Vll. Fundraising and Contribution Transmittal Rules

(NEA Fund for Children and Public)

It is crucial that every Local Association collecting contributions for The NEA Fund for Children and Public Education (“The NEA Fund”) is able to associate a name with every dollar collected, and that it transmits those contributions and the contributor information to The NEA Fund within the required time period. If contributions raised for The NEA Fund are not attributed to individual members and are not transmitted to The NEA Fund within the required time period, those contributions may not be used in connection with federal elections or elections in many states. Therefore, all fundraising activity should be conducted with the following two goals in mind:

• Collect the name, address, employer, occupation, date of contribution, and amount of contribution for every person who makes any contribution to The NEA Fund.

• Capture every contribution to The NEA Fund at the first point of receipt and transmit that contribution to The NEA Fund within the required time period.

**General Rules[[1]](#footnote-1)**

* What is a Solicitation?

Any communication that requests contributions for or encourages support for (e.g., provides information on how to give) The NEA Fund is a solicitation. Such communications may be made only to members and Association executive and administrative staff and their families.

Communications that solicit contributions for The NEA Fund may not be made to the general public. This is true even if the communication is addressed to NEA members only (e.g. an advertisement on a publicly accessible Web page asking NEA members to contribute to The Fund). However, the NEA or an affiliate may publish an article on its publicly accessible Web site describing the candidates that have been supported by The NEA Fund and offer a link to a members-only page where a contribution to The NEA Fund is requested.

* Voluntary Contributions Only

All contributions to The NEA Fund must be *voluntary*. “Voluntary” means that the contributions may not consist of dues, fees, or other moneys required as a condition of membership in the NEA or a Local Association, or as a condition of employment.

This is true even if the dues are refundable at the request of the member. “Voluntary” also means that contributions may not be secured by physical force, job discrimination, financial reprisal, or threats of such actions. A member cannot be forced to give to The NEA Fund; he or she must choose to do so voluntarily.

Each solicitation for a contribution to The NEA Fund must inform members that they are not required to give to The NEA Fund, that they have the right to refuse to contribute without reprisal, and that contributing or not contributing will neither benefit nor disadvantage them with regard to their membership or employment status. See **Part A** for required disclaimer language.

#### Only Members, Association Executive, Administrative Staff and their Families

The NEA and a Local Association may only solicit members, Association executive and administrative staff, and the families of each group for voluntary contributions to The NEA Fund. “Executive and administrative” staff means employees paid on a salary basis having policy-making, managerial, professional, or supervisory responsibilities. Association employees who are represented by a labor organization are not solicitable unless they are also members of the NEA or a Local Association.

Furthermore, the NEA Fund may not receive contributions from “foreign nationals,” meaning individuals who are neither U.S. citizens nor lawful permanent residents. For example, a member who is employed in the U.S. under a temporary work visa (such as a J-1 or H-1B visa) cannot contribute to the NEA Fund.

#### No Solicitation of the Public

The NEA and a Local Association may not solicit the general public (i.e., non-members, non-staff) to make contributions to The NEA Fund. This rule applies to every type of fundraising for The NEA Fund.

If the NEA or a Local Association accidentally solicits a person who is not a member, an Association executive or administrative staff person, or a family member of either group, The NEA Fund will not be liable for violating this provision if the error is corrected immediately by refunding the contribution in question.

A communication will **not** be considered to have solicited non-members if the communication is circulated to members and/or Association staff and a very limited number of persons outside those groups. Generally, if the total circulation of a communication containing a solicitation for The NEA Fund includes 5% or fewer non-members, the outside membership solicitation will be treated as “incidental” and will not be held in violation of the Federal Election Campaign Act (FECA).

* Cash Contributions

The NEA Fund may not accept a cash contribution of more than $100 in the aggregate from any single member or Association staff person at any one time (or per fundraising event). The limit on cash contributions does not apply to checks or credit card contributions. The maximum amount any individual can donate is $5,000 per calendar year.

