

Message to EMU Employees: Political Campaign Participation

Sept. 23, 2020

To Faculty and Staff:

Now that campaign season is in full swing, many members of the University community have asked about their rights and responsibilities regarding campaigning for or against a candidate or ballot initiative. We encourage all faculty and staff members to be active in the political process, but because we are a public body, it is important to understand the limitations on using public (e.g. University) resources to engage in these activities.

We hope that the following information will help you understand the many activities in which you may engage, as well as those that are restricted by law because EMU is a public body.

First, Michigan law does not prohibit faculty and staff members from participating fully in political activities, provided they are acting on their own behalf and using their personal time and resources. However, Section 57 of the Michigan Campaign Finance Act (MCL s. 169.257) prohibits the use of University resources to support or oppose a candidate or the qualification, defeat, or passage of a ballot proposal.

Examples of the kinds of political activities generally **not permitted** under Michigan law are:

- Sending out a mailing using University stationary or postage or using a University-provided email address to campaign for or against a ballot initiative or candidate running for office.
- Individuals who receive political campaign solicitations to their university email account are advised to delete these emails upon receipt. **DO NOT FORWARD** campaign solicitations using university email as this implies your support for the candidate and may be viewed as utilizing university resources for solicitation purposes, which would be a violation of state law.
- Using a University copy machine to copy flyers supporting or opposing a ballot initiative or candidate.
- Conducting a political campaign from a University office or other University facility, or otherwise using University resources, such as a University-provided telephone, computer, email address, Zoom or Google Meet account, etc., to conduct such a campaign.
- Purporting to carry on a political campaign in the name of the University.

However, if EMU resources are not being used, faculty and staff have great leeway to engage in political activities. Here are some examples of the kinds of activities that faculty and staff **may** engage in as individuals on their own time, provided they do not use University resources and do not say or imply they are acting on behalf of the University:

- Donating money to support or oppose a ballot initiative or political candidate.
- Acting as a campaign volunteer by writing letters, making phone calls, knocking on doors, or distributing flyers in support of or opposition to a candidate or ballot proposal.

- Organizing or attending rallies in support of or opposition to a political candidate or ballot proposal.
- Writing letters to the editor or op-ed pieces supporting or opposing a political candidate or ballot initiative.
- Giving speeches and participating in debates for or against a particular candidate or ballot proposal.
- Writing to elected officials to express personal opinions on a candidate or ballot initiative.

The law includes several exceptions that permit limited use of public resources for certain political activities that would not constitute support for or opposition to a candidate or ballot proposal. Here are some examples of those kinds of activities, in which faculty and staff may properly engage under the law:

- Conducting scholarly research on the effects of a ballot initiative on the University, on the state, on the economy, etc.
- Compiling and assembling data and other factual information on the effects of a ballot proposal or on candidates' positions.
- Disseminating factual material and/or the results of scholarly research on a ballot proposal to news organizations and academic journals.
- Posting factual material and/or the results of research on a ballot initiative to a University website.
- Planning conferences, forums, symposiums or panel discussions, or inviting guest speakers (including, in some circumstances, candidates) to campus, to discuss campaign-related issues.

It may be helpful to seek additional guidance to ensure that the above activities, if conducted using any University resources, do not appear to constitute support for or opposition to a candidate or ballot initiative. If you have any questions you may contact Vicki Reaume at (734) 487-7048 or Lauren London at (734) 487-1055. Thanks.

Sincerely,

Vicki Reaume
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Interim Vice President, Government Relations

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