

## **Employees Running for Elected Office: Frequently Asked Questions**

### **May OU employees (whether full-time or part-time) run for public office?**

Yes. The University encourages employees to vote and to participate in the political process, and the Board of Regents does not wish to discourage employees from becoming candidates for public office. Like any citizen, an employee who runs for office may campaign, raise funds, and express political views, provided that he or she does so on personal time, with personal resources, and in a personal capacity rather than on behalf of the University.

Employee candidates must keep the campaign separate from their University position and University resources. An employee (whether full-time or part-time) who runs for county, state, or federal office must also either resign or obtain approval for an unpaid leave of absence for the duration of the candidacy. Those requirements are explained below.

### **What rules apply to every employee who runs for any office?**

Regardless of the office sought, all employees (whether full-time or part-time) are state employees subject to the Oklahoma Ethics Rules and to the Board of Regents Candidates for Political Office Policy. An employee candidate may not:

- use or authorize the use of University funds, property, or time to solicit, receive, or accept funds for a candidate, political party, political action committee, or state question campaign, whether federal, state, or local (State Ethics Rule 2.3);
- use a University telephone, University email, or other University equipment, property, or services to advocate the election or defeat of any candidate or to make a campaign contribution (State Ethics Rules 2.14 and 2.15);
- use a University or departmental social media account to raise campaign funds or to advocate for or against a candidate, or convert such an account to campaign use (State Ethics Rule 2.16); or
- use their University position for private gain, including by asking subordinates, students, or others over whom the employee has authority to contribute to or work on the campaign (Candidates for Political Office Policy).

In campaigns for state office or a state question, two additional rules apply. Employees may not engage in activities designed to influence the election while in official work status or while wearing identification that identifies them as a University employee (State Ethics Rule 2.9), and no one may use University funds, property, or time to influence the outcome (State Ethics Rule 2.4).

### **What may OU employees do as candidates?**

Employees may campaign, attend political events, raise funds, and speak publicly about their candidacy on their own time and with their own phone, email, and other resources. They may identify their University position as part of their biography, but they may not suggest that the University endorses their candidacy. Campaign events may be held in University facilities only on the same terms that apply to all candidates for the same office, including payment of any customary fee (State Ethics Rule 2.8), and only as permitted by University facilities and solicitation policies.

## **What additional requirements apply if OU employees run for county, state, or federal office?**

OU employees must either resign from the University or, with approval, take an unpaid leave of absence for the duration of their candidacy. Continuing in paid University employment during the candidacy is not an option. An employee on approved leave may not perform paid services for the University in any capacity, including teaching, and an employee who resigns may not be reappointed to a paid position during the candidacy.

Employees who wish to request leave must give written notice to their supervisor, or for faculty to their chair and Dean, no later than the earliest of:

- for staff, thirty days before officially filing as a candidate;
- the date the Employee publicly announces their intent to seek office;
- for faculty, thirty days before the start of the semester in which the leave would begin.

The process is then as follows:

1. The Candidacy Review Committee, comprised of representatives from the Office of Legal Counsel, Human Resources, the Faculty Senate for the candidate's campus, the Staff Senate for the candidate's campus, and the candidate's supervisor (or, for faculty, the Dean and the Senior Vice President and Provost's Office), meets within 14 business days of receipt of notice.
2. The Committee decides whether to grant the leave and, if so, the conflict mitigation terms that must be followed. Its decision considers how the candidacy will affect the candidate's interactions with students, donors, alumni, and other employees; the effect of your leave on University operations; and other ethical or business concerns.
3. The Committee communicates its decision and rationale to the candidate in writing within 5 University business days.
4. The University President and/or the Board of Regents conducts a final review. Approved leave begins after that review and its approved terms are satisfied.

Because employees are not entitled to approval, they are encouraged to give notice as early as possible and should not assume that leave will be granted. If leave is not approved, the requesting employee must choose between withdrawing from the race and resigning from University employment.

## **When does candidacy begin and end?**

For purposes of these requirements, candidacy begins on the earliest of the date an employee files, or is required to file, a statement of organization for a campaign committee with the Oklahoma Ethics Commission or another election authority; the date the Employee publicly announces their intent to run; or the date the declaration of candidacy is filed. It ends when a candidate withdraws, is eliminated, or the election results are certified. Note that the Ethics Rules treat individuals as candidates once they have filed, or should have filed, a statement of organization, which may occur well before the Election Board filing period.

**What happens if an OU employee wins?**

If an OU employee is elected to county, state, or federal office, the employee must resign from the University before taking office.

**What if an OU employee runs for municipal, school board, or another local office?**

The resignation or unpaid leave requirement applies only to county, state, and federal offices. Candidates for other offices may remain in their University positions, but they must be able to continue to meet their OU duties and comply with every rule described above under “What rules apply to every employee who runs for any office?” Before running, employees should consult the Conflicts of Interest Office and submit the appropriate forms and consult with their supervisors to ensure holding the office would be compatible with University duties.

**Who enforces these rules, and where can an OU employee get help?**

The Oklahoma Ethics Commission enforces the State Ethics Rules. The University enforces the Candidates for Political Office Policy, which is more restrictive than the State Ethics Rules, and employees must comply with both (State Ethics Rule 4.3). For questions about the leave process, employees should contact their supervisor or Dean and Human Resources, including about the effect of an unpaid leave on benefits. For questions about campaign finance and the Ethics Rules, employees may also contact the Oklahoma Ethics Commission.

**References:** Board of Regents Candidates for Political Office Policy; Board of Regents Individual Conflicts of Interest Policy; Oklahoma Ethics Rules 2.2, 2.3, 2.4, 2.8, 2.9, 2.14, 2.15, 2.16, and 4.3.