

Chatham University Political Candidate and Activity Policy Proposal September 15, 2016

Introduction

Chatham University's status as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code prohibits it from participating or intervening in any political campaign on behalf of (or in opposition to) any candidate for public office.

Notwithstanding these limitations, Chatham University recognizes that students, faculty, and staff may wish to participate in the political process and that such participation may, in fact, contain an educational component. Chatham University adheres to the principle enunciated by the American Council on Education (ACE) in 1970 that "every member of the academic community has a right to participate or not, as he [or she] sees fit, in the election process. On the other hand, no member of that community should speak or act in the name of the institution in a political campaign."

The following statement of policy and the accompanying guidelines regarding the use of University facilities for political activities are being issued to provide guidance in adhering to these fundamental principles.

Request for Rental of Campus Facilities by Outside Political Groups or Campaigns

Rentals of University space for speeches, rallies, or fund-raisers are subject to the same rules, regulations, policies, procedures, and fees associated with any other contractual rental. No non-standard discounts or privileges may be granted to political campaigns or candidates who rent Chatham University space. Approval of rentals will be determined by the Vice President of Finance & Administration in accordance with the following conditions: (1) No political test or affiliation may be required, and all parties and views will be given equal access to rent space, and (2) Appropriate preparation time must be provided, given requirements of the University's on-going academic mission.

If approved, these basic guidelines must be followed: a. If facilities are made available to one candidate or political party, the same must be made available to all others on equal terms and conditions, which include any limitations on availability of particular facilities, due to the scheduling of other events, at the time a candidate or party makes a request. b. Announcements and advertisements of the appearance must bear the name of the sponsoring organization and must clearly indicate that Chatham University does not support or oppose candidates for public office and the opinions expressed at the appearance are not those of the University. c. Admission must be open to all members of the Chatham University community. Admission may not be restricted in any way on the basis of the political affiliation or views of attendees. d. Candidate appearances on campus will be limited to the designated speaking/meeting site. Door-to-door campaigning is not permitted, except as explicitly approved by the Vice President for Student Affairs & Dean of Students for access to registered voters living in campus housing. e. The University may permit the presence of news media personnel during the appearance, but only if media access is permitted in a politically neutral manner. Media coverage and management must be coordinated with the University's Vice President of Marketing & Communications. An appropriate fee for this staff time will be charged to the renting organization. f. No University

faculty or staff member may participate on behalf of the University in support of the candidate. Nor should that individual use University communications to support that candidate. g. If additional assistance is needed or required from University staff in Public Safety, Facilities, or Information Technology, or other offices beyond what is normally encompassed in the base rental fee, an appropriate fee for this staffing will be charged.

General Political Policy

It is the policy of Chatham University not to participate in, directly or indirectly, or to intervene in any political campaign on behalf of or in opposition to any candidate for public office. Recognized student organizations may reserve University facilities, including classrooms, outdoor/indoor meeting space, and any other space available to all recognized student groups, to conduct organizational meetings or to host, sponsor and/or publicize an event on behalf of a candidate. However, no organization or individual may:

1. Use the name or seal of the University or any of its schools or other units on letters or other written materials intended for support of a political campaign on behalf of or in opposition to any candidate for public office, including the solicitation of funds for such purpose or activities. This includes a prohibition on use of University letterhead, envelopes, email accounts, telephone lines, voicemail systems for communication, and social media. This also includes prohibition of soliciting funds in the name of the University (or in the name of a University student organization) to be used in off-campus political intervention or participation.
2. Use University facilities (for purposes of this policy, individual student rooms in University housing facilities are not considered to be "University facilities") to raise funds through admissions, fees, contributions, donations, or sale of materials or services to benefit a political party, campaign, or candidate.
3. Use University funds (including student fees) to purchase promotional material, pay for campaign ads or contribute in any way to a political campaign.
4. Use University funds (including student fees) to pay honoraria or cover transportation, A/V services, accommodation or meal expenses, or any other costs for candidates for public office or for speakers and presenters at an event on behalf of a candidate.
5. Use University resources, including but not limited to, mail distribution services, the University seal or other identifying marks, stationery and letterhead, facsimile and duplicating machines, email accounts, telephone lines, and voicemail systems for political campaigns or solicitation of endorsement of, or opposition to, candidates for public office.
6. Use University property for the placement of signs (including flyers, banners, posters, stickers, and chalking) of endorsement of, or opposition to, candidates for public office.
7. Host a campaign rally at University facilities.

Additional guidelines for student organization events on behalf of a candidate

The following additional requirements apply for recognized student organizations that reserve University facilities to host, sponsor and/or publicize an event on behalf of a candidate:

1. At the beginning of the event the sponsoring student organization should deliver the following disclaimer: "This event is sponsored by _____. The use of Chatham

University facilities for this event does not constitute an endorsement by the University. The views of those invited to speak on campus are the views of the speaker and not of Chatham University. Chatham University does not endorse or oppose any candidate or organization in connection with this or any other political campaign or election."

2. Any communications advertising the event must contain the following disclaimer language: "This event is sponsored by _____. The use of Chatham University facilities for this event does not constitute an endorsement by the University. Chatham University does not endorse or oppose any candidate or organization in connection with this or any other political campaign or election." Event announcements must not contain explicit or implicit endorsements or opposition of a candidate for public office. The use of University email accounts to send mass emails in support or opposition of a candidate is not permitted. The name of the sponsoring student organization must be clearly stated on all material advertising the event.
3. The sponsoring student organization is responsible for communicating these guidelines to the speakers at the event (including the political candidate if applicable) to ensure awareness of and compliance with the University's Political Policy.
4. Use of University facilities for candidate debates are subject to the "Guidelines for Use of Facilities for Political Forums or Debates" below.

