

**PAD/PUB 612: NONPROFITS AND PUBLIC POLICY**

Fall 2007

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Instructor:	Erzsébet Fazekas	Sessions:	Wed 5:45-8:50
Office:	Milne 305	Location:	Draper Hall 217
Phone:	518-442-2621	Course#:	8441 (PUB) and 8458 (PAD)
Email:	efazekas@uamail.albany.edu		
Office hours:	Wed 3:00-5:00 and by appointment		

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**COURSE OBJECTIVES**

The course explores the interaction between public policy and nonprofit organizations: how nonprofits influence and are influenced by public decision-making. We will examine the role of nonprofits in a democracy, broadly, and in public policy formation, specifically. While we will focus primarily on the United States, we will also investigate nonprofit-related policy issues from a comparative international perspective. The topics covered include government-nonprofit relationships, public policies toward nonprofits, policy advocacy, government funding, and policy implementation by nonprofits.

**REQUIRED READINGS**

Available for purchase at Mary Jane Books:

Boris, Elizabeth T. and C. Eugene Steuerle (Eds.). 2006. *Nonprofits and Government: Collaboration and Conflict*. Washington, D.C: Urban Institute Press. 2<sup>nd</sup> edition.

Salamon, Lester M. (Ed.) 2002. *The State of Nonprofit America*. Washington, D.C: Brookings Institution Press.

Additional readings are available on the ERes System, online or on reserve in the library as indicated below.

**SUPPLEMENTARY AND RECOMMENDED READINGS**

Other supplementary documents (policy proposals, news articles, case studies and guidelines for good practice) may be assigned a week before class or distributed in class. Lists of recommended readings and resources are posted on ERes.

I recommend that you join ARNOVA-L, the Nonprofit Organization, Voluntary Action and Philanthropy Discussion List for the duration of the course. See instructions at <http://www.arnova.org/listserv.php>.

**COURSE FORMAT AND REQUIREMENTS**

The course is designed as a seminar involving brief lectures, class discussion, student presentations, small-group work and occasional case studies.

Active participation in class discussions is required and highly valued in this course. Students are expected to come to class prepared to discuss the readings. To help you do that, most weeks I will prepare and distribute a short roadmap to guide you through the following week's readings. These roadmaps will help you identify the main issues in the readings and provide broad questions that we will discuss in class.

Reflection papers. Students are required to write four short reflection papers (2-3 pages), one per each section of the course. The papers should provide an *analytical* summary of the week's readings *and* address a question pertinent to the theme of the section. Papers are due by **5 pm the day before class.**

Comparative Projects: Presentations and Memos. You are required to investigate the four major themes of the course from a comparative perspective (nonprofit-government relationships, the legal environment for nonprofits, policy advocacy and policy implementation) in order to enhance your understanding of how nonprofits interact with the public policy arena. You will research articles and reports on your selected cases to pinpoint differences and similarities. Your analysis will be guided by the questions raised in the readings and the roadmaps.

You have two options to select as cases for your comparative analysis:

1. a foreign country and the United States (see list of recommended resources); or
2. two policy areas (compare social services to other areas such as health, arts and culture, environmental protection, education, etc.).

You are encouraged to commit to the same cases throughout the course. You will present your findings in class (e.g. in small-group discussions) and submit a one-page memo outlining your insights. Memos can be bulleted text. Comparative memos are due by **5 pm the day before class 3, 6, 9 and 12.**

Final paper. A final paper of 15-20 pages (double-spaced) is required on a substantive theme explored in the course. You are granted freedom in selecting the topic of your paper but you are encouraged to consult me regarding your choice. You can do an integrative and analytical report of the comparative project you presented in class. You can also expand your reflection papers into your final paper.

You have to submit a short proposal of your final paper by **October 24** and do a short, ten-minute presentation to receive feedback from your peers. The final paper is due by **December 15.**

### **GRADING**

Participation	20%
Reflection papers	20%
Comparative project presentation and memos	20%
Final project presentation and final paper	40%

### **COURSE POLICIES**

Late paper policy. Late assignments will be penalized except under extraordinary circumstances when the instructor has given advance permission.

Plagiarism. Please review the University's policy regarding plagiarism and academic dishonesty in the *Undergraduate Bulletin* at [http://www.albany.edu/undergraduate\\_bulletin/regulations.html](http://www.albany.edu/undergraduate_bulletin/regulations.html) and the Plagiarism 101 tutorial at <http://library.albany.edu/usered/plagiarism/>. Plagiarism will be penalized with a failing grade for the course and by referral to the appropriate university judicial board.

Paper waste policy. I encourage (but not require) two-sided printing and the recycling of used paper.

