

**From:**  
**Sent:**  
**Subject:**

Office of the President, Bruce Benson <OfficeOfThePresident@cu.edu>  
Thursday, February 11, 2016 4:12 PM  
Election season guidelines



University of Colorado

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Dear Members of the University of Colorado Community,

As we enter the election season at the local, state and national levels, it is important to note that CU employees, as part of a public institution, are prohibited from using their work time or university resources for election-related activities. The guidelines below provide an overview of what employees can and cannot do. Participating in the democratic process is a privilege, and I encourage you to do so. As you do, please ensure you meet the responsibilities outlined below.

Sincerely,  
Bruce D. Benson  
President

## **Campaign-Related Activities - Summary and Guidelines**

### ***General Prohibitions***

- The Fair Campaign Practices Act (a/k/a Campaign Reform Act, C.R.S. § 1-45-117) generally prohibits public entities, including institutions of higher education, from expending any public money from any source for contributions to a campaign for elected office, or to urge electors to vote in favor or against any ballot issue or referred measure.
- The term "public money" is broadly construed, and includes in-kind contributions such as services or non-monetary resources. The funds and resources of the University of Colorado are considered to be public money, regardless of the amount of state support the university receives.
- Under the act, any person can complain to the secretary of state that a public entity or public employee has violated the law. The secretary of state may investigate any complaint and may impose monetary fines.

### ***Specific Guidance for University Employees***

Generally, employees may not:

- engage in any activity during working hours designed to urge electors to vote for or against any campaign issues, which include campaigns for public office, statewide campaign issues or referred measures, and local campaign issues or levies.
- use office supplies or equipment, including computers, telephones, printers or fax machines to create materials urging electors to vote for or against a campaign issue.
- use their university e-mail accounts to urge electors to vote for or against a campaign issue, or to forward materials that urge electors to vote for or against a campaign issue.
- use university web sites to urge electors to vote for or against a campaign issue.
- Employees wishing to participate in a campaign activity should take personal leave.

### ***Special Rules for Faculty Members***

- Most faculty members do not have personal leave. Additionally, many faculty members are not on contract during the summer. Accordingly, faculty members may engage in advocacy activities related to a campaign issue during months in which they are not on contract, or during the school year in accordance with applicable department or campus policies on use of personal time.
- However, faculty members should avoid the appearance of impropriety by clarifying wherever possible that such activities are being conducted on personal time and not on behalf of or at the request of the university.
- Faculty members remain subject to other limitations on the use of state resources, including university e-mail, even if using personal time.

### ***What Activities Are Allowed?***

- University employees may provide information in response to questions posed in the ordinary course of their duties, even if the information provided relates to a ballot issue, so long as the question was not solicited by a state employee.
- The Board of Regents may pass a resolution adopting an advocacy position related to a ballot issue. The resolution may be distributed by any normal and customary means and in response to a question.
- Policymakers such as the president and chancellors may adopt an opinion related to a ballot issue and spend up to \$50 publicizing that opinion. If such an opinion is adopted, it may be communicated in response to a question.
- Employees may use personal time to engage in any advocacy activities, provided they do not use state resources. As a general rule, employees should always make it clear they are taking personal time and they are not speaking on behalf of the university.
- The university may allow access to its meeting facilities for political expression as public forums or limited public forums. So long as access is not restricted based on viewpoint-i.e., as long as there is equal access to advocates on all sides of an issue-the resource is not being used for advocacy.
- The university may allow a meeting room to be used by an advocacy group, so long as the same or similar space is available to any opposing advocacy group. Forums offered to provide information about a ballot issue should include both sides of the ballot issue. However, student advocacy groups may invite a candidate to speak without inviting opposing candidates, so long as other student advocacy groups are afforded the same opportunities to invite opposing candidates to speak.
- The university may set additional reasonable time, place and manner restrictions on these activities. The following rules are advisable:
  - o Attendance must be open to the public or to all students.
  - o A disclaimer must be made on any printed materials and/or at the event that the university does not endorse the candidate, and that any opposing candidate or advocacy group will be offered a similar opportunity to speak.

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