



**Policy Title:** GE2054 Contact with Local Officials, State Officials, Federal Officials, Political Campaigns and Other Political Activities

**Subject Area:** General

**Responsible Official(s):** Chief Government Relations and Policy Officer

**Responsible Office(s):** Government Relations and Policy

## Policy Statement

As a state-funded institution, the University of Memphis is governed by a variety of government regulations and processes. Interaction with government officials and offices is critical to funding for the University and to advancing the University mission. Regular communication and correspondence with a range of officials at the local, state, and federal levels is part of the ongoing operation of the University and must be carefully managed and monitored.

This policy has been established to provide guidelines and procedures pertaining to 1) communication and contacts with elected officials and external government agencies and 2) participation in campaign and other political activities by University of Memphis community members.

## Definitions

**Community members** - Any employee of the University, including administrators, academic appointees, staff, temporary and student employees; all students and student organizations; all university units; any individual using University of Memphis resources or facilities or receiving funds administered by the University of Memphis; and volunteers and other representatives when speaking or acting on behalf of the University of Memphis.

**Elected or appointed official** – An individual who is elected or appointed to a local, state, or federal office in the legislative, executive, or judicial branch.

**External entity** – A candidate, campaign, party or political organization, not-for-profit and any other outside group.

**External government agency** – A local, state, or federal agency in the legislative, executive, or judicial branch. This excludes the University of Memphis.

**Political activities** – Examples include, but are not limited to, running for political office, managing political campaigns, or assuming leadership roles in political organizations.

**Student organization** - Any student group that is registered in accordance with university policy.

**University interest** - A matter, activity, or decision that involves or represents the University's mission, values, or strategic goals in the pursuit of academic, research, service, or other University objective.

**University property** - Buildings, grounds and land that are owned by the University of Memphis or controlled by the University via leases or other formal contractual arrangements to house ongoing UofM operations.

**University resources** – Include, but are not limited to, the University's name, logo or other identifying mark; the University's funds, facilities, office supplies, photo equipment, letterhead, telephones, fax machines and computers; and the university's information technology resources such as email, websites and online discussion boards.

**University sponsor** – A department or division of the University of Memphis.

## Policy

The University's government relations agenda and positions on issues are determined by the President in consultation with campus personnel and University of Memphis leadership. That agenda includes managing issues relating to funding and operations, compliance with government regulations, reporting of university progress on several government programs and/or resolution of problems experienced by or with the campus in government processes.

The government relations agenda is carried out by the Office of Governmental and Community Affairs. The Office of Governmental and Community Affairs is the first point of contact for University of Memphis employees in interacting with government offices. Unauthorized and uncoordinated efforts by University personnel can unintentionally harm the University's effort to secure funding and to protect and promote other interests of the University.

## Procedures

### **A. Communication and Contact with Elected Officials and External Government Agencies**

1. The Office of Governmental and Community Affairs (OGCA) is the sole office charged and empowered with the responsibility of providing leadership for the University's governmental relations activities. Coordination with the OGCA is essential to maintaining professional working relationships with elected officials and external government agencies, keeping the University's messaging coherent and effective, and ensuring compliance with relevant and applicable laws.
2. Prior to communicating with any elected official, or an official appointed by an elected official, *on behalf of University interest*, a University department, unit, or individual must annually submit notification of the local, state, or federal partnership to the OGCA by emailing govrel@memphis.edu. The email should consist of how often you work with the department and the name of your primary contact. The need for ongoing coordination with OGCA will be determined on a case-by-case basis. The Office of Legal Counsel is exempt from the requirements of this section when necessary to perform work within the scope of its representative capacity of the University.

While an annual notification is appropriate for most cases, if discussing university priorities, individual notification, and specific coordination with the OGCA is required for every instance listed below.