## COURSE SCHEDULE

### **PART I: OVERVIEW: NONPROFITS AND PUBLIC POLICY**

#### **1. Introduction to the course, course organization (Aug 29)**

Anderson, James E. 2006. *Public Policymaking*, 6<sup>th</sup> ed. Boston: Houghton Mifflin Co. (optional)

Salamon, Lester M. 1999. *America's Nonprofit Sector, A Primer*, 2<sup>nd</sup> ed. New York: Foundation Center. Chapters 1-5. (optional)

#### **2. Nonprofits, Civil Society, and Democracy (Sep 5)**

Boris, Elizabeth T. 2006. "Introduction—Nonprofit Organizations in a Democracy: Varied Roles and Responsibilities." Pp. 1-36 in *Nonprofits and Government*.

Salamon, Lester M. 2002. "The Resilient Sector: The State of Nonprofit America." Pp. 3-61 in *The State of Nonprofit America*.

Salamon, Lester M. 1993. "The Nonprofit Sector and Democracy: Prerequisite, Impediment, or irrelevance?" and Helmut K. Anheier. 1993. "Nonprofit Organizations and Democracy: Toward a Comparative Research Agenda. Pp. 9-22 In Alan J. Abramson (Ed.). 2001. *Mapping New Worlds. Selected Research on the Nonprofit Sector Around the Globe*. Washington, DC: Nonprofit Sector Research Fund. [http://www.nonprofitresearch.org/usr\\_doc/Mapping%20New%20Worlds.pdf](http://www.nonprofitresearch.org/usr_doc/Mapping%20New%20Worlds.pdf)  
[These texts are digests, for Salamon's original presentation see  
[http://www.nonprofitresearch.org/publications1526/publications\\_show.htm?doc\\_id=110226](http://www.nonprofitresearch.org/publications1526/publications_show.htm?doc_id=110226)]

Bryce, Herrington J. 2006. "Nonprofits as Social Capital and Agents in the Public Policy Process: Toward a New Paradigm." *Nonprofit and Voluntary Sector Quarterly* 35(2): 311-318. *ERes*.

Clemens, Elisabeth S. 2006. "The Constitution of Citizens: Political Theories of Nonprofit Organizations." Pp. 207-220 in *The Nonprofit Sector: A Research Handbook*, edited by Walter W. Powell and Richard Steinberg. New Haven: Yale University Press. *ERes*.

**Sep 12:** University Holiday, no session

#### **3. Nonprofit-Government Relationships (Sep 19)**

Gronbjerg, Kirsten A., and Lester M. Salamon. 2002. "Devolution, Marketization, and the Changing Shape of Government-Nonprofit Relations." Pp. 447-470 in *The State of Nonprofit America*.

Young, Dennis R. 2006. "Complementary, Supplementary, or Adversarial? Nonprofit-Government Relations." Pp. 37-80 in *Nonprofits and Government*.

Young, Dennis R. 2000. "Alternative Models of Government-Nonprofit Sector Relations: Theoretical and International Perspectives." *Nonprofit and Voluntary Sector Quarterly* 29(1):149-172. Selections TBA. *ERes*.

Saidel, Judith R. 1991. "Resource Interdependence: The Relationship Between State Agencies and Nonprofit Organizations." *Public Administration Review* 51(6):543-553. *ERes*.

Bowman, Woods, and Marion R. Fremont-Smith. 2006. "Nonprofits and State and Local Governments." Pp. 181-218 in *Nonprofits and Government*. Read only pp. 141-142, 206-207.

Salamon, Lester M. 2006. "Government-Nonprofit Relations from an International Perspective." Pp. 399-435 in *Nonprofits and Government*.

*Comparative report on selected country or policy areas.*

## **PART II: PUBLIC POLICIES TOWARD NONPROFITS**

### **4. Public Policies Benefiting Nonprofits: Tax Exemption and Tax Incentives for Charitable Giving (Sep 26)**

Brody, Evelyn and Joseph J. Cordes. 2006. "Tax Treatment of Nonprofit Organizations: A Two-Edged Sword?" Pp. 141-180 in *Nonprofits and Government*.

Bowman, Woods, and Marion R. Fremont-Smith. 2006. "Nonprofits and State and Local Governments." Pp. 181-218 in *Nonprofits and Government*. Read only pp. 201-206.

Nusbaum, Gil A. 2007. "Exemption from State and Local Property Taxes." *Taxation of Exempts* 18(6):271-277. *ERes*.

Brooks, Arthur C. 2007. "Income tax policy and charitable giving." *Journal of Policy Analysis and Management* 26(3):599-612. *ERes*.

