

**THE UNIVERSITY OF CHICAGO**  
**Office of Legal Counsel**

**Political Campaign Activity Memorandum**

This memorandum addresses the rules governing the University's involvement in political campaign activities. Issues concerning the University's involvement arise both during and between political campaign seasons. This memo identifies a number of issues, but there will no doubt be others that are not addressed or for which the rules are less clear. Please contact the Office of Legal Counsel to discuss these issues as you encounter them so that the University can participate in the political arena in an appropriate manner.<sup>1</sup>

As a tax-exempt organization under Section 501(c)(3) of the tax code, the University is prohibited from participating in political campaign activities. The University may, consistent with its purposes, engage in and sponsor debate and discussion of political issues. It is the support of individual candidates, campaigns or parties that is prohibited.

The University may not endorse any candidates, make donations to any politician's campaign, issue statements for or against any candidate, hold campaign rallies, host campaign announcements, or engage in any activity that would either support or oppose any candidate for public office. Further, no political fundraising or campaigning may occur on the University's campus, using the University's name, or though the use of University e-mail accounts. These prohibitions apply to all campaigns, including those at the federal, state, and local levels.

Because it is sometimes difficult to differentiate between prohibited political campaign activity and permitted political discussion, advance approval from the Office of Legal Counsel is required when any candidate is invited to speak on campus. This is not required for political figures for whom there is no ongoing campaign or upcoming election, provided they are not appearing in their capacity as political candidates.

**I. Individual Employee Involvement in Political Campaigns**

University employees may become involved in political campaigns in their individual capacities, provided they take precautions to ensure that their involvement is not attributed to the University and does not involve the use of University resources. University officials engaging in political campaign activities must explicitly indicate that their actions and statements do not represent the views of the University. Individuals may identify their positions at the University so long as they make it clear that their affiliation with the University is provided only for identification purposes, and they do not use the University's name in any other context. University officials may not engage

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<sup>1</sup> For guidance on this memo, please contact Elizabeth Shanin, [eshanin@uchicago.edu](mailto:eshanin@uchicago.edu) in the Office of Legal Counsel.

in political activities at University functions, through University publications, on University letterhead, or with University e-mail accounts. Senior University officials should not engage in, or should limit their involvement with, political campaign activities because of the risk that such activities would be perceived as support or endorsement by the University.

## **II. Candidate Appearances**

Candidates for public office may be invited to speak at the University if their appearances are for educational or informational purposes and they have University sponsorship. The format should be a speech, panel discussion and/or question-and-answer session. The event should not resemble a campaign rally.

When a candidate is invited to speak in his or her capacity as a political candidate (as part of a debate, for example), the University must ensure that it provides an equal opportunity to all political candidates running for the same office. Accordingly, when one candidate is invited to campus to speak, all candidates running for that office need to be invited and offered comparable campus locations and times, among other things. An invited candidate's decision not to accept the invitation, however, would not prevent the University from proceeding with events for those who did accept. Further, the University should explicitly state that it does not support or oppose the political candidate in any communications referencing the candidate's appearance, and when the candidate is introduced.

When a candidate is speaking not as part of a campaign, however, there is no requirement that the University provide an equal opportunity to other political candidates running for the same office. In this context, the University must ensure that the atmosphere is nonpartisan and that neither the candidate nor any representative of the University mentions the candidacy or the upcoming election.

Of course, these two circumstances are not always easy to distinguish. It is for this reason that advance approval from the Office of Legal Counsel is required if a candidate is invited to speak on campus. It is also important to discuss the plans with a candidate and/or campaign in advance of an appearance so as to avoid a circumstance in which what was expected to be a non-partisan speech turns into a campaign announcement or rally.

These guidelines apply when a political campaign is ongoing. Political figures who do not have an upcoming election may be invited to speak on campus when sponsored by a University unit or group without seeking advance approval from the Office of Legal Counsel.

## **III. Use of University Facilities**

University facilities may not be used for political fundraising or any other partisan political campaign activities, such as phone banking. University facilities may be used to

conduct non-partisan voter education and registration programs. Such programs must be made available to all members of the University community regardless of their political affiliation and may not be conducted in a manner that favors or opposes one or more candidates. Outside of a campaign context, members of the University community may invite political figures to speak on campus, or sponsor political discussion or debate, using University facilities. Neither political figures nor political candidates may use University facilities unless they have been invited by faculty, students, or staff of the University.

#### **IV. Students and Student Groups**

Nothing in this memorandum prevents students from becoming involved in political campaigns in their individual capacities. These guidelines, however, pertain to students and student groups to the extent they seek to use University resources. Students may not use or reference the University of Chicago's name in any manner, except to identify themselves as students. The University's logos or other trademarks may not be used for any political campaign activity purpose. Student groups that are registered with the UChicago Center for Leadership and Involvement, or their respective division or professional school, may use University facilities for meetings as long as no political fundraising or campaigning (including phone banking) is conducted, the usual and customary fees for the facilities are charged, and participation in such activities is limited to members of the University community. Prior approval must be obtained from the Office of Legal Counsel, the UChicago Center for Leadership and Involvement, and the applicable division or professional school in these circumstances. As explained above, University facilities may be used for approved non-partisan voter education and registration programs. Any student group engaging in political activities must make it clear in its written materials and at its events or meetings that its members are speaking as individuals and not on behalf of the University. Additional information pertaining to students and student groups may be found in the accompanying FAQs.

#### **V. Websites**

The IRS will treat information posted on the University's website that supports or opposes a candidate in the same manner as printed material that is distributed. Accordingly, there should be no text on the University website that supports or opposes a candidate, nor should there be links to candidate or campaign-related material.