

# Guidance on Political Campaign Activities at UWRf

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## I. Introduction

This document provides general guidelines for employees and students of the University of Wisconsin-River Falls who wish to engage in an important but strictly regulated activity: political campaign involvement. 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 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 political campaign involvement as well as the basic legal issues, such as the application of state and federal lobbying rules to the activities of state university employees.

If you have a specific question regarding political campaign issues, please consult the Office of Chancellor for further guidance.

## II. Definition of Political Campaign Activity

Political campaign activity includes not only solicitation of campaign contributions, service in furtherance of candidates, political parties and political action committees, and advocating a particular position on a referendum, but also promoting action on issues which have become highly identified as dividing issues between the candidates. Further, comments regarding the specific actions, positions, or records of a particular candidate may be perceived as support or endorsement by the institution of a particular candidate or political party.

There are other “political” activities that might not fall within the scope of political campaign 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 state work time or state resources to engage in political activities unless expressly designated with this responsibility on behalf of the institution.

## III. Funding of and Use of University Resources in Political Campaign Activity

### *A. Restrictions on Political Campaign Activity by Employees*

As a university employee, your political campaign activities are restricted by Regent policy and state law in three significant ways: (1) You may not engage in political campaign activities during your work time; (2) You may not use state resources to engage in political campaign activities at any time; and (3) You may not solicit contributions or services for a political purpose from other university employees while they are engaged in their official duties.

- State resources include resources such as:
- institutional letterhead and logos
- office space and other facilities
- office supplies
- photocopiers
- telephones or facsimile machines
- electronic resources including email, websites, on-line discussion boards, cell phones, or other similar resources.

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

*B. Use of Segregated Fees in Political Campaign Activity*

In accordance with UW System Financial and Administrative Policies (F50) and consistent with campaign finance law, student groups may not use segregated fees to make direct gifts, contributions, or donations to political campaigns or candidates.

Student organizations may not use segregated fees in a manner which would constitute making a direct gift, contribution, or donation to a particular candidate or political party. 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 Division of Student Affairs at 715-425-4444.

*C. Contributions to and Collecting Signatures for Political Campaign Activities*

All UWRF employees, including legislative liaisons and other employees who attempt to influence legislation, may contribute to and participate in political campaigns at any time during the election cycle. Pursuant to state campaign finance laws, however, campaign contributions and services for a political purpose (such as collecting signatures for nomination papers) cannot be solicited or collected on state time or in state office buildings. (See, Wis. Stat. § 11.36.)

On a related topic, you may in some cases be required to identify yourself and your employer when you make campaign contributions, which then becomes a matter of public record. (See section 11.06(1)(a, b), Wis. Stats. and EIBd 1.46(1,2) Wis. Adm. Code)

IV. Planning of Events Associated with Political Campaign Activity

*A. Use of University Facilities for Political Campaign Activities*

UWRF employees may not use their university position to secure an on-campus conference or meeting room for the purpose of political campaign activities. However, an organization they are affiliated with may rent campus facilities consistent with the rules that apply to facilities rental by any other private organization. Note that state law strictly prohibits the use of state facilities for political fundraising. Neutrality must be maintained in the use of university facilities; opportunities to use facilities will be equally available to all candidates.

Political events may be sponsored by either recognized or independent student organizations under certain circumstances. Student organizations that have federal tax-exempt status may be subject to additional restrictions on political activity.

Candidates wishing to use university facilities for political campaign activities must be sponsored by an organization and complete a facilities reservation request form 30+ days prior to the events date.

Individuals wishing to organize such events should contact the UWRF reservations office at 715-425-4444 to ensure compliance with UW System policies on use of university facilities (Wis. Admin. Code § UWS 21.03) as well as Administrative Policy Paper 19, “Use of University Facilities”

([http://www.uwrf.edu/administration/policies/ad\\_pol/adpol19.html](http://www.uwrf.edu/administration/policies/ad_pol/adpol19.html)). Please note that state law strictly prohibits the use of state-owned buildings for political fundraising.

Reservation forms are available from the University Center Involvement Center Desk, on-line at <http://sa.uwrf.edu/reservations/reservations/requestor>, or you may email reservation requests to [reservations@uwrf.edu](mailto:reservations@uwrf.edu).

*B. Use of University Facilities for Voter Education Activities*

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 the university does not endorse nor oppose any of the candidates. The UW System policy on the use of university facilities (Wis. Admin. Code § UWS 21) as well as Administrative Policy Paper 19, “Use of University Facilities”

([http://www.uwrf.edu/administration/policies/ad\\_pol/adpol19.html](http://www.uwrf.edu/administration/policies/ad_pol/adpol19.html)) apply.