Panel on the Nonprofit Sector. 2005. "Strengthening Transparency, Governance, Accountability of Charitable Organizations." Washington, D.C.: Independent Sector. *ERes*. Selections TBA.

### **5. Public Policies Regulating Nonprofits: Accountability, Governance and Public Trust (Oct 3)**

Brody, Evelyn. 2002. "Accountability and Public Trust." Pp. 471-498 in *The State of Nonprofit America*.

Bowman, Woods, and Marion R. Fremont-Smith. 2006. "Nonprofits and State and Local Governments." Pp. 181-218 in *Nonprofits and Government*. Read only pp. 182-190.

Fleishman, Joel L. 2001. "Public Trust in Not-for-Profit Organizations and the Need for Regulatory Reform." Pp. 172-197 in *Philanthropy and the Nonprofit Sector in a Changing America*, edited by Charles T. Clotfelter and Thomas Ehrlich. Bloomington, Indiana: Indiana University Press. *Dewey Reserve*.

Irvin, Renée A. 2005. "State Regulation of Nonprofit Organizations: Accountability Regardless of Outcome." *Nonprofit and Voluntary Sector Quarterly* 34(2):161-178. *ERes*.

Ostrower, Francie and Marla J. Bobowick. 2006. "Nonprofit Governance and the Sarbanes-Oxley Act." Washington, D.C.: Urban Institute Press. *ERes*.

Panel on the Nonprofit Sector. 2005. "Strengthening Transparency, Governance, Accountability of Charitable Organizations." Washington, D.C.: Independent Sector. *ERes*. Selection TBA.

## **6. The Legal Environment for Nonprofits and Civil Society Organizations from a Comparative Perspective (Oct 10)**

Salamon, Lester M., and Stefan Toepler. 2000. "The Influence of the Legal Environment on the Development of the Nonprofit Sector." Baltimore: Johns Hopkins Center for Civil Society Studies. *ERes*. Selections TBA.

2002. "Comparative Analysis of the Definition of Charities and their Legal Treatment." Washington, D.C.: International Center for Not-for-Profit Law. *ERes*.

2005. "Toward An Enabling Legal Environment for Civil Society. Statement of the Sixteenth Annual Johns Hopkins International Fellows in Philanthropy Conference, Nairobi, Kenya." *International Journal of Not-for-Profit Law* 8(1):3-10. *ERes*.

2006. "Recent Laws and Legislative Proposals to Restrict Civil Society and Civil Society Organizations." *International Journal of Not-for-Profit Law* 8(4):76-85. *ERes*.

Moore, David. 2005. "Public Benefit Status: A Comparative Overview." *International Journal of Not-for-Profit Law* 7(3):33-46. *ERes*.

### **Comparative report on selected country or policy areas.**

## **PART III: POLICY ADVOCACY**

### **7. Public Policy Advocacy: An Overview of Strategies and Challenges (Oct 17)**

Boris, Elizabeth T., and Jeff Krehely. 2002. "Civil Participation and Advocacy." Pp. 299-330 in *The State of Nonprofit America*.

Reid, Elizabeth J. 2006. "Advocacy and the Challenges It Presents for Nonprofits." Pp. 343-398 In *Nonprofits and Government*.

Saidel, Judith R. 2002. "Nonprofit Organizations, Political Engagement, and Public Policy." Pp. 1-18 in *Exploring Organizations and Advocacy. Governance and Accountability*, edited by Elizabeth J. Reid and Maria D. Montilla. Washington, DC: Urban Institute. *ERes*

Executive Summary: Overview of Findings of Strengthening Nonprofit Advocacy Project. 2002. OMB Watch, Tufts University and Charity Lobbying in the Public Interest. *ERes*

Nelson, Fraser, David W. Brady, and Alana Conner Snibbe. 2007. "Learn To Love Lobbying." *Stanford Social Innovation Review* 5(2):56-63. *ERes*

### **8. The War of Ideas: Foundations, Think Tanks and Their Influence on Public Policy (Oct 24)**

Rich, Andrew. 2005. "The War of Ideas: Why Mainstream and Liberal Foundations and the Think Tanks They Support are Losing in the War of Ideas in American Politics." *Stanford Social Innovation Review* 3:18-25. *ERes*.

Rich, Andrew. 2004. *Think Tanks, Public Policy, and the Politics of Expertise*. Cambridge, UK ; New York: Cambridge University Press. Ch 5: 152-203. *Dewey Reserve*.

"The Strategic Philanthropy of Conservative Foundations. Moving a Public Policy Agenda. From a 1997 report by the National Committee on Responsive Philanthropy." Media Transparency.  
<http://www.mediatransparency.org/conservativephilanthropy.php> ERes

Krehely, Jeff, Meaghan House, and Emily Kernan. 2004. "Axis of Ideology. Conservative Foundations and Public Policy. Executive Summary." Washington, DC: National Committee for Responsive Philanthropy. ERes

Roelofs, Joan. 2003. *Foundations and Public Policy. The Mask of Pluralism*. Albany: State University of New York. Selections TBA. *Dewey Reserve*.

