

Guidance for Faculty and Staff on Political Activities and Public Advocacy

Pace University, September 2024

Pace University is a private and independent not-for-profit institution located in New York State that is governed by local, state, and federal laws.

As an institution of higher learning, we aim to provide our students with the confidence, critical thinking skills, knowledge, and motivation to be active and engaged members of the community. We also take seriously our responsibility under federal law to make voter registration information available to our students and other members of the Pace community.

Restrictions

With regards to political campaign activity, The Internal Revenue Service (IRS) is unambiguous about the fact that the Internal Revenue Code "absolutely" prohibits all 501(c)(3) organizations from participating in such activities. This prohibition includes directly or indirectly participating or intervening in any political campaign or election of a candidate for public office, regardless of whether that office is a local school board, a state comptroller, a member of Congress or legislature, or the President of the United States. Partisan "political campaign activity" is, essentially, the support of or opposition to a candidate for public office at the federal, state or local level even if the candidate is not affiliated with a political party.

Colleges and universities may not offer public statements in favor of or in opposition to any candidate for public office or make contributions to political campaign funds.

Penalties

Potential penalties for improper political activity by a college or university can include loss of the institution's tax-exempt status, imposition of taxes on the institution and its responsible managers, and other risks, including federal or state government lawsuits, audits, and investigations.

Nonpartisan Activities

However, 501(c)(3) organizations, including colleges and universities, may engage in activities unrelated to a candidate for public office such as nonpartisan voter education drives and get-out-the-vote initiatives. Hosting or presenting public forums and publishing voter education guides conducted in a non-partisan manner are also acceptable — and indeed encouraged — as are other nonpartisan activities that describe, encourage, enable, and inform the democratic process.

As employees of Pace University, please see the guidance below regarding political activities on the campus and university property:

1. Understanding the Role of a Pace Employee:

As private individuals, we have the prerogative and constitutional right to engage in partisan political activity. Nothing in these guidelines prohibits university faculty or staff from participating in political activity in their individual capacity separate from their relationship to Pace University.

As private individuals, we might take an active part in political campaigns and the election process, however, as employees of Pace University we are prohibited from engaging in political activities while on the job or using university resources for political or partisan purposes.

As a Pace employee, we must make sure that our actions reflect our responsibilities as faculty and staff by

adhering to the University's [Guiding Principles of Conduct](#). Detailed information regarding additional policies and expectations for Pace employees can be found in the University's [policy library](#). The safety and security of students, faculty, staff, and visitors is a top priority for the University, and individuals found in violation of applicable policies may be subject to disciplinary actions.

2. Use of University Resources:

University resources are reserved for educational purposes, not political campaigns or advocacy. This includes facilities, emails, and other communication tools.

As employees of Pace University, please note we cannot:

- solicit or collect political contributions or circulate a candidate's nominating petition within the office.
- use a university-issued computer (laptop, iPad or desktop) during or after work to produce a brochure or send emails in support of or in opposition to a candidate's campaign or to invite friends to campaign events.
- use office space including office cubicles, stationery, printers, and other university resources for political activities.
- use University internet connections to forward email messages received from a partisan campaign or from someone supporting a partisan candidate or ballot initiative.

3. Inviting Speakers:

The University provides equal access to all political candidates for public office. Political candidates may be invited to present their platforms or to speak on matters of public concern. However, similar opportunities must be provided for the candidate's opponents. This ensures that all candidates have equal opportunities to present their platforms or discuss issues of public concern.

University policy requires you to contact the Office of Public Affairs **before** any candidates are invited to the University. For guidance, contact the Office of Public Affairs: in Westchester, contact Jerry McKinstry, jmckinstry@pace.edu and in New York City, contact Sean Coughlin, scoughlin@pace.edu.

University facilities may be rented for political purposes, and the political organization or the candidate will be charged the standard rental rate and other event-related fees. For further information and guidance, please review the [Pace University Special Events Policies and Procedures](#).

Outside the campaign context, it is the policy of the university to encourage public officials in their official capacity to participate in events, interact with our students and to discuss issues of public interest with the university community. If members of the Pace faculty and staff wish to invite political candidates to speak at university events, it should be clear that the event is not a campaign rally. For further guidance you are required to consult with the Office of Public Affairs **prior** to engaging in the activity. Similarly, University platforms should not be used for fundraising or advocacy.

4. Asking for Guidance:

If members of the Pace community believe that they might engage in any potential campaign-related activities on campus or affiliated with Pace University in the future, they are required to communicate with the Office of Public Affairs before any meetings and/or activities are undertaken on behalf of Pace University. The Office of Public Affairs shall determine if these activities are permissible and can be undertaken on behalf of the university. For further information, guidance and to request authorization to have campaign-related events on campus, please contact the Office of Public Affairs. In Westchester, contact Jerry McKinstry, jmckinstry@pace.edu and in New York City, contact Sean Coughlin, scoughlin@pace.edu.

All campaign-related activities undertaken outside of business hours, in their own time, using their personal resources, and not affiliated with the university do not have to be approved or reviewed by the Office of Public Affairs.

5. Consequences of Misuse:

Misusing university resources for political activities can lead to disciplinary action. It is important to stay

within these guidelines to maintain the university's neutrality.

6. Reporting Concerns:

If you see misuse of resources or have concerns about political activities on campus, please report them to the individual/departments listed under [Section 8. Key Contacts](#). They are here to help ensure everyone follows the rules and communicates in a manner that is in line with the University's posted [Community Standards for Civility](#) and this guidance.

7. Relevant Policies and Resources:

[Guiding Principles of Conduct](#) - applies to students, staff and faculty, requires respecting the dignity of others, acknowledges the right to express different opinions, and fosters free expression (among other things).

[Speakers Policy Statement](#) - applies to speakers invited by student organizations.

[University Event Policy Statement](#) -The University will not sponsor or permit its facilities to be used for events which would jeopardize its good name and reputation.

[Employee Handbook](#) - This handbook is intended to provide employees with information about the University's employment policies, benefits, and other general information.

[Policy on Assembly, Demonstrations, and Civil Discourse Activities](#) - The University has an obligation to protect the safety and welfare of its students, faculty, and staff, and to ensure that its academic mission is not compromised. Therefore, assemblies (including demonstrations, rallies, protests, etc.), however, may not infringe on the rights of others or interfere with the operation of the University.

8. Key Contacts:

For questions or clarification, contact:

- **Jerry McKinstry**, AVP, Office of Public Affairs, jmckinstry@pace.edu
- **Sean Coughlin**, AVP, Office of Public Affairs, scoughlin@pace.edu
- **Terryl Brown**, Vice President, General Counsel, tbrown3@pace.edu
- **Nila Bhaumik**, Vice President, Human Resources/CHRO, nbhaumik@pace.edu
- **Bernadette Baumann**, Executive Director, Employee/Labor Relations, bbaumann@pace.edu

Office of Public Affairs

Division of Human Resources

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