

Political Activities Policy

LAST REVISED ON 04/2020

This policy applies to: All University faculty and staff

I. Purpose

It is University policy to encourage members of the University faculty and staff to be active and engaged citizens and to participate fully in political activity, whether by expressing viewpoints on political issues, participating in political campaigns, running as candidates for office, or holding political office. Federal law prohibits the University from participating or intervening in any political campaign on behalf of or in opposition to any candidate for public office or political party. Political intervention includes not only making a financial contribution but also the publication or distribution of oral or written statements on behalf of or in opposition to a political candidate or party. There are no exceptions to this prohibition. The purpose of this policy is therefore to define certain limitations which preserve the University's tax exempt status. More specifically, the purposes of this policy are:

A. To preserve, in fact and in appearance, the University's non-partisan, independent, tax exempt status;

B. To preserve University resources of all sorts (including among others, faculty and staff time, University space, equipment, supplies, and services) for the University's educational, research, and related functions; and

C. To protect against any conflicts of interest or commitment that may infringe on the ability of University personnel to perform their official University duties and meet their responsibilities with maximum effectiveness and objectivity.

II. Policy

As a tax exempt entity, the University must abide by federal and state laws that prohibit the use of University facilities, services or personnel to promote or support individuals or organizations campaigning for public office and that prohibit the University (or any of its related entities) from contributing to or supporting political candidates or parties.

Therefore, no University resources may be used for political purposes, including, but not limited to, personnel, email accounts, copiers, office space, vehicles or publications.

These restrictions on political activity do not apply to any employee acting solely in an individual capacity on his/her own time and utilizing his/her own resources.

III. Prohibited Activity and General Guidelines

A. Prohibited Activity

Certain activity is expressly prohibited under this policy, as summarized in the subsections below:

1. The University will not attempt to influence an individual's personal political affiliation or activity, nor will the University infer that a given political affiliation is expected, desired, or is to be avoided by the faculty or staff.
2. University property, offices, meeting or class rooms, and auditoriums and grounds shall not be used for political activities, including to solicit funds for political support or to carry on a political campaign. (This guideline shall not be interpreted to prevent the use of University facilities for legitimate educational programs on political topics so long as the program is viewpoint neutral or opposing viewpoints are fairly represented and is reasonably viewed as non-partisan.) If any University employee wishes to ensure that all requirements are followed, he or she should consult with the Office of Government and Community Relations.
3. Staff and other University resources, such as University letterhead, University mailing lists or labels, office supplies, equipment, copying and duplicating machines, email, intramural mail, mailing lists, bulletin boards and telephones shall not be used for political activities.
4. Faculty and staff members shall not use regularly scheduled University work time for personal or partisan political activity.

B. General Guidelines

1. **Employees Speaking Out on Political Issues:** Members of the faculty or staff who wish to participate in political activities or to express themselves in the public media on political or social issues, such as at campaign events, editorials, blogs and other public media, or in connection with voter registration efforts, do so as individual citizens, and shall refrain in those activities from using their University titles, the name of the University or any University department or organizational unit that may permit the inference that they are acting for or are endorsed by the University or that they represent the faculty or staff. Though employees may be identified by a University job title or job description, the association with the University should be made only for purposes of identification. If identified by title or job description or as a University employee, employees should take care to indicate that the comments are personal and do not represent the views and/or are not intended to represent the views of the University. A statement such as the following can clarify this: “Titles and affiliations of each individual are provided for identification purposes only and do not reflect the views of the University.” In addition, employees may not utilize University resources, including their University email accounts, to distribute campaign messages, petitions and/or related material. Further, University web pages may not be used to provide links to political information (i.e., links to candidate web pages or political statements, etc.).
2. **Employees Involved in Political Campaigns:** Federal law prohibits the University, a non-profit, tax exempt entity, from raising funds for, or otherwise supporting or opposing, a political candidate or political party. This prohibition includes the use of University facilities, personnel, electronic equipment, email accounts, or other University resources for partisan political activities. Employees may not use the University’s logos, letterheads, symbols, or other identifiable marks of institutional affiliation (including photos of University buildings) to endorse or promote political

parties, campaigns or candidates. University funds also cannot be used to reimburse individuals for political donations and no employee can implicitly or explicitly require or pressure any University employee to make a political contribution.