Please note that state law strictly prohibits the use of state-owned buildings for political fundraising. Electronic resources may also be used for non-partisan voter education purposes. For example, a university web page with current election information may include a link to candidates’ web sites 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 given that the university does not endorse nor oppose any of the candidates. If discussion space is provided, the university should include a disclaimer that the opinions expressed on the discussion board do not represent those of the 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.

*C. Hosting of Political Candidates in UWRF Classrooms*

An instructor 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.

*D. Planning of Off-Campus Fundraising Events*

UWRF employees may plan and host off-campus political fundraising events, as long as they do so on their own time and do not use state resources in connection with this event. In addition, UWRF employees, including student assistants, may not promote fundraisers or engage in fundraising activities on state time, or in state office buildings. (*See*, Wis. Stat. § 11.36.)

V. Display and Distribution of Material Association with Political Campaign Activity

A. *Display of Political Campaign Materials by UWRF Employees and Students*

It is a violation of state law for university employees to engage in political campaign activities while at work. Consistent with this principle, the State Office of Employment Relations advises that state employees are prohibited from "the wearing of a political identification while on duty where it could impair the effectiveness of the state agencies' operation." (*See OSER-0053-MRS State Employee Political Activity (Classified Civil Service)*) Accordingly, university employees should carefully consider the impact of wearing such political identifications while on duty.

Similar concerns are implicated in the workplace display of partisan political signs. As directed by Administrative Policy Paper 7, individuals may not post or attach any signs, posters, pictures or any similar item in or on a university building, except as authorized by Administrative Policy Paper 7, "Sign Posting Policy" available at [http://www.uwrf.edu/administration/policies/ad\\_pol/adpol7.html](http://www.uwrf.edu/administration/policies/ad_pol/adpol7.html). The posting policies of the University Center, the Chalmer Davee Library, and the residence halls are not covered by Administrative Policy Paper 7.

The display of bumper stickers on privately-owned vehicles parked in university parking facilities, however, does not raise concerns about improper or illegal political campaign activities.

1. University Center Posting Policies

Bulletin boards in the University Center are available for persons to post items. No prior approval is required for posting on bulletin boards. It is requested that persons date the posted items so they can be removed when expired. Chalking and flagging is permitted only in designated areas of the campus. The designated area of the campus that has been established after review by both UCC and the Student Organizations committee is the main campus mall extending from 3<sup>rd</sup> to 6<sup>th</sup> Street. Any chalking or flagging done outside of this area may be removed and the organization(s)/individual(s) responsible may face disciplinary sanctions. Chalking is not allowed on the side of the patio of the entrance of the University Center. Chalking is not allowed on the patio of the University Center. Sandwich boards exist for promotional purposes and are used in conjunction with Student Affairs. They are to be used only on the inside or outside of the North and South entrances. No more than one event or three at any one time can be used at a location. Special attention should be given to egress and access, and sandwich boards may be moved / removed if not. Sandwich boards are not a reservable equipment. They are for internal use only. Any external department sandwich boards must be placed outside of the building.

2. Residence Hall Posting Policies

Students living in the residence halls may post political campaign materials in their residence hall room so long as they comply with 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. (*See, Wis. Admin. Code § 18.06(17).*)

Students and political candidates are permitted one poster per residence hall, no larger than 11" x 17". This will be posted in the main lobby on a "Campus Events" bulletin board. Upon approval, from Residence Life Staff in the Involvement Center all poster, flyers, or announcements, will be posted by Residence Life staff. When dropping off postings for approval, please make sure to include contact information in the event there are questions about the posting. Postings that are not properly submitted will be removed.

3. Chalmer Davee Library Posting Policy

Signs and announcements are to be posted only in designated areas or the Chalmer Davee Library such as kiosks, bulletin boards or the gallery marquee. All postings are subject to approval by the Library Office. All approved postings must be date-stamped. Approved items may be posted for 30 days after which time library staff may remove materials. No signs are to be placed on the library's doors or windows except official library postings. Signage and other materials should not be disapproved of based upon the origin, background, or views of those contributing to their creation. The American Library Association affirms that all libraries are forums of information and ideas and should make space available to the public they serve on an equitable basis regardless of belief or association.

*B. Distribution of Campaign Materials*

Campaigning is permitted in public areas at UWRF, subject to institutional 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 the following institutional policies governing the time, place and manner for engaging in such activities.

Door-to-door solicitation in the residence halls is never allowed. This includes, but is not limited to knocking on doors, sliding things under student doors, and putting door hangers on doorknobs. Individuals or student organizations found violating the no solicitation policy will be referred to the Residence Life and/or university conduct system. Candidates are only allowed to campaign in public and reservable areas in residence halls, and only with prior permission by the Residence Hall Manager.

