



OP 01.14 POLITICAL ACTIVITIES

PURPOSE:

This policy is intended to describe improper activities and to set forth rules regarding employee involvement in political activity as well as the use of the University's name, personnel, facilities, equipment, and supplies in connection with political campaigns. The guidelines provided in this policy apply to the institution as a whole and to each of its components, e.g., colleges, schools, divisions, departments, centers, institutes, laboratories, as well as to individual positions. It must be recognized, however, that policy guidelines of the kind set forth in this policy are not intended to deal with all possible political activities and situations.

The University will take all action necessary or desirable in attempting to assure compliance with all applicable laws, rules and regulations regarding political activity while carrying out its mission in teaching, research and service, taking care not to infringe on the rights of others.

POLICY:

While participation by employees of the University in various community and public affairs is expected and encouraged, it must be remembered that it is unlawful for any officer or employee of the University to influence or attempt to influence, directly or indirectly, any employee to vote or not to vote for any particular person or group of persons in any election. It is also unlawful for any administrator or supervisor to make any statement, public or private, or to give out or circulate any report or statement calculated to intimidate or coerce or otherwise influence any employee as to his or her vote. See § 23-15-871, Mississippi Code of 1972.

Political activities by an employee will not be prohibited at such times as the employee would not be ordinarily required to render services to the institution or if the employee elects to take and the institution grants leave of absence without pay.

PRINCIPLES / RULES / GUIDELINES:

I. General Rules/Guidelines

- A. State or federal funds or other resources may not be utilized in any way, directly or indirectly, to advance or attempt to advance the cause of any political candidate or political party.**

- B. The University, as an institution, must be absolutely neutral in all political campaigns. In no way shall its endorsement, directly or indirectly, be given to any candidate or political party.
- C. It is expected that all University employees will apply the basic principle of neutrality in all political activities involving them as representatives of the institution and in their utilization of the personnel, facilities, equipment, and supplies of the University.
- D. Employees are free to endorse any candidate or issue of their choice, but the endorsement (whether oral, written, or in graphic form) should never imply in any way that the candidate or issue is endorsed by the University or a component thereof.
- E. In correspondence, statements, or other material relating to personal political activity, the University title of an employee shall not be used. The only exception to this provision is that a candidate for public office may use his/her University title for identification purposes only. If such identification might reasonably be construed as implying either the support or opposition of the University with regard to such personal political purposes or activity, the identification shall be accompanied by an explicit statement that the individual is speaking for himself and not as a representative of the University or any of its offices or units. This provision applies to present and former employees of the University. In the case of an emeritus faculty or staff member, for example, it must be made clear that the candidate's affiliation with the University does not constitute endorsement or support for the candidate.
- F. The name, insignia, seal, or address of the University or any of its offices or units or a University telephone number shall not be used for personal political purposes or activity.
- G. A political advertisement should not list the title of an employee after the name, e.g., "Jane Doe, Associate Professor of Anonymous Sciences, Mississippi State University," if doing so will imply the support of the University for the party or candidate.
- H. Stationery bearing the letterhead of the University or any of its components should never be used in any correspondence, advertising, or in any other manner that indicates or implies endorsement of any candidate.
- I. Appearances on platforms or on radio or television.
 - 1. Employees should make every effort to make it clear that their appearance at a political gathering or on a speaker's platform, on radio, or on television, is as an individual and not as a representative of the University, e.g., attempt to persuade the person introducing an employee to avoid use of the title when introduced.

2. Employees should make every effort to prevent the use of their University titles after their names in graphic presentations on television or in radio advertising.

II. Employees as Candidates and Public Office Holders

A. An employee of the University interested in running for a public office is encouraged to research and/or seek independent legal counsel regarding potential ethical and other legal issues associated with a University employee running for or holding public office.

