



XAVIER UNIVERSITY

POLICY: 5.1 LOBBYING, POLITICAL AND CAMPAIGN ACTIVITIES POLICY

Effective: 10/12/2011

Last Updated: 5/25/2023

Last Reviewed: 5/25/2023

Responsible University Office: Office of the Provost and Chief Academic Officer.

Responsible Executive: Provost

Scope: Faculty and Staff

A. REASON FOR POLICY

Xavier University is a private non-profit educational institution governed by Section 501(c)(3) of the Internal Revenue Code, which prohibits "participation in, or intervention in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office." Xavier University neither devotes resources nor urges others to conduct lobby activities on its behalf that would violate guidelines established by the Internal Revenue Service, Department of Education or other state or federal governmental entities ("applicable regulations"). Within these restrictions, Xavier University provides an academic environment which encourages free expression and civic discourse in order to enrich and invigorate the educational experience for all members of the campus community. In order to ensure compliance with the restrictions on political activity and lobbying, Xavier University has traditionally enforced a policy which requires compliance with the strictest interpretation of the applicable regulations.

Lobbying and political activities concerning students and student organizations are addressed in a separate policy.

B. POLICY

Administrative officers, faculty, and staff of Xavier University are free to express their individual and collective political views provided they understand and make clear they are not speaking for or in the name of Xavier University.

Neither the University's name, the name of any University entity supported in part or whole by university funds, nor University insignia may appear on stationery, or any other material used or intended for partisan and/or non-partisan political purposes.

University facilities or resources (including mail distribution services and mailing lists; facsimile, duplicating or photocopying services; communications infrastructure) may not be used by or on behalf of an outside organization or outside individual whose purpose is to further the cause of a candidate, a ballot issue, or a political party. To the extent such services are available for purchase by non-Xavier customers; they may be purchased at the prevailing rates by candidates or parties. No University office should be used as a return mailing address or phone number for partisan or non-partisan political mailings.

Funds or contributions for political candidates may not, under any circumstances, be solicited in the name of Xavier University, on Xavier's campus, or with any University resources. Administrative officers, faculty, and staff shall not send unsolicited interoffice or interdepartmental communications in support of or opposed to a candidate, campaign, political party, action committee or group are prohibited.

C. DEFINITIONS

Lobbying or lobby activities are defined as: engaging in or urging others to engage in contact with an executive or legislative official regarding governmental policy, action, legislation, programs including negotiation and administration of grants, contracts and loans. Administrative officers, faculty, and staff of Xavier University may only undertake lobby activities after obtaining written approval from the Office of the Provost and Chief Academic Officer which approval may be withheld if such officer determines it is not in the best interests of the university. Lobbying does **not** include:

- Broad discussion of social, economic and other policy issues (cannot address merits of specific legislation.)
- Monitoring legislative, regulatory or other activities (unless part of other lobby activity).
- Responding to a request from an executive agency or legislature for information, advice, recommendations or comments.

The University expressly disavows any political communications that are not made in accordance with this provision: such communications are not authorized and may not be attributed to the University. In compliance with the Higher Education Act, the University does not use any HEA or federal student aid funds to pay anyone to influence officers or employees of any agency, members of Congress, or their employees with respect to specified types of action, nor does the University use state funding for lobbying efforts.

D. PROCEDURES (if applicable)

University Sponsored Political Forums or Debates:

Applicable regulations permit tax-exempt organizations to sponsor political forums or debates provided they are sufficiently non-partisan in nature and are conducted for the purpose of educating voters. Where recognized University organizations sponsor and/or University facilities are used to hold political forums or debates, the following guidelines apply:

1. The agenda for the forum or debate should address issues of significant interest to members of the University community.
2. A non-partisan individual should serve as moderator and ensure that all ground rules are followed.
3. The moderator should state, at the beginning and the conclusion of the program, that the views expressed by the participants are their own and not those of the University, and that sponsorship of the forum is not intended as an endorsement of any particular candidate or issue.
4. Participants should be allotted equal time in which to present their views and ideas. Selection criteria for participation should be non-partisan.
5. Political forums or debates need not include every group, party, or individual seeking election.
6. Requests for space for such forums or debates should be made early enough to allow sufficient time for a meaningful invitation to all prospective participants.

Candidates and Campaigning:

An appearance of a candidate for public office on campus must be for an educational or informational talk to the University community and must be sponsored by a recognized University organization or department. All such organizations must secure approval at least two weeks in advance through the Director of Government Relations. Such appearances shall be limited to speeches, question-and-answer sessions or similar communications in an academic setting and are not to be conducted as campaign rallies or events. Political advertising in official University buildings and grounds is not permissible. No advertisements or editorials regarding candidates for elective public office may be placed in official University publications.

Campus voter registration drives must be conducted in a non-partisan manner. No campaign materials are permitted in the area where the drive is being conducted.

University Sponsored Events:

University-sponsored invitations and allowances for individual candidates will be rarely approved. The same criteria for invitation and speaking shall be imposed serially as set forth above, which may include allowing some or all candidates for the same office a similar invitation.

E. EXHIBITS – None

F. HISTORY (if applicable)

This policy makes minor revisions to the existing Policy (5.1 Lobbying, Political and Campaign Activities Policy) established 10/12/2011.

Other applicable policies and/or resources:

CONTACTING XAVIER

Please contact the Director of Government Relations with any questions.

AUTHORITATIVE SOURCE

The authoritative source for this policy, and responsibility for its implementation, rests with the Office of the Provost and Chief Academic Officer.

APPROVAL AND REVIEW HISTORY

Approved By: Audit Committee of The Board of Trustees

Reviewed and approved by President's Cabinet

REVIEW CYCLE

This policy will be periodically reviewed and updated as appropriate.