

During Presidential election years many people have questions about the nature of permissible political activity/expression on campus. The Office of General Counsel prepared this FAQ for faculty and staff to help answer some of those questions. If, after reading this, you still have questions, please consult the Office of General Counsel at 529-6734 or generalcounsel@miamioh.edu. Thank you.

FREQUENTLY ASKED QUESTIONS

INDIVIDUAL FACULTY AND STAFF MEMBERS

Q. Are there any restrictions on the political activities of faculty and staff?

- A. Every faculty and staff member has the right to participate (or not) in the election process. Miami University embraces the rights of political expression and affiliation. However, Miami University itself does NOT participate in any campaign for public office. No member of the University community may speak or act on behalf of the University in a political campaign. Other restrictions are set forth in the University's Policy on Political Activity (below). As a result, University policy is read as prohibiting faculty and staff from:
- Using University facilities, email, faxes, copiers, support services, or equipment for partisan political activities;
 - Placing campaign materials (signs, banners, etc.) on University facilities including, but not limited to, bulletin boards and office windows;
 - Carrying partisan political activity into the classroom;
 - Writing letters in support of or in opposition to a candidate or ballot issue using University letterhead or using a University title as part of the signature; and
 - Inviting any candidate for public office to come to campus to speak without notifying the Office of the President so that we can assure compliance with federal law. Depending on the circumstances this may include an obligation to provide an equal opportunity to other candidates to appear at a comparable event within a comparable time frame.

VOTING

Q. Can the University Sponsor Voter Registration and Get Out the Vote Drives?

- A. Yes, encouraging students and others to vote is entirely appropriate. Each fall, as required by federal law, the University and Associated Student Government conduct a voter registration drive for students.

Q. Can a Professor Give a Student Credit or Extra Credit for Voting?

- A. **No**, it is a violation of Ohio's elections laws for a college professor to give extra credit (or anything of value) to a student in exchange for voting in a primary, general or special election. (See Ohio Attorney General Opinion 96-033)

Q. Can the University Sponsor Voter Education Sessions or Publish Voter Education Materials?

- A. Yes, however the legal boundaries between voter education (permissible) and issue/candidate advocacy (NOT permissible) can often be difficult to ascertain. Voter education materials must be carefully prepared to reflect candidate's position on a broad range of issues. Please consult the Office of General Counsel for advice.

University Policy on Political Activity

MUPIM 3.13 Political Activity

University employees have the right to participate in political activity, which is defined as running for elective public office, serving as a political party official, or serving in an official capacity on a campaign committee for a candidate or issue.

However, because political activity may raise sensitive issues for Miami University as a state-assisted institution, there shall be no suggestion of association of Miami University with partisan political activity. Faculty shall refrain from carrying political activity into the classroom. All University employees shall take due precaution to divorce their political activity from any suggestion of association with Miami University. They shall not place political stickers, banners, flyers, or other political literature on University bulletin boards, in and on University buildings, or on any University property. No letterhead or insignia of the University will be used in any partisan political activity.

Any member of the faculty or staff proposing to engage in political activity as defined above shall notify the President in writing of his or her intention. The President may require assurance that the contemplated political activity will not interfere with the individual's academic or staff responsibilities. If it is determined by the President that such political activity will interfere with the individual's University responsibilities, then the President may require the individual to apply for a leave of absence without pay during the period that such political activity creates such interference.

(Emphasis added)