

Managing Nonprofits Under the Law
Department of Public and International Affairs
University of North Carolina Wilmington
PLS 536, Section 001 – Spring 2017
Monday 3:30-6:15pm; Leutze Hall 138

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Office Hours: By appointment

Course Description: This course explores legal issues affecting nonprofit managers and offers students an applied look at how to navigate complex legal waters when establishing and governing a nonprofit organization. Among the topics covered are the legal boundaries of charitable lobbying activity, the differences between public charities and private foundations, the advantages and disadvantages of incorporation, financial reporting requirements, and the many state and federal forms/applications.

***Disclaimer:** The focus of this course is more management than law, so this class should not be seen as a proxy for a nonprofit law course offered by an accredited law school and intended for a legal audience. Further, while the professor provides basic nonprofit legal instruction, decisions/actions should not be made/taken on the basis of this instruction and a qualified attorney should be consulted prior to addressing legal issues.*

Required Books:

Hopkins, Bruce. 2013. *Starting and Managing a Nonprofit Organization: A Legal Guide* (6th Edition). New Jersey: Wiley. ISBN: 9781118413456.

Grobman, Gary. 2011. *The Nonprofit Handbook: Everything you Need to Know to Start and Run Your Nonprofit Organization* (6th Edition). Pennsylvania: White Hat Communications. ISBN: 9781929109319.

Additional readings and cases will be put on Blackboard, so check often.

Course Requirements

Create a Nonprofit (40% of final grade): Students will prepare and submit a comprehensive nonprofit startup package. This package will contain all elements necessary to starting and governing a nonprofit, including: statements of mission & vision, a business plan, a pro forma budget, organizational documents (bylaws, board of directors list/policy, conflict of interest policy, articles of dissolution,...), and all relevant legal documents (articles of incorporation, applications for tax exemption, charitable solicitation registration,...). While your nonprofit is hypothetical, the startup package should be professionally completed/presented and feasible.

Final Exam (40% of final grade): The final take-home exam is open notes/book.

Nonprofit News Briefings (10% of final grade): As a means to generate discussion about specific instances of nonprofit management, students are required to present 4 news briefings to the class. Additional details will be provided in class or by email.

Class Participation (10% of final grade): Class sessions and assignments are designed to encourage collaborative learning. The instructor will not attempt to transfer information to the students through lecture and one-way communication. Rather, students and instructor alike will do their part to mutually engage the material to create and share knowledge. This requires that students are present, prepared, and engaged. Your participation grade is determined upon two factors:

- **Attendance:** Students are expected to attend all classes. Only a reasonable number of excused absences will be accepted. Unexcused absences will result in a reduction in the student's grade.
- **Participation:** Students are expected to come to class prepared to participate, which requires having carefully read and considered the readings. The quality, not the quantity, of your interactions is evaluated.

Basis for Grade: The following table summarizes the value of each assignment as a percent of the final grade.

Assignment	Value	Assignment	Value
Create a NP	40%	News Briefings	10%
Final Exam	40%	Class Participation	10%

Course Policies

Academic Assistance: The University Learning Center (ULC) provides free services to all UNCW students. Those services include: learning services, math services, study sessions, supplemental instruction, and writing services. For more information refer to their website: www.uncw.edu/ulc

Students with Disabilities: Reasonable accommodations will be made for students with disabilities. Students with diagnosed disabilities should register with UNCW Disability Services. Please provide me a copy of the letter you receive from Disability Services detailing class accommodations you may need. If you require accommodation for test-taking, please make sure I have the referral letter no less than one week before the test. For more information refer to their website: www.uncw.edu/disability

Academic Integrity: All members of UNCW's community are expected to follow the academic Honor Code. Academic dishonesty in any form will not be tolerated in this class. All academic integrity violations will result in a failing grade for the course and will be reported to the University. Please read the UNCW Honor Code carefully (as covered in the UNCW Student Handbook): www.uncw.edu/odos/honorcode. Please be familiar with UNCW's position on plagiarism as outlined in the UNCW Student Handbook. Plagiarism is a form of academic

dishonesty in which you take someone else's ideas and represent them as your own. Please note it is also possible to plagiarize yourself. If you use your work from a previous class or assignment in this class without proper citation, it is plagiarism (i.e., using the same paper, or substantial portions of the same paper, for two classes or assignments is not acceptable). It is always best to speak to the instructor prior to submitting a paper if there is a question regarding academic integrity.

