



POLITICAL ACTIVITY & LOBBYING POLICY

1.0 POLICY PURPOSE

The purpose of this policy is to specify permitted uses and restrictions on Union Theological Seminary (UTS) activities, facilities and resources for political campaign activity and lobbying by students and employees (as defined below). UTS supports campus-based activities and programs that allow individual UTS community members to express their ideas and opinions and to be informed and engaged citizens. At the same time, UTS, as a 501(c)(3) tax-exempt educational institution, is subject to a number of laws that restrict or prohibit its ability to engage directly or indirectly in certain political campaign and lobbying activities. Specifically, UTS is prohibited from participating in political campaign activity (as defined below), while lobbying by UTS is subject to limits and must be approved by UTS administration and reported to regulators. Violating these rules could have serious ramifications for UTS, including loss of its Section 501(c)(3) tax-exempt status.

2.0 LEGAL BACKGROUND

Political campaign activity: Under Section 501(c)(3) of the Internal Revenue Code, UTS is prohibited from engaging in any political campaign activity, which involves directly or indirectly participating or intervening in any political campaign on behalf of or in opposition to any candidate for election to public office. In addition, UTS is prohibited from making any monetary or in-kind contributions, including by providing use of Union resources, to political candidates under the Federal Election Campaign Act. Political campaign activities can include, for example, candidate endorsements or other public statements (oral or written) in support of or in opposition to a candidate, fundraising for or making contributions to a candidate's campaign, volunteering for a candidate's campaign, and voter engagement activities conducted in a manner that favors a specific candidate or party. (Please note these are examples for illustration only and this is not an exhaustive list.)

Lobbying: UTS is subject to limits under Section 501(c)(3) of the Internal Revenue Code on the amount of lobbying it is permitted to conduct. Lobbying is generally defined under the Internal Revenue Code as any effort to influence the action of any legislative body and includes contacting, or urging the public to contact, members or employees of a legislative body for the purpose of proposing, supporting, or opposing legislation. The Lobbying Disclosure Act and New York state and city laws also impose certain registration and reporting requirements on lobbying, which these laws define more broadly as communications to certain officials on enumerated subjects or attempts to influence government decision-making.



While UTS recognizes and encourages UTS faculty, staff and students to participate as they may desire in political campaign activity or lobbying, as individuals in their private, individual capacities and on their own time, it is important that in doing so their participation is not considered as speaking on behalf of or otherwise representing UTS, unless (in the case of lobbying) specifically authorized by UTS administration.

UTS reserves the right to amend or modify this policy at its discretion or as it deems necessary to comply with applicable law.

3.0 WHO THE POLICY APPLIES TO

This policy applies to all UTS faculty, staff, and students.

3.1 STUDENTS & STUDENT ORGANIZATIONS

Students, and campus-based student organizations officially recognized by UTS¹ (“Student Organizations”), generally may participate in political campaign activities in their individual capacities as students (and not on behalf of UTS), as long as their campus-based activities comply with UTS policies and procedures, including this policy.

- Students and Student Organizations may not receive funding from UTS to support political campaign activity.
- Student and Student Organizations are not permitted to use UTS facilities or resources for activities prohibited by this policy, except as outlined in Section 6.0 of this policy.
- Distribution of campaign materials is generally prohibited on campus. However, Student Organizations are permitted to reserve information tables for the purposes of distributing information about candidates for election to public office, provided they follow UTS’s policies and procedures for such tables, including making a reservation through the Office of Student Affairs.
- In accordance with UTS procedures restricting solicitation within on-campus residences, organized campaigning is not permitted in on-campus housing.

3.2 EMPLOYEES (Faculty, Staff and Student Employees)

UTS employees, including faculty, staff, and student employees, may take part in political campaign activities freely on their own time, but they must not do so in the course of their regular work and responsibilities for UTS. When engaging in political campaign activity, such as,



for example, endorsing or opposing a candidate for political office or fundraising for a candidate, UTS employees must make clear that they are acting solely in their personal capacities, and they may not act in their UTS capacity or give the appearance that they are representing UTS.

