

# **ROWAN UNIVERSITY**

## **POLITICAL ACTIVITY ON CAMPUS: GUIDELINES**

As citizens, employees and students of Rowan University have the full right to actively engage in the political process. However, as a State of New Jersey public university, Rowan University must abide by federal and state restrictions regarding the use of its property and facilities for political purposes. While recognizing that Rowan University's mission of education is fundamental to a democratic society, public trust requires that Rowan University and its resources not be used to promote partisan political causes and candidates.

The guiding principle is: as a public agency, Rowan University has an obligation to be neutral in election processes, and may not use its facilities on a preferential basis to support political campaigns or candidates.

The following general guidelines will help students, employees and administrators understand the boundaries of involvement of Rowan University in the political process. This document is not intended as a source of definitive legal advice on the specific situations discussed below, nor is it a comprehensive legal manual that addresses all political campaign activity.

In addition to the general guidance below, certain Rowan University employees holding highly visible positions, or those who serve in a liaison capacity with state and federal legislators, should be aware of the ethical and practical consequences of involvement in political activities, as well as the basic legal issues, such as the application of state and federal lobbying rules to the activities of Rowan University employees.

If you have a specific question regarding political activities, please consult with Rowan University's Ethics Liaison Officer, the Chief Human Resources Officer, or the Office of General Counsel for further guidance.

What follows is a list of frequently asked questions concerning political activity at Rowan University.

### **I. Guidance for Rowan University Employees**

#### **1. What is political activity?**

Political activity can include, among other things, solicitation of campaign contributions, and service in furtherance of or support of candidates, political parties and political action committees. Further, there should be awareness that comments regarding the specific actions, positions, or records of a particular candidate may be perceived as support or endorsement by Rowan University of a particular candidate or political party.

There are other "political" activities that may not fall within the scope of "political activities" as discussed in this guidance. For example, advocating for governmental action or

legislative change at a local, state or federal level may be political although not related to a political campaign. While this guidance does not cover those activities in detail, because of restrictions on state lobbying and personal use of state resources, individual employees should not use Rowan University work time or Rowan University resources to engage in political activities unless expressly designated with this responsibility on behalf of Rowan University.

## **2. As a Rowan University employee, are there restrictions on my political activities?**

Yes. As a Rowan University employee, your political activities are restricted by specific standards of conduct for state employees and officers under the Uniform Ethics Code issued by the New Jersey State Ethics Commission, pursuant to the New Jersey Conflicts of Interest Law (N.J.S.A. 52:13D-12 et seq.) which requires that Rowan University employees follow one simple rule: keep partisan political activity out of the Rowan University workplace. This means that: (i) you cannot engage in political campaign activities during your work time; (ii) you may not use state resources to engage in political activities at any time unless your position is directly related to legislative efforts as described above; and (iii) you may not solicit contributions or services for a political purpose from other Rowan University employees while they are engaged in their official duties.

Rowan University resources include resources such as:

- Rowan University letterhead and logos;
- Office space and other facilities;
- Office supplies;
- Photocopiers;
- Telephones or facsimile machines; and
- Electronic resources including email, websites, on-line discussion boards, cell phones, or other similar resources.

You may not use your Rowan University email account to send political messages to invite colleagues to a political rally or encourage support of a particular candidate.

You may not hand out political brochures in the Rowan University workplace, and you may not use any Rowan University copy machine to copy political flyers.

As a private citizen, you are free to engage in political activities on your own time and with your own resources.

## **3. As a Rowan University employee, may I run for state office?**

Yes. You are required to notify your Ethics Liaison Officer and agency head in writing or by email before running for an elected office or running for or serving as an officer in a political campaign or club.

This notification allows your Ethics Liaison Officer and agency head to screen for any possible conflicts or activities that might be prohibited by state or federal law.

Notification is confidential and you do not have to identify a political party affiliation.

If your Ethics Liaison Officer and agency head determine that the proposed activity does not present a conflict, you can run for office, but you must comply with the prohibition against using state time, materials, or resources for political matters.