**Rules Governing Fundraising**

* Fundraising Events

Voluntary contributions for The NEA Fund may be raised through fundraising events such as auctions, give-aways,[[2]](#footnote-2) dances, dinners, etc. Solicitations for such fundraising events should be directed solely to members, Association executive and administrative staff, and the families of each group and not to the general public. Likewise, tickets to the fundraising event may only be sold to the same group.

All communications relating to the event (including tickets, flyers, signs at a convention booth, etc.) must contain the disclaimer language described in **Part A**. Persons working at a fundraising event or booth should be instructed in writing not to sell tickets to persons who are not members, Association staff, or the families of each group.

* Who May Pay For Fundraising Events/Items?

When NEA or one of its state or local affiliates raises voluntary contributions for The NEA Fund, it is called a “collecting agent”. A collecting agent may pay any or all of the costs of raising voluntary contributions for The NEA Fund from its general treasury funds, subject to the “one-third” rule described below.

Members, Association executive and administrative staff, and their families may also donate items to be used to raise money for The NEA Fund. However, if the items donated have more than a nominal value (e.g., store-bought rather than hand-made), the individual’s donation of a fundraising item constitutes an in-kind contribution to The NEA Fund in the amount of the value of that item. Such in-kind contributions must be reported to The NEA Fund. Non-members may not donate items to be used to raise contributions for The NEA Fund.

* Sale of Fundraising Items

A State or Local Association may sell fundraising items (e.g., t-shirts, bags, key chains, buttons etc.)[[3]](#footnote-3) to raise voluntary contributions for The NEA Fund. Since the sale of the items is designed to raise contributions for The NEA Fund, only members, Association executive and administrative staff, and their families may be asked to buy such items.

The full amount raised from the sale of fundraising items must be transmitted to The NEA Fund. A collecting agent may pay any or all of the costs of raising voluntary contributions for The NEA Fund from its general treasury funds, subject to the “one-third” rule described below. A collecting agent may not net its costs or the cost of its fundraising prize from the amount raised, nor can a State or Local Association’s PAC funds be used to pay the cost of the fundraising items.

* One-Third Rule

When using entertainment (e.g., dinners, dances) or the sale of fundraising items (direct sale of fundraising items such as t-shirts, baskets, auctions, giveaways, etc.) to raise money for The NEA Fund, the FECA requires that the cost of the item or entertainment, if it is subsidized with general treasury funds, be no more than one-third of the amount raised for The NEA Fund. This is called the “one-third” rule. For example, if a Local Association spends $10 from its general treasury fund to buy a fruit basket, which it then sells to members and their families to raise contributions to The NEA Fund, the fruit baskets must be sold for at least $30. **If your Local Association buys a car and then sells tickets for a give-away to raise contributions for The NEA Fund, the tickets must be priced at an amount that will generate at least 3 times the cost of the car.** If your Association’s fundraising revenues do not total at least 3 times what it spent for a fundraising event or item, The NEA Fund must reimburse your Association for the difference between the amount spent on the fundraising event or item and one-third of the amount raised.

* No Netting Out

The entire amount raised at a fundraising event constitutes a contribution to The NEA Fund and must be transmitted to The NEA Fund. A State or Local Association may not “net” out its costs for entertainment or fundraising items against the amount raised.

* Payroll Deduction

If state law allows, members may be solicited to make payroll deduction contributions to The NEA Fund. Payroll deductions for The NEA Fund must be based on a signed membership form or authorization card containing all of the disclaimer language described in **Part A**. A payroll deduction authorization may stay in effect indefinitely; however, members must be able to cancel their payroll deduction authorization at any time through their employer. Reverse check-off (e.g. a system by which contributions are automatically deducted for a PAC unless the member objects) is not permitted as a method for raising contributions for The NEA Fund, even though it is permissible under some states’ laws for state or local PACs.[[4]](#footnote-4)

* Internet Solicitations

A State or Local Association may solicit voluntary contributions for The NEA Fund on a Web site sponsored by the Association, provided that the portion of the Web site that solicits contributions for The NEA Fund is accessible only by members, Association executive and administrative staff, and their families (e.g., it is password protected). Internet solicitations for The NEA Fund must contain the required disclaimer language. See **Part A**.

The NEA Fund has a Web site (http://neafund.org/) through which members can make one-time credit card or continual (monthly) credit card contributions.

