



## **Political Campaign Activity Guidelines**

Stetson University College of Law is a private institution of higher learning devoted to educating its students. Stetson University College of Law's activities are regulated in part by Section 501(c)(3) of the Internal Revenue Code, which prohibits the College of Law from participating 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 any 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.

These guidelines have been developed to assist in determining permissible political activities. Political activities at Stetson University College of Law must be conducted in a neutral, nonpartisan manner and in furtherance of the educational mission.

### **A. Using College of Law Facilities**

In general, use of the College of Law's facilities is subject to the policy on the Use of College of Law Facilities by Outside Groups and Individuals. Because tax and political compliance laws impose restrictions, and even prohibitions, on certain political activities at a nonprofit institution such as the College of Law, any activities approved for the campus must comply with these legal requirements.

#### **1. Requests by Faculty**

If invited by a faculty member and approved by the Dean, political candidates may be invited in their capacity as candidates to speak at the College of Law's facilities for an educational purpose. The sponsoring faculty member is responsible for insuring that opportunities to speak at the College of Law are extended to all viable candidates running for a particular public office. 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 the College of Law does not support or oppose the candidate.

From time to time, faculty members also request to use campus facilities to hold public forums on issues of educational interest. Such forums, if approved by the Dean, must be

wholly educational in nature. Outside groups that are invited or allowed to participate must not engage in political or fundraising activities. The responsible faculty member must take steps to ensure that hosting the forum does not reasonably imply that the College of Law has a position on the issue or is associated with any political efforts.

## **2. Requests by Student Organizations**

If sponsored by a registered student organization, political candidates may be invited in their capacity as candidates to speak at College of Law's facilities for an educational purpose. Appearances must first be approved and coordinated through the Director of Student Life. These individuals will ensure that opportunities to speak at the College of Law are extended to all viable candidates running for a particular public office. In communications concerning the candidate's attendance, and when the candidate is introduced to speak and finishes speaking, a representative of the College of Law or the registered student organization will explicitly state that the College does not support or oppose the candidate.

## **3. Debates on Campus**

Stetson University College of Law may, at its discretion, provide forums for candidate debates at its facilities. Any approved debates must include all legally qualified candidates for the contested office. If inviting one or more of the candidates is impracticable or does not further an educational goal, an exception can be approved by the Dean. Any exceptions requested will be submitted through the Office of Student Life for consideration, review, and recommendation.

When the College hosts a debate, or allows a third party (e.g., the League of Women Voters), topics will cover a broad range of issues. Questions presented to the candidates will be prepared by faculty, staff, students of the College of Law, and/or an independent, non-partisan panel. Candidates will not be asked whether they agree or disagree with positions. Each candidate will have the same opportunity to present his or her view on the issues discussed. A moderator will be selected or approved by the College of Law, 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 the College of Law.

Candidates also may appear or speak at Stetson University College of Law events in a clear non-candidate capacity. A candidate may choose to attend an event that is open to the public. The College of Law will maintain a nonpartisan atmosphere on the premises and at the event where the candidate is present. The College of Law will also 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 College of Law will also let the candidate know about these restrictions.

#### **4. Disclaimers and Publicity**

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

*This event is sponsored by\_\_\_\_\_. The use of Stetson University College of Law facilities for this event does not constitute an endorsement by the College of Law. The College of Law 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 Office of Communications. No materials may state or imply that the College of Law, any office, or any institutional official endorses a political candidate or political organization or any position of a political candidate or political organization. Subject to this restriction, the College of Law may otherwise publicize the event in any manner it deems appropriate and may arrange for coverage by media organizations.

#### **B. College of Law Publications and Web Sites**

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

#### **C. Fundraising**

Funds or contributions for political candidates or campaigns may not under any circumstances be solicited in the name of the College of Law, on the College of Law campus, at a College of Law sponsored event, or through use of campus resources, such as email or mailing lists.

#### **D. Registration of Student Organizations**

The Office of Student Life will not register student organizations that have as a goal the support of a particular candidate.

#### **E. Employee and Student Involvement in Political Activities**

Individuals taking political positions for themselves or groups with which they are associated, but not as representatives of the College of Law or the University as a whole, 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 normal working hours. Employees may not use College of Law 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 College of Law. *De minimus* use of private meeting space by faculty whose academic interest include involvement with political groups are permitted so long as regular College 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 or oppose any and all candidates for elective federal, state, or local public office. No other College resources may be used to conduct the meetings, and any meeting announcements or invitations must make clear that the College of Law does not support or oppose the group's efforts.

Employees working in federally aided programs may be subject to the federal Hatch Political Activities Act. Those persons should consult with the Office of Legal Affairs regarding their associated obligations.

College of Law students 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 College of Law. Students may not use any material containing the name, insignia or proprietary logos or marks of the College of Law to support a particular candidate.

#### **F. Questions**

The law in this area can evolve over time. Questions about whether planned student activities are consistent with the College of Law's obligations should be directed to the Director of Student Life, who can consult as needed with counsel for the University.

**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).

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