reports and analytics, exportable data
- Navigation: Improved navigation between contracts and their associated budgets, invoices, payments & amendments and the ability to limit access to contracts.
- Audit Recommendations: The NRC recommended streamlining administrative processes through digital document production, and the City is targeting an FY18 pilot.

#### Nonprofit Revitalization Act Update

In June 2016 the Assembly and Senate passed A10365-B/S7913-B (bit.ly/052017nyn-11), to continue the important work that the legislature undertook in 2013 with the passage of the Nonprofit Revitalization Act. The Nonprofit Revitalization Act Amendments go into effect May 27, 2017. This includes changes to Related Party Transactions, Conflict of Interest and Whistleblower policies, Committee formations, and more. We are still awaiting the final guidelines from the New York State Attorney General's Charities Bureau. The Lawyers Alliance for New York has provided a helpful <a href="https://doi.org/10.1016/job.2017nyn-12">doi:10.1016/job.2017nyn-12</a>) for the organizational documents that may need to be amended.

#### **Payroll Disbursement Rule Revoked**

New York State's final rule, 12 NYCRR part 192 (bit.ly/052017nyn-13), that clarified the ways that employers can pay employees, including payroll debit cards (in addition to the already acceptable methods of cash, check and direct deposit) was revoked by the New York State Industrial Board of Appeals on February 16, 2017. The rule would have required permission from the employee to pay by debit card or direct deposit, making cash or check the default payment. Visit bit.ly/052017nyn-14 to read more.

# New York Paid Family Leave Rules Effective January 1, 2018

On February 22, 2017, the New York State Workers' Compensation Board released proposed rules establishing the rights and responsibilities of employees, employers, and insurance carriers with respect to paid family leave under the New York Paid Family Leave Benefits Law (the "PFL"). The PFL was signed into law by Governor Andrew Cuomo on April 4, 2016 and goes into effect on January 1, 2018. Visit <a href="bit:bit.ly/052017nyn-15">bit.ly/052017nyn-15</a> to read more

### **INSIDE NPCC**



# Don't forget to register for the Annual Meeting of Members!

Catch up on NPCC's activities during the past year and find out what's happening in the non-profit world. This year's event will also include a panel discussion with top nonprofit experts and conclude with a networking reception.

Visit bit.ly/npccAM17 to RSVP!

# **New York Nonprofits**

New York Nonprofits is a monthly publication of the Nonprofit Coordinating Committee of New York, Inc. (NPCC).

Editor: Heysha Nameri, Communications Coordinator
For information or questions about the e-newsletter email hnameri@npccny.org.

NPCC was established in 1984 to help nonprofits meet common challenges and problems, to serve as a meeting ground, and to strengthen the nonprofit sector as a whole. NPCC has more than 1,400 members in the New York metropolitan area, ranging from all volunteer groups to major institutions.

Membership in NPCC provides a place where your voice is heard and adds to the collective voice of the nonprofit community. Dues for 501(c)(3) nonprofits (that are not grant makers) are based upon the organization's annual operating budget. For more information email Membership manager, Kristen Jones at kjones@npccny.org.

#### Board Officers:

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#### OTHER OPPORTUNITIES

#### Nonprofit Consultants Institute - bit.ly/052017nyn-16

Wednesday, May 3, 2017 12:00pm - 1:30pm

FREE

The Nonprofit Consultants Institute is a highly-interactive 2 day educational experience that prepares you for success. Gain concrete tools, practical knowledge and invaluable connections.

Training benefits include:

- Pre training questionnaire
- Two days of in-person training
- Practical modules on your business plan, marketing, sales, legal and accounting issues
- Step-by-step guide to creating proposals and fee structures
- The secrets to finding and keeping clients
- Direct access to the seasoned practitioners who designed and present the modules
- Personal follow up with an expert

#### 7th Annual Spring Conference - bit.ly/052017nyn-17

Staten Island NFP Association

Tuesday, May 9, 2017

Hilton Garden Inn, 1100 South Avenue, Staten Island, NY 10314

\$65 Association Members; \$80 Non-members

This year's annual spring conference will focus on increasing the skills and sustainability of the borough's non-profit sector. NPCC President & Executive Director Sharon Stapel will lead the morning keynote interactive session on the <a href="Eight Key Areas of Nonprofit Excellence">Eight Key Areas of Nonprofit Excellence</a>. Topics include a self-assessment of your organization, recruiting board members, finding volunteers, preparing for emergencies and improving grant writing skills. Visit www.sinfpa.org to see our full agenda and to register. Admission is \$65 for members/\$80 non-members. Organizations unsure of their membership status can call 718-889-3010 or email <a href="Alutz@sinfpa.org">Alutz@sinfpa.org</a>.

#### How To Build a Thriving Nonprofit [WEBINAR] - bit.ly/052017nyn-18

Wednesday, May 10, 2017

**FREE** 

Hosted by Joan Garry, learn how get your board and staff to work together and create a culture of storytelling. Recommended for smaller nonprofits.

