

September 30, 2015

EXECUTIVE: STEERING: FACULTY SENATE: 01-27-16 UNIVERSITY COUNCIL:
--

To: NIU Faculty Senate
From: Greg Long, Faculty Senate President

RE: Advocacy and lobbying

During the September 2, 2015 Faculty Senate meeting, questions arose regarding lobbying restrictions and faculty members' First Amendment Rights to free speech. In response, I asked Jim Guagliardo, NIU Ethics Officer/Special Counsel, and Mike Mann, Associate Vice President, State Government Relations and Board Liaison, for further clarification. A summary of their feedback follows.

Background: Article VIII of the Illinois Constitution Section 1(a) states: "Public funds, property or credit shall be used only for public purposes." In Illinois, this provision is generally cited as the one that prohibits public employees from using university resources and time for personal lobbying. In addition, the Board of Trustees Regulations, Section VII, Subsection A.1.b. states that, "No person shall take any position on behalf of the Board of Trustees in any legislation proposed or pending in the General Assembly without prior authorization of the Board of Trustees or the president."

Individual rights: Individual faculty members may write, phone, or visit legislative offices or government agencies and give their personal opinion on proposed legislation, proposed regulations, pending legislation, pending regulations, or other governmental action. These faculty members may include their job titles at N.I.U. and their expertise in their given area in favoring or opposing proposed legislation or action. Individuals are encouraged or free to contact state officials regarding the University's need for a state budget and higher education funding.

Limits: Individual faculty members *should not*

- state nor leave the impression that they are speaking on behalf of the University
- use University resources (e.g., email, letterhead, paper, copying)
- use University time (e.g. official office hours, classroom time)

Exceptions: Faculty members who want to speak on behalf of the University must determine whether or not the University has a position on an issue. To determine the most effective means of communicating this information and potentially speak for the University, a faculty member should contact Mike Mann from the President's Office if the issue involves State of Illinois legislation or government action. A Faculty member should contact Anna Quider if the issue involves federal legislation or federal government action.

Resources:

Illinois Government— www.il.gov

Contact information— [IL legislators and representatives](#)

Recommendations: Consider emphasizing...

- current and long-term impact on students
- universities as major economic drivers at the local, statewide, and international level
- issues, not individuals
- civil and scholarly discourse