

North Dakota State University

Policy Manual

SECTION 160

POLITICAL ACTIVITIES AND VOTING RIGHTS OF UNIVERSITY EMPLOYEES

SOURCE: NDSU President
SBHE Policy Manual, Section 401.2

Political Activities.

1. The Board of Higher Education recognizes the importance of, and encourages, participation by individuals in the political, social, and economic affairs of the community, state, and nation. While the Board respects the deep concern of individual faculty members and students about current events and issues, and the committed desire to participate actively in elections, the distinction between the involvement of an individual and the involvement of an institution must be emphasized. The Board affirms its traditional concern for the well-being of the society; at the same time, the institution must remain outside the political arena. Adjustment of the academic calendar in order to free students, faculty, or other employees to engage in political activity is not consistent with the foregoing affirmation.
2. This policy does not bar anyone from active independent participation in political campaigns on behalf of candidates of their choice or in the advancement of their political beliefs or policy concerns outside the institution. In fact, active participation by all Americans in the political process which is fundamental to the democratic way of life is encouraged.
3. The Board does not believe it legitimate or wise for a college or university to make political commitments. Further, institutional participation in political activity; however worthy that activity might be in itself, would raise many legal questions.
4. The fundamental issue is the corporate involvement of an institution and any action that might involve institutional political unanimity which would not represent the views of all members of the academic community.
5. There is danger that an institution could evolve toward a kind of political orthodoxy, which in certain circumstances might even inhibit and discourage the expression of other opinions.
6. Any disruption of the normal processes of education at any institution endangers the very heart of our institutions; namely, freedom to inquiry, freedom of thought, and freedom of expression. Every effort must be made to make it as easy to present opposing viewpoints as it is for someone to express their views initially. An institution is not a place where anyone expressing a point of view, however much they are in minority, can be either silenced or threatened with language or physical actions. The common standards of courtesy that should characterize the academic community must be respected.
7. While class attendance may no longer be required in some institutions, every student has a right to expect every class for which they are registered to be held according to the university or college class schedule. In event of any class disruption or strike, students who choose to attend class must be able to do so without fear of intimidation or injury. Classes will be held in accordance with the academic calendar and all members of the faculty are obliged to meet assigned teaching

responsibilities.

8. A university or college must always be a place of learning, a place for discussion, a place to hear differing opinions, a place for dissent, but such dissent must be made in a rational, lawful, and peaceful manner. It must be made with due respect for the rights of others. While the Board protects the rights of all those who choose to dissent in peaceful and lawful ways, it must defend, with all the power at its command, the rights of others when any actions by dissenters are clearly disruptive of the work and program of the university or college.

University Guidelines Approved by the University President, September 1, 1976

The purpose of these guidelines is to further clarify the necessary limitations on political activity by employees of North Dakota State University.

9. The State Board of Higher Education policy on political activities of employees makes it clear that, while active participation by University employees in the political process is encouraged, it may not result in a political commitment by the institution or a failure to meet assigned responsibilities.
10. In political campaign periods, employees who are either candidates for public office or assisting in the campaigns of other candidates must remember that their first obligation during normal working hours is to the University. For nine-month faculty, this means that all assigned classes must be taught on schedule and that regular office hours for student conferences must be kept. For employees holding twelve-month appointments with specific annual leave allowances, the appropriate use of such leave for political activities during normal working hours must be discussed with and agreed upon with their immediate supervisor. However, it must be used for any activity or absence from the campus that substantially limits the employee's ability to fulfill his or her University responsibilities during any given work day.
11. If a University employee is elected to public office, an agreement must be reached with their immediate supervisor and the University President regarding the employee's continued status with the University. Employees who are elected to the State's Legislative Assembly will normally be required, at a minimum, to take an unpaid leave of absence from their University position during the legislative session. The President can approve up to 20% of employee's regular salary to be paid during the leave of absence for a comparable percentage of time spent on campus duties while serving in the legislature. An employee may also use annual leave up to the amount they have accrued.
12. Whether participating in a political campaign or serving in a public office, all University employees must make it clear that their political positions and the views they express are their own and not necessarily those of the University. Employees in upper-level administrative positions must be especially careful to avoid making any partisan political commitment on behalf of the University or the Board of Higher Education.
13. Regarding any political use of campus facilities and services, the University's policy is that they may be used only by University employees for purposes related to their official responsibilities, or by off-campus organizations for nonprofit, nonpolitical purposes, providing that the specific use of a campus service is sponsored by a University department or University-related organization as a part of its official function. This policy is specifically applicable to the University Copy Center, the campus mail system, mailing labels produced by the University Computer Center, or employee lists maintained by any other University office. The administrator directly in charge of any such service shall have the authority to allow an exception to this general rule in any case involving unusual circumstances and appropriate justification. Finally, all University employees must comply with

applicable federal and state laws regarding political activities. Section 39-01- 03 of the North Dakota Century Code prohibits the use by a state officer or employee of a state-owned motor vehicle for a political activity. Section 39-01-05 further prohibits state officers or employees engaged in political activity from receiving any expense moneys from the state for any day in which they have engaged in any political activity, and makes them personally liable to the state for any such money unlawfully received.

Voting.

14. *During election periods, North Dakota law (N.D.C.C. § 16.1-01-02.1) encourages employers to grant employees who are qualified voters to be absent from work for the purpose of voting "when an employee's regular work schedule conflicts with voting during the time when polls are open." Since polls are normally open longer than normal working hours, this should not be a problem with most University employees; however, if a conflict does arise, time should be allowed for the purpose of voting.*

15. *Minnesota law (Minn. Stat. § 204C.04) states that "Every employee who is eligible to vote in an election has the right to be absent from work for the time necessary to appear at the employee's polling place, cast a ballot, and return to work on the date of the election, without penalty or deduction from salary or wages because of the absence." For NDSU employees who are residents of Minnesota, the Minnesota law would only apply if that NDSU employee has a University work site that is physically located in the state of Minnesota.*

HISTORY:

New	May 11, 1984
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Amended	June 1995
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