

HOWARD UNIVERSITY POLICY

Policy Number: 800-002: External Relations and Fundraising
Policy Title: POLITICAL ACTIVITY GUIDANCE TO ALL KEY STAKEHOLDERS
Responsible Officers: Vice President for External Affairs
General Counsel
Responsible Offices: Office of External Affairs
Office of the General Counsel
Effective Date: October 14, 2020

I. POLICY STATEMENT

Howard University (“the University”), like all universities, is a natural place for political discourse and activity. As a non-profit, private institution of higher education, the University is committed to academic freedom and protecting the free expression of ideas and opinions by all members of the University community, including political views and opinions. The University is dedicated to active citizenship and encourages all Key Stakeholders to exercise fully their civic and political rights as individuals.

Moreover, Howard University’s commitment to the “discovery of solutions to human problems in the United States and throughout the world” is in its mission and the University’s essence is expressed in its core values of *Excellence, Leadership, Service* and *Truth*. For more than a century, Howard has fostered leadership to address issues borne from injustice, discrimination, and disparity, to effect positive social, economic, and political change, particularly for African Americans and other people of color, through scholarship and activism.

To protect this important legacy, it is incumbent upon all Key Stakeholders to comply fully with University policies and procedures.

Howard University, as a non-profit institution, is prohibited from engaging in partisan political activity. Every Key Stakeholder has a responsibility to understand how to engage in political activity *without compromising* the University’s status as a non-profit institution of higher education. This Policy provides guidance to Key Stakeholders on what is permitted and what is not permitted according to the Internal Revenue Service (IRS) Code governing non-profit institutions.

Since this Policy does not address every possible situation nor is it intended to provide legal advice, Key Stakeholders should seek guidance from the Office of the General Counsel before undertaking any complex or nuanced Political Activity not covered in this Policy. Violations of this Policy may result in significant monetary fines for the University, revocation of the University’s non-profit status, and penalties for individuals

or groups, including revocation of organizational charters, termination of employment, and expulsion from the University.

II. RATIONALE

As a non-profit, private institution of higher education, the University is prohibited from participating in partisan Political Activity, including campaigning for political candidates, political parties, or ballot initiatives. The University can be implicated in Political Activity only through the actions of individuals who indicate, imply, or appear to a reasonable person that they are engaged in Political Activity on behalf of, or with the knowledge and consent of, Howard University. Therefore, it is incumbent upon all Key Stakeholders to refrain from such behavior to avoid compromising the University's non-profit status.

The purpose of this Policy is to preserve and advance the mission and values of the University in a manner compliant with federal laws and regulations. This Policy is not intended in any way to abridge academic freedom, freedom of expression or imply that individuals cannot exercise their constitutional political and civic rights.

III. ENTITIES AFFECTED BY THIS POLICY

This Policy applies to Key Stakeholders of Howard University including, but not limited to students, employees, alumni, friends, and leadership/membership of University-affiliated organizations. Similar guidance has been provided to the Howard University Board of Trustees.

IV. DEFINITIONS

For the purposes of this Policy, terms are defined as follows:

- A. **Political Activity** – Partisan political activity that includes directly or indirectly participating in, or intervening in, any political campaign on behalf of (or in opposition to) any Candidate for public office. Political Activity may include, but not be limited to, making financial contributions to a campaign; soliciting campaign contributions; distributing information or creating websites and links that favor or oppose certain Candidates; sponsoring events to promote certain Candidates; engaging in disparate treatment of Candidates invited to participate at a University event; and establishing political action committees (PACs).
- B. **Candidate** – Individuals who have declared themselves contenders for public office.
- C. **Disclaimer** – A statement to be used by Key Stakeholders engaged in Political Activity to indicate explicitly that their views or opinions do not represent those of Howard University:
 - “This event/publication/solicitation/opinion is not sponsored, supported or authorized by Howard University. Howard University does not participate in

political campaigns on behalf of, or in opposition to, any Candidate for public office.”

Additionally, the Disclaimer must be used in making oral introductions of Candidates, and on Political Activity materials published or distributed by Key Stakeholders, including on announcements and solicitations.

Public Statements (Oral or Written) by Key Stakeholders

Key Stakeholders may not make partisan political statements (oral or written) when speaking as a representative of Howard University, at official Howard University functions, or in official Howard University publications.

Personal, public statements in support of a Candidate or political party are permitted where there is a clear indication that comments are entirely personal and do not, and are not intended to, reflect or represent the views of Howard University and an appropriate Disclaimer is used.

