

**University  
Activities**

**Employee  
Activities**

**University  
Activities**

**Employee  
Activities**

**AGENDA**

# **Political Activities**

**Non-  
Compliance**

**Brad Trahan**  
**Assistant General Counsel**  
**[brad.trahan@uncc.edu](mailto:brad.trahan@uncc.edu)**  
**(704) 687-6117**

Office of Legal Affairs  
Legal Symposium - Fall 2018

# AGENDA

- *University Activities*
- *Employee Activities*
- *Potential Consequences*

*DISCLAIMER: THIS PRESENTATION IS ONLY A GENERAL OVERVIEW. FOR MORE INFORMATION PLEASE CONTACT THE OFFICE OF LEGAL AFFAIRS*

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# Permissible University Activities

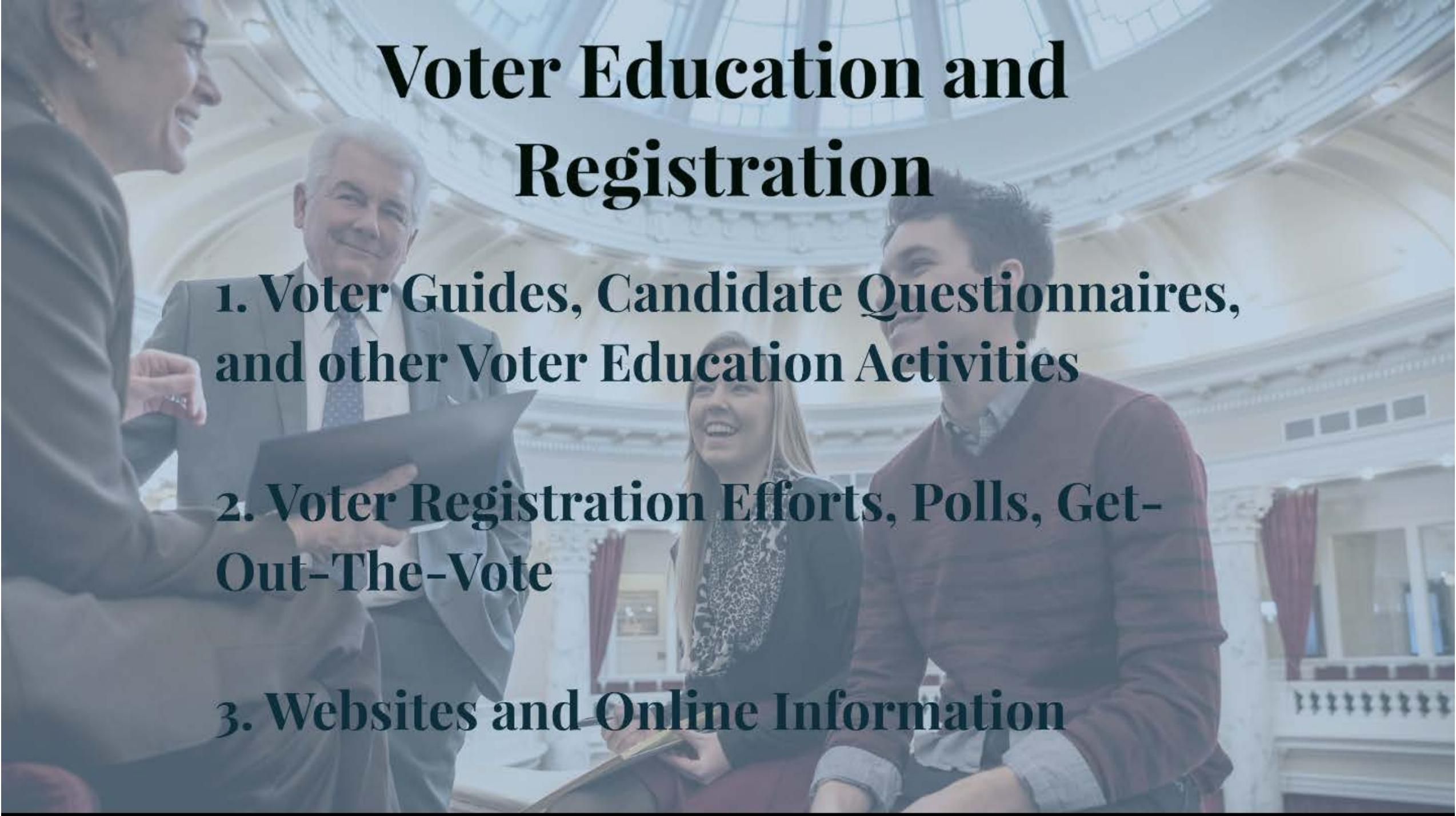
Voter  
Education

Issue  
Advocacy

Business  
with  
Candidates

Providing  
Information

Candidates  
on Campus



# **Voter Education and Registration**

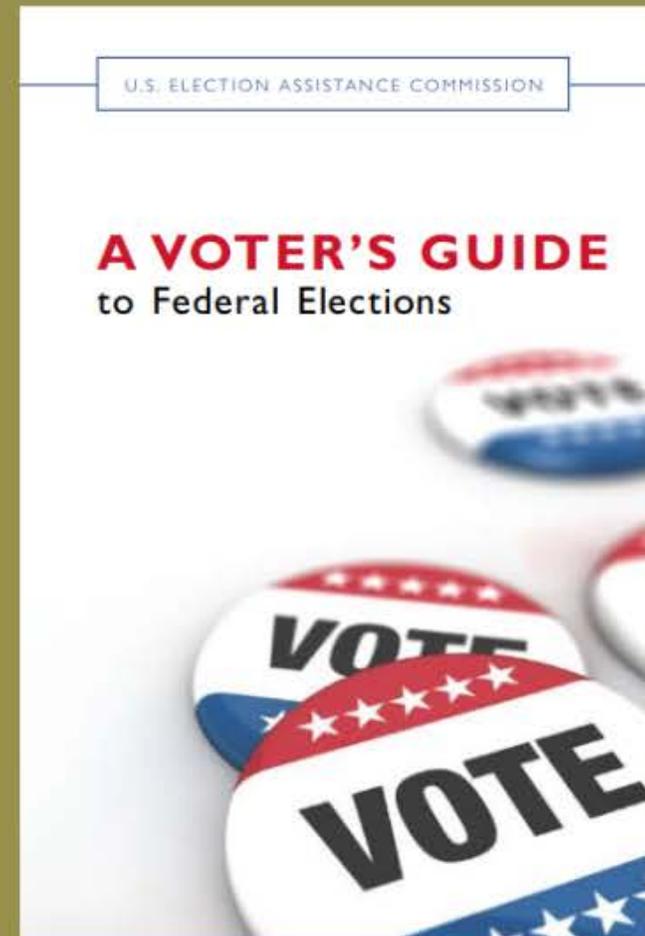
**1. Voter Guides, Candidate Questionnaires,  
and other Voter Education Activities**

**2. Voter Registration Efforts, Polls, Get-  
Out-The-Vote**

**3. Websites and Online Information**

# Voter Guides, Candidate Questionnaires, and other Voter Education Activities

1. Guide is made available to the public
2. Contains no editorial opinion, and content and structure implies no bias or candidate preference
3. Assess position on wide range of subjects



# **Voter Registration**

Cannot target voters of a particular party or help a specific candidate

# **Conducting Polls and Disseminating Results**

Questions must be framed neutrally and accepted polling techniques used

# **Get-Out-The-Vote**

Cannot favor a specific party or candidate

# Websites and Online Information

- UNC Charlotte can provide links to a candidate's official website, but must have links to all candidates for that office

- Links must be presented in a neutral manner

- Online information must be neutral and provide information on all candidates for that office