**4. As a Rowan University employee, may I host a political fundraiser off-campus (at my home, for example)?**

Yes. This is permissible if you do so on your own time and do not use Rowan University resources in connection with this event. In addition, you may not promote the fundraiser or engage in fundraising activities on Rowan University time. If you plan to attend a political event during working hours, you must use your personal leave time.

**5. As a Rowan University employee, may I use a university conference facility or meeting room for political campaign activities?**

No. You may not use your Rowan University position to secure an on-campus conference or meeting room for the purpose of political campaign activities. In addition, you are not permitted to post political materials in halls, on walls or bulletin boards within the Rowan University workplace.

**6. What are some political activities in which members of the Rowan University community may engage in their official Rowan University functions or in Rowan University settings?**

- Discuss ideological or political issues or teach about political issues or techniques;
- Engage in academic endeavors which address public policy;
- Conduct scholarly research on the effects of a campaign proposal on Rowan University, the state, the 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 Rowan University web site; and
- Plan conferences, forums, symposia or panel discussions -- or invite guest speakers to campus -- to discuss campaign-related issues.

**7. As a Rowan University employee, may I make contributions to a political campaign?**

Yes, but only outside of work hours; in addition, Campaign contributions cannot be solicited or collected on Rowan University time or within Rowan University facilities.

**8. As a candidate for elected office, can I accept campaign contributions?**

Yes, as a candidate for elected office, you can accept campaign contributions without violating the gift rule for State of New Jersey employees. However, you must recuse yourself from all matters involving your campaign contributors for as long as you would have been in office, whether you win or lose.

If, for example, you run for mayor of your town and the term of office is two years, you can accept campaign contributions but you must recuse from all official matters involving your campaign contributors for two years, whether you win or lose.

If you win the election, you are required to disclose your elected office on your Outside Activity Questionnaire (“OAQ”). Remember to also disclose on your OAQ any paid positions as a political official and your service as a poll worker.

You are not required to disclose routine political activities such as attending campaign events, volunteering a campaign headquarters, and canvassing with or on behalf of a candidate.

Campaign contributions cannot be solicited or collected on Rowan University time or within Rowan University facilities.

**9. May I permit an organization to list my name and employment title as a supporter in its political campaign literature – for example, in a letter to a newspaper, a brochure or a fundraiser invitation?**

Yes, but if Rowan University is identified, it must be communicated that the use of your name indicates neither support nor endorsement by Rowan University of a particular candidate and that you are acting solely in your role as a private citizen.

**II. Guidance for Rowan University Students and Recognized Student Groups**

**1. As a Rowan University student or Rowan University-recognized student group, may I organize a political event to be hosted on campus?**

Yes. Political events may be sponsored by either recognized or independent student organizations under certain circumstances.

Students groups may use Rowan University facilities for partisan political purposes, including candidate appearances on campus, provided that such groups pay the usual and normal charge, if any, for use of institutional facilities by student groups. Fees are usually not required for traditional, on-campus student political clubs. Generally, groups other than student groups should be charged. Administrators and faculty should take special care in relation to any such proposed student activities to avoid the appearance of endorsement by Rowan University.

Funds or contributions for political candidates or campaigns may not be solicited in the name of Rowan University, on Rowan University's campus, or through the use of campus resources, including by student groups. In addition, student organizations that have federal tax-exempt status may be subject to additional restrictions on political activity. See IRS Publication "Election Year Issues" (<https://www.irs.gov/pub/irs-tege/eotopici02.pdf>).

Student groups wishing to organize such events should contact the appropriate facilities administrator to ensure compliance with Rowan University's policies on the use of university facilities.

**2. Can student groups utilize segregated fees or Rowan University resources to contribute to a political campaign?**

No. Student groups cannot use segregated fees or Rowan University resources to make direct gifts, contributions, or donations of any kind.