- For all oral personal public statements regarding a Candidate – the speaker should personally state: “Opinions expressed are the personal opinions of [Name] and not the opinions of Howard University, a tax-exempt educational institution.”
- For all written personal statements or appearances where an official is referred to by name and title – the statement should include: “Titles and affiliations of each individual are provided for identification purposes only. Opinions expressed are the personal opinions of [Name] and not the opinions of Howard University, a tax-exempt educational institution.”

D. Key Stakeholders – Includes, but not limited to, all students; faculty, staff and other employees of Howard University and Howard University Hospital; the leadership and membership of all Howard University-sponsored or affiliated organizations and associations; Howard University alumni; members of Boards of Visitors; volunteers, and friends.

V. GENERAL GUIDELINES FOR STAKEHOLDERS AND STAKEHOLDER GROUPS

The following provides general guidance to all Key Stakeholders on what is permitted and not permitted regarding Political Activity.

A. NOT PERMITTED – ALL KEY STAKEHOLDERS

All Key Stakeholders shall refrain from using **Howard University Resources** of any kind to engage in Political Activity to support or oppose a Candidate or political party. **Howard University Resources** include, but are not limited to:

- Howard University images, campus statuary and landmarks, logos, insignia, or marks. This includes images of the Clock Tower, University Seal, Bison logo, and other trademarked intellectual property.
- Howard University printed or digital letterheads or stationery.
- Howard University building and email addresses.
- Indoor and outdoor campus spaces, including the Yard, offices, meeting rooms, and so forth.
- Office equipment, such as computers, phones, and copiers, and office supplies.
- Howard personnel, including administrative staff and other Howard employees.
- Email, campus mail, and voicemail systems.
- Howard University social media, and other platforms sponsored by the University, such as Zoom and Teams; websites, and blogs. University print and digital publications.
- Bulk mail privileges and sales tax exemptions.
- Paper and electronic mailing lists, including directories, listservs, donor rolls and databases.
- Food and refreshments.

B. GUIDANCE FOR EMPLOYEES

- Employees are encouraged to vote in elections.
- Employees may conduct voter education and registration activities on campus or online, including hosting non-partisan public forums, publishing voter education guides, and administering voter registration drives and get-out-the-vote events. Non-partisan events are those where there is no disparate treatment of Candidates: all Candidates are invited and treated fairly.
- Please reference the Disclaimer in Section IV of this Policy. Informed by the requirements delineated under Disclaimer, employees may participate in Political Activity of their choosing provided such activity takes place before or after normal work hours.
- If an employee is running for political office, no Political Activity can be conducted on campus and every attempt should be made to avoid the appearance of a University endorsement.

- Employees should take care to avoid the appearance of partisan support with respect to invitations they extend to Candidates to speak or visit, and all University Policies should be followed related to an invitation to campus. (See [400-002 Policy for Inviting Dignitaries to HU](#)).

Additionally:

- Employees must indicate they **are speaking as individuals** when speaking out on political issues. (See “Disclaimer” in Section IV.)
- Senior staff, whose political views could be reasonably construed to represent those of the University, **should be explicit in their statements and actions** that they are not speaking on behalf of Howard University, but in their personal capacities. (See also [400-008 Designated Spokesperson for Official University Communications](#).)
- Employees must use the **Disclaimer** to indicate their actions and statements are their own on all printed and digital Political Activity materials and in oral presentations. (See “Disclaimer” in Section IV.)
- Employees must ensure the **Disclaimer** is used for introductions and on digital and printed materials if they are invited to speak out on political issues. (See “Disclaimer” in Section IV.)
- Employees who wish to work together with Howard colleagues on a collective Political Activity must do so **off-campus** and without using online University resources, such as Microsoft Teams, Google, Facebook, Zoom or other University accounts. Such activity cannot use the Howard name or suggest any affiliation with, support or sponsorship by the University.
- Employees should only **use personal e-mail, social media, or other online accounts** (and not howard.edu accounts or other Howard electronic resources or devices) for the distribution of campaign messages, petitions, and similar material.
- Howard Zoom, Teams, and other University accounts cannot be used for convening or attending political meetings, events, or fundraisers.
- Employees **may not use, or allow others to use, or link to a University-hosted website** if they are engaging in Political Activity. Student organizations using a University-hosted website may not link to other sites engaged in Political Activity.
- Faculty may invite Candidates and/or their representative(s) to speak to students in conjunction with their candidacy as part of a course on government, political science or a related topic, provided it is explicitly stated: 1) the appearance is not sponsored by Howard University; 2) no statement is presented as being made on behalf of Howard University; and 3) there is an equal opportunity given to other Candidates to participate.