*Contacts requiring coordination with the OGCA:*

- Individual or group meetings with executive elected or appointed officials
- Testimony before judicial, executive, or legislative bodies
- Invitations to visit campuses
- Campus events that include elected or appointed officials, or candidates for office
- Responses to State-level requests for information

Examples of elected or appointed officials include but are not limited to local, state, or federal legislators, judges, constitutional officers (i.e., state Treasurer, Secretary of State, Comptroller of the Treasury), or commissioners of state departments (e.g., Commissioner of the Tennessee Department of Transportation).

This policy shall not apply to any elected or appointed official who serves on a University advisory board or committee.

3. The OGCA recognizes the existence of ongoing contact and communication with external government agencies. This policy shall not be construed to hinder relationships, but to ensure awareness and continuity with external government agencies. Prior to contacting or communicating with any external government agency *on behalf of University interest*, a university department, unit, or individual must update the annual list held within the OGCA by emailing govrel@memphis.edu. The need for ongoing coordination with OGCA will be determined on a case-by-case basis.

Examples of external government agencies include, but are not limited to the Shelby County Schools, Tennessee Department of Economic and Community Development, Tennessee Higher Education Commission, Tennessee Department of Education, Tennessee Department of Transportation, the Tennessee Department of Health, or the National Institutes of Health.

#### ***B. Direct Participation in Political Activities by Individual University Community Members***

1. The University of Memphis community members shall be free to participate in political activities on the national, state, or local level, such as running for political office, managing political campaigns, and assuming leadership roles in political organizations, provided that the participation does not prevent full discharge of their obligations to the University. If such participation does prevent full discharge of the individual's obligations to the University, the individual will be required to request a leave of absence for the period of the activity, approval of which is at the discretion of the individual's supervisor.
2. In any such activities, it must be made clear that the individual is acting as a private citizen and is in no way representing the University.
3. All employees who propose to engage in political activities involving substantial time commitment shall be required to comply with all UofM human resources policies and state law.
4. Individual University email accounts, campus mail, and University social media accounts shall not be used by individual UofM employees to engage in political activities as described in this policy.

#### ***C. Events and Invitations in General***

1. If an event includes an appearance by, or an invitation to, an elected or appointed official, candidate, or political party, the sponsor of the event must notify the OGCA to ensure that the requirements of this policy are strictly observed.
2. No invitations to an elected or appointed official, candidate, or political party may be issued by an individual, department, or unit without prior notification and coordination with the OGCA.

#### ***D. Voter Education Activities and Events***

UofM community members are permitted to conduct certain voter education activities as long as they are carried out in a non-partisan manner. For example, conducting public forums, non-partisan get-out-the-vote drives and the publication of voter education guides that cover a wide range of issues are allowed as long as the activities are not conducted in a biased manner that favors or opposes a single candidate or political party.

#### ***E. Appearances by Government Officials, Candidates and Political Parties***

## 1. Invitations and Events: University Sponsored

- a. Elected officials, state and federal government appointees, and political candidates may be invited to speak on campus, including classroom visits. These events must be educational in nature and offered for that purpose in conjunction with the University's public education mission.
- b. For candidate events: If one candidate is invited to speak at an event, the University must provide all legally qualified candidates or their representatives an opportunity to appear either at the same event or at a comparable event within a reasonable time period. Evidence of invitations and responses must be kept on file. If an invited candidate fails to respond after multiple invitations to the event, such should be noted in the file along with the invitations issued.
  - i. An exception may be made for an elected official who is simultaneously a candidate for office, so long as the remarks are limited to official business related to the duties of the elected office. If the government official makes partisan remarks beyond the duties of the official's elected office during the event, then all legally qualified candidates or their representatives must be offered an opportunity to appear at a comparable event within a reasonable time period.
- c. The introduction of a candidate, government official or political party at a University-sponsored event must be neutral and must include a brief statement that the University does not endorse or oppose any candidate, party or organization in connection with this or any other political campaign or election. In cases where the individual candidates will appear in a conversational dialogue about issues, each candidate will have the same format of question or topic presentation; same topics in both substance and number; same amount of time for discussion; same moderator for the event; and same physical setting or staging. Appropriate steps must be taken to avoid the appearance of the University's endorsement of or opposition to any candidate, elected official or political party.
- d. The University may not co-sponsor or share the cost of a campaign event with an external entity. An external entity may independently sponsor an event under Paragraph 3. below.
- e. All expenses related to an event conducted pursuant to this section shall be borne by the sponsoring University unit(s).
- f. Political fundraising at University-sponsored events is strictly prohibited.