Guidelines for use of facilities for political forums or debates

The Internal Revenue Code permits tax-exempt organizations to sponsor political forums, candidate speeches, and/or debates provided no candidate either directly or indirectly receives an endorsement, preference, or support from the University. Only recognized student organizations may use University facilities to host, sponsor and/or publicize an event on behalf of a single candidate, subject to the guidelines set forth above. Any other University organization (such as University Departments) may only sponsor political forums or debates. Where recognized University organizations (including student organizations) sponsor political forums or debates, the following guidelines apply:

1. The agenda for the forum or debate should address a wide range of issues and be of significant interest to members of the University community.
2. A non-partisan individual should serve as moderator and ensure that all ground rules are followed.
3. The moderator should state, at the beginning and conclusion of the program, that the views expressed by the participants are their own and not those of the university, and that sponsorship of the forum is not intended as an endorsement of any particular candidate.
4. Participants should be allotted equal time in which to present their views and ideas. Selection criteria for participation must be non-partisan.
5. While all forums should be of a non-biased educational nature, when a primary election serves as the basis for the forum or debate, intra-party debates are permissible. However, where a general election serves as the basis for the forum or debate, sponsorship of an intra-party debate may give the appearance of party favoritism, thereby making such an activity inappropriate.
6. Regarding intra-party debates for a primary election, all candidates for nomination by the party being represented at the forum should be allowed to participate. In such debates,

however, sponsors are not required to involve candidates not belonging to the represented party.

7. Where a general election is the underlying contest for a forum or debate, a non-partisan candidate debate is permissible provided that at least two candidates participate, and the forum or debate does not promote or advance one candidate over another. Criteria for determining participation must, likewise, be non-partisan.
8. Political forums or debates need not include every group or party, or individual seeking election. For example, forums or debates limited to mainstream parties are permissible.
9. On occasion, only one candidate in a contested election accepts a debate invitation or a candidate cancels a debate appearance after agreeing to participate. This can leave the debate with only one participant (often referred to as an "empty chair" debate). If only one candidate accepts an initial invitation or when a candidate fails to appear at the event or backs out shortly before the debate, the debate should be canceled. Any debate on campus should include at least two candidates and must not promote or advance one candidate over another. Any request to proceed with an "empty chair" debate must be approved by the Vice President of Academic Affairs.
10. At the beginning of each political forum, candidate speech or debate, a representative of the sponsoring group or organization should deliver the following disclaimer: "This event is sponsored by _____. The use of Chatham University facilities for this event does not constitute an endorsement by the University. Chatham University does not endorse or oppose any candidate or organization in connection with this or any other political campaign or election."

Other Campus Participation by Political Candidates

Candidates for political office may appear or speak at Chatham University events in a clear non-candidate capacity. A candidate may choose to attend an event that is open to the public. Chatham University will maintain a nonpartisan atmosphere on the premises and at the event where the candidate is present. The University will clearly indicate the capacity in which the candidate is appearing and will not mention the individual's political candidacy or the upcoming election in the communications (if any) announcing the candidate's attendance at the event. The University will also let the candidate know about these restrictions.

Individual Faculty, Staff, and Student Involvement in Political Activities

Chatham University encourages active participation of individual faculty, staff, and students in their responsibilities as citizens and voters. Individuals taking political positions for themselves or groups with which they are associated, but not as representatives of the University or any of its Schools, should clearly indicate, by words and actions, that their positions are not those of the institution and are not being taken in an official capacity on behalf of the institution. Employees may not participate in campaign activities during their scheduled working hours. Further, they may not use any University letterhead, support services, or other supplies in connection with campaign activities. Any employee who participates in a political campaign is responsible for notifying the campaign that such participation is in his or her individual capacity. The employee should seek, to the extent possible within the law, to minimize any references to his or her position with Chatham University. Occasional use of private meeting space by faculty whose academic interests include involvement with political groups is permitted so long as the regular University procedures for the rental and use of facilities are followed and so long as such

activities are not related in any way, directly or indirectly, to support of or opposition to any and all candidates for elective federal, state, or local public office. No other University resources may be used to conduct the meetings, and any meeting announcements or invitations must make clear that the University does not support or oppose the group's efforts. University students, faculty, and staff are free to express their individual and collective political views provided they understand and make clear that they are not speaking for or in the name of the Chatham University or any of its schools, departments, or offices. Material containing the name, insignia or proprietary logos or marks of Chatham University may not be used to support a particular candidate.

University Publications, Web Sites, and Communications

Endorsement or views on a political candidate are not allowed in any Chatham University official publications or any web site.

Voter Education and Issue Advocacy

IRS guidance for 501(c)(3) entities allows voter education programs, voter registration initiatives, and get-out-the-vote drives as long as they are conducted in a non-partisan manner so as not to favor or oppose one or more candidates. While 501(c)(3) organizations may take positions on public policy issues, including issues that divide candidates in elections for public office, they must avoid any issue advocacy that "functions as a political campaign intervention" (IRS guidelines). Only the University President can approve an organizational position on a public policy behalf of the University.