

Election Season FAQ's 2024

Because of its status as a constitutional, nonprofit, state agency, the University cannot endorse or be seen as endorsing, or as taking a position on, partisan matters. Here are some commonly asked questions surrounding this topic.

May University faculty/staff endorse political candidates in their individual capacities?

Yes, however, the faculty/staff member must not give the impression that their endorsement is the University's endorsement, e.g., by using their title in a way that indirectly suggests official University endorsement, by using University letterhead, by using the University email system with their official title and signature block to solicit someone's vote. See BOR Policy 3.4.3 and Internal Revenue Code rulings regarding partisan activities by not-for-profit entities. The University will be engaging in prohibited activity contrary to its tax-exempt status if it publicizes or distributes written or oral statements on behalf of or in opposition to a political candidate. An example of such prohibited activity would include the President of the University sending a letter on University letterhead recommending that individuals vote for a particular candidate.

May a University employee use their OU email account to discuss political candidates and positions?

Yes, OU email accounts may be used in a minimal amount, i.e., *de minimis*, to express personal political views and personal thoughts on political candidates in an unofficial manner or as part of the University employee's employment function, e.g., scholarly work. However, if the OU email account is being utilized to run a political campaign, fundraise for a candidate or political committee, or give the impression that the University officially supports the candidate or political position, this is prohibited activity under University policy and could jeopardize the University's tax exempt status. See Oklahoma Ethics Rules 2.4, 2.14, 2.15, 2.16, BOR Policy 11.1.2.1, and the Internal Revenue Code prohibitions on partisan activities by not-for-profit entities.

May a faculty/staff member use University property or time to solicit, or to receive, or to accept funds for a candidate, political party, political action committee, state question campaign, or to influence the results of a campaign?

No. There are very limited exceptions regarding a matter directly related to the University's mission, academic freedom, or freedom of speech. See Oklahoma Ethics Rules 2.3, 2.4, 2.14, 2.15, 2.16, and BOR Policy 5.1.1.3.

Why can University officials use University resources and their positions to articulate support for or opposition to certain pieces of legislation?

University administrators are prohibited from soliciting a person's vote or fundraising for a candidate; however, legislative liaisons and other University officials have responsibility for evaluating the effects of certain proposed or existing legislation and communicating with governmental officials on the University's behalf. When a piece of legislation would positively or negatively impact the University, University officials may articulate an official University position. However, those empowered to do so on behalf of the University are limited to its executive officers, governmental relations personnel, and Regents.

May University faculty/staff use University resources to fundraise for a political candidate?

No. See Oklahoma Ethics Rules 2.4, 2.14, 2.15, 2.16, and BOR Policy 7.14, prohibiting the use of University resources to fundraise for political candidates, as doing so could jeopardize the

University's tax exempt status and violate the Oklahoma constitutional provision against the extension of the credit of the state.

May a University employee run for political office?

Yes, however, they cannot utilize University resources to promote their election campaigns. See Oklahoma Ethics Rules 2.4, 2.14, 2.15, 2.16, BOR Policy 7.6.2.1. However, those running for a county, state, or federal elected office must either (1) resign, or (2) must receive approval from the Candidacy Review Committee and the President/Board of Regents and take an unpaid leave of absence from the University during their candidacy. If the employee is elected to such office, they must resign from the University before taking office unless an exemption is granted, e.g., the position furthers the University's interests and can be managed to avoid conflicts of time and resources. BOR Policy 7.6.2.1. Although these rules do not apply to those running for nonpartisan municipal office, candidates for municipal office likewise must not use University time or resources to run their campaign or fundraise using University resources or ask their subordinates to contribute to or assist with their campaigns. See Oklahoma Ethics Rules 2.4, 2.5, 2.14, and BOR Policy 7.1.4.3.

May political candidates distribute written materials on campus?