Violence and Harassment: UNCW practices a zero tolerance policy for any kind of violent or harassing behavior. If you are experiencing an emergency of this type contact the police at 911 or UNCW CARE at 910-962-2273. Resources for individuals concerned with a violent or harassing situation can be located at www.uncw.edu/wsrc/crisis.html

Campus Respect Compact: UNCW has instituted a Seahawk Respect Compact to affirm our commitment to a civil community characterized by mutual respect. All students are expected to uphold these standards in the classroom and beyond. Please read the Compact: www.uncw.edu/diversity/documents/ApprovedSeahawkRespectCompact8x10.08.09.pdf

Personal Electronics: Cell phone use will not be tolerated in this class. Please turn off your cell phones prior to class and refrain from texting during class. Laptops may only be used for class related activity and only during lecture. Laptops must remain closed during the discussion of course readings. Laptops will be banned from the classroom for the rest of the semester if any laptop user is seen engaging in non-class related activity.

Submission of Assignments: All written assignments must be submitted electronically in a .docx format on Blackboard and as a hardcopy at the beginning of the class in which the assignment is due. Failure to submit the assignment in both formats will result in a deduction of ten points. All assignments must be in Times New Roman or Cambria 12-pt font, with 1-inch margins, and stapled or points will be deducted.

Grading Policy: The following percentages represent the letter grade equivalent. Please note that percentages do not round up (i.e., 89.99% is a B+ and does not round up to 90%).

A	93 – 100%	C	73 – 76%
A-	90 – 92%	C-	70 – 72%
B+	87 – 89%	D+	67 – 69%
B	83 – 86%	D	63 – 66%
B-	80 – 82%	D-	60 – 62%
C+	77 – 79%	F	59 or less

Late Assignments: Assignments not in the instructor's possession by the specified time on the due date are immediately subject to a ten point deduction. Each subsequent day (i.e., calendar day – including weekends and holidays) an assignment is late will be an additional deduction of ten points. If you are aware of possible conflicts before they occur, please notify the instructor at least one week in advance of any due dates to arrange alternate accommodations. Informing the instructor of your intention to be absent does not waive your obligation to submit the work that is due, even where an excused absence is granted.

Semester Schedule (Subject to Change):

Date	Topic	Readings	Activities	Assignments
Jan 9	Introduction		<i>Review Syllabus</i>	
Jan 16	NO CLASS: MLK JR. DAY			
Jan 23	The NP Sector	Hopkins, Ch. 3, 4 & 26	<i>NPs in the News</i>	
Jan 30	History of NP Law	Fremont-Smith (2008)	<i>NPs in the News</i>	
Feb 6	Organizational Form	Hopkins, Ch. 1 & 2 Grobman, Ch. 1 & 2	<i>NPs in the News</i>	
Feb 13	Governance	Hopkins, Ch. 8 Grobman, Ch. 3-5	<i>NPs in the News</i>	
Feb 20	Charitable Solicitation & Other State Laws	Hopkins, Ch. 12 Grobman, Ch. 14, 15, & 26	<i>NPs in the News</i>	
Feb 27	Federal Law	Hopkins, Ch. 5	<i>NPs in the News</i>	
Mar 6	NO CLASS: SPRING BREAK			
Mar 13	Tax Exemption	Hopkins, Ch. 6 Grobman, Ch. 8	<i>NPs in the News</i>	
Mar 20	Private Foundations	Hopkins, Ch. 7 Blackboard Readings	<i>NPs in the News</i>	
Mar 27	Commercial Activities & UBIT	Hopkins, Ch. 13 & 23 Grobman, Ch. 25	<i>NPs in the News</i>	
Apr 3	Liability – Directors, Staff, & Volunteers	Hopkins, Ch. 25 Grobman, Ch. 9 & 11	<i>NPs in the News</i>	
Apr 10	Advocacy & Lobbying	Hopkins, Ch. 14 & 15 Grobman, Ch. 17 & 18	<i>NPs in the News</i>	
Apr 17	Controls, Reporting, & Oversight	Hopkins, Ch. 9, 10, 21, & 24 Grobman, Ch. 10	<i>NPs in the News</i>	
Apr 24	Wrap Up	Blackboard Readings	<i>Exam Review</i>	Final Project Due
May 1	FINAL EXAM Due by 6PM			