



**WSU POLICY APPROVAL
COVER PAGE**

IS THIS A NEW POLICY OR CHANGE TO AN EXISTING POLICY? NEW EXISTING

POLICY TITLE: 3.17/ Political Activity

INITIATING AUTHORITY: Human Resources

SUMMARY OF POLICY OR POLICY CHANGE:

Formatting into current policy and procedure format and providing additional information in relation to K.S.A.'s to provide information beyond being Elected or Appointed to an office.

REASON OR NEED FOR POLICY / SUMMARY OF CHANGES MADE TO EXISTING POLICY:

Additional K.S.A.'s and a federal policy were identified within other KBOR regent schools that were not identified within this or other WSU policies.

APPLICABLE LAWS OR REGULATORY OR POLICY AUTHORITY:

- [KBOR Policy and Procedures Manual, II. C \(13\)](#)
- [K.S.A. 2011 Supp. 74-4925 \(5\)](#)
- [K.S.A 75-2953](#)
- [K.S.A 25-4169a](#)
- [Federal Hatch Act, 5 U.S.C. §§ 7321-7326](#)

OTHER RELEVANT WSU POLICIES:

- [11.22 / Political Activities and Campus Facilities](#)
- [3.04 / Conflict of Time, Conflict of Interest, Consulting and Other Employment](#)

THE FOLLOWING UNIVERSITY STAKEHOLDERS WERE INCLUDED:

HR Business Partner Team: Melody Lopez, Rebecca Reiling, Lana Anthis
General Counsel Office
HR Leadership Team
Office of Institutional Equity and Compliance
UP/USS Senates
Faculty Senate

OTHER NOTES FOR CONSIDERATION:

**OWNER OF POLICY REQUEST FOR
QUESTIONS:**

Lana Anthis, HR Business Partner



Policies and Procedures

3.17 / Political Activity

Effective: July 01, 1997; Revised: June 05, 2017; Revised Month Day, 2020

I. Initiating Authority

Human Resources

II. Purpose

To provide expectations for Wichita State University (University) Employees regarding political activities, including campaign and election activities.

III. Policy Statement

Employees may participate in political activities as long as the activity(ies) do not conflict with applicable K.S.A.'s and Kansas Board of Regents policies.

Employees may accept any public or political party Appointed or Elected position that does not create any conflict of interest with and does not require substantial time away from assigned duties or, in other respects, infringe upon those duties. Participants in political activities should be mindful that all other University policies remain in effect in political activity situations. The federal Hatch Act may prohibit state Employees whose salary is completely paid for by federal loans or grants from running for a partisan office.

IV. Definitions

For the purpose of this policy only, the following definitions shall apply:

- A. **Adjournment:** Ends that day's session.
- B. **Candidate:** A person that is nominated for election.
- C. **Elected or Appointed:** An elected individual is chosen by a vote of the public, while an appointed individual is selected by another or body of officials without the public directly participating.
- D. **Employee:** An individual who provides services to the University on a regular basis in exchange for compensation and receives a W-2 for such services. This includes temporary and part-time Employees.
- E. **Public Office:** Congress, the State Legislature, and state and county offices or appointments to office.

F. **Sine Die Adjournment:** End of legislative session “without day”. These adjournments are used to indicate a final adjournment of a session.

V. Administrative Procedure

A. Per Kansas Board of Regents (KBOR) the filing of a declaration of intent to become a candidate shall not affect the status or appointment of an Employee. However, the Employee shall continue to properly and fully perform all of his or her assigned duties or take appropriate leave if available. Should the employee, while he or she is a candidate for office and not on approved leave, fail to perform his or her assigned duties, such employee shall be subject to appropriate corrective action per appropriate policy.

Commented [GD1]: If needed, we can reference policy 3.48.

1. Elected or Appointed to Public Office (Congress, the State Legislature, State and County offices):
 - a. Leave without salary or other benefits shall be granted to those elected or appointed to public office requiring full time or lengthy sustained periods away from assigned duties, such as Congress, the State Legislature, and state and county offices or appointments to office falling within this category.
 - b. For persons elected or appointed to Congress or the State Legislature, this provision shall be effective from the date such person takes the Oath of Office or the first day of the Legislative session and continuing until the adjournment of Congress or to a date no sooner than the last adjournment in April or sine die adjournment, whichever occurs first, of each regular and special session of the State Legislature; as to other state and county offices requiring full time or lengthy sustained periods away from assigned duties, this provision shall be effective, during the entire time a person serves as such officer.
 - c. Leave without salary or other benefits shall not be required for any person serving in the State Legislature or for service on any committee during a period when the Legislature is not in regular or special session, provided that such person shall decline to accept all legislative compensation for such service, but such person shall be entitled to mileage and other expense allowances as provided by statute and paid by the Legislature. This shall also apply to any person serving in a public or political party appointed or elected position that does not require full-time or lengthy service. University Employees are free to express their opinions as an individual in their personal capacity and not as a representative of the institution. This applies to signed advertisements, pamphlets and related material in support of or opposition to parties and causes and the University Employee shall not use University letterhead, stationery or other official University designations (policy 11.22, III, h).
2. Congress or State Legislature
 - a. K.S.A. 2011 Supp. 74-4925 (5) provides that any member of the Kansas Legislature who is on leave of absence for the Board of Regents or an educational institution under its management may elect

to remain eligible for participation in the Board of Regents' retirement plan while on such leave.

- B. The federal Hatch Act may prohibit state Employees from running for a partisan office whose salary is paid through federal loans or grants. This Act limits certain political activities of most executive branch employees. For example, the law prohibits employees from engaging in political activity while on duty or in the Federal workplace. It also prohibits them from soliciting or receiving political contributions.
- C. Employees testifying before the Kansas Legislature in their official capacity with the University shall notify the [Office of Government Relations](#) prior to such testimony.
- D. K.S.A. 75-2953 -Employees must be aware that they are not to directly or indirectly use their authority or official influence to compel any Employee to apply for membership in or become a member of any political organization, or to pay or promise to pay any assessment, subscription or contribution, or to take part in any political activity.
- E. K.S.A. 25-4169a – Employees, shall not use or authorize the use of public funds, public vehicles, machinery, equipment, supplies, or time of the University to expressly advocate the nomination, election or defeat of a clearly identified Candidate to state or local office.

VI. Applicable Laws and Additional Resources

- K.S.A. 2011 Supp. 74-4925 (5)
- KBOR Policy and Procedures Manual, II. C (13)
- K.S.A 75-2953
- K.S.A 25-4169a
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