



Political Activities: Tax Exempt Organization Restrictions

Policy Statement

The primary purpose of the University is to create and share knowledge. Toward that end, the University promotes discussion of important issues in society, including the free expression and exchange of political viewpoints and ideas. The University will support and protect the freedoms of speech, expression, petition, peaceable assembly and association.

The University also encourages its students, faculty and staff to exercise fully the rights of citizenship, including participation in the political life of their communities, the state and the nation, and to educate and involve themselves in world affairs. Nothing in this Policy is intended to limit the rights of students, faculty or staff to express personal opinions or to engage in political activity in their individual capacities and as private citizens.

The University shall not, through its officials or units, participate or intervene in any political campaign on behalf of, or in opposition to, any candidate for public office. In addition, University officials, administrators, faculty, and staff are not authorized in their official capacity to make public or media statements in support of, or in opposition to, a political campaign or candidate for public office. When making such statements in their capacity as private citizens, such persons must indicate clearly that they are not representing the University or speaking for, or on behalf of, the University.

Reason for the Policy

The purpose of this Policy is to establish guidelines for political activity and procedures for using campus facilities for political events that comply with federal tax laws governing tax-exempt organizations.

Strategic Direction

This policy supports the following goal in the University's Strategic Plan:

The Policy advances the University mission, which is to create, interpret and share knowledge, to prepare our students to lead productive, responsible and creative lives, and to promote the application of relevant knowledge to benefit the state of Vermont and society as a whole.

It also supports strategic plan goals of creating an outstanding student experience that promotes personal and intellectual development, and focusing the human, fiscal, environmental, technological and physical resources of the University on institutional values and priorities.

Applicability of the Policy

This Policy applies to all University students, faculty and staff, and all University services, activities, operations and facilities.

Policy Elaboration

Procedures Governing Political Events

There are three general categories of political events covered by this policy based on the type of organization sponsoring the event: (1) political events sponsored by a college, school, center, academic department or administrative unit of the University; (2) political events sponsored by University-recognized groups and organizations; and (3) political events where candidates or campaigns with no University connection arrange for the use of University facilities through the Office of Conference and Event Services.

1. Political Events Sponsored By the University

a. Participation and Sponsorship. Although the University is a public, tax-exempt institution and therefore is not permitted to endorse any political philosophy or any candidate for public office, it will provide opportunities to educate its students, faculty, staff, and citizens at large through candidate lectures, forums, debates and other political discourse on campus. As detailed below, the University may, as an institution or through its academic or administrative units, sponsor certain political events.

b. Approval. A political event may be sponsored by a college, school, center, academic department, or administrative unit of the University. Sponsorship of the event must be approved by the applicable dean, director, or vice president. Campus facilities will be made available for events in accordance with the

Policies and Procedures for Use of Facilities and Grounds and any associated guidelines. Receptions and other social activities associated with the political event must include all candidates who were invited to participate in the political event.

c. Format A University-sponsored political event may be in the format of a candidate forum or debate in which all legally qualified candidates for a political office are invited to participate. Alternatively, the University may invite a candidate to speak individually provided that the University takes steps to ensure that all legally qualified candidates for that office are invited speak at the same or a similar event, and none is favored in relation to the activity.

d. Disclaimer Statement. At the beginning of each political event, after the event is fully convened, the sponsoring University unit must deliver the following spoken disclaimer:

“This event is sponsored by _____. The use of the University of Vermont’s facilities for this event does not constitute an endorsement by the University. The University of Vermont does not endorse these candidates or organizations or any other candidates or organizations in connection with this or any other political campaign or election.”

e. Publicity. Promotional material for the political event may not state or imply that the University, any unit, or any institutional official endorses a political candidate or political organization or any position of a political candidate or political organization. Subject to this restriction, the University may otherwise publicize the event in any manner it deems appropriate and may arrange for coverage by media organizations, including campus media.

f. Costs, Expenses, Fees and Honoraria. Facilities rental charges will be waived, but the institutional sponsor must pay all service costs associated with the event, including, without limitation, security services, custodial services, parking assistance, audio-visual equipment set-up and operation, and the like. No compensation, honorarium, or expenses may be paid to any political candidate or political organization and no admission fee may be charged.

