

## **Policy Summary**

Muhlenberg is committed to developing independent critical thinkers and providing an intellectually rigorous undergraduate education. The College values the free exchange of ideas in an atmosphere of open academic inquiry. Participation in the political process can, and should, be an educational experience in keeping with the College's mission and values. At the same time, the College must comply with federal statutes that prohibit non-profit, tax exempt institutions of higher education from participating in, or intervening in, any political campaign on behalf of or in opposition to any candidate for public office. Listed below are examples of political activities that are either permitted or restricted according to College policy.

### **Permitted Activities:**

- Access to air-time & print and/or electronic spaces must be provided on an equal basis to all candidates\* and in accordance with FCC and other regulations.
- Institution-sponsored public forums must provide equal access and opportunity to speak and the format must be balanced and presented in a neutral manner.
- Voter education and "register to vote" drives are acceptable and encouraged as long as there is no preferential treatment for either party.
- Debates or political activity must be sponsored by a recognized student organization; if a candidate wishes to rent a facility without sponsorship, that candidate is charged at the regular college rate.

### **Restricted Activities:**

- College employees should not make partisan political comments in official publications or at official functions; employees are free to speak for themselves as individuals but should be clear they are not speaking for or on behalf of the College, as this could jeopardize the College's tax-exempt status.
- Changing preferential rates or providing preferential access to advertising and/or print, electronic and physical spaces is prohibited.
- Use of college facilities for campaign or party fund-raising activities is prohibited.

\*Candidates are defined as those on the official ballot and polling above the 5% threshold.

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## **Muhlenberg College Policy On Partisan Expression**

Students and recognized student organizations may post partisan signs in student residence hall rooms and student organization offices. Recognized student organizations may also post partisan signs on campus kiosks and bulletin boards, subject to normal rules about such postings (i.e. groups must identify themselves on the poster, etc.). Faculty and staff may post partisan signs in their campus offices if these offices cannot reasonably be considered

community spaces. Classrooms, meeting rooms, and offices which students, parents, or the general public may be required to visit on a regular basis (e.g. Admissions, the Registrar's Office, etc.) should be considered community spaces and are not appropriate locations for partisan messages. Partisan materials may not be posted in windows of campus offices that would result in exposure of partisan messages that might reasonably be construed as institutional endorsements. Partisan signs may not be placed in public campus areas, except for signs posted in approved locations by recognized student organizations.

**Contact: Director of Campus Safety, 484-664-3112**

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### **Policy On Partisan Political Activity**

Muhlenberg College is committed to developing independent critical thinkers and providing an intellectually rigorous undergraduate education. As part of these commitments, Muhlenberg College values the free exchange of ideas in an atmosphere of open and free academic inquiry. Participation in the political process by students, faculty, and staff can, and should, be an educational experience in keeping with the Muhlenberg College mission and values.

At the same time, the College must comply with the provisions governing its tax exempt status under Section 501(c)(3) of the Internal Revenue Code. Federal statutes stipulate that non-profit, tax exempt institutions of higher education are prohibited from participating in, or intervening in, any political campaign on behalf of or in opposition to any candidate for public office. The College must ensure that the activities of members of the Muhlenberg community are in compliance with these statutes.

The guidelines in this policy are intended to provide examples of permissible activities. Because there are many gray areas, and because it is sometimes difficult to determine when an individual associated with the College is acting on behalf of the College, we encourage everyone to seek further guidance in uncertain situations.

Early in the planning process, organizers of partisan events should consult with the Vice President for Communications. This consultation must take place at least two weeks prior to the event, if possible. All questions about interpreting this policy should also be directed to the Vice President of Communications.

- **Activities of Faculty and Staff outside the classroom**

Muhlenberg College faculty and staff are free to engage with the political process, both on campus, by providing educational experiences; and off-campus, by exercising their rights to be politically active as citizens. To safeguard the College's tax-exempt status, on-campus activities of faculty and staff should be directed toward the fair and equitable presentation of multiple political perspectives for the purpose of educating students and

community members. Off-campus partisan activities of faculty and staff do not jeopardize the College's tax-exempt status, as long as those activities are not presented as expressing the position of Muhlenberg College. Violations of this part of the policy should be reported to the Vice President for Human Resources.

- Faculty and staff may engage in a variety of on-campus non-partisan voter education and registration programs consistent with the College's education mission. Examples of such programs include:
  - conducting civic training programs designed to increase public understanding of the electoral process or to encourage citizens to become involved in the process, provided that such training is non-partisan in the recruitment of instructors, the selection of students, and the curriculum;
  - preparing and distributing annual compilations of voting records on major legislative issues that involve a wide range of topics, without political skew and without editorial opinion, provided that the information is not widely distributed and is not geared to coincide with the election period;
  - c. circulating unbiased questionnaires to all candidates for an office, and tabulating and disseminating the results, provided that the questionnaires cover a broad range of subjects and neither reflect political skew nor contain editorial opinion;
  - d. conducting public opinion polls with respect to issues and candidates provided that the questions are framed to be fair and neutral, and accepted polling techniques are used; and
  - e. organizing and participating in non-partisan voter registration activities, even when aimed at groups (such as urban voters, young people or minorities) likely to favor a certain political candidate or party, provided that the activities are not intended to target voters of a particular party or to help particular candidates, and provided further that particular geographic areas are not selected to favor any party or candidates.
- Departments and programs may organize and promote on-campus candidate appearances that fairly include all qualified candidates. Examples of such programs include:
  - providing access to air time on a university-owned radio station on an equal basis to all qualified candidates for a public office, in a manner consistent with the limits imposed by Federal Communications Commission standards;
  - providing opportunities to speak at College events on an equal basis to all qualified candidates for a public office; and
  - conducting institution-sponsored public forums to which all qualified candidates for a public office are invited and given equal access and opportunity to speak, if the format of the forum is balanced and presented in a neutral manner.