C. GUIDANCE FOR STUDENTS

- Students are encouraged to vote in elections.
- Students may conduct voter education and registration activities on campus or online, including hosting non-partisan public forums, publishing voter education guides, and administering voter registration drives and get-out-the-vote events. Non-partisan events are those where there is no disparate treatment of Candidates: all Candidates are invited and treated fairly.
- Students must **determine whether the activity requires obtaining permission** and, if so, obtain permission from the relevant Howard University office. (See [400-002 Policy for Inviting Dignitaries to HU.](#))

If activities are conducted on behalf of or in opposition to a Candidate rather than on a non-partisan basis, **students and student organizations**:

- Must **explicitly state the activity does not have the support or endorsement** of Howard University by including the Disclaimer on printed materials and in oral introductions/presentations. (See “Disclaimer” in Section IV.)
- **Cannot use University funds or resources** (See Section V.A.) in the planning or conduct of the Political Activity.
- Must pay **facility or user fees** for a Political Activity from non-University funds.
- May **invite Candidates** and/or their representative(s) to speak to fellow students in person or online in conjunction with their candidacy provided it is explicitly stated 1) the appearance is not sponsored by Howard University; 2) no statement is presented as being on behalf of Howard; and 3) there is an equal opportunity given to other Candidates to participate. The Disclaimer should be used on all printed and digital materials. (See “Disclaimer” in Section IV.)
- May **solicit funds** on behalf of a Candidate provided they do not state or imply Howard University’s endorsement, and do not use University funds or resources, (see Howard University Resources in Section V.A.) in the planning or conduct of the solicitation.
- May conduct a **phone bank** within University facilities if they make clear the activity does not have the support or endorsement of the University by including the Disclaimer on printed and digital materials and in oral communications. (See “Disclaimer” in Section IV.)
- May **publish editorials** expressing the editors’ views on Candidates if a statement on the editorial page indicates that the views expressed are those of the student editors and not those of the University.

- Students should only **use personal e-mail, social media or other online accounts** (and not howard.edu accounts or other Howard electronic resources or devices) for the distribution of campaign messages, petitions, and similar material.

Students or student organizations **may not use, or allow others to use, or link to a University-hosted website** if they are engaging in Political Activity. Student organizations using a University-hosted website may not link to other sites engaged in Political Activity.

D. GUIDANCE FOR ALUMNI, FRIENDS AND OTHERS

- Alumni and Friends must indicate they are **speaking as individuals** when speaking out on political issues. (See “Disclaimer” in Section IV.)
- Alumni and Friends who wish to work on a Political Activity must do so without using Howard University Resources, **such images of Howard University landmarks or other trademarked intellectual property, including the Clock Tower, University Seal, Bison logo, etc.**
- Alumni and Friends **may not raise funds for Political Activity using Howard University Resources** or imply that a fundraiser for a Political Activity is sponsored by Howard University.
- Alumni and Friends should only **use personal e-mail, social media or other online accounts** (and not howard.edu accounts or Howard-affiliated electronic resources or devices) for the distribution of campaign messages, petitions, and similar material.
- Alumni and Friends **may not use, or allow others to use, or link to a University-hosted website** if they are engaging in Political Activity.
- If an Alumni or Friend is running for political office, no Political Activity can be conducted on campus and every attempt should be made to avoid the appearance of a University endorsement.

VI. INTERIM POLICIES

There are no interim policies associated with this Policy.

VII. SANCTIONS

Violations of this Policy may result in the loss of Howard University's non-profit status therefore sanctions are commensurate to the seriousness of violating this Policy. Significant monetary fines may be applied. Howard University-affiliated organizations may lose their campus charter and receive other penalties. Penalties for individuals may include termination of employment and expulsion from the University.

VIII. RESOURCES

www.howard.edu/policy:

[400-002 Policy for Inviting Dignitaries to HU](#)

[Request Form](#)

[Dignitaries Checklist](#)

[400-008 Designated Spokesperson for Official University Communications](#)

Additional Resources:

[IRS: Tax-Exempt Organizations and Political Campaign Intervention](#)

[American Council on Education: Political Campaign-Related Activities of and at Colleges and Universities \(Attached\)](#)

[National Association of Independent Colleges and Universities: Political Campaign Activity](#)