2. Political Events Sponsored By University-Recognized Groups and Organizations.

Event Sponsorship and Procedures:

a. Approval. A political event may be sponsored by a University-recognized student, faculty, or staff group or organization. The sponsorship must be approved by the organization’s president. Campus facilities will be made available for events in accordance with the Policies

and Procedures for Use of Facilities and Grounds and any associated guidelines. Receptions and other social activities must include all candidates who were invited to participate in the political event. The Vice President for Federal, State and Community Relations, or her/his designee, has final authority to approve or disapprove the use of University facilities for any political event.

b. Publicity. Promotional material for the political event may not state or imply that the University endorses the political candidate or political organization or any position of the candidate or organization. The sponsoring organization may limit the extent of media coverage of the event, subject to the University's right to publicize the event in any manner it deems appropriate.

c. Disclaimer Statement. At the beginning of each political event, after the event is fully convened, the political candidate or a representative of the political candidate, the political organization, or the sponsoring group or organization must deliver the following spoken disclaimer:

“This event is sponsored by _____. The use of the University of Vermont’s facilities for this event does not constitute an endorsement by the University. The University of Vermont does not endorse this candidate or organization or any other candidate or organization in connection with this or any other political campaign or election.”

d. Costs, Expenses, Fees and Honoraria. Facilities rental charges will be waived, but the sponsoring organization must pay all service costs associated with the event, including, without limitation, security services, custodial services, parking assistance, audio-visual equipment set-up and operation, and the like. The sponsoring group may charge admission only in an amount necessary to cover reasonable costs of the event.

3. Candidate or Campaign Use of University Facilities

Event Sponsorship and Procedures:

a. Approval. A candidate, campaign, political party, or other political organization acting independently, without a University sponsor, may request to rent University facilities. Campus facilities will be made available for events in accordance with this Policy and the Policies and Procedures for Use of Facilities and Grounds and any associated guidelines. The Vice President for Federal, State and Community Relations, or her/his designee, has final authority to approve or disapprove the use of University facilities for any political event.

b. Publicity. Promotional material for the political event may not state or imply that the University endorses the political candidate or political organization or any position of the candidate or organization. Requests for

press conferences or similar events on campus by, or on behalf of, political candidates or their campaigns are subject to this Policy.

c. Disclaimer Statement. At the beginning of each political event, after the event is fully convened, the political candidate or a representative of the political candidate or the political organization must deliver the following spoken disclaimer:

“This event is sponsored by _____. The use of the University of Vermont’s facilities for this event does not constitute an endorsement by the University. The University of Vermont does not endorse this candidate or organization or any other candidate or organization in connection with this or any other political campaign or election.”

d. Costs, Expenses, Fees and Honoraria. The political candidate or political organization must pay the full facility rental charge. The facility must be available, and the event must not interfere with University activities. The political candidate or political organization must pay all service costs associated with the event, including, without limitation, security services, custodial services, parking assistance, audio-visual equipment set-up and operation, and the like. The political candidate or political organization may charge admission only in an amount necessary to cover reasonable costs of the event. All facility rental charges and the estimated services costs must be paid in full in advance of the event.

General Procedures

Political Fundraising. No political fundraising activities may take place at, or in connection with, a political event held in University facilities.

Voter Registration Activities. Only non-partisan voter registration activities may take place in University facilities.

Institutional Resources. University employees and students are prohibited from using institutional resources (such as funds, vehicles, FAX or duplicating equipment, supplies, services, or mailing labels) for political campaign purposes, except as permitted by this Policy. When using campus email or other electronic format for any political activity announcement, an institutional disclaimer must be prominently featured within the communication. In addition, they may not use the University seal, letterhead, symbols, or other proprietary marks of institutional affiliation to endorse, or for or on behalf of, political parties, campaigns or candidates.