McKersie, William S. 1997. "Fostering Community Participation to Influence Public Policy: Lessons from the Woods Fund of Chicago, 1987-1993." *Nonprofit and Voluntary Sector Quarterly* 26(1):11-26. ERes

**Paper proposal is due on October 24.**

### **9. Transnational Advocacy and Nonprofit Advocacy in Comparative Perspective (Oct 31)**

#### **Transnational Advocacy**

Keck, Margaret E., and Kathryn Sikkink. 1998. *Activists Beyond Borders: Advocacy Networks in International Politics*. Ithaca: Cornell University Press. Ch. 1, and one chapter of Ch. 3, 4 or 5. *Library Reserve*.

Florini, Ann M. (Ed.). 2000. *The Third Force: The Rise of Transnational Civil Society*. Washington, DC: Carnegie Endowment for International Peace. Ch1 (ERes), and one chapter of Ch 2-7. *Library Reserve*.

#### **Nonprofit Advocacy in Comparative Perspective**

Rose-Ackerman, Susan. 2006. "From Elections to Democracy in Central Europe: Public Participation and the Role of Society." *International Journal of Not-for-Profit Law* 8(2):30-37. ERes.

#### **U.S.-Based Organizations Advocating for Global Issues**

Case of Alliance for Open Society International (AOSI) v. USAID, challenging global HIV/AIDS funding restrictions. [http://www.brennancenter.org/stack\\_detail.asp?key=102&subkey=8348](http://www.brennancenter.org/stack_detail.asp?key=102&subkey=8348) ERes.

*Comparative report on selected country or policy area.*

## **PART IV: SERVICE PROVISION AND POLICY IMPLEMENTATION**

### **10. Government Financing of Nonprofits and Contracting (Nov 7)**

Smith, Steven Rathgeb. 2006. "Government Financing of Nonprofit Activity." Pp. 219-256 in *Nonprofits and Government*.

Bowman, Woods, and Marion R. Fremont-Smith. 2006. "Nonprofits and State and Local Governments." Pp. 181-218 in *Nonprofits and Government*. Read only pp. 191-201.

Bryce, Herrington J. 2005. "The Choice of Nonprofits as Agents of Public Policy." Pp. 81-118 in *Players in the Public Policy Process. Nonprofits as Social Capital and Agents* by Herrington J. Bryce. New York: Palgrave MacMillan. *ERes*.

Van Slyke, David M. 2003. "The mythology of privatization in contracting for social services." *Public Administration Review* 63(3):296-315. *ERes*.

### **11. Government Funded Service Provision and Nonprofit Political Activity (Nov 14)**

*Guest speaker: Nicole P. Marwell, Columbia University and Baruch College, CUNY*

Marwell, Nicole P. 2007. *Bargaining for Brooklyn: Community Organizations in the Entrepreneurial City*. Chicago: University of Chicago Press. *Selections TBA*.

Marwell, Nicole P. 2004. "Privatizing the Welfare State: Nonprofit Community-Based Organizations as Political Actors." *American Sociological Review* 69(2):265-291. *ERes*

**Nov 21:** Thanksgiving Break, no session

### **12. Social Service Provision and Charitable Choice (Nov 28)**

Smith, Steven Rathgeb. 2002. "Social Services." Pp. 149-186 in *The State of Nonprofit America*.

Chaves, Mark. 2002. "Religious Congregations." Pp. 275-298 in *The State of Nonprofit America*. *Selections TBA*.

Chaves, Mark. 2003. "Debunking Charitable Choice." *Stanford Social Innovation Review* 1(2):28-37.

"Faith Communities as Social Service Providers, The National Debate about Faith-Based Social Service Provision," *Snapshots*, No. 5, Aspen Institute Nonprofit Sector Research Fund: Washington, D.C.: August 1999. *ERes*

Gronbjerg, Kirsten A., and Steven Rathgeb Smith. 2001. "Nonprofit Organizations and Public Policies in the Delivery of Human Services," Pp. 139-171 in *Philanthropy and the Nonprofit Sector in a Changing America*. *Dewey Reserve*.

Wuthnow, Robert. 2006. "Clash of Values: Government Funding for the Arts and Religion." Pp. 311-342 in *Nonprofits and Government*.

*Comparative report on selected country or policy areas.*

### **13. Review and Student Presentations (Dec 5)**

**Dec 15:** Final paper is due.