

Guidance on Political Campaign Activities at University of Wisconsin System Institutions

II. Guidance for UW Students and Recognized Student Groups

1. As a university student or university-recognized student group, may I organize a political event to be hosted on my campus?

Yes. Political events may be sponsored by either recognized or independent student organizations under certain circumstances. In fact, institutions and student groups are particularly encouraged to arrange non-partisan events such as campus tours for legislators and candidates, as well as to sponsor forums in which political figures or candidates may debate one another.

Student groups wishing to organize such events should contact the appropriate facilities administrator to ensure compliance with UW System policies on use of university facilities, Wis. Admin. Code UWS § 21.03, and applicable institutional policies.

Please note that state law strictly prohibits the use of state-owned buildings for political fundraising. *See* Wis. Stat. § 11.36. In addition, student organizations that have federal tax-exempt status may be subject to additional restrictions on political activity. *See* IRS Publication “Election Year Issues” (<http://www.irs.gov/pub/irs-tege/eotopici02.pdf>).

2. Can student groups utilize segregated fees or university resources to contribute to a political campaign?

No. In accordance with UW System Financial and Administrative Policy Segregated University Fees (F50) and consistent with campaign finance law, student groups may not use segregated fees to make direct gifts, contributions, or donations of any kind. *See* Policy F50.I.B(3)(e).

3. May segregated fees be used to fund the printing of posters, political advertisements, or t-shirts indicating our group’s support of a candidate or political party?

As discussed above, student organizations may not use segregated fees in a manner which would constitute making a direct gift, contribution, or donation of any kind. Accordingly, if the funding of these materials constitutes a gift, contribution or donation to a candidate or party, it would not be permitted. *See* Policy F50.I.B(3)(e). Student organizations may, however, use segregated fees to support their own expressive activities and views on public policy issues and other interests.

Questions about appropriate uses of segregated fees should be referred to campus student affairs officers and/or legal counsel.⁶

4. Can student organizations urge students to vote? What about voting for a particular party or for a particular candidate?

Yes. Student organizations are encouraged to help educate and inform students about upcoming elections, including urging students to exercise their right to vote. Student organizations are also free to express their views about the parties and candidates, and to urge voting for particular parties or candidates, and--as noted above--to sponsor events for candidates so long as they comply with rules governing the use of university facilities.

Please note that state law strictly prohibits the use of state-owned buildings for political fundraising. *See* Wis. Stat. § 11.36. In addition, student organizations that have federal tax-exempt status may be subject to additional restrictions on political activity. *See* IRS Publication “Election Year Issues” (<http://www.irs.gov/pub/irs-tege/eotopici02.pdf>).

5. As a university student, may I display a partisan political sign in my residence hall room?

Yes. So long as you comply with university and residence hall policies governing the posting of signs in dormitory rooms, and any other applicable time, place, and manner restrictions, such activity would be permissible. *See*, Wis. Admin. Code UWS § 18.08(9).

III. Political Activity on Campus

1. What types of educational events may the campus engage in to encourage voter education and participation?

The campus may host non-partisan events to encourage voter education and participation, such as candidate forums and voter registration efforts. These activities must be non-partisan for the sole purpose of voter education. If candidates are invited on campus, all legally qualified candidates must be invited and given an equal opportunity to speak and participate. Permissible activities include speeches, question-and-answer sessions, debates, or similar activities. A statement should be given that the university does not endorse nor oppose any of the candidates. The UW System policy on the use of university facilities, Wis. Admin. Code UWS § 21, and relevant institutional policies apply. Please note that state law strictly prohibits the use of state-owned buildings for political fundraising. Wis. Stat. § 11.36.

Electronic resources may also be used for non-partisan voter education purposes. For example, a university web page with current election information may include a link to candidates' websites *if* the web page includes all legally qualified candidates and excludes any commentary in support or against a candidate, express or implied. Again, a statement should be given that the university does not endorse nor oppose any of the candidates. If discussion space is provided, the university should include a disclaimer that the opinions expressed on the discussion board do not represent those of the university. Websites used for voter education purposes should be regularly monitored to ensure that they are not modified for the purposes of advocating for a particular candidate or political party.

2. Is it important that institutions sponsor political events that offer opportunities to all candidates seeking election to the same political office?

Yes. A balanced approach is required. For example, all campaigns of candidates seeking election to the same political office should be offered the same or a similar opportunity to participate in a university-sponsored event. However, if when offered the opportunity, one or more candidates decline, it is still appropriate to host the event for those who have accepted the invitation. During the event a statement should be made indicating that all candidates were provided with an equal opportunity to participate.

It should be noted, however, that the same principle does not necessarily apply to candidates who speak to a class at the invitation of an instructor. For example, a professor who invites a Republican legislator to speak to a class on the history of the Republican Party is not obligated to invite the legislator's Democratic opponent. The invitation, however, should relate to the course material and should not be for the purpose of advancing one political candidate over another.

3. May individuals or candidates distribute campaign literature on campus?

Yes. Campaigning is permitted in public areas at UW institutions, subject to institutional policies concerning the time, place and manner for conducting such activities. Similarly, distribution of political literature and campaigning may be conducted in residence halls, subject to institutional policies governing the time, place and manner for engaging in such activities.

4. Do candidates and political organizations have access to mailing lists of faculty, students and staff?

Yes, to the extent that this information is available to the public. Some campuses provide this information in their staff and student directories that are available for purchase to the public. Other campuses may supply employee and student mailing lists upon request, with a fee charged at the time of request in order to cover the costs of generating the lists. University employees and students who choose not to have this information disclosed are annually offered the opportunity to have their names and home addresses withheld from these mailing lists.

5. Are institutions required to charge candidates who attend campus receptions? What about legislators who are currently in office?

The general rule for those currently holding office is that university-sponsored functions are a benefit to the UW System and not to a particular legislator or party. Accordingly, there should generally be no charge to state legislators or officials who attend campus receptions. However, care should be taken to comply with applicable ethical and legal requirements (*see generally*, Wis. Stats. §§ [19.45\(3m\)](#) and [19.56](#)), including restrictions on the use of federal funds for lobbying purposes and limits on the circumstances in which legislators and state officials may receive hospitality such as food or athletic tickets in connection with events or parties hosted by a campus.

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