# Permissible University Activities

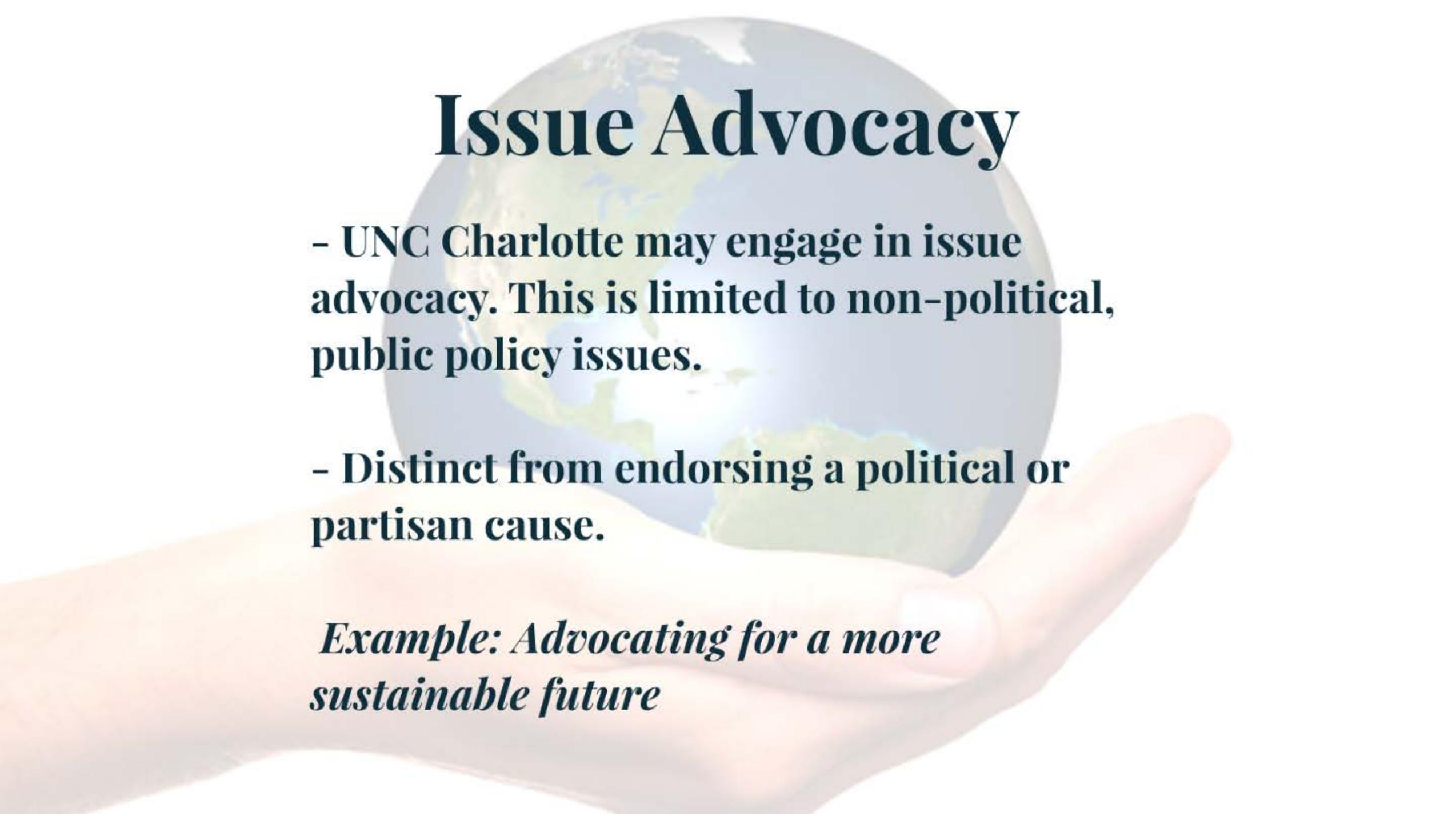
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A hand is shown from the bottom left, holding a semi-transparent globe of the Earth. The globe is centered on the Americas. The background is white.

# Issue Advocacy

- UNC Charlotte may engage in issue advocacy. This is limited to non-political, public policy issues.
- Distinct from endorsing a political or partisan cause.

