

Guidelines for OSRHE and State System Officials (Including Regents) and Employees  
Regarding Any Proposed State Question and Regarding  
Primary, Runoff and General Elections

I. In your capacity as an OSRHE or State System official (including Regents) or employee, you must comply with a statute (principally 26 O.S. Section 16-119) and Ethics Commission Rules that prohibit you from using state money, state resources or state time to support or oppose any proposed state question, or to support or oppose any candidate in a primary, runoff or general election. With respect to any proposed state question, the prohibition applies both during the period of time when attempts are being made to have the question referred to a vote and after the question has been referred to a vote. Also, with respect to any proposed state question, in your state official/employee capacity, you are limited to making statements of fact which stop short of advocating for a "Yes" or "No" vote.

II. In your capacity as a private citizen, with respect to any proposed state question, you can make statements of fact, but in addition you can also advocate for a "Yes" or "No" vote. In your capacity as a private citizen, with respect to primary, runoff, or general elections, you may support or oppose any candidate. Prudent steps should be taken to ensure that you are seen to be acting as a private citizen in doing so, and not as an OSRHE or State System official (including Regents) or employee. Here are some examples:

**THINGS YOU CAN AND CANNOT DO WHEN ACTING AS A PRIVATE CITIZEN**

**CAN**

- Can donate money from personal funds.
- Can use personal resources and personal time to plan, organize and participate in events.
- Can serve on a committee if it is clear that your participation will not require use of your state official/employee position, state resources or state time.
- Can issue personal statements to the public if it does not constitute a use of your state official/employee position, state resources or state time.
- Can participate in fund-raising if it does not result in a use of your state official/employee position, state resources or state time.
- Limit yourself to statements of fact concerning a proposed state question without advocating for a "Yes" or a "No" vote, and do not support or oppose any candidate, if it is unclear to you whether you will be seen to be speaking in your personal capacity or in your state official/employee capacity.
- Preface your personal statements to the public with a clear disclosure that it is a personal statement, such as, "Speaking as a Private citizen, . . .".

**CANNOT**

- Cannot use or make in-kind contributions from state resources (including use of equipment or buildings).
- Cannot use your state official/employee position, state resources or state time to plan and organize.
- Cannot use your state official/employee position, state resources or state time to participate in events.
- Cannot use the time of state employees, or require a state employee to use personal resources or personal time, to plan, organize or participate in events.
- Cannot serve on a committee if it is clear that your participation will require use of your state official/employee position, state resources or state time.
- Cannot use or authorize the use of public funds, property or time to solicit, receive or accept funds for a political party, PAC, a candidate or a state question. Rule 2.3.
- Cannot use or authorize the use of public funds or property or time to engage in activities designed to influence the results of an election for state office or a state question. Rule 2.4.
- Cannot coerce, advise or direct any state employee to contribute salary, time or effort to any party committee, organization, agency or person for political purposes. 21 O.S. §360.

## **CANNOT (Con't)**

- Cannot retaliate against any state employee for exercising political rights or for not participating in permitted political activities. 21 O.S. §360.
- Cannot solicit a contribution for a political party, a PAC, a candidate or a state question campaign in any building or other property owned, leased or occupied by the State of Oklahoma. Rule 2.6.
- Cannot post or distribute materials designed to influence the results of an election for state office or a state question in any building or other property owned, leased or occupied by the State of Oklahoma. Rule 2.7.
- Cannot use public meeting rooms for political purposes unless same rules apply that would apply to other outside groups and facilities are made available to all groups. Rule 2.8.
- Cannot engage in activities designed to influence the results of an election during hours in which the state officer/employee is in official work status or while wearing a uniform or identification that identifies that person as a state officer/employee. Rule 2.9.