## 2. Invitations and Events: Student Organization Sponsored

- a. A student organization may conduct a single-candidate or single-party event pursuant to this section; however, if any funding used to pay for the event originated from the University of Memphis, the student organization must invite all legally qualified candidates to participate in the event and follow the provisions of Paragraph 1.b. above.
- b. A student organization may hold a meeting or event that is closed to the general public and limited to student organization members.

- c. A student organization-sponsored event will be subject to the normal fees assessed to a student organization for facility rental and usage fees, if any.
  - d. If the event is open to the general public, the student organization must have a University sponsor for the event. Facility rental and usage fees must be charged. Invitations to any event that is open to the general public must be extended to all legally qualified candidates, and follow the provisions of Paragraph 1.b. above.
  - e. Political fundraising at student organization-sponsored events, whether open or closed to the public, is strictly prohibited.
  - f. Appropriate steps must be taken by student organizations to avoid the appearance of the University's endorsement of or opposition to any candidate or party.
3. Invitations and Events: Sponsored by External Entities
- a. External entities may rent or reserve space on University property to host political events, which may be either limited audience or general public events.
  - b. An event sponsored by an external entity shall be subject to normal charges assessed to external entities renting space with no discounts, preferential scheduling or other gratuities, or free or reduced rates for related services (such as security, sound systems, parking, broadcasting or web services, etc.).
  - c. If third-party vendors are used for a political event on campus, external entities must directly pay the vendors for services rendered. UofM community members may not pay the vendors and seek reimbursement from the external entity.
  - d. No exceptions to facility rental or reservation practices shall be made for political events. External entities may rent or reserve only those University facilities that are regularly available for rent or reservation. If the facility normally has a rental fee, the fee cannot be waived. If a facility can normally be reserved without a rental payment, then external entities may reserve it without paying a rental fee.
  - e. If facilities are utilized by one candidate or political party, the same or substantially similar facilities must be made available to all other legally qualified candidates or political parties on equal terms and conditions, subject to any limitations on availability due to the scheduling of other events at the time a candidate or party makes a request.
  - f. External entities that conduct events pursuant to this section shall take appropriate steps to avoid the appearance of the University's endorsement of or opposition to any candidate.
  - g. Political fundraising at events sponsored by external entities is strictly prohibited.

***F. Prohibited Activities for The University of Memphis and UofM Community Members***

In order to comply with all applicable law, the following activities are prohibited:

1. The University shall not endorse any candidate for public office. In this regard, UofM community members may not use the University's electronic resources (including email)

for advocacy on behalf of a candidate or political party. Personal political communications must be clearly identified as the individual UofM community member's personal views and not those of the University.

2. Hyperlinks to the websites of candidates or political parties shall not be placed on any University website or email account in any manner that suggests an endorsement of any candidate or political party.
3. Political fundraising on University property or through the use of the University's technology resources is strictly prohibited. Individual University email accounts, campus mail and University social media accounts may not be used by individual UofM community members to urge support of a particular candidate or to invite others to political events or fundraisers, whether hosted/sponsored by a candidate or political party or by others in support of a candidate or political party.
4. UofM employees may not use University email, campus mail or University social media accounts to forward or otherwise distribute messages, invitations, solicitations, or campaign literature from or on behalf of a candidate or political party.
5. The name of the University, any trademark, logo and/or image depicting landmarks of the University, must not be used in connection with political candidates or partisan political activities. Student organizations are permitted by UofM student policies to use the approved University student organization marks; however, student organizations may not alter their official logo to incorporate candidate information.
6. Student organizations shall not use any funding that originated from the University of Memphis on behalf of a candidate for public office or in a political campaign.

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