* Electronic Fund Transfers (EFT)

Members, Association executive and administrative staff, and their families may contribute to The NEA Fund through EFT. Under this system, a member signs an authorization form directing his or her bank to make a transfer of a designated amount to The NEA Fund on a monthly basis. The bank then transfers the contribution directly to The NEA Fund. All EFT authorization forms for The Fund must contain the required disclaimer language. See **Part A**. For additional EFT information, contact NEA Membership Management Services (202/822-7065).

**NEA Fund for Children and Public Education Disclaimer Language [Part A]**

The following disclaimer language must be included on every solicitation (e.g., payroll deduction authorization cards or membership forms, give-away tickets, auction forms, dinner or entertainment tickets, signs advertising fundraising items for sale) used to raise contributions for The NEA Fund:

*The National Education Association Fund for Children and Public Education collects voluntary contributions from Association members and uses those contributions for political purposes, including, but not limited to, making contributions to and expenditures on behalf of friends of public education who are candidates for federal office. Only U.S. citizens or lawful permanent residents may contribute to the NEA Fund. Contributions to The NEA Fund for Children and Public Education are voluntary; making a contribution is neither a condition of employment nor membership in the Association, and members have the right to refuse to contribute without suffering any reprisal. Although The NEA Fund for Children and Public Education requests an annual contribution of $20.00 this is only a suggestion. Any member may contribute more or less than the suggested amount, or may contribute nothing at all, without it affecting his or her membership status, rights, or benefits in NEA or any of its Associations.*

*Contributions or gifts to The NEA Fund for Children and Public Education are not deductible for federal income tax purposes. Federal law requires us to use our best efforts to collect the name, mailing address, occupation, and the name of employer for each individual whose contributions aggregate in excess of $200 in a calendar year. Federal law prohibits The NEA Fund for Children and Public Education from receiving donations from persons other than members of the NEA and its affiliates and their immediat*e *families. All donations from persons other than members of NEA and its affiliates and their immediate families will be returned forthwith.*

The disclaimer should be printed on the front of a solicitation in the same size print as the remainder of the solicitation message.

If a State or Local Association is soliciting voluntary contributions for its own PAC as well as The NEA Fund at the same time, it should use the disclaimer language for joint fundraising. See **Part B.**

**Collecting and Transmitting Contributions**

* Collecting Agents

A Local or State Association or individual member collecting voluntary contributions for The NEA Fund is called a “collecting agent” under the FECA. A Local or State Association which acts as an NEA Fund collecting agent is subject to the Act’s rules on solicitation (described above) as well as the rules on timely transmittal of contributions and recordkeeping regarding contributors. In addition, a Local or State Association must comply with IRS requirements when collecting and transmitting voluntary contributions to The NEA Fund, or it may be taxed on those contributions. In other words, while a Local or State Association is not a “political committee” subject to the registration and reporting requirements of the FECA, it must comply with the rules for raising and transmitting voluntary contributions to The NEA Fund. A collecting agent may pay for the expenses of soliciting, collecting, and transmitting voluntary contributions to The NEA Fund from its general treasury fund without such payments being treated as contributions to The NEA Fund.

* Timely Transmittals

Local or State Associations that serve as “collecting agents” for The NEA Fund must transmit members’ voluntary contributions and contributor information to The NEA Fund in a timely manner. Individual contributions of $50 or less must be forwarded to the Fund within 30 days of the date that the contribution is received by the Local or State Association or its agent (e.g. staff person). Individual contributions over $50 must be forwarded to The NEA Fund within 10days of receipt. This timing rule applies to the date the contribution is first received by the Local or State Association collecting voluntary contributions for the Fund. If the Local or State Association receives a member’s payroll deduction contribution from an employer or a member’s contribution check to The NEA Fund, the Local or State Association is responsible for transmitting that contribution to The NEA Fund within 10 or 30 days from the date it receives the contribution, depending on the amount. Don’t forget -- the Local or State Association must transmit the contributor information at the same time as it transmits the contributions so that the information can be recorded and reported properly.

