

## **Stetson University Policy on Political Candidates and Election-Year Campaigns DeLand, Celebration Campuses**

### **Introduction**

Stetson University is a private, independent liberal arts university whose mission is to provide a distinctive education in a creative community where students can develop the qualities of mind and heart that will prepare them to reach their full potential as informed citizens of local communities and the world.

In our undergraduate programs as well as in our professional and graduate degree programs, we encourage the development of informed convictions, independent judgment, and lifelong commitments to learning that are characteristic features of the enlightened citizen. As made clear by the University's first President, Dr. John Forbes, this kind of education focuses on the goal of developing in each student "the habit of independent judgment" and the skills of "investigating statements and principles for oneself, and thus for oneself discover their truth or falsity." To provide practice in this kind of decision-making, the University is committed to engaging the ideas of its time, both ideas widely accepted and ideas that are controversial, in all aspects of life.

Stetson University today includes persons from diverse religious, ethnic, cultural, economic, and intellectual backgrounds. In seeking a robust, inclusive community, we have joined together to affirm collectively:

- The centrality of knowledge, examined ideas, and independent judgment in the life of an educated person;
- The inherent dignity, worth, and equality of all persons;
- The importance of community in human life;
- The role of religious and spiritual quests for meaning in human experience;
- The value of diverse persons and differing ideas in an educational community;
- The responsibility we share to work toward social justice;
- The necessity for decisions to be guided by ethics and social responsibility; and
- The obligation of individuals and communities to act as responsible stewards of the natural environment.

These University values and commitments guide our development of a robust educational program for our students and the broader public. As it pursues this mission, the University is regulated in part by Section 501(c)(3) of the Internal Revenue Code, which prohibits the University from participating in or intervening in any political campaign of a candidate for public office.

The Internal Revenue Service has stated that whether an organization is participating or intervening, directly or indirectly, in a political campaign on behalf of or in opposition to any candidate for public office depends on the totality of facts and circumstances of each case.

Following IRS guidance on “Election Year Activities and the Prohibition on Political Campaign Intervention for Section 501(c)(3) Organizations,” the guidelines of The American Council on Education (ACE), and after examining policies at other private colleges and universities, Stetson University has developed these guidelines and policies to support its academic program and to foster a campus culture that will be open to a lively exchange of diverse opinion according to accepted standards for civil discussion. While encouraging passionate citizenship in its students, faculty, and staff individually, the University follows these policies to assure that its educational mission will be fulfilled in a neutral and non-partisan manner in regards to political candidacies or election-year campaigns.

#### **A. Use of Stetson University Facilities for Political Candidates or Campaigns**

Use of University facilities for political candidates or campaigns is subject to University policies. Because tax and political compliance laws impose restrictions, and even prohibitions, on certain political activities at nonprofit tax-exempt institutions, any activities approved for Stetson University’s facilities must comply with these legal requirements.

Further, given the University’s academic mission and its focus on providing students with opportunities for vigorous discussion of all ideas, it is understood that these events will be respectful of the University commitment to civil debate, will be open to the entire campus, and will offer a reasonable opportunity for questions from the audience, especially students.

##### **1. Requests from Faculty to Host Political Events**

If coordinated by a faculty member and approved by the faculty member’s Dean, political candidates may be invited in their capacity as candidates to speak at the University’s facilities for an educational purpose. The sponsoring faculty member is responsible for insuring that equivalent (i.e., similar times, similar event type, etc..) opportunities to speak at the University are extended to all legally qualified candidates running for a particular public office. If a candidate declines, the faculty member should retain documentation that the invitation was issued and declined. In communications concerning the candidate’s attendance, and when the candidate is introduced to speak and finishes speaking, the faculty member or a designee approved by the Dean will explicitly state that Stetson University does not support or oppose the candidate.

From time to time, a faculty member may also request to use campus facilities to hold a public forum on issues of educational interest. Such forums, if approved by the Dean, must be educational in nature and not expressly advocate the election or defeat of any clearly identified candidate(s) or candidate(s) of a clearly identified party. Outside groups that are invited or allowed to participate must not engage in electioneering or fundraising activities. The responsible faculty member must take steps to ensure that hosting the forum does not reasonably imply that Stetson University or any of its constituent Colleges or Schools has an institutional position on the issue or is associated with the campaign of any specific political candidate.

## **2. Requests by Student Organizations to Host Political Events**

To request hosting a political candidate, a student organization must be formally registered with the University and must have a faculty or approved staff adviser. If sponsored by a registered student organization, political candidates may be invited in their capacity as candidates to speak at University facilities for an educational purpose.

Appearances on the DeLand or Celebration campuses must first be approved by the Vice President of Campus Life, who will consult with the faculty or staff adviser and the Director of Facilities for DeLand or Associate Vice President for Celebration. The Vice President of Campus Life will be responsible for ensuring that equivalent opportunities to speak are extended to all legally qualified candidates running for a particular public office, and may require that the student organization seeking to host a candidate fulfills this requirement as a condition of hosting the candidate.

Appearances by candidates must be organized to support the University's educational purpose. A speech followed by questions or a question and answer session are appropriate formats for an academic setting. Rallies for individual candidates must be approved and set up as outside rentals due to the additional costs and staffing requirements

In communications concerning a candidate's appearance on campus, and when the candidate is introduced to speak and finishes speaking, an approved representative of the University or an officer or advisor of the registered student organization will explicitly state that the University does not support or oppose the candidate.

