

TEMPLE UNIVERSITY

BOARD OF TRUSTEES

POLICIES AND PROCEDURES MANUAL

Title: Political Campaign Activities
Policy Number: 07.50.01
Issuing Authority: Office of the President
Responsible Officer: University Counsel

Date Created: June 30, 2011
Date Last Amended/Reviewed: June 30, 2011
Date Scheduled for Review: June 2014
Reviewing Office: University Counsel

Scope of Policy

The primary purpose of the university is to create and share knowledge. Toward that end, the university promotes research into and discussion of important issues in society inside and outside of the classroom, including the free expression and exchange of political viewpoints and ideas. 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, nor does it aim to restrict the pursuit of knowledge. At the same time, as a tax-exempt institution, the university is prohibited by federal tax laws and regulations from engaging in certain types of political campaign activities, and certain types of politically-related involvement by university employees may be incompatible with the individual's employment responsibilities.

Definitions

Political candidate: A person who has publicly announced an intention to be a candidate for election to any public office or is being promoted publicly to join a race and become an official candidate. A viable candidate is someone whom the media, the public and political observers believe can generate support and potentially win an election. Candidates must have the capability to fundraise effectively and win public support in opinion polls to be considered viable. 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 the election of 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.

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.

University-recognized organization: An organization sanctioned by resolution of the Board of Trustees, approved by the president or treasurer, granted recognition as a matter of law (e.g. unions certified as employee representatives by the Pennsylvania Labor Relations Board), or recognized by the Division of Student Affairs.

Policy Statement

University employees and representatives, in their official capacities for the university, are prohibited from participating or intervening, directly or indirectly, in any political campaign on behalf of, or in opposition to, any candidate for public office. In addition, university employees and representatives, in their official capacities, are not permitted to make public or media statements in support of, or in opposition to, a political campaign or candidate for elected public office, or to make a contribution or cause others to make contributions to partisan political election campaigns. When a university employee or representative makes any partisan political statement in his/her capacity as a private citizen, such employee or representative must indicate clearly that he/she is expressing a personal view and is not representing the university or speaking for, or on behalf of, the university. Finally, university facilities, funds and other assets (including university publications) may not be used for partisan political campaign activities of any kind, except as specified in this policy.

Policy Elaboration

1. Political Events Sponsored by the University
 - a. Participation and Sponsorship. The university is a state-related, tax-exempt institution and therefore is not permitted to endorse any partisan political candidate for elected public office. The university may provide opportunities, however, to educate its students, faculty, staff, and citizens at large on the electoral process through candidate lectures, forums, debates and other political discourse. As detailed below, the university

may, as an institution or through its academic or administrative units, sponsor certain political events, subject to the following terms and conditions.

b. Institutional Event Procedures.

- i. 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 in advance by the senior university officer designated by the president as responsible for political activities and by university counsel. A university-sponsored political event must be in the format of a candidate forum or debate in which all viable candidates for a political office are invited to participate on an equal basis. University facilities will be made available for such events in accordance with this and other applicable university policies. Receptions and other social activities associated with the event must include all candidates who were invited to participate in the political event.
- ii. Publicity. All promotional material for political events must include appropriate statements indicating that the university, the unit sponsoring the event, and university officials do not endorse any political candidate or political organization or any position of a political candidate or political organization. Subject to this restriction, university officers may otherwise publicize the event in any appropriate manner and may encourage or arrange for coverage by media organizations, including university media.
- iii. Costs, Expenses, Fees and Honoraria. Subject to prior written approval by the senior university officer with responsibility for political activities, facilities use charges for a university-sponsored political event may be waived for facilities managed directly by the university (but excluding, for example, the Liacouras Center, which is managed by an independent contractor and does not fall within the ambit of this policy), but the institutional sponsor must pay all ancillary service costs associated with the event, including, without limitation, security, custodial, parking, 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, no admission fee may be charged, and no political fundraising activities may be conducted.

2. Political Events Sponsored by University-Recognized Student Organizations.

Event Sponsorship and Procedures:

- a. Approval. A political event may be sponsored by a university-recognized student organization in accordance with the policies and procedures established by the Division of Student Affairs for student-sponsored events in general. The sponsorship must be approved by the organization's president, as well as the cognizant official in Division of Student Affairs and the senior university officer with responsibility for political activities. University facilities may be made available for such events in accordance with this and other applicable university policies.
- b. Publicity. Promotional material for the political event may not state or imply that the university endorses a political candidate or political organization or any position of a candidate or organization.
- c. Disclaimer. At the beginning of any political event, after the event is fully convened, the political candidate or a representative of the political candidate, the political organization, or the sponsoring student organization must deliver the following spoken disclaimer: "This event is sponsored by _____. The use of Temple University's facilities for this event does not constitute an endorsement by the university. Temple University does not endorse this or any candidate or organization or any position of this or any candidate or organization in connection with this or any other political campaign or election."
- d. Costs and Expenses. Subject to prior approval by the senior university officer responsible for political activities, facilities use charges for such events may be waived for facilities managed directly by the university (but excluding, for example, the Liacouras Center which is managed by an independent contractor and does not fall within the ambit of this policy), but the sponsoring student organization is responsible for payment of all ancillary service costs associated with the event, including, without limitation, security, custodial, parking, and the like. No political fundraising activities may be conducted.