B. Prior to qualification as a candidate, an employee seeking election to public office shall notify the appropriate department head, dean, director, or vice president of the employee's intention to qualify for the elected office. Upon receiving such notice from an employee, an administrator should immediately notify the Office of General Counsel. After consulting with the Office of General Counsel, the vice president and department head, dean, or director will then determine if, in the University's sole discretion, the employee's candidacy for and/or holding the elected office will create a conflict of time or interest for the employee based on the employee's position with or duties to the University. In the event it is determined that a conflict of time or interest will exist, the employee must resign his/her employment with the University in order to seek and/or hold the position.

C. Although the University will take into consideration Title 25, Chapter 4, Mississippi Code of 1972 (known as the Ethics in Government Law), the Mississippi Constitution of 1890, applicable opinions of the Attorney General and Ethics Commission of the State of Mississippi, and other applicable state or federal laws, it will not be bound by such laws or opinions in determining whether a conflict of time or interest exists. Prior to obtaining an independent Opinion from the Mississippi Ethics Commission, employees should provide the notification above and to work with the Office of General Counsel to ensure that the facts presented to the Commission are agreed upon by the University.

III. Appearances of Political Candidates on Campus

A. Registered student organizations such as the College Democrats or the College Republicans may choose to sponsor candidates on campus. Advance approval must be obtained as to time, manner, and place from the Dean of Students.

B. For any event staged by a registered non-student organization, or any component of the University, the following shall apply:

1. If any candidate who has qualified for an office is invited to make an appearance on the campus, every other candidate who has qualified for that office must be invited and treated with equality, no matter what the assessment of an individual, group or the media might be of that candidate's chances of election.
2. Each candidate must receive equal billing, e.g., one must not be billed as "Principal Speaker" and the other as "Panelist" or "Respondent", etc.
3. Each candidate must be given equal time to speak.
4. Where multiple candidates are involved, the order of speaking must be determined in some random manner, e.g., by drawing.
5. If it is desired to have only one candidate for an event, then each candidate who has qualified must be invited to subsequent events as nearly equal in terms of time, place, etc. as feasible. Negotiations in arranging these subsequent events with candidates must be on a thoroughly equal basis.

C. Presiders, Moderators, Chairs, Etc.

1. The presider, moderator, chair, etc. must treat each candidate in an equal manner.
2. To the extent feasible, it would be highly desirable to have as the presider, moderator, chair, etc., a person not presently or in the past closely associated with any of the candidates and one who has not publicly endorsed any of them.

IV. Teaching

- A. Neither faculty nor students shall make use of courses or class time for organizing political activities.
- B. Political topics and materials are not exempt from the general rule that course instructors, as well as teaching assistants, are obligated to teach each course in reasonable conformity with the subject and course description announced in advance; academic freedom does not justify the introduction of a significant amount of extraneous subject matter, or of irrelevant discussion or activities, into the conduct of a class.
- C. In courses where contemporary political topics and materials constitute the subject matter itself, faculty and students should treat them as subjects of study and analysis in accordance with the accepted intellectual standards of academic

inquiry and discourse. When such courses use “participant observation,” “action involvement,” or other comparable pedagogical techniques, care should be taken to avoid involvement in any collective political activity either on behalf of one candidate or on one side of an issue.

- D. Employees, when undertaking personal political activity in conjunction with other employees or students, shall establish clearly the voluntary nature of such activity and maintain the clear separation of personal political activity from the educational program and from University operations and resources.
- E. Protecting the academic integrity of classes is the responsibility of the class instructor. This authority or trust must not be delegated to others by, for example, allowing the subject matter or format of the course to be determined conclusively by a vote of the students or by allowing the course to be deflected from its intended aim by extra-academic pressures, political, social, or other.

V. Displays

A. General.

1. The display or distribution of political materials -- including political posters, notices, handbills, signs and banners -- shall conform to campus regulations.
2. All candidates or ballot initiatives must be given equal opportunities for displaying materials in accordance with these regulations.
3. If it is not feasible to give such equal opportunity, then no candidate or ballot initiative shall be permitted to be displayed, e.g., if it is not feasible to string banners over one of the University streets for all candidates or ballot initiatives that wish to have them, then no banner shall be hung.