## **3. 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 Stetson University space.

Approval of rentals will be determined by the Vice President for Business and Chief Financial Officer for the DeLand and Celebration campuses 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; (2) Candidates themselves must be present at the event; the University will not rent to events featuring surrogates, and (3) 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 Stetson 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 Stetson 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 Campus Life 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 Director of News and Media Relations. An appropriate fee for this staff time will be charged to the renting organization.
- f. If additional assistance is needed or required from University staff in Public Safety, Facilities, or Technology, or other offices beyond what is normally encompassed in the base rental fee, an appropriate fee for this staffing will be charged.

## **B. Debates on Campus**

Stetson University may, at its discretion, provide forums for candidate debates at its facilities. Debates must attempt to include all legally qualified candidates for nomination of a particular party for primary election debates, and all legally qualified candidates for the office for general election debates. If inviting one or more of the candidates is impracticable or does not further an educational goal, an exception can be approved by the College or School Dean. Any exceptions requested will be submitted through the Provost's Office for consideration, review, and recommendation. Requested exceptions should be accompanied with a recommendation for reasonable, objective criteria for determining which candidates to invite. For a general election debate, nomination by a particular political party cannot be used as the sole objective criterion for participation.

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 College or School Dean after consultation with the Provost.

When the University hosts a debate, or allows a third party (such as the League of Women Voters) to host, topics will cover a broad range of issues and will be conducted in a neutral, non-partisan manner. Questions presented to the candidates, whether prepared by Stetson faculty, staff, and students or by an independent, non-partisan panel, will provide each candidate with an equivalent opportunity to present his or her view on the issues discussed. A moderator will be selected or approved by the University, and the moderator's role will be limited to ensuring that the debate ground rules are followed. The moderator will refrain from commenting on the candidates' statements in a way that demonstrates approval or disapproval of the candidates' ideas. The moderator also will begin and end with a clear statement that the views presented are those of the candidates and not of Stetson University.

### **C. Other Campus Participation by Political Candidates**

Candidates for political office may appear or speak at Stetson University events in a clear non-candidate capacity. A candidate may choose to attend an event that is open to the public. Stetson 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.

### **D. Campus Appearances by Persons Holding Political Office or Representing Political Issues**

To meet its goal of providing a vigorous, thoughtful exchange of ideas and its mission of preparing students as thoughtful citizens, Stetson University welcomes visits to campus from elected officials as well as persons representing perspectives on political issues of contemporary urgency. The University's pledge to meet standards of neutrality in political campaigns, a requirement under its 501(c)3 status, does not mean that the University will not seek to enliven its academic program with speakers and events that will help students to engage with the issues they face as citizens.

### **E. Disclaimers and Publicity**

When an event that is political in nature has been approved, the following can serve as a template for the required disclaimer:

*This event is sponsored by \_\_\_\_\_. The use of University facilities for this event does not constitute an endorsement by Stetson University. Stetson University does not endorse these candidates or organizations or any other candidates or organizations in connection with this or any other political campaign or election.*

Promotional materials for authorized events are subject to review and approval by the University's Office of Communications.

Approved candidate appearances on campus may be announced in internal communication (intranet, email). Such communication must include the sponsoring organization and must state clearly that the University does not endorse any political candidates.

Further, no materials may state or imply that the University, any of its Colleges or Schools, or any institutional official or office endorses a political candidate or political organization or any position of a political candidate or political organization. Subject to this restriction, Stetson University may otherwise publicize the event in any manner it deems appropriate, given its academic mission, and may arrange for coverage by media organizations. The emphasis in all planning for media coverage will be on students and their opportunity to learn and on the University's mission to serve the wider public.

**F. University Publications and Web Sites**

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

**G. Fundraising**

Funds or contributions for political candidates or campaigns may not under any circumstances be solicited in the name of Stetson University, on any of the University's campuses, at a University-sponsored event, or through use of University resources, such as email or mailing lists.

**H. Registration of Student Organizations for Individual Candidates**

Stetson University will not register student organizations that have as a goal the support of a particular candidate.

**I. 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.

**J. Individual Faculty, Staff, and Student Involvement in Political Activities**

Stetson 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 Colleges or 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 Stetson 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.

Employees working in federally aided programs may in addition be subject to the federal Hatch Political Activities Act. Those persons should consult with the Risk Management Administrator regarding their associated obligations.

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 Stetson University or any of its colleges, schools, departments, or offices. Material containing the name, insignia or proprietary logos or marks of Stetson University may not be used to support a particular candidate.

**K. Campaign Access to Campus Housing.** Door-to-door campaigning is strictly prohibited in campus housing. Campaign access to common areas of campus housing must be approved in advance by the Vice President of Campus Life.

#### **L. Questions**

The law in this area can evolve over time. Questions about whether planned student activities are consistent with the University's obligations should be directed to the Vice President for Campus Life. All other questions on whether planned activities are consistent with the obligations should be addressed directly to the Risk Management Administrator.

**Cross References:** Use of College of Law Facilities by Outside Groups and Individuals, Conflict of Interest, IRS Revenue Ruling 2007-41, *Political Campaign-Related Activities of and at Colleges and Universities*, published by the American Council on Education (ACE), Hamline University Political Candidate/Campaign Policy.

*Administrative policy adopted by the College of Law on September 28, 2009 and revised and adopted by the DeLand and Celebration campuses on November 15, 2010.*