UTS employees may not, and may not be asked to, perform tasks related to political campaign activities during working hours. For the purposes of policy on political activity policy, the working hours of the UTS faculty are understood to be comprised of the activities enumerated in sections IIB, D, and F of the Faculty Guide. UTS employees are also prohibited from using UTS facilities or resources when conducting political campaign activities as outlined in Section 6.0 of this policy.

For limitations on interacting with government officials, see Section 9.0 of this policy. For questions on running for office, see Seeking Public Office in Section 8.0 of this policy.

4.0 NONPARTISAN POLITICAL ACTIVITIES

While UTS cannot engage in political campaign activity that is in support of or in opposition to political candidates, it *is* permitted to engage in certain nonpartisan political activities. Nonpartisan political activities may include voter education and outreach activities such as public forums, the publication of voter education guides, voter registration and get-out-the vote drives, candidate forums, and public opinion polling, provided they are conducted in a nonpartisan manner and in accordance with this policy and applicable law. Such nonpartisan political activities may be sponsored by a UTS department or Student Organization and may be held on campus, upon approval from the Assistant Dean of Student Affairs and VP of Administration.

5.0 CANDIDATE APPEARANCES ON CAMPUS

5.1 APPEARANCES IN A NON-CANDIDATE CAPACITY

Candidates for public office (or their designees) may appear on campus for non-campaign related activities, such as an educational or informational talk to the UTS community. Such appearances must be sponsored by a UTS department or Student Organization and satisfy all of the following criteria:

- The individual is chosen to speak for reasons other than candidacy for public office
- The individual speaks in a non-candidate capacity
- The event format is pre-approved by the Office of Administration if being organized by an employees or by the Office of Student Affairs if being organized by students, and the publicity is pre-approved by the UTS Office of Communications & Marketing
- No campaign fundraising occurs in connection with the event



- Neither the individual nor any UTS representative makes any mention of the candidacy or election at the event or in communications about the event
- The UTS hosts of the event maintain a nonpartisan atmosphere on the premises and at the event where the individual is present
- Any such event will be open first to the entire UTS community and then, if space permits, may be open to the general public (in each case, without preference based on political affiliation)
- The event meets any additional criteria appropriate for the particular event as determined by the UTS in its sole discretion

Student organizations must initiate requests for an appearance of a candidate for public office in a non-candidate capacity through the Office of Student Affairs.

5.2 CANDIDATE FORUMS OR DEBATES

UTS will consider requests by UTS departments, Student Organizations, or non-partisan, non-profit civic organizations or media partners to host candidate forums or debates on campus. All candidates from all political parties duly registered for the ballot must be invited and given an equal opportunity to participate, and the event must be managed in such a way as not to indicate support for or opposition to any candidate. In addition, no political fundraising may occur at any such event. Arrangements and formats for such debates must be reviewed and approved by the Office of Administration and the Office of Student Affairs, and all communications must be reviewed and approved by the UTS Office of Communications & Marketing to ensure that they do not indicate or imply UTS support for or opposition to any candidate or party.

5.3 INDIVIDUAL CANDIDATE EVENTS

UTS will consider requests by UTS departments or Student Organizations to hold events for individual candidates to speak in a candidate capacity. If any candidate is invited to and/or accepts an invitation to speak at UTS, all other candidates for the same office must be given a similar opportunity to speak in a comparable format, venue and timeframe. Any individual candidate events must be managed in such a way as not to indicate UTS support for or opposition to any candidate or party. In addition, no political fundraising may occur at any such event. Arrangements and formats for such appearances must be reviewed and approved by the Office of Administration and the Office of Student Affairs, and all communications must be reviewed and approved by the UTS Office of Communications & Marketing to ensure that they do not indicate or imply UTS support for or opposition to any candidate or party.

