



# UNIVERSITY OF RICHMOND

## Policy Manual

<b>Policy #:</b>	GOV-4001	<b>Policy Title:</b>	Policy on Political Campaign Activities on Campus
<b>Effective:</b>	10/12/2016	<b>Responsible Office:</b>	General Counsel
<b>Date Approved:</b>	10/12/2016	<b>Approval:</b>	Vice President & General Counsel
<b>Replaces Policy Dated:</b>	N/A	<b>Responsible University Official:</b>	Vice President & General Counsel

### PURPOSE:

This policy is designed to ensure that the University of Richmond complies with applicable laws and regulations regarding political campaign activity.

### SCOPE:

This policy applies to the use of University resources and facilities by students, faculty, and staff and to the conduct of University employees acting in an official capacity. It also applies to organizations or entities in which the University owns a controlling interest or has the right to elect the majority of the entity’s governing board (hereinafter “Affiliates”).

This policy *does not* apply to or restrict in any way the discussion of political issues, teaching of politics or campaign-related subjects, or academic research involving political issues, or campaigns. All students, faculty, and staff are free to express political opinions and engage in political activities in their individual capacities, but should avoid the appearance that they are speaking or acting on behalf of the University in political matters.

This policy *does not* apply to campaigns for student government offices.

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### POLICY STATEMENT:

#### *GOV-4001.1 – Definitions*

1. **Candidate:** An individual who offers himself or is proposed by others as a candidate for an elective public office, whether a national, state, or local office. The definition includes a person who has either declared his or her candidacy or is an incumbent who is seeking or is likely to seek re-election and whose

proposed appearance is campaign-related. The appearance of an elected official will not be considered to be campaign-related if such official will give a speech on a matter of public policy or legislation and/or if the timing of such appearance is not in close proximity to an election cycle. For purposes of this policy, the term candidate also includes campaign surrogates speaking on behalf of the candidate or his/her campaign.

2. Intervention in a political campaign: Intervention in a political campaign includes, but is not limited to publishing or distributing written or printed statements or making of oral statements on behalf or in opposition to a candidate.

## *GOV-4001.2 – Policy*

As a charitable entity exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, the University is prohibited by law from participating, directly or indirectly, or intervening in political campaigns at the federal, state, or local level. The University's facilities and resources may be used in connection with political campaigns only as permitted by this policy.

### *A. Permitted Activities*

The following activities by University students, faculty, or staff are permitted on the University's campus, with the use of University resources, and do not require prior review (as described in Section C, below).

1. Non-Partisan Voter Education and Registration Programs. Programs that seek to educate people about the electoral process or encourage individuals or groups to register to vote are permissible provided that they are conducted in a non-partisan manner and are not intended to target voters of a particular political party or help particular candidate.
2. Compilation and Distribution of Voting Records. Initiatives to compile and distribute the voting records of legislators are permissible provided that they:
  - o Involve a wide range of topics;
  - o Are not skewed toward a particular political position, party, or candidate;
  - o Are presented without editorial opinion;
  - o Do not coincide with an election period; and
  - o Do not rate legislators or candidates for office.
3. Unbiased Questionnaires to Candidates. Circulating, tabulating and distributing the results of unbiased questionnaires to candidates for public office is permissible provided they:
  - o Cover a broad range of topics;
  - o Are not skewed toward a particular political position, party, or candidate;
  - o Are presented without editorial opinion; and
  - o Allow reasonable time for candidates to complete.

4. Public Opinion Polls. Conducting a public opinion poll is permissible if the questions are fair and neutral, accepted polling techniques are used, the poll does not directly or indirectly seek to support or oppose a candidate for public office (*e.g.*, a push poll), and is conducted for academic research or as a public service.
5. Candidate Interviews, Editorials, and Advertising in Student Media. Recognized student newspapers, magazines, and radio stations may, in the ordinary course of covering of public issues, interview candidates for public office and publish political cartoons. They may also publish or broadcast editorials endorsing a political candidate *provided*, that the student newspaper, magazine, or radio station clearly issues a disclaimer that the views expressed are not those of the University. Student newspapers, magazines, and radio stations may accept paid ads from political candidates as long as such opportunity is available to all candidates at the same rates charged to other advertisers.
6. Student Political Organizations. Recognized student political clubs and organizations (*e.g.*, College Republicans, College Democrats) may use University facilities and resources on the same basis and with same fees, if any, as other student organizations. Student political clubs and organizations must follow Sections B& C of this policy when sponsoring candidate appearances on campus.

