



BOV POLICY #26 (2016) STATEMENT ON POLITICAL ACTIVITIES ON CAMPUS

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Policy Type: Board of Visitors
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Responsible Office: Office of the President
Responsible Executive: President
Applies to: University Community

POLICY STATEMENT

Norfolk State University (NSU or University) is committed to complying with Internal Revenue Service regulations that prohibit the use of University resources in connection with political campaign activities. State time and resources must be properly used in furtherance of the business of the Commonwealth and not spent on political activities, including activities that support or oppose a political party, a candidate for elective office, or a ballot question. NSU is also committed to free and open discussion of ideas and opinion and encourages active citizenship. It is therefore important that the University Community, including appointees and state employees, abide by laws and policies requiring separation of state business and any political activity.

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PURPOSE

As a publicly-supported state institution, Norfolk State University is prohibited by federal law from participating in or attempting to influence campaigns for any elective public office or any political initiative (such as a public referendum). The University may not endorse a candidate or ballot proposal, provide or solicit financial or other support for candidates or political



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organizations, or establish political action committees. This Statement on Political Activities on Campus is adopted to make clear the Board's position on political activities on campus and to direct the Administration to establish best practices for the University. The President is delegated the authority to establish and promulgate rules and procedures pertaining to this policy.

CONTACT

The President officially interprets this Policy and is responsible for matters pertaining to this Policy as it relates to the University Community. The President is responsible for obtaining approval for any revisions as required by [BOV Policy # 01 \(2014\) *Creating and Maintaining Policies*](#) through the appropriate governance structures. Please direct questions pertaining to this Policy to the Office of the President.

DEFINITIONS

Candidate: means a person who seeks or campaigns for an office of the Commonwealth or one of its governmental units in a general, primary, or special election and who is qualified to have his/her name placed on the ballot for the office.

Gift: means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. (See [Code of Virginia § 2.2-3101](#) for examples of prohibited services or gifts, and exceptions).

University Community: includes all Board of Visitors members, administrators, faculty, staff, students, student employees, student organizations, contractors, agents, and volunteers of Norfolk State University.

POLITICAL ACTIVITIES ON CAMPUS

In General

The Internal Revenue Code prohibits the University from participating or intervening directly or indirectly in any political campaign activity or supporting any such activity. To maintain adherence to this prohibition, the following guidelines govern the university's faculty and staff ("employee" or "employees") in their relation to political campaign activities:

1. The name, marks, and seal of the University or any of its schools or other units may not be used on letters or other written materials, (including through the use of social media) intended for support for a political campaign on behalf of or against any candidate for public office, political party, or political action committee, including the solicitation of funds for such purpose or activities. This includes a prohibition on use of University letterhead, envelopes, email accounts, telephone lines, and voicemail systems for communication.



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2. University employees may not state orally or in writing that they are speaking for or on behalf of the University when expressing support for or opposition to a candidate for public office, and should state explicitly that they are speaking as individuals, not on behalf of the University. This prohibition includes oral or written statements made using social media. University titles should be used for identification only.
3. No University office and no employee's office may be used as a return mailing address for the solicitation of funds for political campaigns on behalf of or against any candidate for public office or the solicitation of an endorsement of any candidate for public office, political party, or political action committee.
4. University funds, duplication machines, computers, telephones, fax machines, or other equipment or supplies may not be used on behalf of or against any candidate for public office, political party, or political action committee.
5. University facilities (office space, meeting rooms, lecture halls, etc.) in general may not be used on behalf of or against any candidate for public office, political party, or political action committee. If a University facility is regularly made available to non-University groups, however, such facilities may be made available for political campaign activities if:
 - (a) the facility is provided on the same terms and conditions governing the use for purposes other than political campaign activities, and
 - (b) the facility is made available on an equal basis to other candidates.
6. University web pages and social media accounts may not be used on behalf of or against any candidate for public office, political party, or political action committee.
7. No employee of the University may perform tasks in any way related to a political campaign for public office, a political party, or political action committee in their capacity as a University employee, nor should any employee be coerced to engage in any type of political activities, including monetary contributions.

Nothing in this policy prohibits University employees from participating in political activity in their individual capacity separate from their relationship to the University. In addition to the restrictions set forth above, any such political activity should be performed:

- (a) outside of normal work hours,
- (b) during a leave of absence without pay taken with the University's approval,
- (c) during a sabbatical leave, or
- (d) within ordinary work hours, if the time is charged to vacation time to which the person is then entitled.



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Faculty and Staff

Faculty members are entitled to engage freely in political activity consistent with obligations as a teachers and scholars. The political positions assumed by members of the faculty are personal ones, and faculty members must ensure that they do not necessarily, nor even inferentially, imply that such positions are endorsed by the University. For this reason, a faculty member should avoid expressing such political positions on University letterhead.