- Lobbying activities on behalf of the College must be approved by and coordinated with the Director of Corporate, Foundation and Government Relations.
- Faculty and staff may provide hyperlinks to the web pages, or other spaces of all qualified candidates for a public office on appropriate pages of the College's website, in order to promote voter education.
- Members of the College community are entitled to participate or not, off-hours, as they see fit, in the election process, provided that they make clear that they are speaking or acting only for themselves and not for the College. If their affiliation with the College is publicized, they must be especially careful to state that the opinions expressed are personal and do not represent the views of Muhlenberg College.
- The prohibition against political campaign intervention is not intended to restrict free expression on political matters by the leaders of 501(c)(3) organizations (such as the president and deans) who are free to speak for themselves, as individuals. However, to protect their organization's exempt status, such leaders should not make partisan political comments in official organization publications or at official functions. Leaders should always exercise great caution when expressing personal opinions on political matters by clearly indicating that his or her comments are personal and not intended to represent the views of the institution. Given the ambiguity of the law in this area, institutional officials are advised to be especially prudent when making such public statements.
- **Activities of Instructors (faculty and staff in the classroom)**

The special status of a classroom-leader as a learned authority with the power to influence and to evaluate students imposes special obligations. The subordinate position of students may compromise their ability to distinguish an instructor's opinionated commentary from the presentation of fact. As a result, instructors who, in the course of teaching, express perspectives which may be construed as politically partisan, should: identify the expression as such; strive at all times to be accurate; exercise appropriate restraint; show respect for the opinions of others; and make every effort to indicate that they are expressing themselves as citizens and not voicing views held by Muhlenberg College. Violations of this part of the policy should be reported to the Provost.

  - Instructors are free to establish genuine curricular activities aimed at educating students with respect to the political process. Examples include:
    - assigning or otherwise incorporating politically controversial course material;
    - making in-class reference to contemporary political controversies;
    - establishing course activities that explore partisan ideologies.
  - Instructors are entitled to freedom of expression in the classroom and are not restricted from offering partisan commentary as it relates to the subject of instruction. In these instances, instructors are advised to take special care to avoid the persistent intrusion of matter that has no rational bearing on the subject of instruction, and to make clear that:
    - they are speaking only for themselves and not for Muhlenberg College;

- the perspective expressed may be construed as partisan, and that contrary perspectives exist;
    - students will not be assessed negatively, in either discussion or in subsequent assignments, for taking critical positions in opposition to the partisan commentary; and
    - students will not be preferentially rewarded, in either discussion or in subsequent assignments, for taking critical positions in support of the partisan commentary.
  - Instructors are entitled to display on their persons messages of political identification (such as campaign t-shirts or buttons) while in the classroom. If they choose to do so, they are advised to verbally acknowledge the display, and to take special care to make clear to students that:
    - the display expresses a personal affiliation, and not one held by Muhlenberg College;
    - the display is neither tied to course inquiry into the subject of instruction nor to the appraisal of student work;
    - students who hold other identifications will not be assessed negatively, in either discussion or in subsequent assignments, for acknowledging those affiliations;
    - students who share in the identification will not be preferentially rewarded, in either discussion or in subsequent assignments, for claiming the affiliation.
- **Activities of Individual Students**

Partisan activities by individual students in no way jeopardize the College's tax-exempt status, as long as those activities do not unfairly appropriate College resources or public facilities. Violations of this part of the policy should be reported to the Dean of Students.

  - Individual students are granted free speech and expression at Muhlenberg College; for that reason it is permissible for any student to show individual support for a partisan political campaign issue. Examples include:
    - wearing or placing of campaign materials on one's body or belongings;
    - posting of campaign literature or signs, either within their residence hall room, on their door, or on their window;
    - the use of lawn signs outside of MILE houses; and
    - the use of partisan signature statements within student emails from their Muhlenberg email account are permissible.
  - Individual students are permitted to run for public office where the law permits. Students running for public office are permitted to identify themselves as students of Muhlenberg College, but should not present themselves as representing the College. Students running for public office must follow the same policies for all partisan campaigns in terms of their own campaigning on campus.
  - Individual students are permitted to distribute literature for political candidates within residence halls as well as in public spaces on campus. Examples include:
    - distributing candidate literature and voter reminders;
    - partisan or nonpartisan voter registration; and