6.0 **USE OF UTS FACILITIES & RESOURCES**



All use of UTS facilities and resources by UTS faculty, staff, students and others are subject to UTS policies regulating the time, place, and manner of use. UTS facilities and resources described below generally may not be used for political campaign activities (regardless of whether the activity is on or off campus), except as may be specifically permitted below:

- UTS facilities, including meeting spaces, offices, housing, and other property, unless with respect to meeting space, the space is rented for a fee and is also available for rent on the same terms to the general public and/or all candidates and campaigns
- UTS funds, including the Student Activities Fee, and UTS's sales tax exemption for purchase of goods and services
- UTS intellectual property such as the name, logo, marks, or insignia of Union Theological Seminary or any UTS entity that is supported in part or whole by the UTS funds, including by appearing on stationery or any other material used or intended for political campaign purposes (other than to specify the location of an activity or event or, as appropriate, identifying the sponsor as a UTS department or Student Organization, but not in a way that indicates or implies UTS endorsement)
- UTS title or position, other than for identification/informational purposes and not as indicating or implying UTS support for or opposition to a candidate or party
- Any UTS-sponsored campus communication tool or system, including but not limited to the phone system, UTS-issued cell phones and other electronic devices, the UTS campus mail system, listservs, and the UTS computer and Internet network
- UTS bulk-mailing privilege and mailing lists, including the addresses of departmental offices or faculty or staff offices, and faculty, staff or student e-mail accounts (using the uts.columbia.edu or utsnyc.edu domains)
- UTS-provided office supplies, letterhead, computers, telephones, facsimile machines, copiers or other equipment (other than use of pay-per-use services, such as the campus copying service, that are paid for with non-UTS funds)
- UTS administrative services, security, and other UTS employee time
- Official UTS platforms, including events, publications, and social media accounts
- Film or other image capture (video, livestream and photographs) of UTS classrooms, residential and living spaces, dining areas, campus greens, building interiors or exteriors, and other UTS property
- UTS spaces for posting political campaign materials, unless they are posted on public, exterior bulletin boards in accordance with UTS posting and publicity regulations (<https://utsnyc.edu/wp-content/uploads/Student-Handbook-2022.23.pdf>). The sidewalks next to public streets are city property and not subject to these regulations.

7.0 FUNDRAISING & GIFT RESTRICTIONS

Funds or contributions for political candidates, parties or campaigns may not be solicited in the name of UTS, and UTS resources may not be used in soliciting such funds. Political fundraising activities are strictly prohibited on campus. This includes using UTS-issued electronic devices,



materials and facilities to make or solicit contributions to political candidates and organizations. If UTS faculty, staff, or students make political contributions, they must do so in their individual capacities and not on behalf of UTS.

UTS faculty, staff, students, and any person or organization acting on their behalf may not solicit or accept funds or contributions for political candidates or campaigns (their own or someone else's) from donors identified through donor rolls or other UTS records or directories.

8.0 SEEKING PUBLIC OFFICE

Faculty, staff, and students may decide to run for public office while at UTS. To ensure compliance with applicable law and UTS policy, including policies relating to conflicts of interest and/or a conflicts of commitment, as well as this policy prohibiting political campaign activity, a plan to manage potential conflicts and to ensure a candidate or aspiring candidate's political campaign activity is not attributed to UTS must be established upon declaration of candidacy. Plans must be designed to ensure that other faculty, staff and students do not experience a compromised or political biased educational or work environment or feel pressure to align with the political views of candidates and to ensure full compliance with this policy while running for office. [See the UTS Candidate and Elected Official Management Plan (*insert link rather than reproduce*) for more information.]²

Faculty and staff intending to seek public office must inform their supervisor, the Office of Administration and Vice President of Academic Affairs & Dean (for faculty) or the Chief Human Resources Officer (for staff) to develop a plan to avoid conflicts of interest. This notification should be made as soon as the faculty or staff member is considering becoming a candidate, but, in all cases, notification must be made no later than immediately upon declaring candidacy.

Students intending to seek public office must contact the Assistant Dean of Student Affairs, again as early in the process as possible, but no later than the declaration of candidacy. Campus Life will then work with the student(s) and the appropriate UTS offices to develop an appropriate plan.

Faculty, staff, and students must also comply with applicable federal, state and local laws regarding their candidacy.

9.0 LOBBYING

Members of the UTS community may lobby government officials or the general public regarding particular legislative issues of interest to them on their own personal time and using their own personal resources. They must first consult with the Office of Administration if they wish to



conduct lobbying (as defined in this policy) in their capacity as a UTS faculty or staff member (including a student employee) or if they wish to use any UTS resources to do so. If it is determined that UTS should contact a city, state, federal or international official on a particular policy matter, any such efforts must be coordinated through the Office of Administration.