*Why does it matter?*

If contributions and their accompanying donor information are not transmitted to The NEA Fund within the required time period, those contributions may not be used in connection with federal elections.

* Transmittal Procedures

1 - Fundraising Events and Activities

Contributions raised for The NEA Fund through a State or Local Association’s fundraising events and activities can be transmitted to The NEA Fund along with the required contributor information using The NEA Fund’s “small envelope, big envelope” system. This system makes it easy for the State or Local Association to collect and send the contributions that it has collected along with contributor information directly to The NEA Fund so that those contributions may be received within the time period required by federal law.

The goal is to collect contributions and contributor information gathered at an event or through member-to-member appeals and send them directly to The NEA Fund. Each contribution must be collected in a small contribution envelope; all small envelopes are placed in a big transmittal envelope to be conveyed to the NEA. This transmittal system can be used for Pre-RA (Representative Assembly) fundraising, State RAs, member-to-member appeals at meetings, or any type of event such as dinner dances, auctions, and leadership conferences. The envelopes will be created, printed and distributed to all Associations by the NEA. To obtain these envelopes, or to get answers to any questions about the envelopes, Associations should contact Emily Patzer (epatzer@nea.org or (202) 822-7319).

*How does it work?*

Before the event, a State or Local Association that will be holding an NEA Fund fundraising drive or event will request a fundraising kit(s) that includes small and large envelopes. The State or Local Association should give a fundraising kit and the transmittal instructions to each person who will be doing the collections (“the collector”). The collector keeps the large envelope(s) and distributes a small envelope to each member making a contribution. If they are making a contribution:

By Check - The member writes a check payable to “The NEA Fund for Children and Public Education,” puts it in the small envelope, and fills out the contributor information on the outside of the envelope. Checks can be written in any amount up to $5,000.

By Credit Card - The member fills out the section for credit card information on the envelope and places it inside the envelope. The member also fills out the contributor information on the outside of the envelope. Members can make both one-time and continual (monthly) contributions via credit card. Credit card contributions may be in any amount up to $5,000.

By Cash – The member puts his or her money in the small envelope and fills out the contributor information on the outside of the envelope. Note that the Fund cannot accept cash contributions over $100 in the aggregate from any one contributor from any single event (e.g., the NEA RA).

The member gives the small envelope with his or her contribution inside and the information filled out on the outside to the collector. Each week or immediately after the fundraising event, the collector puts all the small envelopes he or she has received that week into a large envelope. The collector fills out the Large Envelope Transmittal Form and puts it in the large envelope along with all the small envelopes and sends it to the NEA at the address printed on the large envelope. An overnight shipping address is on the transmittal form in the event the contributions need to be sent immediately. Collectors should only transmit small envelopes collected at a fundraising drive or event directly to The NEA Fund. Do not deposit these contributions in the State or Local Association’s general fund, an individual’s personal account, and do not forward them to the State Association for transmittal to The NEA Fund.

*What can you do to ensure the information is complete and your members don’t have to fill out so much information?*

You can create labels from a registration list of conference attendees and put them on the small envelopes in advance so that a member does not have to fill out his or her name and address each time a contribution is made. Make sure the label contains at least the member’s Name, State, Address and the last four digits of his or her Social Security Number or NEA Member ID Number so that each contribution is credited to the correct person.

2 - Payroll Deduction for The NEA Fund

Contributions made through payroll deductions are one of the most critical and complicated methods of fundraising. The recordkeeping and transmittal system below is one possible process. NEA will work with Associations to tailor the process to fit your individual needs.

*How does it work?*

Member sign up to make contributions to The NEA Fund through payroll deduction. Association sends payroll deduction authorization form to employer.

The State or Local Association must record The NEA Fund obligation in Interactive Membership System (IMS) and/or internal system, and must update the changes (additions and deletions) as necessary.

Employer deducts NEA Fund contribution from member’s paycheck and sends check to Association.

State or Local Association deposits check in a bank account, if possible.

The Association reconciles the names and the amount of the Fund contribution from the employer.