- collecting money for individual campaigns.
  - Campus policies limit certain kinds of publicity to registered student organizations and campus offices and departments. This means that individual students are not permitted to place partisan campaign material in public places owned by the College, including, but not limited to, within common areas of residence halls, bathrooms, academic buildings, bulletin boards, and the Student Union.
  - Campus policies limit certain kinds of space use to registered student organizations and campus offices or departments. This means that individual students are not permitted to reserve facilities, including space for candidate events, tables in the Student Union, or elsewhere for partisan political campaigning. Similarly, partisan chalking by individual students is not permissible and individual students are not permitted to host a political fundraiser on campus.
- **Activities of Student Groups**

Partisan activities by recognized student organizations in no way jeopardize the College's tax-exempt status, as long as those activities are not construed to express the position of Muhlenberg College, and do not appropriate College resources or public facilities for either the purpose of partisan fundraising or as donations to partisan organizations or individual candidates for public office. Violations of this part of the policy should be reported to the Dean of Students.

- Student publications supported by Muhlenberg College are permitted to print or publish partisan editorials. Partisan campaigns and candidates for public office may purchase advertising space in student publications at the same rate charged for other non-campus ads. Any candidate for public office that is affiliated with Muhlenberg College shall pay the same rate as all other candidates for public office when purchasing advertising space in student publications. In addition, access by candidates to air time on WMUH is permitted, at the discretion of the station manager, provided such access is available to all qualified candidates for a public office on an equal basis and is consistent with the limits imposed by the Federal Communications Commission standards.
- Recognized student organizations may organize partisan or nonpartisan political events on campus, including, but not limited to: partisan or nonpartisan voter education, voter registration drives, candidate forums, student or candidate debates on a given issue or issues, or issue-based events; provided the event is not a fundraiser for a candidate running for public office and that the student organizers for partisan events consult with their advisor and with the Vice President of Communications before the event takes place. Student organizations hosting a candidate or a candidate forum are not required to invite all candidates seeking that office.
- Recognized student organizations are prohibited from hosting partisan fundraisers on campus pursuant to Muhlenberg College's 501(c)(3) status as a non-profit educational institution. Additionally, funds for transportation, meals, or lodging of candidates are permitted only when paid for by the individual students. Muhlenberg College funds, including funds raised by the organization or

allocated by Student Government, may not be used to subsidize travel, housing, or meals for candidates.

- Recognized student organizations are free to express their views about and publicly support political parties and candidates, by hosting partisan voter activities including events with specific candidates. Recognized student organizations are permitted to make public endorsements of local, state, or federal candidates for public office and support pieces of legislation, even those seen as supported by one political party.
- Recognized student organizations are permitted to use College facilities to support or oppose a specific political party, provided the name of their student organization is on all materials printed or chalked and advance permission has been granted for the use of the facilities when applicable, and that the use of the facilities would not be seen as a donation to a candidate for public office.

- **Guidelines for College Facilities and Resources**

To safeguard its tax-exempt status, the College's use of campus facilities and resources, when employed by the administration, faculty or staff, should be directed toward the fair, equitable presentation of multiple political perspectives for the purpose of educating students and community members. The College may rent facilities to external partisan organizations; however, campus resources may not be used under any circumstances for the purposes of partisan fundraising. Violations of this part of the policy should be reported to the Dean of Students.

- College-sponsored activities and forums aimed at educating students about the political process are encouraged. Every effort should be made to ensure that appearances on campus of candidates for public office or their political representatives have a substantive educational purpose, and that such visits not be conducted solely as partisan rallies or events.
  - Unless a candidate for public office is of sufficient stature as to warrant an invitation from the Office of the President, hosting of political candidates for educational purposes should generally be left to faculty within academic departments or the appropriate recognized student organization.
  - If an academic department, or the College itself, chooses to invite an individual candidate to speak, equal opportunities should be provided to all qualified candidates and none of the candidates are favored in relation to the activity.
  - Recognized student organizations may use College facilities for meetings, speeches, and events involving candidates for office and political parties provided that such groups pay the usual and normal charge, if any, for use of institutional facilities or equipment by student groups.
  - Use of space is subject to scheduling policy, availability, and approval by the Office of Seegers Union and Campus Events. Please follow the usual campus procedures for scheduling a facility and resources.
- External Organizations renting College facilities and resources shall use the following guidelines:

- Facilities will be rented or made available on a space available basis and all political candidates and parties will receive equal treatment in terms of facility usage and fees. Use of space is subject to scheduling policy, availability and approval by the Office of Seegers Union and Campus Events. Please complete the online facility request application to start the process for consideration.
- Use of College facilities for campaign or party fundraising activities is prohibited.
- The use of College resources for soliciting votes or campaign fundraising is prohibited. Prohibited resources include, but are not limited to:
  - Use of the campus mail service (other than U.S. mail), college mailing lists, college-provided office supplies, computers, telephones, facsimile machines, or copiers.
  - Campaign workers, including students, faculty, and staff, are not permitted to engage in person-to-person solicitation of funds through the campus mail service. Any mail solicitation must be through the U.S. Postal Service only.
  - All College Policies are to be followed.

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