

MISSISSIPPI STATE UNIVERSITY
POLICY STATEMENT

Political Activities

INTRODUCTION

While participation by employees of the University in various community and public affairs is expected and encouraged, it must be remembered that it is unlawful for any officer or employee of the University to influence or attempt to influence, directly or indirectly, any employee to vote or not to vote for any particular person or group of persons in any election. It is also unlawful for any administrator or supervisor to make any statement, public or private, or to give out or circulate any report or statement calculated to intimidate or coerce or otherwise influence any employee as to his or her vote. § 23-15-871, Mississippi Code of 1972.

Political activities by an employee will not be prohibited at such times as the employee would not be ordinarily required to render services to the institution or if the employee elects to take and the institution grants leave of absence without pay. Straughter v. Collins, 819 So. 2d 1244 (Miss. 2002)

POLICY

The University shall take all action necessary or desirable in attempting to assure compliance with all applicable laws, rules and regulations regarding political activity while carrying out its mission in teaching, research and service, taking care not to infringe on the rights of others.

Also see Student Affairs Policies:

OP 91.108 Rights of Assembly and Associated Freedom.

OP 91.109 Dissent, Disruption and Academic Freedom.

OP 91.110 Campus Solicitation.

OP 91.304 Free Speech Area.

RULES / GUIDELINES

I. General Principles

- A. These guidelines are intended to describe illegal activities and to set forth rules regarding the use of the University's name, personnel, facilities, equipment, and supplies in connection with political campaigns.
- B. It should be emphasized that employees of the University have complete freedom, as individuals, to support candidates of their choice and to campaign for them, subject only to limitations imposed by federal or state statutes and regulations. Thus, political activities by an employee will not be prohibited at such times as the employee would not be ordinarily required to render services to the institution

- or if the employee elects to take and the institution grants leave of absence without pay.
- C. A key factor in these guidelines is that state or federal funds or other resources may not be utilized in any way, directly or indirectly, to advance or attempt to advance the cause of any political candidate or political party.
 - D. The basic premise underlying these policy guidelines is that the University, as an institution, must be absolutely neutral in all political campaigns... In no way shall its endorsement, directly or indirectly, be given to any candidate or political party.
 - E. It must be recognized that policy guidelines of the kind set forth here are not intended to deal with all possible political activities and situations.
 - F. It is hoped, and expected, that all University employees will apply the basic principle of neutrality in all political activities involving them as representatives of the institution and in their utilization of the personnel, facilities, equipment, and supplies of the University.
 - G. These guidelines apply to the institution as a whole and to each of its components, e.g., colleges, schools, divisions, departments, centers, institutes, laboratories, as well as to individual positions.

II. Endorsement Issues

- A. Employees are free to endorse any candidate of their choice, but the endorsement (whether oral, written, or in graphic form) should never imply in any way that the candidate is endorsed by the University or a component thereof.
- B. In correspondence, statements, or other material relating to personal political activity, the University title of an employee shall be used only for identification. If such identification might reasonably be construed as implying either the support or opposition of the University with regard to such personal political purposes or activity, the identification shall be accompanied by an explicit statement that the individual is speaking for himself and not as a representative of the University or any of its offices or units.
- C. The foregoing provision has particular application to candidates for public office who are presently employed or have been previously employed by the institution. In the case of an emeritus faculty or staff member, for example, it must be made clear that the candidate's affiliation with the University does not constitute endorsement or support for the candidate.
- D. The name, insignia, seal, or address of the University or any of its offices or units or a University telephone number shall not be used for personal political purposes or activity.
- E. A political advertisement should not list the title of an employee after the name, e.g., Jane Doe, Associate Professor of Anonymous Sciences, Mississippi State University," if doing so will imply the support of the University for the party or candidate.
- F. Stationery bearing the letterhead of the University or any of its components should never be used in any correspondence, advertising, or in any other manner that indicates or implies endorsement of any candidate.
- G. Appearances on platforms or on radio or television.

1. Employees should make every effort to make it clear that their appearance at a political gathering or on a speaker's platform, on radio, or on television, is as an individual and not as a representative of the University, e.g., attempt to persuade the person introducing an employee to avoid use of the title when introduced.
2. Employees should make every effort to prevent the use of their University titles after their names in graphic presentations on television or in radio advertising.

III. Appearances of Political Candidates on Campus

A. For any event staged by a registered non-student organization, or any component of the University, the following shall apply:

1. If any candidate who has qualified for an office is invited to make an appearance on the campus, every other candidate who has qualified for that office must be invited and treated with equality, no matter what the assessment of an individual, group or the media might be of that candidate's chances of election.
2. Each candidate must receive equal billing, e.g., one must not be billed as "Principal Speaker" and the other as "Panelist" or "Respondent", etc.
3. Each candidate must be given equal time to speak.
4. Where multiple candidates are involved, the order of speaking must be determined in some random manner, e.g., by drawing.
5. If it is desired to have only one candidate for an event, then each candidate who has qualified must be invited to subsequent events as nearly equal in terms of time, place, etc. as feasible. Negotiations in arranging these subsequent events with candidates must be on a thoroughly equal basis.

B. Presiders, Moderators, Chairs, Etc.

1. The presider, moderator, chair, etc. must treat each candidate in an equal manner.
2. To the extent feasible, it would be highly desirable to have as the presider, moderator, chair, etc. , a person not presently or in the past closely associated with any of the candidates and one who has not publicly endorsed any of them.

IV. Teaching

- A. Neither faculty nor students shall make use of courses or class time for organizing personal political activities.
- B. Political topics and materials are not exempt from the general rule that course instructors, as well as teaching assistants, are obligated to teach each course in reasonable conformity with the subject and course description announced in advance; academic freedom does not justify the introduction of a significant amount of extraneous subject matter, or of irrelevant discussion or activities, into the conduct of a class.

