

## **Skidmore College Policy on Political Activity**

### **Preface**

Skidmore College is deeply committed to the values of academic freedom and encourages robust discourse reflecting a broad range of ideas, perspectives, and opinions; the College also is deeply committed to educating our students about informed, responsible citizenship and to reflecting that commitment broadly throughout the campus community.

At the same time, as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, Skidmore College is prohibited from directly or indirectly participating or intervening in any political campaign on behalf of or in opposition to any candidate for elective public office. This prohibition applies to all campaigns, including campaigns at the federal, state, and local level. Violations of this prohibition may result in the denial or revocation of the College's tax-exempt status.

The prohibition on political campaign activity applies only to the College (the tax-exempt charitable organization), not to the activities of individuals in their private capacity. The prohibition on political activity is not intended to restrict free expression on political matters by leaders or officials of the College as individuals. Similarly, the prohibition on political campaign activity does not prohibit the College from having contact of any kind with individuals who are candidates for public office. This prohibition and other laws (for example, laws that regulate lobbying activity intended to influence proposed legislation), however, do impose certain limitations on expressions of political opinion by the College or those acting in official capacities on the College's behalf. The purpose of this policy is to articulate how the College balances those sometimes-competing values.

### **Definitions**

For purposes of this policy:

“Nonpartisan” refers to activities or events that present an exchange between or among candidates for political office or that offer balanced, neutral, or impartial viewpoints and perspectives on issues of public concern.

“Partisan” refers to activities or events that support or oppose a candidate for political office or that support or oppose a position on an issue for the purpose of assisting or opposing a political candidate.

### **Part One: Nonpartisan Political Activity**

1. The appropriate role of the College with respect to political activity, consistent with

the law and the College's educational mission and its commitment to academic freedom and responsible citizenship, is to serve as a neutral and fair forum for all candidates. The following nonpartisan activities are permitted, provided they are carried out in a non-partisan, unbiased manner:

- a. Speakers who are addressing matters of public concern in the context of an educational lecture or presentation, even if the speaker holds or is a candidate for a political office.
  - b. Updates or issue talks by current holders of political office.
  - c. Debates between or among candidates for political office.
  - d. Impartial voter registration drives.
  - e. Events and educational efforts encouraging students to vote either locally or in their hometowns.
2. College space and facilities may be used for such nonpartisan activities on an impartial basis consistent with any otherwise applicable College policies and procedures.
  3. Nonpartisan lectures, debates, and other events may be supported by funding from sources external to the College, provided that preference for seating at such events will be given to Skidmore students and other members of the Skidmore community.

## **Part Two: Partisan Political Activity**

Skidmore College is prohibited from participating or intervening in any political campaign on behalf of or in opposition to any candidate for public office. Therefore, individuals associated with the College must observe the following requirements with respect to participation in national, state, or local partisan political activities:

1. When participating in partisan political activity as an individual, individuals connected with the College must make it clear that their views are their own and do not represent the College. A statement indicating that views on political candidates or issues are those of the individual, and not the College, is especially important when a speaker identifies himself or herself, biographically, as an employee of the College.

**Special note for faculty:** The following language in Part One of the *Faculty Handbook* is particularly relevant for members of the faculty:

Skidmore College vigorously endorses the principle of academic freedom. . . .

Faculty are members of the community, members of learned professions, and professional representatives of an educational institution. When they speak as members of the community, they should be free from institutional censorship or discipline, but their special position in the community imposes obligations. As persons of learning and as educational officers, they should remember that the

- public may judge their profession and the College by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not institutional spokespersons. The College recognizes the right and the responsibility of faculty members to speak as members of the community on issues of public concern.
2. Skidmore employees are free to exercise their right to work or speak on behalf of political candidates or issues, but must avoid doing so in a way that interferes with their responsibilities to the College.
  3. College resources, including but not limited to the following, may *not* be used for political campaign purposes:
    - a. The College's campus mail or bulk-mailing privileges.
    - b. College mailing lists, including use of College e-mail accounts and College-maintained e-mail lists. This limitation does not apply to student communications on student-only lists.
    - c. College-provided office supplies, letterhead, telephones, fax machines, copiers, etc.
    - d. College's support services (for instance, secretarial).
    - e. The College name or official Skidmore College Graphic Identifiers (e.g., seal, watermark, athletics mascot, "Creative Thought Matters" or other positioning statement, etc.).
    - f. The College's website.

### **Part Three: Use of College Facilities for Partisan Political Activities**

As described above, the College is obligated by law to refrain from supporting particular candidates or taking positions on political issues (except in the context of College-approved lobbying activity related to our educational purposes and programs – see Part Four below).

As an educational institution, and in order to ensure that Skidmore maintains a neutral and fair forum for all candidates, the College uses the following criteria when considering requests to use campus facilities for partisan political activities:

1. College-related organizations comprised solely of members of the College community may utilize available College space for partisan political campaign activities provided that the following conditions are met:
  - a. The College-related organization is responsible for compliance with all policies related to the rental of College facilities, including payment of rental fees that would otherwise be charged.

- b. The College-related organization is responsible for ensuring that all costs associated with the event are paid (including telephone and fax usage, photocopying, electricity, facilities personnel, Campus Safety or police coverage, receptions, travel costs, etc.)
  - c. All publicity for the event must include identification of the sponsoring organization and a disclaimer indicating that the College does not support or oppose candidates for political office and that the opinions expressed are not those of the College. A member of the sponsoring organization must make the same disclaimer at the beginning of the event.
  - d. No Skidmore College banners or insignias may be displayed at the event.
  - e. College space and facilities may not be used to solicit funds for political candidates.
  - f. All requests for events must be in writing and submitted in advance for approval by the Dean of Student Affairs or the Dean of the Faculty or their designee, as appropriate, along with all plans, publicity, and other information related to such activities. The Office of Communications is available to consult with members of the Skidmore community about such activities.
2. College space and facilities will be made available on an impartial basis. Consistent with the College's educational mission and given the high demand for College space in general, requests made in association with an academic class or by a recognized student organization will be given the highest priority.
  3. Candidates for political office and individuals representing their campaigns are prohibited from entering College residential facilities for purposes of leafleting or engaging in other campaign-related activity.

#### **Part Four: Lobbying activity**

Speaking with elected officials or otherwise attempting to influence the passage or defeat of legislation, rules, regulations, ordinances, or similar legal documents constitutes lobbying activity. Such activity is strictly regulated. Skidmore College employees may not express an opinion about proposed legislation or otherwise attempt to influence state or local officials, on behalf of the College, without first seeking guidance from the appropriate Cabinet member.

This policy is intended to cover the political activity of the College. Nothing in this policy is intended to restrict the freedom of speech or political activity of an individual.