Within 10 or 30 days of date money received from employer, Association sends a check and contributor information for NEA Fund contributions received within that month to the NEA. It is vital that this process be completed within 10 days (for contributions over $50) or 30 days (contributions of $50 and less) from the date upon which your Local Association receives the employer’s payroll deduction check. Failure to meet this deadline will mean that the funds cannot be used in connection with federal elections and will create a tax liability for the Association if the Association is depositing the employer’s check into its general treasury fund.

*NOTE: The NEA Fund will be asking each Association with members contributing by payroll deduction to inform The NEA Fund of its payroll frequency (i.e., do members get paid on a weekly, bi-weekly, monthly, or some other basis, and are members paid over 6 months, 9 months, 12 months, or some other variation?). There is a field for this information to be entered in IMS.*

Detailed Payroll Deduction Instructions

NEA General Counsel’s office should be consulted when an Affiliate is creating or revising an NEA Fund payroll deduction form to ensure that all required donor information is included.

Individual member signs a payroll deduction authorization form (usually as a part of a membership form) containing the required disclaimer language authorizing a voluntary contribution to The NEA Fund. (See sample payroll deduction authorization form.)

The member gives the payroll deduction authorization form to the Local Association. The Local Association that receives the authorization form enters the member’s NEA Fund contribution obligation into IMS or its own electronic contribution tracking system.

*If you do not use IMS*

If the Local Association maintains its own NEA Fund contributor records in an electronic contribution tracking system, it should enter the contributor information (name, date, amount, employer and occupation) for each contribution received from the employer into your own system.

The Local Association should then send an electronic spreadsheet of all members with NEA Fund payroll deductions, along with the amount and frequency of such deductions for each member and the Member’s ID# or the last four digits of the member’s Social Security Number to The NEA Fund every month.

After the Local Association enters The NEA Fund obligation information into IMS, it should send a copy of the member’s NEA Fund authorization form to the employer.

The employer deducts The NEA Fund contribution from a member’s paycheck and sends a check to the member’s State or Local Association, as appropriate.

Some employers send two separate checks, one for NEA Fund contributions and one for dues; others send a combined check containing The NEA Fund contribution, membership dues and Local or State PAC contributions.

If the employer sends a separate check for The NEA Fund and dues, the State or Local Association should send The NEA Fund check, along with the contributor information, directly to the NEA. The State or Local Association should not deposit the check into a local account.

If the employer sends a combined check containing NEA Fund contributions as well as dues, etc., the State or Local Association should deposit that check into a non-interest-bearing transmittal account or a PAC account, if it has one, or into its general treasury fund account provided it quickly segregates The NEA Fund contributions from the dues, as explained below.

Local Associations that receive payroll deduction contributions for The NEA Fund from an employer should transmit those funds directly to The NEA Fund, not to the State Association for subsequent transmittal to The NEA Fund.

As soon as the State or Local Association receives an employer’s check, it will compare the amount listed as an NEA Fund deduction for each member on the employer’s remittance form with the information in I&A or in the state or local affiliate’s database. If the employer does not send a remittance form showing how much the employer has deducted for each individual member, the State or Local should ask for such information to be provided with each payroll deduction check.

Within the 10-day or 30-day timeline, the Local Association should write a check to The NEA Fund for the total amount of The NEA Fund contributions that it has received from the employer for that month. The Association should use a check from the account into which the payroll deduction check was deposited if that check contained both dues and NEA Fund contributions and the contributions have not been transferred to a separate segregated account.

If the Local receives a payroll deduction contribution for a member who is not on IMS system or state or local affiliate database, send the contribution to The NEA Fund with a notation on the accompanying donor list that the donor could not be verified. Prior to the following month’s transmittal to The NEA Fund, the Local should seek to verify whether or not that member has signed a payroll authorization card authorizing a contribution to The NEA Fund. If the Local does verify that the member has signed an NEA Fund authorization card, the Local should enter the member into the IMS system.

If the Local does not receive a contribution from an employer for a member whose name appears on IMS database or state or local association database, the Local should check with the employer to see why no contribution was deducted.

The Local Association should mail the check to The NEA Fund for the total NEA Fund contributions for that month, along with a copy of the verified contributor data in either hard copy or electronic format.

