

**Oberlin College & Conservatory
Guidelines for Political Activity**

Policy Name: Guidelines for Political Activity

Responsible Position for Policy: Director of Student Activities

Office Department Responsible for Policy: Dean of Students

Division Responsible for Policy: Student Life

Original Issue Date: 3/2017

Last Revision Date: 10/2020

Log of Previous Revisions: 10/2020

Policy Purpose: Guidelines for Political Activity

Policy Statement: Preserving free speech while complying with federal revenue code

Policy Scope/Eligibility: As part of a longstanding tradition of free and open inquiry, Oberlin College values and protects the freedom of students, faculty, and staff to express political views, to exercise their right to vote, and to participate in the electoral process. At the same time, to retain its status as a tax exempt organization under Section 501(c)(3) of the federal Internal Revenue Code, the College must not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office.

Policy Administration: Dean of Students

Policy Procedures:

Because the above prohibition may include certain uses of institutional resources, as well as certain types of statements on behalf of the College, here are some frequently asked questions and answers to help members of the College community understand how you may exercise your political rights in compliance with the Internal Revenue Code. In addition to following these guidelines, you should make sure to comply with any applicable College policy.

This is not intended to be an exhaustive description of every possible scenario in which the political campaign intervention issue may arise, so if you have any questions about these or other situations, please contact the College's, General Counsel and Secretary, at 775-8401.

1. I'm the president of a College student organization. Can my organization conduct a get-out-the-vote drive?

Yes, as long as your organization conducts its activities in a non-partisan manner. That means you can't conduct voter registration or education activities in a way that favors or opposes certain candidates. For instance, you can provide the name of your organization, the date of the next election, and information on how people can register to vote, without referring to particular candidates or political parties. However, you cannot target voters of a particular party and you cannot select geographic areas for your activities to favor a certain party or candidate.

2. I'm a College employee. Can I speak out on political matters?

Yes. The Internal Revenue Code's prohibition against intervention in political campaigns doesn't constrain your free expression on political matters as long as you make clear that you are speaking for yourself as an individual and that your statement doesn't represent the College's official position.

3. As a College employee, can I attend a candidate's campaign fundraising reception?

Yes, as long as you do so as an individual on your own time and with your own funds. If there is a publication associated with the reception and your name and title are listed to identify you as an individual who has endorsed the candidate, you must make clear that your title and affiliation to the College are provided for identification purposes only and do not represent an endorsement by the College.

4. As a College employee, can I endorse a candidate in a College publication if I use my personal funds to pay for the section of the publication in which my endorsement appeared?

Under some circumstances, you may be prohibited from making this endorsement, so please contact the Office of the General Counsel and Secretary for guidance on your specific situation.

5. I belong to a group of College students and faculty members who support a candidate in an upcoming election. Can we invite that candidate to appear at a College campus event?

Yes, provided that you give an equal opportunity to participate to other candidates for the same political office; you state clearly in pre-event publicity and at the event that the College does not support or oppose the candidate; and campaign fundraising does not occur at the event. Giving candidates an equal opportunity to participate means that you must invite them to comparable events. For instance, you should not invite one candidate to speak at an event with a large audience while inviting another candidate to speak at a poorly attended event.

6. As a follow-up question, can we invite another candidate to make an appearance because of their business expertise, not their candidacy?

Yes, as long as you fulfill the following guidelines. The candidate must make clear that she is speaking only in a non-candidate capacity. Also, in any publicity for the appearance and at the appearance itself, you must clearly state that the candidate is appearing in a noncandidate capacity and you cannot mention her candidacy or the upcoming election. Finally, you must make sure there will be no campaigning or other partisan activity at the appearance.

7. Can we invite several candidates at the same time to speak at a public forum?

Yes, if you give them equal access and opportunity to speak. This means that an independent nonpartisan panel should prepare and present questions for the candidates. In addition, the subjects the candidates are asked to discuss should cover a broad range of issues of interest to the public, and each candidate should have an equal chance to present his or her view on each of these issues. Lastly, if the forum has a moderator, that person must not imply approval or disapproval of any of the candidates.

Reviewed: 10/2020