



The University of Vermont

Policy V. 5.22.5

Responsible Official: Vice President for  
University Relations and Administration

Effective Date: January 20, 2015

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# **Political Activities: Tax Exempt Organization Restrictions - Interim**

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## **Policy Statement**

The University must comply with Internal Revenue Service (IRS) Regulations that prohibit the use of University resources in connection with political campaign activities in support of, or in opposition to, candidates. Therefore, 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.

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 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.

## **Reason for the Policy**

The purpose of this Policy is to establish guidelines and approval procedures for the conduct of political activity by the University and in University facilities, in compliance with federal law governing tax-exempt organizations.

## Applicability of the Policy

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

## Policy Elaboration

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, administrative unit, or governance group of the University; (2) political events sponsored by University-recognized groups and organizations; and (3) political events where candidates, campaigns, or other interested groups legally distinct from the University, 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 sponsor certain political events so long as they comply with the terms of this Policy and the Facilities and Grounds Use Policy.

**b. Approval.** A political event may be sponsored by a college, school, center, academic department, administrative unit, or governance group of the University. Sponsorship of the event must be approved by the applicable dean, director, or vice president charged with oversight of the sponsoring unit, as well as the Vice President for University Relations and Administration or his/her designee. Campus facilities will be made available for events in accordance with the Facilities and Grounds Use Policy and any associated guidelines. The Vice President for University Relations and Administration, or her/his designee, has final authority to approve or disapprove the use of University facilities for any political event and should be included in the planning process for all political events sponsored by the University.

**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. Receptions and other social activities associated with the political event must also include all candidates who were invited to participate in the political event. 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 to speak at a similar event sponsored by the University, and none is favored in relation to the activity. Separate and apart from political events, only non-partisan voter registration activities may be sponsored by the University.

**d. Disclaimer Statement.** At the beginning of each political event, after the event is fully convened, the sponsoring University unit must effectively communicate the following 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 in accordance with the Facilities and Grounds Use Policy, but the institutional sponsor must pay all service costs associated with the event, including, without limitation, event coordination and service fees. No compensation, honorarium, or expenses may be paid to any political candidate or political organization and no admission fee may be charged. No political fundraising activities may take place at, or in connection with a University sponsored political event.

## **2. POLITICAL EVENTS SPONSORED BY RECOGNIZED GROUPS AND ORGANIZATIONS**

**a. Participation and Sponsorship.** Organizations are encouraged to help educate and inform the campus community about upcoming elections, including urging individuals to exercise their right to vote. While the University encourages non-partisan, educational dialogue, organizations, consistent with the rights of its individual members, are free to express their collective views about political parties, candidates, and issues, and to sponsor events in support of the same, so long as they comply with the terms of this Policy and the Facilities and Grounds Use Policy.

**b. 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, and the Vice President for University Relations and Administration must be notified prior to reserving campus facilities for the event. Campus facilities will be made available for events in accordance with the Facilities and Grounds Use Policy and any associated guidelines. The Vice President for University Relations and Administration, or her/his designee, has final authority to approve or disapprove the use of University facilities for any political event.

**c. 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.

**d. Format.** University-recognized groups and organizations are permitted to invite candidates to campus for the purpose of educating the University community. Candidate speeches on a given topic, question-and-answer sessions, or similar communications are appropriate. However, events in the form of a campaign rally or fundraising event on behalf of a candidate are not permitted. Events may not be controlled by candidates or campaign staff. To the extent recognized groups wish to engage in voter registration activities, separate and apart from political events, they are encouraged to do so, provided it is made clear they are not acting on behalf of the University. Canvassing activities and voter registration drives on campus are necessarily and strictly limited to reserved tables and public spaces in accordance with the University's Solicitation Policy.

**e. 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 effectively communicate the following 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.”**

**f. Costs, Expenses, Fees and Honoraria.** Facilities rental charges will be assessed in accordance with the University's Facilities and Grounds Use Policy, and the sponsoring organization must pay all service costs associated with the event, including, without limitation, event coordination and service fees. No compensation, honorarium, or expenses may be paid to any political candidate or political organization by a University-recognized group or organization. The sponsoring group may charge admission only in an amount necessary to cover reasonable costs of the event. No political fundraising activities may take place at, or in connection with, a political event held under this section. No University derived funding may be used to conduct political activities or to make political contributions.

### **3. CANDIDATE, CAMPAIGN OR PRIVATE USE OF UNIVERSITY FACILITIES**

**a. Participation and Sponsorship.** The University, through its Office of Conference and Event Services, regularly permits the rental of University facilities for private events at fair market value. In the case of political events, the University will make its facilities available for rent to candidates, campaigns and other interested parties on an equal basis in accordance with established University Policy and subject to availability.

**b. Approval.** Campus facilities will be made available to candidates, campaigns and other interested parties for political events in accordance with this Policy and the Facilities and Grounds Use Policy and any associated guidelines. The Vice President for University Relations and Administration, or her/his designee, has final authority to approve or disapprove the use of University facilities for any political event, and must be notified of all requests for use of campus facilities prior to Conference and Event Services confirming space.