*Example: Advocating for a more sustainable future*

# CAUTION

Cannot:

- Identify candidates by name
- Express approval or disapproval for a candidate
- Make specific reference to voting

*\*Issue Advocacy near an election can be tricky\**

# Permissible University Activities

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# **Engaging in Business with a Candidate**

- 1. Goods and services may be sold, leased, or provided to candidates if they are made available to every candidate**
- 2. The goods or services must generally also be made available to the public**
- 3. Charges and fees must be fair-market value and usual rates to public**
- 4. Activities must be ordinary ongoing activities, not specifically created for candidates**

# Permissible University Activities

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# Information and Data

**UNC Charlotte may provide factual information and data to political candidates.**

**UNC Charlotte should make it clear that the University will not be identified with any candidate or political party and the data must be made equally available to all candidates**

***For example, research and economic data, or any educational information on other topics.***

# Permissible University Activities

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# Hosting Candidates on Campus

## Campaigns:

- Equal Opportunity
- No Fund Raising
- Non-Affiliated Group

## Debates:

- Non-Partisan Panel
- Broad Topics
- Equal Opportunity



# Hosting (Non)Candidates on Campus

**Political candidates may speak on campus if:**

- Expert in a non-political field**
- Holds (or held) public office**
- Distinguished military, legal or public service career**

***\*No campaign activity can occur***

***\*Clearly state that the individual is not appearing a political candidate and there is no mention of an upcoming election***

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**Prohibited  
University  
Activities**

**Endorse**

**Participate**

**Lobbying**



# **Endorse**

**UNC Charlotte cannot endorse any  
political party, candidate, or cause**

**Prohibited  
University  
Activities**

The diagram features a central white circle with a dark green border. Inside this circle, the text 'Prohibited University Activities' is written in a dark blue, serif font. To the right of the central circle, three olive-green circles are arranged in a vertical line, each containing a prohibited activity in a dark blue, serif font. The top circle is labeled 'Endorse', the middle one 'Participate', and the bottom one 'Lobbying'. The entire graphic is set against a dark green background.

**Endorse**

**Participate**

**Lobbying**



# Participation

UNC Charlotte cannot participate or intervene in any political campaign on behalf of (or in opposition to) any candidate for public office.

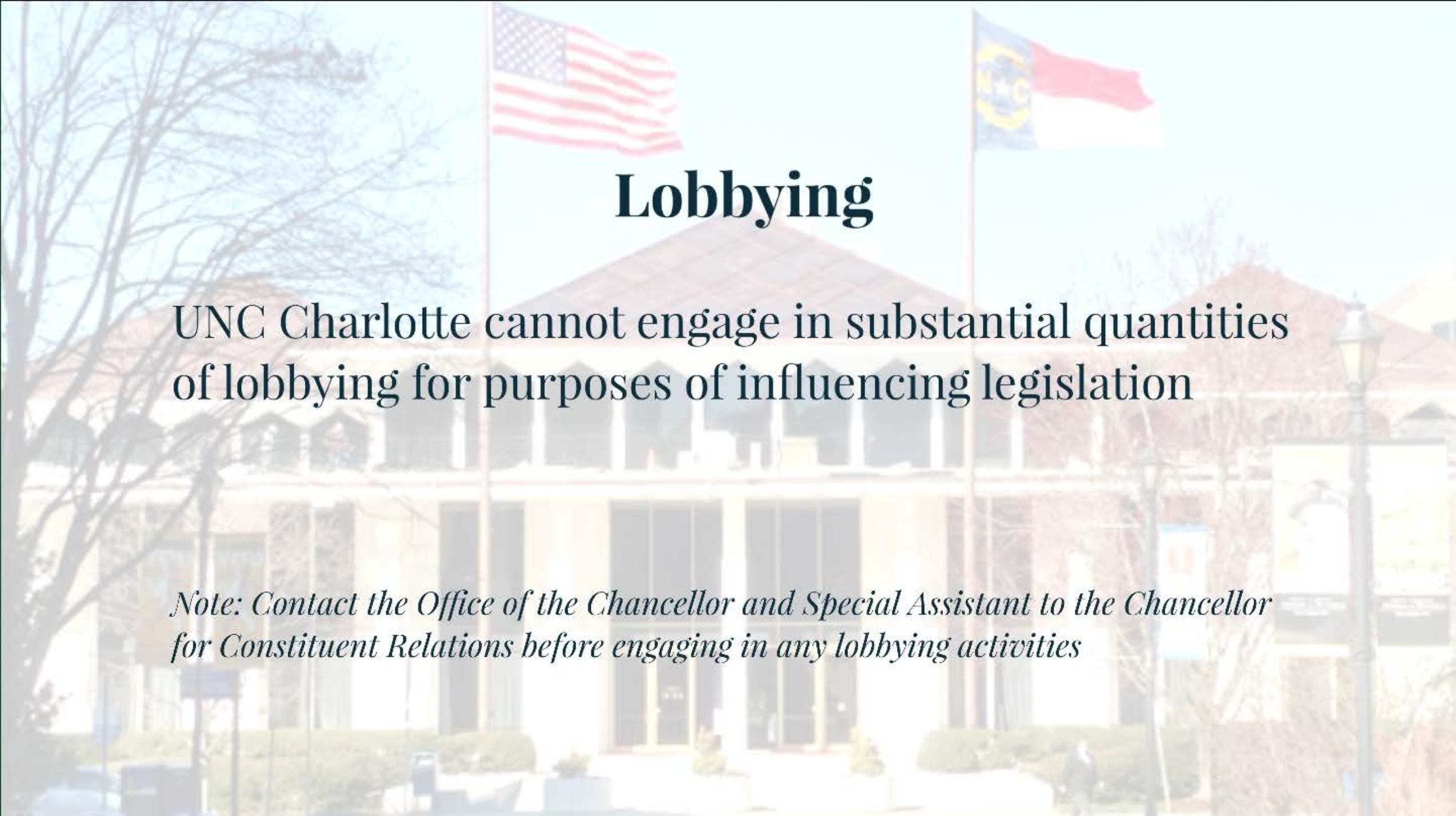
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**Endorse**