**3. May segregated fees be used to fund the printing of posters, political advertisements, or t-shirts indicating our student group's support of a candidate or political party?**

As discussed above, student organizations may not use segregated fees in a manner which would constitute making a direct gift, contribution, or donation of any kind. Accordingly, if the funding of these materials constitutes a gift, contribution or donation to a candidate or party, it would not be permitted. Student organizations may, however, use segregated fees to support their own expressive activities and views on public policy issues and other interests.

Questions about appropriate uses of segregated fees should be referred to Rowan University's Ethics Liaison Officer or the Office of General Counsel.

**4. Can student organizations urge students to vote? What about voting for a particular party or for a particular candidate?**

Yes. Student organizations are encouraged to help educate and inform students about upcoming elections, including urging students to exercise their right to vote. Student organizations are also free to express their views about the parties and candidates, and to urge voting for particular parties or candidate, and – as noted above – to sponsor events for candidates so long as they comply with rules governing the use of Rowan University facilities.

Please note that political fundraising is strictly prohibited within Rowan University facilities. In addition, student organizations that have federal tax-exempt status may be subject to

additional restrictions on political activity. See IRS Publication “Election Year Issues” (<https://www.irs.gov/pub/irs-tege/eotopici02.pdf>).

**5. As a Rowan University student, may I display a partisan political sign in my residence hall room?**

Yes. As long as you comply with Rowan University and residence hall policies governing the posting of signs in dormitory rooms, and any other applicable time, place, and manner restrictions, such activity would be permissible.

**III. Political Activity on Campus**

**1. What types of educational events may the Rowan University campus engage in to encourage voter education and participation?**

The campus may host non-partisan events to encourage voter education and participation, such as candidate forums and voter registration efforts. These activities must be non-partisan for the sole purpose of voter education. If candidates are invited on campus, all legally qualified candidates must be invited and given an equal opportunity to speak and participate. Permissible activities include speeches, question-and-answer sessions, debates, or similar activities. A statement should be given that Rowan University does not endorse nor oppose any of the candidates.

Electronic resources may also be used for non-partisan voter education purposes. For example, a Rowan University web page with current election information may include a link to candidates’ websites if the web page includes all legally qualified candidates and excludes any commentary in support or against a candidate, express or implied. Again, a statement should be included that Rowan University does not endorse nor oppose any of the candidates. If discussion space is provided, Rowan University should include a disclaimer that the opinions expressed on the discussion board do not represent those of Rowan University. Websites used for voter education purposes should be regularly monitored to ensure that they are not modified for the purposes of advocating for a particular candidate or political party.

**2. Is it important that Rowan University sponsor political events that offer opportunities to all candidates seeking election to the same political office?**

Yes. A balanced approach is required. For example, all campaigns of candidates seeking election to the same political office should be offered the same or a similar opportunity to participate in a Rowan University-sponsored event. However, if when offered the opportunity, one or more candidates decline, it is still appropriate to host the event for those who have accepted the invitation. During the event a statement should be made indicating that all candidates were provided with an equal opportunity to participate.

It should be noted, however, that the same principle does not necessarily apply to candidates who speak to a class at the invitation of an instructor. For example, a professor who invites a Republican legislator to speak to a class on the history of the Republican Party is not obligated to invite the legislator's Democratic opponent. The invitation, however, should relate to the course material and should not be for the purpose of advancing one political candidate over another.

**3. May individuals or candidates distribute campaign literature on campus?**

Yes. Campaigning is permitted in public areas at Rowan University, subject to university policies concerning the time, place, and manner for conducting such activities. Similarly, distribution of political literature and campaigning may be conducted in residence halls, subject to university policies governing the time, place, and manner for engaging in such activities.

**4. Is Rowan University required to charge candidates who attend campus receptions? What about legislators who are currently in office?**

The general rule for those currently holding office is that Rowan University-sponsored functions are a benefit to the university and not to a particular legislator or party. Accordingly, there should generally be no charge to state legislators or officials who attend campus receptions. However, care should be taken to comply with applicable ethical and legal requirements including restrictions on the use of federal funds for lobbying purposes and limits on the circumstances in which legislators and state officials may receive hospitality such as food or athletic tickets in connection with events or parties hosted by Rowan University.