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To: William Creeley

From: Thomas Hardy

Fax: (215) 717-3440

Date: October 6, 2008

Phone:

Pages: 2 plus cover

Comments:

Dear Mr. Creeley,

You wrote to University of Illinois President B. Joseph White on Sept. 29, 2008, regarding a recent issue of the University's *Ethics Matters* newsletter and a summary interpretation of the 2003 Illinois *State Officials and Employees Ethics Act*. President White earlier today sent the accompanying message on this subject to members of the University community and wanted you to have a copy. As you will see, it reflects some of the input from you and others who responded in regard to the ethics newsletter. I can tell you that response from the University community to this message has been overwhelmingly positive so far. Thanks for your interest in this matter and please contact the President's office or me if you have further questions.

Sincerely,

Thomas Hardy
Executive Director
Office for University Relations
University of Illinois

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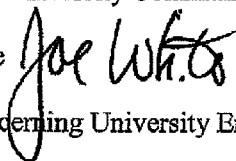
Office of the President
364 Henry Administration Building
506 South Wright Street
Urbana, IL 61801-3689

B. Joseph White
President

October 6, 2008

To: Members of the University Community

From: B. Joseph White



Re: A Message Concerning University Employees and the Illinois State Ethics Act

I write to you today with a simple message:

We, the leadership of the University of Illinois, will preserve, protect and defend the constitutionally guaranteed rights of every member of our University community, including, of course, freedom of speech and assembly. We will also preserve, protect and defend academic freedom, which is a core value of every great academic institution.

Why am I communicating this assurance?

Because the University Ethics Office, which reports to me, recently disseminated through its newsletter a briefing on the State Officials and Employees Ethics Act that was enacted in 2003.

The newsletter is not a University policy statement. The purpose of the briefing was to familiarize us as state employees with the prohibited political activities section of the Ethics Act.

Much of the briefing is simply informative about the state law. For example, it is not proper to use University resources to conduct political activity, nor is it proper to conduct certain political activities, such as soliciting contributions for a party or candidate, while on University time.

However, some of the newsletter's content raised concerns among members of our community. The briefing cited certain political activities as prohibited that conflict, or appear to conflict, with fundamental freedoms. One involves wearing a pin or T-shirt in support of a political party or candidate. Another involves attending a rally on University property.

Are such practices really prohibited by the Ethics Act? To date, the courts have given little if any guidance on the proper interpretation of the Ethics Act.

Members of the University Community

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I have heard from many people about this matter. One of the most thoughtful suggested, and I agree, that University employees should be advised that they may engage in the following kinds of activities while on University property:

- Attend partisan political rallies, provided that the employees are not on duty
- Wear partisan political buttons, provided that employees at that time are neither on duty nor in the workplace of the University (many parts of campus are not workplaces)
- Display partisan bumper stickers on their vehicles

Going forward, I remain concerned about possible conflicts between the Ethics Act and interpretations of its meaning and constitutionally protected freedoms and academic freedom.

Accordingly, the Ethics Office, other members of my staff and I will work with state officials to ensure that interpretations of the Ethics Act do not restrict constitutionally guaranteed rights of state employees and, in the case of higher education and this University, academic freedom.