## B. *Candidate Appearances*

The University recognizes that campus speeches and certain appearances by candidates for public office provide unique educational opportunities for students to witness the political process first hand and to become educated about the positions of candidates on key issues of the day. The following types of candidate appearances are permissible, *if approved through the process described in Section C*, of this policy.

1. Appearances Sponsored by Student Organizations. All recognized student political clubs and organizations may invite candidates or campaign surrogates of their choosing to speak on campus. Recognized student political clubs and organizations will have access to University facilities for candidate speeches on the same terms and conditions applicable to other student organizations. When sponsoring a speech by a candidate for political office, the student political club or organization must comply with the following, in addition to other applicable University rules and policies:
  - The event cannot be a campaign rally. Instead, it must be a speech or debate with opportunity for questions and answers from the audience.
  - Campaign fundraising at the event is prohibited.
  - The event must be open to the campus community.
  - Posters, social media, emails, flyers, and websites promoting the event must include a disclaimer identifying the sponsoring student organization and stating that the University of Richmond does not endorse candidates for public office. Where possible, the following language should be used: “This event is sponsored by [*name of student organization*]. The use of University of Richmond facilities for this event does not constitute an endorsement by the University. The views expressed during this event are those of the speaker and not the University. The University of Richmond does not endorse or oppose candidates for public office.”
  - Posters, social media, emails, flyers, and websites promoting the event shall not contain any registered logo or mark of the University of Richmond, including the University shield or the Spider silhouette.

- At the beginning of the event, a representative of the student political club or organization shall deliver the following disclaimer to the audience: “This event is sponsored by [*name of student organization*]. The use of University of Richmond facilities for this event does not constitute an endorsement by the University. The views expressed during this event are those of the speaker(s) and not the University. The University of Richmond does not endorse or oppose candidates for public office.”
  - The recognized student political club or organization sponsoring the event is responsible for complying with this policy and for communicating these requirements to the candidate and the campaign staff.
2. Appearances Sponsored by the University. The University may invite candidates for elected office to speak on campus individually or in a candidate forum. Members of the faculty or staff who wish to request that the University sponsor a candidate appearance or forum, should following the process set forth in Section C of this policy. In sponsoring such appearances, the University will comply with the following:
- The event cannot be a campaign rally. Instead, it must be a speech, candidate forum, or debate, preferably with opportunity for questions and answers from the audience.
  - Campaign fundraising at the event is prohibited.
  - The event must be open to the campus community.
  - If the University invites a candidate to speak individually, the University will provide an equal opportunity to all other legally qualified, major party candidates for that office.
  - If the University hosts a candidate forum, all legally qualified, major party candidates for the same office shall be invited and given equal opportunity to speak. The format and content of the forum shall be neutral and shall not directly or indirectly favor a particular candidate.
  - If the University hosts a candidate debate, the event shall comply with applicable debate rules (*e.g.*, those of the Commission on Presidential Debates). The University shall ensure that the criteria for selecting participants is non-partisan and that the format or structure of the debate is not designed to promote or advance one candidate over others.
  - The University will designate a non-partisan moderator for the event who will ensure that all ground rules for the event are followed.
  - Posters, social media, emails, flyers, and websites promoting the event must include a disclaimer stating that the University of Richmond does not endorse candidates for public office. Where possible, the following language should be used: “The use of University of Richmond facilities for this event does not constitute an endorsement by the University. The views expressed during this event are those of the speaker(s) and not the University. The University of Richmond does not endorse or oppose candidates for public office.”
  - At the beginning of the event, the event moderator or another speaker shall deliver the following disclaimer to the audience: “The use of University of Richmond facilities for this event does not constitute an endorsement by the University. The views expressed during this event are those of the speaker(s) and not the University. The University of Richmond does not endorse or oppose candidates for public office.”

