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# Academic Affairs Manual (ACD)

Effective: 9/1/1983

Revised: 7/1/2011



## ACD 205-01: Political Activity and Lobbying

### Purpose

To describe appropriate and inappropriate political activity and lobbying

### Sources

- 5 *United States Code* § 1502
- Arizona Constitution*, article IV, part 2, § 5
- Arizona Revised Statutes* §§ 15-1633 *et seq.*; 41-1231 *et seq.*
- Arizona Board of Regents Policy Manual* - 1-102; 6-905
- Office of the Provost of the University

### Applicability

- Faculty
- Academic professionals

### Policy

#### Political Activity

Title 5, *United States Code* § 1502 and the *Arizona Constitution* prohibit certain political activities by public [employees](#). However, both these laws exempt from such prohibitions individuals employed by an educational or research institution. Thus, for [faculty](#) and [academic professionals](#), there are no restrictions on circulating petitions of a partisan nature, holding public office, working on an election board, serving as a deputy registrar of voters, or working on political campaigns.

Faculty members and academic professionals are encouraged to lend their support to candidates for political office. However, employees must use their own personal time to work on political campaigns. Such activity shall not indicate a connection with ASU, nor imply that the university is endorsing any particular candidate.

*Arizona Constitution*, article IV, part 2, § 5 prohibits employees of the State of Arizona from serving in the state legislature unless employed as a teacher or instructor in the public school system. This has been interpreted as allowing faculty, but not staff or academic professionals (except for those who are course instructors), to serve in the state legislature.

Faculty and academic professionals responsible for disbursement or allocation of state funds shall determine prior to disbursement or allocation that such funds will not be used for purposes of influencing legislation or supporting partisan political activity.

#### Lobbying

Unless specifically authorized by the president to speak for the university, faculty members and academic professionals approaching members of the state legislature or the congress shall make every effort to clearly indicate that the position they advocate is an individual position. If one is representing a group other than ASU, *Arizona Revised Statutes* §41-1232 requires the registration of the organization and its lobbyists with the secretary of state.

When a faculty member or academic professional writes a letter to a public official, he or she should write as a private citizen, using his or her own time and materials, and should not identify the views expressed specifically with the university. University letterhead must not be used when lobbying as a private citizen.

When a faculty member or academic professional is requested to offer expert testimony before any government body, the faculty member or academic professional should make it clear that the opinions expressed are his or her own opinions and not those of the university.

#### Influencing the Outcomes of Elections

State law prohibits the use of university personnel, equipment, materials, buildings, or other resources for the purpose of influencing the outcomes of elections. Guidelines on the use of college and university resources, issued by the Arizona Attorney General, identify permissible and prohibited activities (see <http://www.azag.gov/SchoolGuidelines/GuidelinesUseOfUniversityResourcesReElections.pdf>).

## Cross-References

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For related information, see:

1. [ACD 204-01](#), "Code of Ethics"  
and
2. [ACD 204-03](#), "Use of the University's Name."

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