

Candidate and Campaign Intervention Policy

Purpose:

Hobart and William Smith Colleges (the “Colleges”) are a 501(c)3 not-for-profit entity as defined by the Internal Revenue Service. Under the IRS’ restrictions, the Colleges, as a corporate entity with a not-for-profit tax status, are prohibited from intervention and participation in political activities on behalf of a particular candidate or campaign. IRS Revenue Ruling 2007-41, published June 18, 2007 (“IRS 2007-41”), describes this restriction by stating that organizations with the tax status held by the Colleges “may not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.” IRS Rev. Rul. 2007-41 may seem innocuous but the IRS has further ruled that prohibited activity may include *indirect* support such as the use of institutional resources and facilities. *See* IRS 2007-41.

Policy:

The Colleges’ official policy with respect to political activity is simply to comply with IRS guidelines.

In order to ensure that the Colleges as an entity are not found to be intervening or participating in, directly or indirectly, a political campaign, members of the Colleges’ community should refrain from using Colleges’ resources of any kind to engage in campaign activity on behalf of a candidate for public office, including:

- Using our name, seal, logo, or other insignia in connection with political campaign activity, such as solicitation of funds for or endorsements of political candidates.
- Using a Colleges’ address, including email address, as the return address for campaign mailings or to distribute materials on behalf of a campaign.
- Using Colleges’ facilities, equipment, services, and resources, including but not limited to office supplies, email or social media accounts, computers, telephones, copy machines, bulk mail privileges, sales tax exemptions, electronic mailing lists, directories, web pages, and databases for political campaign activity.
- Hosting a public forum or candidate debate without extending an invitation to all candidates in the race.

As seen in IRS 2007-41, the IRS evaluates political campaign activity and intervention based upon all of the facts and circumstances in a given case.

As principles fundamental to our mission and purpose, the Colleges support freedom of thought and expression by members of its community. The Colleges further encourage faculty, staff, and students to be full participants in our democracy and civic processes. Intervening in campaigns for public office and engaging in campaign activity on behalf of a candidate, however, must always be undertaken in a personal capacity, and must not imply that the Colleges support, oppose, or otherwise endorse a candidate for public office.

The Colleges do not support or endorse the candidacy of any political candidate.