Under federal, state and local lobbying laws, UTS must report any lobbying activities conducted by or on behalf of UTS. In addition, as noted above, UTS is limited in the amount of lobbying it may conduct under Federal law. Therefore, the Office of Administration must be informed of all such activities conducted by UTS employees other than those conducted in their personal capacities. Please see the below information on federal, state and city lobbying regulations and definitions:

- (Federal) Lobbying Disclosure Act Guidance (https://lobbyingdisclosure.house.gov/amended_lda_guide.html#section1)
- New York State: <https://ethics.ny.gov/lobbying-overview>
- New York City: <https://www.cityclerk.nyc.gov/content/nyc-lobbying-law>

10.0 RESPONSIBILITIES

All individuals to whom this policy applies are responsible for becoming familiar with and following this policy. UTS supervisors are responsible for promoting the understanding of this policy and for taking appropriate steps to help ensure compliance with it.

11.0 CONSEQUENCES FOR VIOLATING THIS POLICY

Failure to comply with this and related policies will result in disciplinary action, up to and including suspension without pay or termination of employment or association with UTS, in accordance with applicable (e.g., faculty, staff, student) disciplinary policies and procedures.

12.0 ADDITIONAL INFORMATION AND POLICIES³

The following information complements and supplements this document. It is not intended an all-inclusive list of policies, procedures, laws and requirements that may be potentially relevant:

- Postering and Publicity Regulations (<https://utsnyc.edu/wp-content/uploads/Student-Handbook-2022.23.pdf>)
- Tabling Policy
- Conflict of Interest and Commitment Policy



- UTS Name Use Policy
- Use Of Campus Space By External Third Parties

UTS is a community in which employees are encouraged to share workplace concerns with UTS leadership. Please share any concerns with the VP of Administration and the Assistant Dean of Student Affairs.

13.0 POLICY OWNER AND CONTACT

13.1 POLICY OWNER: Vice President for Administration

13.2 POLICY APPROVED BY: President

13.3 CONTACT INFORMATION:

Jody West
VP of Administration
jwest@uts.columbia.edu

Office of Student Affairs
Assistant Dean of Student Affairs
aasgaralli@uts.columbia.edu

14.0 POLICY HISTORY

14.1 POLICY ISSUE DATE: 08/01/2023

14.2 POLICY EFFECTIVE DATE: 08/01/2023

[CLICK HERE TO DOWNLOAD UTS CANDIDATE AND ELECTED OFFICIAL MANAGEMENT PLAN](#)



UTS CANDIDATE AND ELECTED OFFICIAL MANAGEMENT PLAN

Name of Employee: _____

Title and Department: _____

Political Activity - Identify Position (check all that apply):

___ Candidacy for local office

___ Candidacy for state office

___ Candidacy for federal office

___ Elected to local office

___ Elected to state office

___ Elected to federal office

___ Part-time

___ Full-time (must resign from UTS full-time employment if elected)

The following Management Plan must be followed in order to avoid potential, perceived or real conflicts of interest while serving as a UTS employee and one of the roles above:

- 1) Employee is prohibited from performing political campaign activities during UTS’s regular working hours. If the political campaign activity occurs during work hours, Employee must either receive prior permission for an Alternative Work Arrangement, use accrued vacation leave, or take an unpaid leave of absence.
- 2) Employee is prohibited from using UTS resources, including uts.columbia.edu and utsnyc.edu email accounts when conducting political campaign activities.
- 3) While the Employee may use his/her/their title to identify employment, Employee is prohibited from using UTS’s logos, trademarks, or service marks on any political communication, campaign material, or otherwise imply that UTS endorses or supports the Employee’s political office, political party, or position on political issues.
- 4) Employee should recuse themselves from voting on legislation that pertains exclusively to private, non-profit institutions of higher education unless guidance from the NY State Commission Ethics advises otherwise.
- 5) Employee agrees to follow the Political Activity & Lobbying Policy, [Acceptable Use Policy](#) and Conflict of Interest and Commitment Policy.



Employee Signature: _____ Date: _____

Supervisor Signature: _____ Date: _____

President Signature: _____ Date: _____

Fully signed form must be sent to the VP of Administration and Chief of Human Resources via email.