



Howling Counsel

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ADVOCACY BY NC STATE EMPLOYEES

In this time of increased civic and political engagement, the Office of General Counsel provides the following general information and guidance* for University employees with respect to advocacy activities.

Overview

Each member of the NC State community has the constitutional right to freely express his/her views on any subject, including advocacy for or against candidates for public office and for or against a political issue. In exercising these rights, however, the resources of NC State cannot be used and political activities cannot be incompatible with the general responsibilities of public employment.

In general, employees may participate freely in the political process as long as those activities are conducted independently from their NC State employment.

Common Scenarios:

- Employees may freely discuss current events, policy and legislative issues, and matters of public interest with coworkers. This includes incidental personal communication by email using NC State information technology resources, provided that such use conforms with the University’s Computer Use Regulation (e.g., no broadcast emails). During campaign season, however, employees may not send emails from their NC State email addresses or otherwise use NC State’s IT resources to advocate for or against a political candidate, party, or cause. In addition, employees, particularly those in supervisory positions, who express personal opinions should remain mindful of how those views may be received by coworkers and/or subordinates.
- An employee may participate in a march, rally, or demonstration, but cannot do so during a period of time during which he/she is expected to perform services for NC State. Rather, such participation must take place outside of normal business hours, or while the employee is taking approved leave or compensatory time off.
- Employees cannot use University vehicles, equipment, campus mail, postage, photocopiers, fax machines or computers to engage in non-University activities. For example, an office cannot use a University vehicle or use its funds to rent a vehicle to provide transportation to a march, rally, or demonstration.



Why is Compliance Important?

For the University, failure to comply with these regulations could lead to the loss of its federal tax exemption status. In addition, the University could face negative political consequences, or suffer damage to its reputation and public image.

For individual employees, failure to comply with these regulations could lead to disciplinary action under University and UNC System policy, and in certain cases, criminal charges under State law.

Compliance with these regulations is critical for both the University and individual employees.

Please feel free to contact the Office of General Counsel if you have any questions.

For Additional Information:

[Compliance Website](#)

[POL 05.00.04](#)

[UNC Policy Manual 300.5.1](#)

[UNC Policy Manual 300.5.2](#)

[Prezi - Prohibited Political and Legislative Activities](#)

Common Scenarios cont'd. . .

- The University as an institution may not endorse political candidates, parties, or causes. Therefore, employees should not conduct activities that may be perceived by others as University support, opposition, or endorsement of a candidate, party, or cause. For example, an employee may write a letter to the editor, sign a petition, or contact an elected official in that employee's personal capacity, not as a representative of NC State and not on University letterhead stationery or including University's logos and marks. Employees should be mindful that where the employee's name is accompanied by his/her University title, the risk of confusion that his/her opinion represents an official position of NC State may increase.
- Consistent with its mission as an educational institution, NC State and its employees can provide data, conclusions, and information of a substantive nature to elected officials at their request. For example, a member of the North Carolina General Assembly may request information regarding agriculture, economics, or education. Such information must be made available equally to all officials. It should be made clear that in providing information, the University cannot be identified as supporting any candidate or party. Prior to providing information, the University center, institute, college, department, unit, or employee is required to contact the University's Office of External Affairs.

*This document is provided as a resource for common situations. For specific circumstances not covered under this overview, please contact Brent McConkey, Assistant General Counsel, at 919-513-4051 or Eileen Goldgeier, Vice Chancellor and General Counsel, at 919-515-3932.

For more information regarding political activities, please see NC State's Political Activities Policy and this Howling Counsel Newsletter.

SAVE THE DATE!

**OGC Cordially Invites You To Our
Annual Open House
Pie Day!**

**March 20, 2017
2:00 - 4:00 p.m.
305 Holladay Hall**

**Meet the staff
Homemade pie tasting
Pie judging**