**Participate**

**Lobbying**



# Lobbying

UNC Charlotte cannot engage in substantial quantities of lobbying for purposes of influencing legislation

*Note: Contact the Office of the Chancellor and Special Assistant to the Chancellor for Constituent Relations before engaging in any lobbying activities*

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**Permissible  
Employee  
Activities**

**Participate**

**Classroom  
Activity**

# Employees can participate in civic activities...

- Registering to vote
- Becoming an candidate (consistent with University Policy)
- Solicit, accept, receive, and make campaign contributions
- Participate in elections
- Participate in political campaigns or organizations

However,

*All activities must be conducted independently from the employee's UNC Charlotte employment*

**Permissible  
Employee  
Activities**

**Participate**

**Classroom  
Activity**

# Teaching

Permissible Activities also include teaching, inquiry, and classroom discussion on political issues within the subject matter of the course

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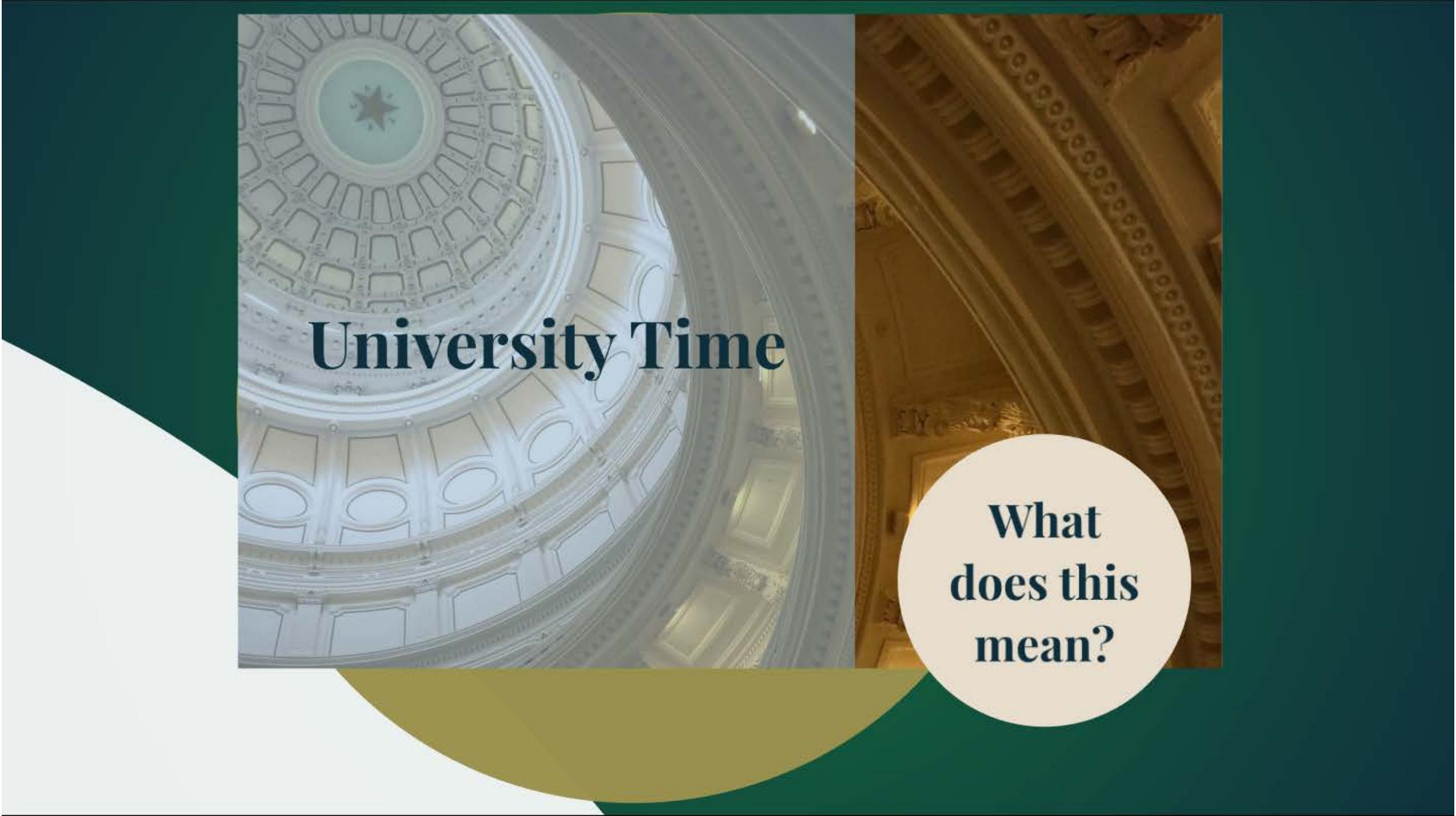
# Prohibited Employee Activities

Employment  
Time

UNCC  
Resources

Perception

Misuse  
Authority



# University Time

**What  
does this  
mean?**

**An employee cannot participate in a political activity, including managing a campaign, during a period of time s/he is expected to perform services for UNC Charlotte**

# Prohibited Employee Activities

Employment  
Time

UNCC  
Resources

Perception

Misuse  
Authority



**Employees  
Cannot Use UNC  
Charlotte  