#### The Active Citizen in a Digital Age - bit.ly/052017nyn-19

Stanford University

Monday, May 15, 2017 through Friday, June 30, 2017

This class provides an introduction to the roles of individuals and associations in shaping our collective public life and the civic fabric of our towns, states, and countries. Sometimes this involves coming together to influence governing bodies such as city councils or public agencies; sometimes it focuses on doing the things your community wants but can't or won't get government to do.

Class participants will learn about - and practice - coming together to make community decisions and the importance of these roles in democratic systems.

# NPower's Tech & Business Challenge Event - bit.ly/052017nyn-20

Monday, May 22, 2017 9:00am - 5:00am

**FREE** 

Whether you are trying to report key metrics from current systems, looking to streamline data collection and reporting, improve your website, considering migrating to the cloud, interested in protecting data from hackers or securing your system from the next disaster there is a team of pro bono consultants available to help you. Note\*: Two staff members are requested to attend the event.

You can select from the following topics:

- Business Process Re-engineering
- Cybersecurity
- Disaster Vulnerability Assessment & Recovery Best practices
- Financial Analysis, Budgeting, Forecasting and Planning
- Information Management/ Analytics and Reporting Metrics Management
- Operational Efficiency
- Performance Management and Alignment with Organization Goals
- Software as Service/Cloud Computing
- Staff Development & Succession Planning
- Strategic Planning & Metrics Scorecard
- Marketing

If you have any questions, please contact Kelli.Antonucci@npower.org.

# **RESOURCES**

# The Collaboration Game: Solving the Puzzle of Nonprofit Partnership - bit.ly/052017nyn-21

Jacob Harold for Standford Social Innovation Review

Nonprofit collaboration is harder than it sounds. Economics, game theory, and behavioral science suggest some lessons on how organizations might collaborate more often and more effectively. This article proposes three core concepts that can help nonprofits achieve greater social impact.

# Pro Bono Board Matching for NPCC Members - bit.ly/052017nyn-22

**BoardAssist** 

BoardAssist is now offering awards of free personalized board matching services to NPCC members with at least two full time paid staff who ask their trustees to "give plus get" no more than \$1000 a year. BoardAssist hopes to award as many grants as possible. Grantees must also meet eligibility standards.

#### Steps My Organization Can Take to Protect Itself [WEBINAR RECORDING] - bit.ly/052017nyn-23

This one hour webinar focuses on governance, program operations, risk management and assessment.

#### Speakers:

- Shari Crittendon, Senior Corporate Counsel at the Constitutional Law Center for Muslims in America
- Julien Schopp, Director of Humanitarian Practice at InterAction

#### CTE Industry Scholars Program - bit.ly/052017nyn-24

NYC high school students in Career and Technical Education (CTE) programs are available for internships at no cost to the employer through the CTE Industry Scholars Program. This summer internship program runs from July 11 to August 19 for a total of 150 hours, and provides the students with a stipend of \$11/hour. CTE students selected for internships are trained with industry-specific courses and certifications in the fields of automotive/ transportation, business/finance, construction/engineering, culinary, hospitality/tourism, information technology, and media/design. If you are interested in hosting a CTE Industry Scholars Program Intern please contact Laura Bucko, Industry Engagement Manager, Career and Technical Education, NYC Department of Education at LBucko@schools.nyc.gov.

#### **UPCOMING NPCC WORKSHOPS**

#### Non-Employee Categories for Nonprofits - bit.ly/052017nyn-25 Wednesday, May 10 9:30am - 11:30am

Many grassroots organizations rely on volunteers, interns, and independent contractors to help successfully carry out their day-to-day functions, and it's important to be mindful of the rules that govern the nonprofit workforce. There are unique aspects of operating a nonprofit that can make compliance issues trickier than in other environments.

Learn how to assess volunteers and keep in compliance with wage and hour laws; how to evaluate interns and specific laws that cover them; and understanding the guidelines to review for accurate classification of employees and independent contractors.

Co-sponsored by New York Lawyers for the Public Interest and NPCC.

#### <u>Understanding FASB's Nonprofit Financial Statements Reporting Changes - Improving your Financial Story</u> - <u>bit.ly/052017nyn-26</u> Wednesday, June 7 9:30am - 11:30am

On August 18, 2016, FASB issued the Accounting Standards for Not-for-Profit Entities that affects substantially all non-profit organizations and users of their financial statements - donors, grantors, creditors, board members and executives. The standard is effective for annual financial statements issued for periods beginning after December 15, 2017. It is time to get ready and learn what this really means for your organization.

# Volunteer Management: How to Engage Volunteers Strategically - bit.ly/052017nyn-27 Wednesday, June 21 9:30am - 11:30am

Volunteer management takes an investment of time and energy, and requires systems and processes to ensure volunteers are well-supervised and used strategically.

Key Takeaways:

- Overview of how to engage volunteers strategically in your organization
- Gain an understanding of how to use volunteer positions descriptions
- Share best practices and tools on how to create an official on-boarding process for volunteers