- C. In courses where contemporary political topics and materials constitute the subject matter itself, faculty and students should treat them as subjects of study and analysis in accordance with the accepted intellectual standards of academic inquiry and discourse. When such courses use “participant observation,” “action involvement,” or other comparable pedagogical techniques, care should be taken to avoid involvement in any collective political activity either on behalf of one candidate or on one side of an issue.
- D. Employees, when undertaking personal political activity in conjunction with other employees or students, shall establish clearly the voluntary nature of such activity and maintain the clear separation of personal political activity from the educational program and from University operations and resources.
- E. Protecting the academic integrity of classes is the responsibility of the class instructor. This authority or trust must not be delegated to others by, for example, allowing the subject matter or format of the course to be determined conclusively by a vote of the students or by allowing the course to be deflected from its intended aim by extra-academic pressures, political, social, or other.

V. Displays

A. General.

1. The display or distribution of political materials -- including political posters, notices, handbills, signs and banners -- shall conform to campus regulations.
2. All candidates must be given equal opportunities for displaying materials in accordance with these regulations.
3. If it is not feasible to give such equal opportunity, then no candidate shall be permitted to make a display, e.g., if it is not feasible to string banners over one of the University streets for all candidates who wish to have them, then no banner shall be hung.

B. Lapel Buttons.

While legally, employees may be free to wear lapel buttons at will as individuals, it is advisable not to wear them when performing an official university function, e.g., teaching a class, presiding over a meeting lest it may be construed as attempting to illegally influence another's vote as a state employee.

C. Bumper Stickers.

1. Employees have full freedom to affix bumper stickers to their personal motor vehicles.
2. No stickers or displays of any type may be attached to a University vehicle, even if temporary.

VI. Use of University Employees, Facilities, Equipment, Supplies and Services

University employees, facilities, equipment, supplies and services resources shall not be utilized in any way, directly or indirectly, to advance or attempt to advance the cause of any political candidate or political party.

A. Employees.

The general principle is that it is illegal to utilize the time of any person or any material paid for by state or federal funds in support of a candidate for public office.

B. Facilities.

1. Quoting from the policies of the Board of Trustees of State Institutions of Higher Learning, State of Mississippi (BT Minutes, 9/90), "In general it shall be the policy of the several institutions not to make available the buildings and other facilities of the institutions to outside organizations. Exceptions to this policy may be approved by the executive officer of an institution. No exception shall be approved for commercial enterprises, political or sectarian meetings, without specific approval of the Board." These prohibitions do not apply to "inside organizations", i.e., those organized within the University community commonly referred to as registered organizations.
2. Auditoriums, assembly halls, conference rooms, gymnasias, classrooms, etc. may be made available to registered organizations for political gatherings which they sponsor in accordance with University policy for reservation and use of such facilities.
3. University sites or facilities shall not be used for organizing and maintaining personal political activities.
4. University offices shall not be used as a headquarters or office in connection with the organization of personal political activity.
5. Parades, rallies, demonstrations, etc., on University grounds must be conducted in accordance with institutional regulations, including required advance permits, noise levels, etc., and all candidates for an office must be treated with equality in staging these events.

C. Equipment.

University equipment (such as vehicles, telephones, and computers) shall not be used to advance the cause of any candidate.

D. Supplies.

1. Utilizing University supplies in support of a candidate is prohibited--specific examples: stationery, envelopes, tapes, labels, etc.
2. University publications may be sold or given away to a candidate or his/her supporters provided this is done on the same basis as for any other purchaser or person.

3. Food or drinks of any kind may not be provided to a candidate or his/her supporters except as regularly sold to the public.

E. Services.

Mail and other services, including databases, of the University may not be used in connection with political purposes or activity.

VII. Political Contributions

- A. No funds in any way supplied from University revenues may be utilized to support any candidate for office.
 1. University revenues means all funds received by the institution, from whatever source derived, including state appropriations, federal funds, auxiliary enterprise revenues, sales, etc.
 2. The prohibition includes funds of employee and student organizations which are derived from University revenues.
- B. Employees are free, of course, to contribute personally to candidates or parties of their choice.
 1. Contributions should in no way imply that the funds contributed were derived from a University source.
 2. Donors must ensure that the contributions they make are credited to them in their individual capacities and not as holders of positions at the University.
- C. Organizations of employees of the University which raise funds independently of the institution are free to make contributions to candidates of their choice in the name of the particular organization, but care must be taken to assure that the organization is not viewed as representing the University.

VIII. Dealing with Political Solicitation at Athletic Events on Campus

- A. The University will allow the following political activities at athletic events on campus:
 1. Signs on personal vehicles are permissible (even very large ones).
 2. Walking among the fans -- talking, waving, etc. is permissible.
 3. Wearing items of political persuasion on person is permissible except for University employees present in their employment capacity at the event.
- B. The University will not allow the following political activities at athletic events on campus:
 1. Attaching signs to university property (fence, ground, light pole, etc.).
 2. Activities that create an unsafe or disruptive environment.

- C. Registered student organizations such as the College Democrats or the College Republicans may choose to sponsor candidates on campus. Advance approval must be obtained as to time, manner, and place from the Dean of Students.

REVIEW

This policy shall be reviewed as needed by the General Counsel.

REVIEWED:

/s/ Don Zant
Office of Internal Audit

2/9/05
Date

/s/ Charles Guest
General Counsel

2/8/05
Date

APPROVED:

/s/ J. Charles Lee
President

2/14/05
Date