

From: Michele G. Wheatly, Vice Chancellor and Provost
Sent: August 27, 2018
To:
Subject: Guidance on Government Relations, Political Activity, and Lobbying

Syracuse University

Office of the Vice Chancellor and Provost

August 27, 2018

As we begin a new academic year and approach a midterm election cycle, I write, as I do each year, to remind faculty, staff, and administrators about relevant laws, regulations, and University policies affecting how the University and its employees engage in political discourse. This includes the ways in which the University and its employees may interact with government officials and political candidates. While the majority of the campus community may find the information contained herein consistent with information the university has previously provided, I would like to highlight that New York State has promulgated new regulations—scheduled to go into effect January 1, 2019—that will affect, among other things, the use of social media as a lobbying tool (discussed further in Section C below).

The University values the rights of individual citizens to speak and assemble freely, and to participate in discussion on public policy issues. Each year, many members of the University make very important contributions to current public policy debates. However, as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, Syracuse University is prohibited from participating or intervening in any partisan political activities. Therefore, it is important to remind members of the administration, faculty, and staff of long-standing University policies designed to ensure that the activities and speech of individual members of our University community are not attributed to or mistaken for partisan political activities or speech on behalf of the University.

The information below provides guidance on relevant laws, regulations, and University policies affecting how the University and its employees can engage with government officials and political candidates.

Please direct any questions about this memorandum or the issues contained herein to Abby Perer in the Office of University Counsel at 315.443.9732 or arperer@syr.edu.

Guidance on Government Relations, Political Activity, and Lobbying

A. Partisan Political Activity

As a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, Syracuse University is prohibited from participating or intervening in partisan political activities on behalf of or in opposition to any particular government official or candidate for public office. Participation or intervention include, but are not limited to, making financial contributions, and publication or distribution of written or oral statements in favor of or opposition to a particular official or candidate. Violation of this prohibition may result in monetary fines and exposes the University to possible revocation of its tax-exempt status. This prohibition for the University extends to elections, officials, and candidates at all levels—federal, state, and local. Members of the University community are free to engage in partisan political activity on their own behalves, provided that they specify that they are acting *in their capacity as private citizens, and are not speaking or acting on behalf of the University*. This includes any

statements, written or verbal, that could be construed as an endorsement of a particular political party, candidate, or cause. For additional guidance, please review a copy of the University's policy on partisan political activity, available [here](#).

B. Use of University Property or Resources by Syracuse University Employees

University resources, including funds, property, event spaces, and information technology like computers and websites, should not be used for individual or personal political activity. Individuals may not host political events on University property—or use University funds, information technology, or other resources to plan or promote such events—in their capacities as private citizens. Schools, colleges, and academic and administrative departments within the University may not sponsor or host partisan political events, and may not use University property or resources for such events.

For additional guidance, please review a copy of the University's policy on partisan political activity, available [here](#). Please review the University's policy governing events on University property, available [here](#).

C. Lobbying

Because of its ongoing engagement with public officials and agencies to advance its mission, Syracuse University is a registered lobbying organization with both New York State and the federal government. Lobbying may be summarily defined as communications with government officials that are intended to influence: (a) the passage or defeat of legislation (including state or federal budget bills); (b) the adoption or implementation of any public policy, rule, regulation, or executive action; (c) the awarding of a contract; or (d) the outcome of any rate-making proceeding.

As a registered lobbying organization, the University must publicly report all lobbying activity that occurs at the federal, state, and local levels. For this reason, all faculty and staff are required to report expected (prior to contact) and actual (after contact) communications or interactions (*e.g.*, visiting; writing to; inviting to University events) with public officials or their staff to the Office of Government and Community Relations. In addition, under new state regulations that will go into effect January 1, 2019, social media posts mentioning or tagging public officials may constitute lobbying and must be reported to the University. The Office of Government and Community Relations, in conjunction with the Office of University Counsel, is then responsible for determining which, if any, interactions with a federal, state, or local elected official, staff member, or agency/department are considered reportable lobbying activities.

No public or governmental funds may be used for lobbying activity, which includes travel expenses and any expenses related to preparing for meetings or other communications with public officials. This includes all federal sponsored research funds. For example, faculty or staff may travel to Washington, D.C., in connection with a federally sponsored program; however, they may not engage in lobbying activity during that time if federal funds are used to pay for travel, meals, and lodging.

For more information about the University's obligations as a registered lobbyist organization, please see University policy [here](#).

D. Reportable Business Relationships

New York's Public Integrity Reform Act requires the University, as a registered lobbyist, to disclose any compensation over \$1,000 paid to a public official in a single year. In higher education, these types of compensation relationships most often arise in the context of a university employing a public official as an adjunct faculty member. They can also arise from transactions between the university and outside businesses in which a public official may be a partner or shareholder, *e.g.*, law, accounting, or engineering firms. If you are aware of any compensation being paid from the University to a public official—either directly or through an outside vendor—you must disclose the transaction(s) to the Office of Government and Community Relations.

E. Gifts and Meals

With few exceptions, University policy and federal and state law prohibit the giving of gifts to public officials or other government employees. Gifts include but are not limited to athletic tickets, meals, travel, entertainment, or lodging. Also not allowed are tokens of appreciation or recognition, or providing travel or meals related to official University events or business, without first contacting the Office of Government and Community Relations. For more information about gifts, please see the University gift policy [here](#).



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