

## UNIVERSITY POLICY

<b>Policy Name:</b>	Electoral Political Activities and the Use of University Resources				
<b>Section #:</b>	50.3.4	<b>Section Title:</b>	Legal Matters	<b>Formerly Book:</b>	
<b>Approval Authority:</b>	Board of Governors		<b>Adopted:</b>	January 1971	<b>Reviewed:</b> 4/6/2017
<b>Responsible Executive:</b>	Senior Vice President for Academic Affairs and Senior Vice President and General Counsel		<b>Revised:</b>	4/6/2006; 4/6/2017	
<b>Responsible Office:</b>	Office of Academic Affairs and the Office of General Counsel		<b>Contact:</b>	Office of Academic Affairs: <a href="mailto:svpaa@rutgers.edu">svpaa@rutgers.edu</a> Office of General Counsel: <a href="mailto:legal@oldqueens.rutgers.edu">legal@oldqueens.rutgers.edu</a>	

**1. Policy Statement**

Every member of the university community has a right to participate or not, as he or she sees fit, in the election process. However, as an institution, Rutgers University shall be free of partisanship in its governance and conduct. The university shall not participate or intervene in any political campaign. No member of the university community shall speak or act in the name of the university in a political campaign. Those who in their official capacity speak for the university should make it clear when expressing individual views that they are not stating a university position.

**2. Reason for Policy**

The Rutgers Act of 1956 ("Rutgers Law") provides that the governance and conduct of the university shall be free of partisanship. Federal tax law also requires that Rutgers not participate or intervene in any political campaign for public office.

**3. Who Should Read This Policy**

All members of the university community.

**4. Resources**

Rutgers Law of 1956, N.J.S.A. 18A:65-27 (l) (a)  
Various tax and election laws  
State conflicts of interest law  
50.4.1, Lobbying and Advocacy Policy  
Frequently Asked Questions (FAQ)(Section IV)

**5. The Policy**

**I. The University Does Not Participate in Political Campaigns**

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No university funds shall be used to support any activities that are inconsistent with the provisions outlined herein.

## **II. Principle of Institutional Neutrality Must Always Be Observed During Educational and Campaign Related Activities**

Political issues may be an important subject of classroom education and research. The university supports programs which encourage participation in the political process (such as non-partisan voter registration drives). Speakers with experience in various matters of government are invited to campus, and students express their viewpoints individually and through student controlled organizations and newspapers. It is appropriate for the university as an educational institution to facilitate discussion and research on political activities generally. The guiding principle, however, is institutional neutrality in political electoral campaigns. No activity should give the impression that the university takes sides in a political campaign. This principle underlies the guidelines below on specific issues.

No university funds shall be used to support any activities that are inconsistent with the provisions outlined herein.

## **III. No University Endorsement of Candidates**

No individual may act on behalf of the university to support or oppose any candidate for public office.

The name, seal, stationery and other identifying marks of the university, or of any of its departments, may not be used in any way that implies the individual or group is speaking or acting for the university in political matters (e.g., in correspondence pertaining to partisan political purposes such as soliciting funds or carrying on a campaign).

No university funds or resources shall be contributed to any political campaign for public office (or regulated candidate-related groups such as political action committees). No university funds shall be used to support any activities that are inconsistent with the provisions outlined herein.

No university employee may, as part of his or her job, be requested or pressured to raise or contribute funds, or to perform tasks in any way related to partisan, political or electoral purposes, either on or off regular duty. No political campaigning activities shall be engaged in during hours when an employee is expected to be performing his or her regularly scheduled university duties.

## **IV. Use of Facilities**

### **A. Use of University Facilities, Property or Services for Politically-Related Events**

Educational institutions traditionally provide facilities on an impartial basis to members of the university community, even when those activities may be ideological, partisan or political in nature (such as, for example, Democratic, Republican, and other clubs with an interest in politics). The following general rules apply:

#### **1. Payment for Use of Facilities, Property and/or Services Provided**

The individual, group or organization reserving the facility, **or using the property**, must adhere to the facility use policy in effect at the campus where the event is scheduled, and

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must pay all requisite charges for use of the facility **or property** and any equipment, services or supplies provided (e.g., catering, security, audiovisual equipment, etc.), if applicable.

2. No Political Fundraising and Soliciting Permitted  
No political fundraising is allowed.
3. Disclaimer of University Sponsorship or Endorsement  
The university may not be identified as sponsoring or endorsing a particular candidate, partisan political program or activity held on campus or in a university building in the literature or announcements of the program.
4. Use of University Funds  
No university funds shall be used to support any activities that are inconsistent with the provisions outlined herein.

#### **B. Candidates as Speakers**

Candidates and current officeholders who engage in any political activities, including campaigning for themselves or on behalf of others, shall comply with the university policy and legal limitations regarding the appropriate use of university facilities.

1. Speaking as a Candidate  
Candidates may speak at the university. All legally qualified candidates for public office, or for the nomination of a particular party, shall be given equal access and opportunity to speak. If a single candidate is invited to an event to speak in his or her capacity as a candidate then the university shall assure that the opportunity for equivalent access is provided to all other candidates.
2. Speaking as an Individual  
Candidates may sometimes speak as individuals on non-campaign matters that do not require that other candidates be given an equivalent opportunity.

#### **V. Responsibility for Interpretation**

The Offices of the Senior Vice President for Academic Affairs and Senior Vice President and General Counsel shall interpret and apply these policies and guidelines. At Rutgers University–Newark and Rutgers University–Camden, the Office of the Chancellor, in consultation with the Office of the Senior Vice President and General Counsel, shall interpret and apply these policies and guidelines.

All questions on whether planned activities are consistent with the university's obligations should be addressed directly to the Senior Vice President for Academic Affairs, the Senior Vice President and General Counsel, or the chancellors in Newark and Camden, or their designees.

#### **VI. FAQs: PERMISSIBLE ELECTORAL POLITICAL ACTIVITIES**

##### **A. What are some examples of activities in which members of the university community may properly engage in official university functions or settings when consistent with this policy?**

The following are examples of such permissible activities that are consistent with this policy:

- Discuss ideological or political issues or teach about political issues or techniques
- Engage in academic endeavors which address public policy

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- Conduct scholarly research on the effects of a campaign proposal on the university, state, economy, etc.
- Compile and assemble data and other factual information on the effects of a campaign proposal
- Disseminate factual material and/or the results of scholarly research to news organizations, academic journals, etc.
- Post factual material and/or the results of research to a university web site
- Plan conferences, forums, symposia or panel discussions -- or invite guest speakers to campus -- to discuss campaign-related issues

**B. What are some examples of activities in which members of the university community may properly engage in on their own time (provided they do not use university resources and do not say or imply they are acting on behalf of the university)?**

The following are some examples of such permissible activities that are consistent with this policy:

- Contribute money to a political campaign
- Act as a campaign volunteer by writing letters, making phone calls, knocking on doors or distributing flyers in support of or opposition to a political campaign
- Organize or attend rallies in support of or opposition to a political campaign
- Write letters to the editor or op-ed pieces for publication
- Give speeches or participate in debates
- Write to elected officials to express their opinion

**C. Are employees allowed to campaign as political candidates?**

Employees campaigning as political candidates for local, state or federal offices shall do so only on their own time.

**D. May candidates for public office speak at commencement or convocation ceremonies?**

No. It is longstanding university practice not to invite declared candidates to speak at any of the commencement or convocation ceremonies in order to avoid any appearance of showing favoritism in a political campaign.