Many kinds of political activity are consistent with effective public service and the University encourages such service. Some activities may involve so much time as to affect adversely the faculty member's ability to perform expected academic responsibilities. In that situation a faculty member should seek a leave of absence. The Deans and Vice Presidents are responsible for determining whether a given kind of public service will require modification of a faculty member's full-time employment status or will require some form of leave of absence. Such a leave of absence, should it be required, shall not affect unfavorably the tenure status of a faculty member and must be properly documented.

Campaigning For and Serving in a Public Office

Faculty and staff members may campaign for themselves and serve in elective or appointive public office, provided their activities do not interfere with their university responsibilities and commitments or otherwise conflict with University policies. Faculty and staff members, however, must ensure that their campaigning and positions are neither misunderstood nor communicated as being endorsed by the University either directly or inferentially. As stipulated in this policy, University resources (including, but not limited to, University letterhead, email accounts, equipment and staff) may be used to support only the mission of the institution.

Faculty Responsibilities: Faculty are expected to inform their immediate supervisor, Dean, and, if applicable, Vice President in a timely fashion prior to seeking election to or campaigning for public office, so that the University may ensure that instructional and other duties will at all times be properly performed and managed.

A leave of absence for personal reasons may be authorized if the campaign requires either more time than would customarily be allowed for consulting activity, or for protracted absences from the City of Norfolk or other regular University worksite. Such leave may be given for the duration of an election campaign or a term of office, on timely application, and for a reasonable period of time upon approval by the immediate supervisor, Dean, and the responsible Vice President. The terms of such leave will be set forth in writing, and will not affect unfavorably the tenure status of a faculty member; the time spent on such leave will not count toward the probationary period for faculty on the tenure track. A leave of absence shall be without pay, though a faculty member may credit such time against available annual leave.

Staff Responsibilities: Staff members are expected to inform their immediate supervisor in a timely fashion prior to seeking election to public office. Staff members are expected to limit campaigning to off-duty hours; any campaign activity engaged in during work hours must be charged to personal



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leave or unpaid leave subject to supervisor approval. If elected, the term must be served during off-duty hours or must be charged to personal leave or unpaid leave subject to supervisor approval.

Employees Employed with Federal Funds

Executive branch employees who are principally employed in connection with programs financed in whole or in part by loans or grants made by the United States or a federal agency may be covered by the 1993 Hatch Act (<https://osc.gov/pages/hatchact.aspx>). State employees whose salaries are funded 100% by federal funds are covered by the Hatch Act and may not be candidates for office in a partisan election. However, they may actively campaign for candidates for public office in partisan and nonpartisan elections and may contribute money to political organizations and attend political fundraising functions.

State employees whose positions are only partially funded by federal funds may be candidates for elective office in partisan elections. Such employees are still subject to the Virginia Conflict of Interests Act. ([VA Conflict of Interests Act, Code of Virginia § 2.2-3100](#)). It is the responsibility of each employee to review and understand fully the Hatch Act and all statutes applicable to them.

Fundraising

Funds or contributions for political candidates or campaigns may not under any circumstances be solicited in the name of Norfolk State University or on any University campus, and University resources may not be used in soliciting such funds. If NSU students, faculty or staff make political contributions, they must do so as individuals.

Student Publications

Student publications may run editorials expressing the editors' views on candidates for public office, provided that the publication's editorial policy is free of editorial control by University administrators or faculty advisors. A statement on the editorial page must indicate that the views expressed are those of the student editors and not those of the University.

Voter Registration

Voter registration and "get out the vote" drives by University-sponsored organizations must be done on a non-partisan basis (i.e., they may not focus on a particular party).

Gifts and Lobbying

Federal and Commonwealth of Virginia laws prohibit certain gifts and honoraria for public officials.

PUBLICATION

This Policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office shall make every effort to:



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- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
- Submit the Policy for inclusion in the online Policy Library within 14 days of Board approval;
- Post the Policy on the Board's Website; and
- Direct appropriate offices to educate and train all stakeholders and appropriate audiences on the Policy's content, as necessary.

Failure to satisfy procedural requirements does not invalidate this Policy.

REVIEW SCHEDULE

- Next Scheduled Review: September 2020
- Approved date: September 15, 2017
- Revision History: September 23, 2016
- Supersedes: Guideline - Requests for Political Activities Policy Statement (July 19, 2001)

RELATED DOCUMENTS

- [American Council on Education \(ACE\), Memorandum on Political Campaign-Related Activities of and At Colleges and Universities, February 26, 2016](#)
- [Teaching Faculty Handbook](#) (2012, as amended 2015)

FORMS

There are no forms associated with this policy and procedures.