Yes, political candidates may distribute leaflets on campus in outdoor open public spaces with limited restrictions on game days and other special events and may not do so in violation of other University policy, e.g., by creating a discriminatory hostile environment. See Political Campaigning and Other NonUniversity Events on Game Days or Major Event Days https://www.ou.edu/content/dam/AdminFinance/documents/game_day_campaign_policy2018.pdf

Additionally, candidates may purchase advertising space in University-related marketing materials/locations at standard market rate. See BOR Policy 11.1.2.1.

Political candidates may not place or attach political signs on structures or on landscaped property, or over other existing signs, and may not chalk on University property. See Oklahoma Ethics Rule 2.7 and BOR Policy 11.1.2.1 and Expressive Activity Guidelines: [20240808 EAP](#).

Political candidates may rent University space to host events, e.g., engage in debate or activities, but may not fundraise in University facilities. See Oklahoma Ethics Rule 2.8. For additional information, please see: Expressive Activity Guidelines: [20240808 EAP](#)

May student organizations host events at the University to fundraise for political candidates on campus?

No. Any form of fundraising for political candidates is prohibited whether sponsored by a University faculty/staff member or by a student/student organization utilizing University property. See pp. 7-8 of the Facility Use Policy for University Departments, Registered Student Organizations and Individual OU Students:

<https://www.ou.edu/content/dam/scheduling/docs/Univ.%20Facility%20Use%20Policy.pdf>.

However, as noted below, student organizations may invite candidates as guest speakers.

May a Registered Student Organization host a political candidate as a guest speaker?

Yes, political RSOs may be provided facilities on the same terms as other (nonpolitical) RSOs for campus-related (nonpolitical) activities. See pp. 7-8 of the Facility Use Policy for University Departments, Registered Student Organizations and Individual OU Students: <https://www.ou.edu/content/dam/scheduling/docs/Univ.%20Facility%20Use%20Policy.pdf>.

If the public at large is invited to an RSO political event (as opposed to invitation only to the University community), the RSO will be charged the standard facility rate charged to the public for such use. If only the University community is invited to the RSO political event, the RSO will receive any applicable discounts available to any other RSO for any standard facility fees. No fundraising may occur at the RSO event. RSOs may not use University facilities to promote or to oppose the campaign of a candidate for public office. See Oklahoma Ethics Rule 2.8. Rather, use of the University facility must be educational in nature and be governed by a policy of nonpartisan neutrality.

Individual students are not permitted to use University facilities for political campaigning, political solicitation, or fundraising, except as provided by policy found here: <https://www.ou.edu/content/dam/scheduling/docs/Univ.%20Facility%20Use%20Policy.pdf>.

To ensure the protection of the University's tax exemption, it is advisable for the following statement to be read at the start of the faculty facilitated event: "The use of the institution's facilities in no way reflects the position of or endorsement by the University."

May a faculty member host a political candidate as a guest speaker?

Yes, assuming the faculty member's invitation to the political candidate is related to the pedagogical materials of the course, BOR Policy 5.1.1.3, and/or the faculty member utilizes the University's standard room reservation and complies with other applicable policies found here: See pp. 7-8 of the Facility Use Policy for University Departments, Registered Student Organizations and Individual OU

Students:

<https://www.ou.edu/content/dam/scheduling/docs/Univ.%20Facility%20Use%20Policy.pdf>.

No fundraising may occur at the event. See BOR and Oklahoma Ethics Rules 2.4, 2.6, 2.7.

To ensure the protection of the University's tax exemption, it is advisable for the following statement to be read at the start of the event: "The use of the institution's facilities in no way reflects the position of or endorsement by the University."

May a University faculty/staff member ask that a University student or employee contribute to their own or another's campaign?

No. Oklahoma Ethics Rule 2.5 and BOR Policy 7.6.2.1 prohibit such activity because of the perceived position of power held by the requesting University faculty member/staff member.

May a political candidate participate in the University's Homecoming Parade?

No, Homecoming Parade entries are limited to the theme of the particular year's homecoming parade.

May the University provide voter education?

Yes, universities and colleges may and are encouraged to provide voter registration materials and provide training on the basics of the electoral process and get-out-the-vote activities. But, the University cannot coordinate voter education activities with a political party or a candidate's campaign, nor may it sponsor a campaign event.

