



# Howling Counsel

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## A PRIMER ON POLITICAL ACTIVITIES

As primary season approaches in this election year, the Office of General Counsel feels a refresher could be helpful for NC State faculty and staff wondering about the ability of NC State as an institution, and their ability as university employees, to engage in political activities.

### Engagement in Political Activities by the University

As a public institution, NC State must observe certain restrictions with respect to the types of political activities it conducts.

To begin, NC State is a government entity and cannot endorse any political party, candidate or cause. It also cannot participate or intervene in a political campaign on behalf of or in opposition to any candidate for public office.

However, NC State is free to carry out its educational mission by engaging in certain politically-related activities.

Voter Guides, Questionnaires, and Polls: NC State may conduct certain activities aimed at educating voters about candidates or issues. This may include the preparation of voter guides, candidate questionnaires and public opinion polls. The intent is to create a more informed electorate, rather than advocate for a particular candidate, party or cause.

Voter Registrations and Get-Out-the-Vote Efforts: NC State may also make efforts to register voters and conduct events to increase participation in the political process. These efforts must be non-partisan, not targeting voters of a particular party or candidate.

Information and Data: NC State may provide information to political candidates. This may be data, conclusions, or information of a substantive nature on topics such as agriculture, economics or education.

Issue Advocacy: Additionally, NC State is permitted to engage in issue advocacy. This means that NC State may take positions on non-political, public policy issues – which is distinct from endorsing a political or partisan cause. For example, NC State can engage the campus in creating a more sustainable future.

Hosting Candidates: Finally, NC State may host candidates for public appearances and debates. Single party appearances are permitted on the university campus provided they are sponsored or hosted by a registered student organization and all expenses related to the event, if any, are paid by the candidate, political organization or student organization. University facilities may be used for political events in compliance with the University’s Facilities Use Regulation, [REG 07.25.11](#).

**In summary,** NC State is free to carry out its educational mission by providing information to citizens and candidates and supporting the political process. In doing so, however, NC State is not permitted to support any particular candidate, party or cause.



### 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:

**POL 05.00.04**

**UNC Policy Manual 300.5.1**

**UNC Policy Manual 300.5.2**

**Prezi - Prohibited Political and Legislative Activities**

## SAVE THE DATE!

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

**March 14, 2016**

**2:00 - 4:00 p.m.**

**305 Holladay Hall**

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

## Engagement in Political Activities by University Employees

All employees have the right to freely express their views on any subject, including advocacy for or against candidates for public office and for or against political issues. Your status as an employee does not change your fundamental rights as a citizen to engage in the political process. This means that you are free to express your opinion, register to vote, participate in campaigns and elections, solicit or make campaign contributions, or become a candidate for political office.

However, these activities must be conducted *independently* from your NC State employment and consistent with University policy. The following prohibitions help maintain independence from your personal political actions and your NC State employment.

Performing Job Duties: Participation in political activities cannot take place during a period of time during which you are expected to perform services for NC State. Rather, activities should take place after business hours, or while taking personal leave (i.e. annual, bonus or special).

Using Community Service Leave: Employees may not use Community Service Leave (CSL) to campaign or to engage in partisan political activities. However, employees may use CSL to volunteer to work inside the polls to facilitate the voting process for the state or local Board of Elections. Simply, employees cannot use CSL for handing out campaign brochures, transporting voters, or conducting any other partisan political activity.

Using University Resources: University resources may not be used for any political activities. For example, you cannot use University vehicles, equipment, campus mail, postage, photocopiers, fax machines or computers to engage in political activities. This includes sending emails from your NC State email address. Sending emails from your NC State email address constitutes use of University resources, and use of NC State resources for your individual participation in political activities is prohibited.

Conducting Activities as an Individual: Because NC State as an institution may not endorse political candidates, parties or causes, you as an employee should not conduct activities that may be perceived by others as *University* support, opposition or endorsement of a candidate, party or cause. For example, you should not distribute campaign material door-to-door wearing an NC State shirt if a person may reasonably believe that you are representing NC State and communicating the *University's* endorsement of the candidate, as opposed to your own *personal* support of the candidate. When participating in political activities, you should be aware of any potential confusion and, when necessary, clarify that you are participating as an *individual* and not on behalf of the University.

Misuse of Authority: Finally, NC State employees are prohibited from misusing the authority of their University positions for political purposes. This means a University employee cannot use his/her position to endorse a political candidate, party or cause. An employee misuses his/her position by coercing, soliciting, or compelling another employee to support, contribute to, or oppose a political candidate, party or cause. For example, a supervisor may not hold a staff meeting where they encourage their employees to vote for a particular county commissioner. Their position as a supervisor may lead employees to feel like they *must* support the candidate or face professional repercussions.

**In summary,** University employees are permitted to engage in political activities so long as they are conducted independently from their University employment. Activities should be conducted using personal time, non-University resources, in your individual capacity and without using the authority of your position to generate support for your opinion.

## NC State Voter Education Effort on Connect NC Bond

Consistent with its educational mission, NC State is permitted to provide information to the public regarding the \$2 million Connect NC Bond, to be presented to North Carolina voters on the March 15 ballot. This bond includes \$160 million for 2 major NC State projects: the Engineering Oval and Plant Sciences Research Complex. While the University may not use public resources to encourage people to vote "yes" for the bond's

passage, it can inform the public about the bond and its potential impacts, which may include explanation of the bond's resulting benefits to agriculture and engineering in North Carolina.

The State has selected the Connect NC Committee to manage the overall bond awareness effort, and NC State will participate with the Committee to educate the public as to the impact of the Connect NC Bond. For more information about Connect NC, please see this [website](#).