3. **Use of University Facilities by University Groups:** University-related organizations composed solely of members of the University community may use available meeting rooms to engage in partisan political campaign activities within the University community provided that such organizations (i) pay for the costs of such activities, and (ii) pay full rental fees for the use of such facilities. A disclaimer should be made at the beginning of the event and in any printed materials that the University does not support or oppose candidates for political office and that the opinions expressed are not those of the University. Advance notice must be given to the Office of Government and Community Relations for all activities related to such use. The University's outdoor grounds may not be used for partisan political events.
4. **Use of University Facilities by Outside Groups:** Organizations that are not composed solely of members of the University community are ineligible for use of University facilities or space to engage in partisan political activities. Questions should be directed to the Office of Government & Community Relations.
5. **Candidates Presence at Public Events:** Political candidates can visit the University without an invitation for events that are open to the public. However, fundraising is not permitted while in attendance.
6. **Reassignment in Event of Conflict of Interest:** If a faculty or staff member's University duties and responsibilities relate to or may be in conflict with his or her political activities or to a public office he or she holds, an adjustment in University assignment may be necessary. The intent in making a change in position or duties should be to remove inferences that the University's position might be used or is

being used for political benefit, or that official actions or effectiveness at the University might be altered by political considerations stemming from one's outside activities.

Faculty and staff who expect to participate in political activity that could cause conflict with their University duties are expected to discuss the matter promptly with the appropriate dean, director or department head, and the Office of Government & Community Relations. A dean, director or department head who perceives that the activity of a faculty or staff member may involve such a conflict shall initiate such a discussion. The objective of the discussion is a complete understanding and, if necessary, agreement as to a plan for changes of duties, use of paid leave, or other administrative actions sufficient to protect the University's interests.

Partisan political activity shall be regarded as personal business. Any changes of position, use of accrued time off, or leaves of absence shall be provided under the policies and regulations normally applicable to the faculty or staff members concerned, except as otherwise provided under New York Election Law § 3-110. Under § 3-110, a registered voter may, without loss of pay for up to two hours, take off as much working time as will enable the voter to vote at any election if the voter does not have four consecutive hours either between the opening of the polls and the beginning of work, or between the end of work and the closing of the polls. Such time shall be taken at the beginning or end of the work shift, unless otherwise mutually agreed.

An employee seeking to benefit from Election Law § 3-110 must give advance notice to his/her supervisor or Human Resources no more than 10 working days and no less than two working days before the day of an election.

C. Any questions or concerns regarding this policy should be referred to the University's Office of Counsel (585) 273-2167 (tel:5852732167) or the Office of Government & Community Relations (585) 273-5955 (tel:5852735955).

See also:

- #109 Solicitation, Canvassing, and Leafleting Activity Affecting the University
(<https://www.rochester.edu/policies/policy/solicitation/>)
- #113 Conflict of Interest (<https://www.rochester.edu/policies/policy/conflict-of-interest/>)
- Policy Governing Lobbying Activities, Expenditures, and Gifts

ABOUT THIS POLICY

Policy Applies To

Faculty, Staff

Policy Number

112

Policy Group

Misc

Issuing Authority

Human Resources

Responsible Officer

Kathy Miner

Contact Information

kathy.miner@rochester.edu ([mailto: kathy.miner@rochester.edu](mailto:kathy.miner@rochester.edu))

RELATED POLICIES

Outside Employment (Moonlighting) (<https://www.rochester.edu/policies/policy/outside-employment/>)

Conflict of Interest (<https://www.rochester.edu/policies/policy/conflict-of-interest/>)

POLICY KEYWORDS

Conduct (<https://www.rochester.edu/policies/all/?filter%5Btopics%5D=346>)

Fundraising (<https://www.rochester.edu/policies/all/?filter%5Btopics%5D=436>)

Politics (<https://www.rochester.edu/policies/all/?filter%5Btopics%5D=516>)