3. Appearance by Candidates for Non-Campaign Purposes. Candidates for public office may appear on campus for non-campaign related activities, such as classroom lectures or educational or informational talks to the University community. Other than classroom lectures at the invitation of the faculty member teaching the class, such appearances must be sponsored by a University department or officially recognized campus organization. Other than classroom lectures at the invitation of the faculty member teaching the class, all such appearances must be approved as provided in Section C of this policy. Additionally, all such appearances must comply with the following:
  - The individual(s) is/are chosen to speak for reasons other than candidacy for public office.
  - The individual speaks in a non-candidate capacity.
  - The event or organization maintains a nonpartisan atmosphere.
  - No specific organized campaigning activity occurs in connection with the event, even by third parties.
  - The campus event involving a candidate should not be dictated by, or put under the control of, a candidate, his or her representatives, or any outside organization.
  - Other than classroom lectures at the invitation of the faculty member teaching the class, any such event must be open first to the entire University community (without preference based on political affiliation) and then, if space permits, to the general public (again, without preference based on political affiliation).
4. Non-Sponsored Events. A political campaign or a third-party organization may seek to use University facilities for a candidate appearance or political event. Such requests shall be evaluated initially by the University's Events, Conferences and Support Services staff in accordance with its policies and procedures applicable to all other third-party requests to use University facilities. Such initial evaluation shall include determining whether the requested and/or appropriate space is available on the dates requested, the availability of University staff to support the event, and the logistics involved in permitting the event. This review shall be conducted in a non-partisan manner that does not favor any candidate, political party, or political opinion. If the Events, Conferences and Support Services determines that the University has the facilities and resources to support the event, then the request shall be reviewed in accordance with the process set forth in Section C of this policy. All such events shall comply with the following:
  - Campaign fundraising at the event is prohibited.
  - The University will provide an equal opportunity to all other legally qualified, major party candidates for that office to rent space on the same terms and conditions.
  - The University shall charge the candidate or campaign its usual and customary rates for the space and support services, if any.
  - The University shall prohibit the candidate or campaign from using any registered logo or mark of the University of Richmond, including the University shield or the Spider silhouette, on posters, social media, emails, flyers, and websites promoting the event.
  - The University shall use reasonable efforts to require the candidate or campaign to include in posters, social media, emails, flyers, and websites promoting the event must include a disclaimer substantially similar to the following: "The use of University of Richmond facilities for this event does not constitute an endorsement by the University. The views expressed during this event are

those of the speaker(s) and not the University. The University of Richmond does not endorse or oppose candidates for public office.”

- The University shall use reasonable efforts to require, at the beginning of the event, that the event moderator deliver a disclaimer to the audience substantially similar to the following: “The use of University of Richmond facilities for this event does not constitute an endorsement by the University. The views expressed during this event are those of the speaker(s) and not the University. The University of Richmond does not endorse or oppose candidates for public office.”

## C. *Review Process for Appearances by Candidates on Campus.*

The staff of the University’s Events, Conferences and Support Services Office will review all requests to use University facilities for candidate appearances in accordance with its standard policies and procedures, including the Centralized Scheduling Policy. Upon completion of that review process, the Director of Events, Conferences and Support Services, or his/her designee, shall make a preliminary recommendation to the Executive Vice President and Chief Operating Officer, the Vice President and General Counsel, and the Vice President and Secretary to the Board of Trustees regarding the University’s ability to host the event, based on the availability of facilities, support staff, other event obligations, security, logistics, and compliance with this policy. The Vice President for Business and Finance and the Vice President and General Counsel shall review the recommendation and consult, as necessary, with the President and members of the President’s Cabinet, before making a final decision regarding the event.

The review process described in this Section C shall be conducted in a non-partisan and equitable manner and shall not favor or disadvantage any candidate for public office based on political party or political opinions or positions.

## D. *Prohibited Activities.*

The following campaign-related activities are prohibited on the campus or in connection with the use of University facilities:

1. **Fundraising.** All fundraising activities related to raising money for political campaigns are strictly prohibited. Funds or contributions for political candidates or campaigns may not be solicited in the name of the University, and University resources may not be used in soliciting such funds. If students, faculty, or staff make political contributions, they must do so as individuals and not on behalf of the University. Administrative officers, faculty, and staff, and any person or organization acting on their behalf, may not solicit or accept funds or contributions for political candidates or campaigns from donors identified through donor rolls or other University records or directories.
2. **Donations to Campaigns, PACs.** The use of University funds to make donations to a campaign or a political action committee (“PAC”) is prohibited. Similarly, the University shall not reimburse University employees for donations to campaigns or PACs.
3. **Use of University Name, Logos, or Marks.** Use of the name, logo, or registered marks of the University or any of its schools or other units on letters or other materials intended to support or oppose a candidate for public office, including the solicitation of funds for such purpose or activities is prohibited.
4. **Use of University Resources.** Except as specifically allowed pursuant to this policy, the use University resources, for political campaigns, to support or oppose a candidate for public office is prohibited. For purposes of this policy, University resources include, but are not limited to:

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- University owned or leased buildings and open spaces on campus;
- lists of University employees, students, alumni or donors;
- University letterhead, envelopes, email accounts, telephone lines and voicemail systems; and
- University equipment, including copiers and printers.

### **RELATED POLICIES:**

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N/A

### **POLICY BACKGROUND:**

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Original Policy was reviewed by President's Cabinet prior to approval in 2016.

Reviewed July 2018.

### **POLICY CONTACTS:**

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Vice President and General Counsel