Electronic Format - (preferred method for transmitting payroll deduction donor information) Transmit a copy of the verified contributor information in any electronic format (e.g. Excel, comma quote delimitated, ASCII, etc.) directly to The NEA Fund via the email address neafund@nea.org. At the same time, send the check to The **NEA Fund for Children and Public Education, P.O. Box 64702, Baltimore MD 21264-4702**. Questions regarding electronic file transmission should be forwarded to the NEA FMS Department.

Hard Copy – If an electronic copy is not available, a hard copy of the donor contributor information and the check may be sent to The **NEA Fund for Children and Public Education, P.O. Box 64702, Baltimore MD 21264-4702.** The roster will function as a transmittal form. On the roster, enter the total amount received for The NEA Fund, any amounts or contributors that cannot be verified, the date the employer’s check was received by your Local and the date the transmittal was made to The NEA Fund.

It is vital that this process be completed within 10 or 30 days from the date upon which the Local receives the employer’s payroll deduction check. Failure to meet this time deadline will mean that the funds cannot be used in connection with federal elections, and if the Local is depositing the employer’s check into its general treasury fund, it will create a tax liability for the Local.

3 - Electronic Funds Transfer/Easy Pay Contribution Transmittal System

If a Local Association wants to collect contributions for The NEA Fund in a manner that does not require the Local to keep detailed records of those contributions and contributors, it may want to consider Electronic Funds Transfer (EFT) as a means of collecting and transmitting members’ voluntary contributions to The NEA Fund. For help with EFT please contact the NEA Financial and Membership Services department.

*What is Electronic Funds Transfer?*

EFT is an effective fundraising system in which NEA Fund contributions are collected by deducting voluntary contributions directly from a member’s bank account via an electronic transfer or “easy pay” system. The goal is to have The NEA Fund’s bank collect a member’s contribution and contributor information directly from the member’s bank.

*How does it work?*

A member signs two copies of an EFT approval form. The member or the soliciting person sends both copies of the EFT form to the Local/State Association.

The Local Association keeps one copy of the EFT form and enters the information regarding the member’s EFT contribution into the IMS (EFT) system.

Once a month, on the basis of the information in IMS, NEA’s Financial and Membership Services department prepares an electronic file of EFT contributors to The NEA Fund and a separate list of EFT contributors to the Local Association PAC, if appropriate, and instructs The NEA Fund’s bank **(Bank of America)** to withdraw the agreed upon contributions from each EFT contributor’s bank account for each PAC.

Bank of America withdraws the funds directly from a member’s bank account and deposits the contribution into The NEA Fund’s account. Bank of America also withdraws the funds directly from a member’s bank account for the Local Association PAC and transmits those funds to the Local Association PAC’s bank account.

Bank of America sends a transmittal document to The NEA Fund showing a confirmation that the withdrawal has been made for each member on the list of EFT contributors, or that a contribution withdrawal has been rejected.

* + - Transmittal Requirements

Cash: A Local Association that receives a cash contribution for The NEA Fund may transmit that contribution to the Fund in one of the following ways:

By using the big and little envelopes prepared by The NEA Fund, as described above;

By depositing the cash contribution into a separate transmittal account or non-federal PAC fund and writing a check to The NEA Fund on that account (as discussed below); or

By using the cash contribution to buy a cashier’s check or money order payable to The NEA Fund for Children and Public Education, and sending that check or money order to The NEA Fund along with a list of the contributor(s), the amount(s) given, and other required contributor information. (Use little/big envelope system)

Transmittal Account: The Local Association may establish a non-interest-earning transmittal account to be used solely to transmit contributions that have been collected for The NEA Fund. All contributions received for The NEA Fund should be deposited promptly into the transmittal account, and the Local Association should send The NEA Fund a check drawn on that account, payable to The NEA Fund for Children and Public Education within 10 or 30 days, whichever is appropriate.

Non-Federal PAC Account: If the Local Association has a non-federal PAC account, it may use it to transmit contributions to The NEA Fund. Contributions collected for The NEA Fund should be deposited promptly into the non-federal PAC account. A check drawn on that PAC account in the amount of The NEA Fund contributions should be sent to The NEA Fund within 10 or 30 days, whichever is appropriate. The Local Association must keep separate and accurate records of The NEA Fund contributions that it receives and deposits into its non-federal PAC account.