Designated members of approved campus organizations or candidates for public office can utilize public lobbies or appropriate reservable areas to present their viewpoints by discussion or materials following approval of the area, method, and time by the Hall Council (to contact Hall Council members, contact the Hall Manager for that facility). The manner of presentation must not interfere with the flow of traffic, not constitute harassment to residents, and must be done in a responsible fashion so that the information/discussion is conducted on a voluntary basis to residents. These requests are handled on a first-come, first-serve basis.

Candidates who wish to speak at Hall Council meetings are required to have prior approval by the individual Hall Council. Contact the respective Hall Manger for the particular residence hall complex to speak at a meeting.

*C. Distribution of Political Campaign Materials in Residence Hall Mailboxes*

Any political materials for campaigns to be placed in student mailboxes require labels and must go through the US mail. If a political candidate is sponsored or endorsed by a student organization and this is clearly marked on the item to be placed in student mailboxes, then the mailings do not need to be sent through the US mail; however, they are still required to be labeled. Prior notice is needed so that an email can be sent to the Residence Life staff letting them know it is permissible to stuff the mailboxes. All mailing must include labels and should be addressed as follows: Name or (Resident of) Room Number, Residence Hall (In room number order). If a candidate is sponsored by a University recognized organization; the mailing must have labels, the name of the student organization must be clearly identifiable and you must bring them bundled by hall, in room number order with proper labeling to the Involvement Center, Room 170. Allow at least 3 business days for distribution. If you have questions, please contact Kristie Feist, Assistant Director of Residence Life, at 715-425-4444 ext 123 or at [kristie.feist@uwrf.edu](mailto:kristie.feist@uwrf.edu). All mailbox stuffers (approved mailings that meet the requirements for not going through US Mail) may not be any larger than an 8.5 x 11 sheet of paper or a 5x7 sized envelope. They must be bundled by hall and may be brought to the University Center Involvement Center, Room 170.

*D. Access to University Mailing Lists*

Candidates for political office may request mailing lists of university employees and students. Mailing lists will be provided in Microsoft Excel format and/or printed mailing labels, and may be obtained for a one-time charge \$75 per data request, plus an additional charge of two cents per mailing label printed. Data requests may be submitted to the Office of Institutional Research at [datarequest@uwrf.edu](mailto:datarequest@uwrf.edu). University employees and students who choose not to have this information disclosed are annually offered the opportunity to have their names and home addresses withheld from these mailing lists.

VI. Endorsements of Candidates for Political Office

UWRF employees may permit an organization to list my name and employment title as a supporter in its political campaign literature. Care should be taken, however, about using an official university title to promote one candidate over another. Whenever possible, employees should seek to clarify that the use of their name indicates neither support nor endorsement by the university of a particular candidate, and that you are acting solely in your role as a private citizen. On a related topic, you may in some cases be required to identify yourself and your employer when you make campaign contributions, which then becomes a matter of public record. (*See*, Wis. Stat. § 11.06(1)(a,b) and EIBd 1.46(1,2), Wis. Admin. Code.)

Student organizations are also free to express their views about the parties and candidates, and to urge voting for particular parties or candidates, and--as noted above--to sponsor events for candidates so long as they comply with rules governing the use of university facilities.

VII. Seeking of Political Office by University Employees

UWRF employees may seek political office, but this may affect their employment. Wisconsin law provides that no elective state official may hold any position or be retained in any capacity with any other state agency when the official is paid for his or her service with that agency. Wis. Stat. § 16.417(2)(b). A state university is a "state

agency,” and therefore an individual elected to state office may not hold a paid position in the University of Wisconsin System.

While the law does not preclude university employees from running for office, if elected, an individual may not hold a paid position at the university while serving in an elective state office.

Regent Policy Document 20-6 provides that, if an employee wishes to be a candidate in a primary election, they must first consult with the appropriate department chair, as well as the dean or director, to determine whether their campaign activity will impair performance of your university duties. If it is determined that the activity will produce some adverse effect, then a reduced-time appointment or a leave of absence would be appropriate for the duration of the campaign.

If an employee is a candidate in a general election, upon consultation with the appropriate department chair and dean or director, a reduced-time appointment or leave of absence should be arranged.

An employee may also run for local office. However, their university appointment may be subject to change, depending on the particular office you are seeking.

Service as an elected official on off-hour demand activities (e.g., school boards, city councils, county boards, or local, state or national commissions) would not normally require a reduced appointment or leave of absence but may require the use of vacation/personal holiday time to cover any activities during the workday.

If an employee separates from the classified service to fill an elective position, state law requires their employer to retain their right of reinstatement for 5 years following termination from classified service, or one year after termination from the elective position, whichever is longer.

For more specific advice relating to classified employees, see OSER-0053-MRS State Employee Political Activity (Classified Civil Service) and Wis. Stat. § 230.40.