



Policies and Procedures Manual

Title: Political Activities
Policy Administrator: Director of Government and Community Relations
Effective Date: August 1, 2018
Approved by: General Counsel

Political Activities

One of the essential elements of the College's mission is dialogue. As such, the College of the Holy Cross encourages all students, faculty and staff to be active in their support of political candidates and issues of their choice.

However, as a 501(c)(3) tax-exempt organization, the College required to comply with the rules and regulations of the Internal Revenue Service that prohibit the College from engaging in any partisan political campaign activity or supporting such activity. There are no exceptions to this prohibition. Even an insubstantial violation may lead to monetary fines and exposes the College to the possibility of revocation of its tax-exempt status.

To ensure that the College adheres to the IRS prohibitions on political campaign activity, the following guidelines must be followed:

1. Prohibited Use of College Resources. College funds, equipment, systems, intellectual property, and/or other supplies may not be used in any manner for or against a candidate for political office, political party, or political action committee or a ballot initiative. This prohibition includes, but is not limited to, use of College funds, email accounts, mailing lists, directories, copiers, telephones, voicemail, fax machines, letterhead, envelopes, web pages, message boards, newsletters, trademarks, logos, seal, and other depictions of the College, and other College equipment, systems and supplies.
2. No Fundraising. No fundraising for a candidate, party, or partisan political cause shall take place at any event on campus or other College property. This prohibition extends to the posting or transmission of campaign-related materials in any manner or media using College property.

3. Appearances of Candidates on Campus and Use of College Facilities by Political Candidates. In general, appearance of candidates for public office on campus and the use of College facilities for, on behalf of, or against, any candidate for public office, political party, or political action committee is prohibited except as provided below. All proposed activities must be submitted to the Director of Community and Government Relations no later than 14 days in advance for review. No fundraising for a candidate, party, or partisan political cause shall take place at any event on campus.

a. Candidates for Public Office Appearing on Campus for Non-Campaign Related Activities

Candidates for public office or their designees are welcome to appear on campus for non-campaign related activities, such as an educational talk for College community members. Such appearances must be sponsored by a College department or a recognized student organization and satisfy the following criteria:

- The individual(s) is/are chosen to speak for reasons other than candidacy for public office;
- The individual speaks in a non-candidate capacity;
- The individual does not make any reference to his/her candidacy;
- The event or organization maintains a nonpartisan atmosphere;
- No campaigning activity occurs in connection with the event. The event should not be dictated by, or put under the control of, a candidate, his/her representatives, or any outside organization;
- The event must be open first to the entire College community (without preference based on political affiliation);
- All fundraising is strictly prohibited;
- The department or RSO takes care to avoid the appearance of College endorsement for a particular candidate;
- The event is not organized or run by the candidate, their representatives or any outside organization;
- The candidate should be escorted on campus;
- The proposed event is reviewed by the Director of Community and Governmental Affairs for compliance with these criteria and applicable

law. The Director may impose additional criteria as appropriate for the particular event.

b. On-Campus Appearances by Candidates in their Capacity as Candidates.

Departments and recognized student organizations may initiate requests for the following events through the Director of Community and Governmental Affairs. These activities must be reviewed and approved by Director of Community and Governmental Affairs.

- Candidate Debates. All candidates duly registered for the ballot must be invited and given a reasonable opportunity to agree to participate, and the event must be managed in such a way as to not favor or endorse any particular candidate. All fundraising is strictly prohibited.
- Events for Individual Candidates. All candidates for office or their designees may be invited once during a primary season and once again during the main election season. If a candidate running for one of these offices speaks at the College, all other candidates for the same office must be given the opportunity to speak in a comparable venue and similar timeframe. It must be made clear by the host of the event during the introduction of the candidate, and in any and all advertising publicity of the event, that the candidate's appearance does not represent an endorsement of the candidate by the College of the Holy Cross. All fundraising is strictly prohibited.

c. Use of Campus Facilities

If a facility is regularly made available to non-College groups, such facilities may be made available for political campaign activities if:

- The facility is provided on the same basis, fees, and other terms and conditions governing its use for purposes other than political activities for other external users.
- The facility is made available on an equal basis to all other candidates.
- Advertising and publicity material must state that "The use of the facilities of the College of the Holy Cross for this event does not constitute an endorsement by the College. The College of the Holy Cross does not endorse any candidate, or organization, in connection with this or any other political campaign or election."

- All campaign-related activities must be contained within the rented venue or facility.
- No fundraising for candidate, party, or partisan political cause shall take place at any event on campus. This prohibition extends to the posting or transmission of campaign-related materials in any manner or media.

Prior review by the Director of Community and Governmental Relations is required. Please note that the College reserves the right to decline to permit its facilities to be used for these purposes in accordance with applicable law.

4. Additional Restrictions with respect to Recognized Student Organizations

- a. Student organizations created solely for the purpose of advocating for the election of a political candidate or ballot initiative may not receive funding from the College. However, the College does permit students and faculty to organize voluntary political clubs. These clubs are self-supporting and are permitted to exist insofar as they engage in lawful activities (provided, however, funding a student newspaper or publication is not prohibited even though the newspaper publishes editorial opinions on political and legislative matters).
- b. RSOs that receive College funds may participate in a political campaign on behalf of any candidate for public office as long as their campus-based activities comply with College policies and procedures. The RSO must clearly identify itself as a student organization that does not represent the official views of the College of the Holy Cross.
- c. The College's name, logo, trademarks and other depictions of the College may not appear on any materials that is used in support of a political candidate, party, or partisan political cause.

5. College Faculty and Staff. All faculty and staff remain free to express their political views, provided that (a) they ensure that it is clear that they do not speak on behalf of or for the College and (b) their participation in political activity in their individual capacity is separate and apart from their relationship with the College. There is no restriction of faculty members' discussions of political issues, teaching of political techniques, or academic endeavors that address public policy issues in accordance with academic freedom principles. However, the following restrictions apply:

- a. No College employee may state or imply in any manner that they are speaking or acting for or on behalf of the College when expressing support for or against a candidate for public office.
- b. Senior College officials should not make statements or undertake activity where there is a risk that the statement would be perceived as support or endorsement of the College.
- c. No employee of the College may perform tasks in any way related to a political campaign, public office, political party or political action committee in their capacity as a College employee or during working hours.

Questions with respect to this policy should be submitted to the Director of Community and Government Relations.

Additional information regarding political campaign activities is available at <http://www.acenet.edu/news-room/Documents/Memo-Political-Campaigns-2016.pdf> (a memorandum released by the American Council on Education (ACE) in 2016, which provides examples of permitted activities as well as prohibited activities based on the legal constraints).