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 that otherwise are available for rental generally by external groups. Campus facilities may be made available for such events in accordance with applicable facilities use policies and any associated guidelines. University counsel, or his/her designee, has final authority to approve or disapprove the use of university facilities for any such event. In addition, certain university facilities, such as the Liacouras

Center, are managed by independent contractors; rental of those facilities is determined by the independent contractor.

- b. **Publicity.** Promotional material for the candidate or campaign event may not state or imply that the university endorses a political candidate or political organization or any position of a 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.** At the beginning of any 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 Temple University’s facilities for this event does not constitute an endorsement by the university. Temple University does not endorse this or any candidate or organization or the position of this or any candidate or organization in connection with this or any other political campaign or election.”
 - d. **Costs and Expenses.** The political candidate or political organization must pay the full facility use charge and other wise comply with applicable facilities use policies. The political candidate or political organization must pay all ancillary service costs associated with the event, including, without limitation, security, custodial, parking, 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 its reasonable costs of the event. No political fundraising activities may be conducted. All facility use charges and the estimated ancillary service costs must be paid in full prior to the event.
4. **Institutional Resources.** University employees and representatives are prohibited from using institutional resources (such as funds, vehicles, communications, duplicating or other equipment, supplies, services or mailing labels), for partisan political campaign purposes, except as specifically permitted by this Policy. In addition, use of the university seal, letterhead, symbols, or other proprietary marks of institutional affiliation may not be used in any communications or activities that endorse a political party, campaign or candidate.
5. **Candidacy for Elective Public Office**

The candidacy of a university employee for election to a public office requiring full-time service or for election to a public office requiring part-time service for which compensation is more than nominal is presumed to create a conflict of commitment that materially interferes with the employee’s

responsibilities to the university and requires that the employee either obtain an appropriate leave of absence or resign from university employment.

The candidacy of a university employee for election to a public office requiring part-time service, for which no compensation is paid or for which the compensation is nominal, is not presumed to create a conflict of commitment that interferes materially with responsibilities owed to the university; provided that if the president or his/her designee believes that the employee's candidacy will create a material conflict of commitment, the question may be referred for resolution in accordance with the university's applicable conflict of interest and conflict of commitment policies.

6. Political Appointments or Elective Office. Upon election to or acceptance of appointment to a public office requiring full-time service, an employee of the university will be deemed to have resigned from his or her university employment; provided that if deemed practicable by the president or his/her designee, the employee may be granted an unpaid leave of absence from university employment, to coincide with the period of public service, not to exceed two years. Administrators, faculty and staff may accept political appointments or elective office requiring part-time service in accordance with otherwise applicable university policies regarding conflicts of commitment or interest and leaves of absence.
7. Persons Employed in Federally-Aided Programs. Faculty and staff employed in federally-aided programs may be subject to limitations imposed pursuant to the federal Hatch Act. Those persons should consult with university counsel regarding their associated obligations.
8. Interpretation. Any questions or disputes arising under this policy shall be referred to university counsel for resolution.
9. Illustrative Guidance:
 - a. Examples of permissible activities include:
 - i. Non-partisan course work, curricular activities and assignments designed to educate students regarding the political process.
 - ii. Non-partisan education or training programs created to enhance public understanding of the electoral process.
 - iii. Student political editorials, and financial support to a student newspaper that publishes editorial opinions on political and legislative matters.
 - iv. Public forums to which all viable candidates are invited and to whom equal access and opportunity are provided.
 - v. Non-partisan public opinion polls regarding issues (rather than candidates), provided that questions are framed to be fair and neutral and do not directly or indirectly concern records or positions of particular candidates or parties.

- vi. Personal, individual membership in a political party.
- vii. Voting in any elections (with time off as authorized by applicable leave policies).
- viii. Public expression of views in a personal capacity.
- ix. Personal contributions to a candidate for elected public office, provided that university resources are not used in connection with the effort.

b. Examples of impermissible activities include:

- i. Endorsement or other support of political candidates by the institution, its officials, administrators, employees or agents in their official capacity.
- ii. Campaign contributions by institutional officials or representatives in their official capacity or on behalf of the institution, and solicitation of campaign contributions by university employees or representatives in their official capacities.
- iii. University reimbursement of its officials, administrators, faculty or staff for political donations or activities.
- iv. Linkage of voter education or registration activities with partisan campaign events.
- v. Participation in political activities during work time.

Interpretation

The Office of University Counsel is responsible for the review and interpretation of the Policy.

Notes

1. Dates of official enactment and amendments:

Adopted by the president on June 30, 2011.

2. History:

Initial Policy Effective Date: June 30, 2011

Last Amended: June 30, 2011

3. Cross References/Appendix:

None