



Operational Area:	Administration and Operations
Responsible Executive:	Chief Public Affairs Officer
Responsible Office:	Government Affairs Office
Effective:	December 1, 2019

Political Activity and Lobbying

Administration and Operations

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I. Introduction

- A. **Authority:** C.R.S. § 23-54-102, *et seq.* (2019) authorizes the Trustees of Metropolitan State University of Denver (“MSU Denver” or “University”) to establish rules and regulations to govern and operate the University and its programs. The MSU Denver Trustees retain authority to approve, interpret, and administer policies pertaining to University governance. The MSU Denver Trustees authorize the MSU Denver President to approve, administer, and interpret policies pertaining to University operations.
- B. **Purpose:** This policy provides guidance to MSU Denver employees who engage in political activity or lobbying in accordance with C.R.S. § 24-6-301, which regulates the activities of professional and volunteer lobbyists.
- C. **Scope:** This policy applies to University employees, including student employees. This guidance does not apply to individuals or businesses who contract with MSU Denver to provide federal or state lobbying services on behalf of the University.

II. Roles and Responsibilities

- A. **Responsible Executive:** Chief Public Affairs Officer
- B. **Responsible Administrator:** Chief Government Affairs Officer
- C. **Responsible Office:** Government Affairs Office
- D. **Policy Contact:** Chief Government Affairs Officer, 303-605-5560



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III. Policy Statement

A. General Rights and Responsibilities

1. MSU Denver employees retain personal, First Amendment rights to engage in political activity. The University encourages participation in such activity; however, MSU Denver and its employees are expected to comply with applicable state and federal law. As a result, MSU Denver employees are generally prohibited from engaging in political activity while at work or using MSU Denver resources, such as offices, phones, tablets, computers, email, copy machines, *etc.*
2. As long as an MSU Denver employee is acting on the employee's own time and not using MSU Denver resources, no restrictions apply to the employee's political activities. This policy is designed to give employees guidance on engaging in political activity and lobbying.
3. In addition to the general guidance below, certain MSU Denver employees who hold highly visible positions, or those who regularly interact with state and federal legislators and officials on behalf of MSU Denver, should be aware of the ethical and practical consequences of political involvement, as well as the relevant legal concerns. This guidance does not apply to individuals or businesses who contract with MSU Denver to provide federal or state lobbying services on behalf of the University. This guidance does not apply to academic statements made by instructors during the course of instruction, which is addressed in MSU Denver's policy on academic freedom.



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B. Political Activity

1. **Political activity includes:**

- a. advocating for the election or defeat of a candidate or ballot issue;
- b. soliciting or making contributions or contributions in-kind to candidates or political committees;
- c. making direct or indirect donations to independent expenditure committees;
- d. making donations to other political organizations, such as 501(c)(4)s and 527s; and
- e. making contributions to committees or associations in support of any state or local ballot issue. Contributions in-kind include a donation of time by an employee. For example, time spent “on the job” stuffing envelopes, preparing campaign literature or contacting electors, or using MSU Denver office space or equipment to conduct political activities.

2. **Working Hours:** Employees may not engage in political activities during working hours, unless those activities are directly related to the employee’s job responsibilities.

3. **Use of MSU Denver Resources and Equipment:** MSU Denver employees may not use MSU Denver resources and equipment to engage in political activity. MSU Denver resources include, but are not limited to:

- a. MSU Denver letterhead and logos;
- b. Office space;
- c. Office supplies; and
- d. Computer, email system, tablet, phone, and copy machines.



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4. **Personal Time:** Employees may engage in political activity on their own time and with their own resources without restriction by MSU Denver. For example, an employee may host a political fundraiser at home or somewhere else other than MSU Denver offices. Employees may make contributions and solicit signatures for a candidate or issue. However, under no circumstance may an employee state, suggest or imply that the employee represents an official view of MSU Denver.

5. **Official MSU Denver Positions:** MSU Denver has designated employees who may write or speak on behalf of the University regarding MSU Denver’s position on pending legislation or regulations, ballot measures, or other political activity that could affect MSU Denver’s interests. No other employees may write or speak on behalf of MSU Denver in this respect. Employees should contact the Chief Government Affairs Officer with questions on speaking on any such matter.

6. **Factual Summaries:** MSU Denver employees, at the direction of the Chief Government Affairs Officer, may participate in the creation of a factual summary, which may include arguments for or against any issue of public concern in an election. The summary may not contain an opinion or conclusion for or against the issue and must be limited to issues that will appear on the election ballot.

7. **Questions from the Media:** From time to time, MSU Denver employees may be asked questions by the media regarding the University’s position on political issues. It is important that MSU Denver speak with one voice on

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such matters. If an employee receives questions from the media, the employee must not respond and instead promptly contact the Chief Media Relations Officer.

8. **Questions from the Public or Other Governmental Entities:** MSU Denver employees may be asked questions by the public or other governmental entities regarding the University's position on political issues. It is important that MSU Denver speak with one voice on such matters. If an employee receives questions from the public or other governmental entities, the employee must not respond and instead promptly contact the Chief Government Affairs Officer.

9. **Colorado Open Records Act ("CORA"):** Metropolitan State University of Denver will respond to a CORA request for information from candidates or other political organizations as it would to any CORA request from a member of the public pursuant to MSU Denver policy. Therefore, employees must immediately notify the General Counsel of any such CORA request.

C. Lobbying

1. **University Lobbying Activity:** The University makes lobbying contacts strictly through registered lobbyists, both internal and external. No other University employees are authorized to make lobbying contacts on behalf of the University.

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2. **Personal Lobbying Activity:** University employees who engage in lobbying for personal or professional reasons may do so on their own time, using personal resources, and should always make clear that they are acting in a personal capacity and not as a representative of the University. No University resources, including email, should be used in connection with such activity. If after reading this, you have questions regarding any political or lobbying activities in which you are (or are considering being) involved in, please contact the General Counsel's Office.

IV. Related Information

- A. First Amendment to the United States (U.S.) Constitution
- B. U.S. Lobbying Disclosure Act of 1995 (2 U.S.C. § 1601)
- C. Article XXIX of the Constitution of the State of Colorado
- D. C.R.S. § 24-6-301, Regulation of Lobbyists
- E. MSU Denver Academic Freedom Policy
- F. MSU Denver Freedom of Expression Policy
- G. MSU Denver Public Records Access Policy

V. Policy History

- A. **Effective:** December 1, 2019
- B. **Review:** This policy will be reviewed every three years or as deemed necessary by University leadership.



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VI. Policy Approval

Janine Davidson, Ph.D.
President, Metropolitan State University of Denver

N/A

Chair, Board of Trustees, Metropolitan State University of Denver