Political Appointments or Elective Office. Administrators, faculty and staff may accept political appointments or elective office in accordance with otherwise applicable University policies regarding conflicts of commitment or interest and leaves of absence.

Persons Employed in Federally-Aided Programs. Faculty and staff employed in federally-aided programs may be subject to the federal Hatch Political Activities Act.

Those persons should consult with the Office of the Vice President for Federal, State and Community Relations regarding their associated obligations.

Interpretation. Any questions or disputes arising under this Policy shall be referred to the Vice President for Federal, State and Community Relations for resolution.

Illustrative Guidance:

Examples of permissible activities include:

1. Non-partisan course work and assignments designed to educate students regarding the political process.
2. Non-partisan education or training programs created to enhance public understanding of the electoral process.
3. Student political editorials
4. Public forums to which all candidates are invited and to whom equal access and opportunity are provided.
5. Non-partisan candidate surveys or public opinion polls
6. Personal, individual membership in a political party
7. Voting in any elections (with time off as authorized by applicable leave policies)
8. Public expression of views in a personal capacity.

Examples of impermissible activities include:

1. Endorsement of political candidates by the institution, its officials, administrators, employees or agents in their official capacity
2. Donation of campaign contributions by institutional officials in their official capacity or on behalf of the institution.
3. University reimbursement of its officials, administrators, faculty or staff for political donations or activities.
4. Linkage of voter education or registration activities with campaign events
5. Participation in political activities during regularly scheduled work hours

Definitions

Political candidate: A person who has publicly announced an intention to be a candidate for national, state, or local public office or is being promoted publicly to join a race and become an official candidate. An incumbent public official is not a political candidate until she/he has publicly announced an intention to run for reelection or another public office.

Political event: An event at which a political candidate or political organization speaks or is prominently featured. "Political event" also includes any event that has the purpose or primary effect of promoting a particular political candidate. A classroom presentation by a political candidate or political organization at the request of the instructor of a credit or non-credit course of the University is not a political event if the speaker is chosen solely for reasons other than candidacy for public office, the individual speaks only in his or her non-candidate capacity, and no reference to the election is made.

Political organization: A political campaign organization, political party, political action committee, so-called "section 527 organization," or similar organization that supports a political candidate or the views of a political candidate.

Sponsor: A University college, school, center, academic department, administrative unit, or University-recognized organization that assumes financial responsibility for all University fees and charges associated with a political event.

University-recognized organization: An organization sanctioned by resolution of the Board of Trustees, approved by the President or Vice President for Finance and Administration, granted recognition as a matter of law (e.g. unions certified as employee representatives by the Vermont Labor Relations Board), or recognized by the Student Government Association ("SGA") in accordance with the criteria outlined in the SGA Constitution and Bylaws.

Procedures

See Policy Elaboration

Forms

None

Contacts

Questions related to the daily operational interpretation of this policy should be directed to:

Vice President for Federal, State and Community Relations
Phone: 802-656-2992

The Vice President for Federal, State and Community Relations is responsible for the review and interpretation of the Policy as needed.

This Policy will be applied consistent with IRS or other applicable legal guidance.

Related Documents/Policies

Academic Freedom (Officers' Handbook and UVM-United Academics Contract)
(<http://www.uvm.edu/~facsrcs/?Page=OfficersPage.html>)

Campus Demonstrations
(<http://www.uvm.edu/~uvmppg/ppg/student/dissent.pdf>)

Campus Speakers Policy
(http://www.uvm.edu/~uvmppg/ppg/general_html/campus_speaker.pdf)

Facilities and Grounds Use
(<http://www.uvm.edu/~uvmppg/ppg/facil/facsched.pdf>)

Our Common Ground
(<http://www.uvm.edu/~president/?Page=miscellaneous/commonground.html>)

Political Activities FAQ
(<http://www.uvm.edu/~ofscr/?Page=FAQs.html>)

Solicitation Policy
(http://www.uvm.edu/policies/general_html/solicitation.pdf)

Effective Date

Approved by the President on September 3, 2008.