



AMERICAN UNIVERSITY

W A S H I N G T O N , D C

GAIL SHORT HANSON
VICE PRESIDENT

November 12, 2015

Marieke Tuthill Beck-Coon
Senior Program Officer, Individual Rights Defense Program
Foundation for Individual Rights in Education
601 Walnut Street, Suite 510
Philadelphia, PA 19106

Re: Political Activities

Dear Ms. Beck-Coon:

American University is in receipt of your November 2, 2015 letter. The President's Office has forwarded your correspondence to my attention, and I am responding on behalf of the University. We appreciated your bringing this matter to our attention and prompting us to review the University's policies and practices regarding recognized student organizations' involvement in political activities.

American University encourages and supports the free exchange of ideas and political viewpoints. The University recognizes a student's right to participate in the political process, and a student is free to do so, provided that they act in an individual capacity and not as a representative of American University. These principles are reflected in the University's policies and practices.

At the same time, the University must comply with the provisions governing its tax-exempt status under Section 501(c) (3) of the Internal Revenue Code. Specifically, the University is prohibited from directly or indirectly participating or intervening in political campaign activities on behalf of or in opposition to any candidate for elected public office. As you have stated, the Internal Revenue Service provides limited guidance to assist in determining whether or not a particular activity may constitute a prohibited political campaign intervention. Therefore, the University carefully considers whether to permit on-campus political activities and events on a case-by-case basis.

With respect to compliance with our federal obligations, the University's main concern is to make sure institutional funds, free meeting space, and other resources provided to recognized student organizations are not used for partisan purposes. The Office of Student Activities regularly advises recognized student organizations on how to use university facilities and resources appropriately to support campus-based political activities. Recognized student organizations are generally permitted to use university facilities, free of charge, for organizational meetings; to address public interest issues; to host debates; to organize non-partisan voter registration drives; and to host other political events on campus.

OFFICE OF THE VICE PRESIDENT OF CAMPUS LIFE

4400 MASSACHUSETTS AVENUE, NW WASHINGTON, DC 20016-8127 202-885-3310 FAX: 202-885-1769

that are conducted in a neutral and non-partisan manner in furtherance of our educational purpose.

If a recognized student organization wants to explore bringing a partisan event (such as a candidate specific campaign event) to campus, the University has a standard process for a group or campaign to rent University's facilities. Such rentals are subject to the same rules, regulations, policies, procedures and fees associated with any other third party, contractual facilities rental.

As an important aspect of civic education, we encourage our students to express their individual and collective political views, provided that they understand and make clear that they are not speaking for or on behalf of the University. Students are free to personally endorse a candidate, take a position on a particular piece of legislation, and to participate actively in partisan events. In so doing, students are expected to make it clear that any references to their membership in a recognized student organization is for identification purposes only, and that they are not acting on behalf of or speaking for the University in endorsing a candidate.

Regarding the recognition of student organizations that identify with a specific candidate, the University appreciates your advocacy on behalf of our students. Just as we have done in previous election cycles, the Office of University Center & Student Activities will recognize these types of students groups that meet standard criteria for recognition. We require that these groups (1) use a disclaimer indicating that their opinions and views are not those of American University; and (2) do not use any institutional funds for politically partisan activities. The Office of University Center & Student Activities will work directly with the student group identified in your letter (and any other interested student groups) to complete the application process for recognition as a student organization at AU. As a recognized student organization, the group will be afforded the same benefits and opportunities for reserving meeting places on campus and tabling in campus locations identified for this purpose.

American University is committed to supporting our students' and recognized student organizations' engagement in the political process, within the guidelines we have established for this class of activities.

Sincerely,

A handwritten signature in blue ink that reads "Gail Short Hanson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Gail Short Hanson, Ph.D.
Vice President of Campus Life

cc: President Neil Kerwin