General Treasury Fund Account: If the Local Association receives a contribution for The NEA Fund in the form of a combined payment, such as a payroll deduction remittance check from an employer containing dues and an NEA Fund contribution, the Association may deposit that check into its general treasury fund in order to split up the monies. If the Association does this, it must write a check to The NEA Fund in the amount of The NEA Fund contributions included in the employer’s check and send that check and the required contributor records for those contributions to The NEA Fund no later than 10 or 30 days, whichever is appropriate from the date your Association received the employer’s check. (See paragraph on payroll deduction) Failure to do so will create a tax liability for the Association under IRS rules and will make it impossible for The NEA Fund to deposit the contributions into its federal account.

* + - Timing of Transmittals

Regardless of the method used, the contributions must be transmitted to The NEA Fund within 10 days (contributions over $50) or 30 days (contributions $50 or less) from the date the contributions are received by the Local Association.

* Contributor Information

Local Associations collecting voluntary contributions for The NEA Fund (i.e., collecting agents) are required by law to collect certain information about each individual who makes a contribution. In order for The NEA Fund to be able to use the voluntary money it receives in the most effective way possible, the Local Association must provide the following information to The NEA Fund with each contribution:

1. Name of contributor;
2. Mailing address of contributor;
3. Date and amount of the contribution made by the contributor;
4. Occupation of the contributor;
5. Employer of the contributor.

Providing this information for each contributor will enable The NEA Fund to use members’ voluntary contributions to support the maximum number of recommended candidates, federal and state.

Contributor information may be transmitted to The NEA Fund in a variety of ways: by using The NEA Fund’s small contribution envelopes which ask for that information; by using the payroll deduction remittance information provided by an employer and matching that information with a roster of members on payroll deduction in the I&A system or the state or local affiliate database; by inputting contributor information into an Excel spreadsheet and forwarding it to The NEA Fund; or by transferring an electronic file to neafund@nea.org.

**Joint Fundraising for the NEA Fund for Children and Public Education**

Joint fundraising is fundraising intended to raise voluntary contributions from members and their families for both The NEA Fund and for a local association’s non-federal PAC. Joint fundraising may be done through payroll deduction, EFT, or fundraising events.

All joint fundraising solicitations (including payroll deduction forms, EFT forms, and solicitation materials used at fundraising events) for The NEA Fund must contain the disclaimer language required by federal law for contributions to The NEA Fund. (See sample joint fundraising language below).

In addition, a joint fundraising solicitation must inform the contributor: 1) that he or she is giving a contribution to The NEA Fund and to a State or Local Association PAC; and 2) that a specific percentage or amount of a member’s contribution will be given to The NEA Fund and a specific percentage or amount will be given to the State or Local PAC. (See sample joint fundraising language below). Joint fundraising solicitations must also contain all of the disclaimer language required by a state law for contributions to the State or Local Association’s non-federal PAC.

*What should you do if you are conducting (or plan to conduct) joint fundraising for The NEA Fund and your state or local PAC?*

Contact Amy Kurtz (Manager, NEA Fund) in the NEA Government Relations Department (822- 7332 or akurtz@nea.org) to advise her that your Association is engaging in joint fundraising for The NEA Fund. E-mail a copy of your joint fundraising payroll deduction, EFT, or event solicitation form to Amy so that the NEA may enter that information into its PAC contribution tracking system. Follow the appropriate instructions below for the type of fundraising your state or local association is planning.

* Joint Fundraising Solicitation Language **(PART B)**

The following disclaimer language should appear on all joint fundraising solicitations, modified to reflect the name of your State or Local Association PAC for which contributions are being raised along with contributions for The NEA Fund and the correct percentages or amounts of the joint fundraising split between The NEA Fund and your State or Local Association PAC. Also, this language should be modified to include any disclaimer language required by your state law to be on a solicitation for your State or Local Association PAC. (Please consider contacting the NEA General Counsel’s office for assistance in drafting joint fundraising language to ensure that both federal and state language is correct.)