**c. 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.

**d. Format.** The structural format of a political event held in University facilities by a Candidate, Campaign, or other interested party is in that group's discretion, and they remain fully responsible for their own compliance with IRS Regulations and other sources of law which may apply to the conduct of political activities. The University is acting purely as an arms-length lessor of space.

**e. Canvassing.** The University does not permit any candidate, campaign, or other interested party to engage in solicitation, campaigning, or other door-to-door canvassing activities in staff or faculty offices, student residence halls, or other private work or living areas. Canvassing activities are necessarily limited to publicly accessible areas consistent with the University's Solicitation Policy.

**f. 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 effectively communicate the following 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.”**

**g. Costs, Expenses, Fees and Honoraria.** The political candidate or organization must pay the full facility rental charge in accordance with the Facilities and Grounds Use Policy, and must pay all service costs associated with the event, including, without limitation, event coordination and service fees. The political candidate or organization may establish and charge admission for their event. All facility rental charges and the estimated services costs must be paid in full in advance of the event.

## **General Procedures**

**Institutional Resources.** University employees and students are prohibited from using institutional resources (such as, but not limited to, funds, vehicles, FAX or duplicating equipment, supplies, services, intercampus mail, or mailing lists) 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. For further details, refer to the University's Policies on the Use of Campus Mail and Letterboxes ([http://www.uvm.edu/policies/general\\_html/campusmail.pdf](http://www.uvm.edu/policies/general_html/campusmail.pdf)) and Computer, Communication and Network Technology Acceptable Use (<http://www.uvm.edu/policies/cit/compuse.pdf>).

**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 University Relations and Administration regarding their associated obligations.

**Interpretation.** Any questions or disputes arising under this Policy shall be referred to the Vice President for University Relations and Administration for resolution.

## **Illustrative Guidance**

Examples of *permissible* University 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. University sponsorship of 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 conducted by the University.
6. Personal, individual membership in a political party.
7. Voting in any elections or participating in political activities during regularly scheduled work hours, provided time off is taken as authorized by applicable leave policies.
8. Public expression of views in a personal capacity.

Examples of *impermissible* University 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 sponsored by the University.
5. Employee participation in political activities during regularly scheduled work hours without the use of leave time.

## Definitions

*Governance Group:* Organizations that have official University functions and responsibilities, including, but not limited to, the Faculty Senate, Staff Council, Student Government Association, Graduate Student Senate, Inter-Residence Association, Inter-Fraternity Council, and Pan-Hellenic Council, are deemed to be administrative units of the University for purposes of this Policy.

*Non-Partisan:* Non-partisan activities are those that provide equal access and do not favor or oppose a particular candidate, party or viewpoint.

*Political candidate:* A person who has publicly announced an intention to be a candidate for a public office (national, state, local or political party 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. Individuals being considered for appointed office are excluded from this definition.

*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 Fundraising:* The solicitation or collection of money, or pledges of money, for a political candidate or organization. The sale of a candidate's books, campaign souvenirs, or other merchandise does not constitute fundraising by a University-recognized organization, provided the price charged does not exceed its retail value and the proceeds are not contributed, directly or indirectly, to a political candidate or organization.

*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 approved under the terms of the University’s Group and Organization Recognition Policy. For purposes of this Policy, and in compliance with IRS regulations, organizations with separate legal/tax status, including, but not limited to, certified labor unions and University Affiliated Organizations, shall be excluded from this definition and shall be considered an “other interested party” under section (3) above.

## **Procedures**

See Policy Elaboration

## **Forms**

None

## **Contacts**

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

Federal, State and Community Relations  
300 Waterman Building  
Phone: (802) 656-5690  
Website: <https://www.uvm.edu/urel>

The Vice President for University Relations and Administration 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**

Affiliated Organizations  
[http://www.uvm.edu/policies/general\\_html/affiliated\\_organizations.pdf](http://www.uvm.edu/policies/general_html/affiliated_organizations.pdf)  
Campus Demonstrations  
<http://www.uvm.edu/policies/student/demonstrations.pdf>  
Campus Speakers Policy  
[http://www.uvm.edu/~uvmppg/ppg/general\\_html/campus\\_speaker.pdf](http://www.uvm.edu/~uvmppg/ppg/general_html/campus_speaker.pdf)  
Computer, Communication, and Network Technology Acceptable Use  
<http://www.uvm.edu/policies/cit/compuse.pdf>



Facilities and Grounds Use

<http://www.uvm.edu/~uvmppg/ppg/facil/facsched.pdf>

Group and Organization Recognition

[http://www.uvm.edu/policies/general\\_html/grouprecognition.pdf](http://www.uvm.edu/policies/general_html/grouprecognition.pdf)

Solicitation Policy

[http://www.uvm.edu/policies/general\\_html/solicitation.pdf](http://www.uvm.edu/policies/general_html/solicitation.pdf)

University Name, Symbols, Letterhead, and other Proprietary Indicia of Affiliation

[http://www.uvm.edu/policies/general\\_html/letterhead.pdf](http://www.uvm.edu/policies/general_html/letterhead.pdf)

Use of Campus Mail and Letterboxes

[http://www.uvm.edu/policies/general\\_html/campusmail.pdf](http://www.uvm.edu/policies/general_html/campusmail.pdf)

## **Effective Date**

Approved by the President January 22, 2015