B. Lapel Buttons.

While legally employees may be free to wear lapel buttons at will as individuals, it is advisable not to wear them when performing an official university function, e.g., teaching a class or presiding over a meeting.

C. Bumper Stickers.

1. Employees are allowed to affix bumper stickers to their personal motor vehicles.
2. No stickers or displays of any type may be attached to a University vehicle, even if temporary.

VI. Use of University Employees, Facilities, Equipment, Supplies and Services

University employees, property, facilities, equipment, supplies, services or other University resources shall not be utilized in any way, directly or indirectly, to advance or attempt to advance the cause of any political candidate, political party, or ballot initiative unless such use is allowed under this policy.

A. Employees.

In general, it is illegal to utilize the time of any person or any material paid for by state or federal funds in support of a candidate for public office.

B. Facilities.

1. Auditoriums, assembly halls, conference rooms, gymnasias, classrooms, etc. may be made available to registered organizations for political gatherings which they sponsor in accordance with University policy for reservation and use of such facilities.
2. Campaign literature and material shall not be affixed to University property.
3. University sites or facilities shall not be used for organizing and maintaining personal political activities.
4. University offices shall not be used as a headquarters or office in connection with the organization of personal political activity.
5. Parades, rallies, demonstrations, etc., on University grounds must be conducted in accordance with institutional regulations, including required advance permits, noise levels, etc., and all candidates for an office must be treated with equality in staging these events.

C. Equipment.

University equipment (such as vehicles, telephones, and computers) shall not be used to advance the cause of any candidate or ballot initiative.

D. Supplies.

1. Utilizing University supplies in support of a candidate or ballot initiative is prohibited--specific examples: stationery, envelopes, tapes, labels, etc.

2. University publications may be sold or given away to a candidate, his/her supporters, or ballot initiative supporters provided this is done on the same basis as for any other purchaser or person.
3. Food or drinks of any kind may not be provided to a candidate, his/her supporters, or ballot initiative supporters except as regularly provided to the public.

E. Services.

Mail and other services, including databases, of the University may not be used in connection with political purposes or activity.

VII. Political Contributions

A. No funds in any way supplied from University revenues may be utilized to support any candidate for office or any ballot initiative.

1. University revenues means all funds received by the institution, from whatever source derived, including state appropriations, federal funds, auxiliary enterprise revenues, sales, etc.
2. The prohibition includes funds of employee and student organizations which are derived from University revenues.

B. Employees are free, of course, to contribute personally to candidates or parties of their choice.

1. Contributions should in no way imply that the funds contributed were derived from a University source.
2. Donors must ensure that the contributions they make are credited to them in their individual capacities and not as holders of positions at the University.

C. Organizations of employees of the University which raise funds independently of the institution are free to make contributions to candidates or ballot initiatives of their choice in the name of the particular organization, but care must be taken to assure that the organization is not viewed as representing the University.

VIII. Dealing with Political Solicitation at Events on University Property

A. The University will allow the following political activities at events held on University property:

1. Signs on personal vehicles are permissible (even very large ones).

2. Walking among attendees -- talking, waving, etc. is permissible.
 3. Wearing items of political persuasion is permissible except for University employees present in their employment capacity at the event.
- B. The University will not allow the following political activities at events held on University property:
1. Attaching signs to university property (fence, ground, light pole, etc.).
 2. Activities that create an unsafe or disruptive environment.

Also see Policies:

OP 91.110 Campus Advertising, Sponsorship, and Solicitation

OP 91.304 Free Speech and Assembly

REVIEW

This policy shall be reviewed in June of even numbered years by the General Counsel.

REVIEWED:

/s/ Joan Lucas
General Counsel

04/05/2019
Date

/s/ Timothy N. Chamblee
Assistant Vice President and Director
Institutional Research and Effectiveness

04/08/2019
Date

APPROVED:

/s/ Mark Keenum
President

04/09/2019
Date