 *The National Education Association Fund for Children and Public Education and the [\_\_\_\_\_\_\_\_\_\_Association Political Committee] collect voluntary contributions from Association members and use those contributions for political purposes including, but not limited to, making contributions to and expenditures on behalf of friends of public education who are candidates for federal, or in the case of the [\_\_\_\_Association PAC], state and local office. Only U.S. citizens or lawful permanent residents may contribute to the NEA Fund for Children and Public Education and the [\_\_\_\_\_ Association PAC]. Contributions to The NEA Fund for Children and Public Education and the [\_\_\_\_\_Association PAC], are voluntary; making a contribution is neither a condition of employment nor membership in the Association, and members have the right to refuse to contribute without suffering any reprisal. Although The NEA Fund for Children and Public Education requests an annual contribution of $15.00 this is only a suggestion. A member may contribute more or less than the suggested amount, or may contribute nothing at all, without it affecting his or her membership status, rights, or benefits in the NEA or the \_\_\_\_\_\_Association.*

*I understand that I am making a joint contribution to The NEA Fund for Children and Public Education and the [\_\_\_\_\_\_Association PAC], and that \_\_% (or $\_\_) of my contribution will be given to The NEA Fund for Children and Public Education while \_\_\_% (or $\_\_\_) will be given to the [\_\_\_\_\_\_\_Association PAC].*

*Contributions or gifts to The NEA Fund for Children and Public Education and the [\_\_\_\_Association PAC] are not deductible for federal income tax purposes. Federal law requires us to use our best efforts to collect the name, mailing address, occupation, and name of the employer of individuals whose contributions aggregate in excess of $200 in a calendar year. Federal law prohibits The NEA Fund for Children and Public Education from receiving donations from persons other than members of the NEA and its affiliates and their immediate families. All donations from persons other than members of NEA and its affiliates and their immediate families will be returned forthwith. [Add any disclaimers required by your state law]*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Signature Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Occupation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Name of Employer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SSN: \_\_\_\_\_\_\_\_\_\_\_\_\_ or NEA Member ID #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Local or State Association: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ E-Mail Address\*(optional) \_\_\_\_\_\_\_\_\_

1. The NEA Fund for Children and Public Education has three accounts: the Federal account, which is used to make contributions to and expenditures on behalf of federal candidates and is regulated by the Federal Election Campaign Finance Act of 1971, as amended (“FECA”); and a non-federal itemized account and a non-federal unitemized account, which are used to make contributions to and expenditures on behalf of non-federal (State and Local) candidates and are regulated by State campaign finance laws where applicable. The non-federal itemized account contains the name, address, employer, occupation, date of contribution, and amount of contribution for each contributor, but for various reasons, these contributions do not qualify for the federal account. The unitemized account lacks this information for each contributor. [↑](#footnote-ref-1)
2. Lotteries or raffles, in which a prize is awarded wholly or in part by chance and participants must make a contribution to the Fund in order to participate in the drawing, are prohibited under many State “gaming” laws. Instead of a lottery or raffle, hold a give-away in which members can participate in the drawing regardless of whether or not they make a contribution or a silent auction in which members pay a fixed fee to enter the auction and the prizes are awarded to the highest bidder. The give-away should be treated as a political event and tied directly to the NEA Fund and its activities. In some states (e.g., Florida) even some types of give-away may be prohibited by State law. Check your state law before conducting a give-away. [↑](#footnote-ref-2)
3. To comply with federal tax regulations, fundraising items sold to raise money for the NEA Fund must contain a “political message” tying the item to the NEA Fund’s political agenda, not simply the Local Association’s name. For example, fundraising items should, at a minimum, include the logo or name of the NEA Fund for Children and Public Education and some sort of political message such as “Teachers Vote” or “I Vote for Better Schools”. [↑](#footnote-ref-3)
4. The full amount of a member’s payroll deduction contribution to the NEA Fund may not be drawn from the member’s first paycheck since the Federal Election Commission has ruled that this would amount to a contribution to the NEA Fund by the NEA because the NEA deferred its dues collection. [↑](#footnote-ref-4)