Resources for any  
Political Activity**

**In other  
words...**

# What does this mean to you?

UNC Charlotte Vehicles = **NO**

UNC Charlotte Office Mailings = **NO**

UNC Charlotte Printers/Scanners/Copiers = **NO**

UNC Charlotte Email = **NO**

# Prohibited Employee Activities

Employment  
Time

UNCC  
Resources

Perception

Misuse  
Authority

# Participation



Employees must make it clear that they are participating as an individual and not on behalf of the University

**Senior  
Officers**

*It's all about perception...*

## **Senior Officers at UNC Charlotte (Chancellor, Provost, Vice Chancellors, and Deans) cannot:**

- Solicit, accept, or receive financial contributions from other persons or organizations on behalf of a candidate
- Endorse or oppose a candidate for a partisan political office in a political advertisement, broadcast, campaign literature, or similar material

# Prohibited Employee Activities

Employment  
Time

UNCC  
Resources

Perception

Misuse  
Authority

## **Misuse of authority --**

- Employees may not inappropriately use their authority to secure support for, or opposition to, any person or issue in any election
- Employees cannot use their authority to coerce, solicit, or compel another UNC Charlotte employee to support, contribute, or oppose a political candidate, party, or cause

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# Enforcement

*Loss of Tax  
Exempt Status*

*Excise Tax  
Liability*

*Criminal  
Misdemeanor*

*Policy Violations  
can lead to  
University  
Disciplinary  
Action*

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