

# SOUTHWESTERN

## LAW SCHOOL Los Angeles, CA

### Political Activity Policy

**Board of Trustees policy approved September 24, 2026. Effective immediately.**

**Revision history:** Administrative review and substantive edits made in September 2024; technical edits performed in May 2025; edits made in July 2026; edits made in September 2026, including expanding policy to cover trustees and reclassifying from an Administrative policy to a Board of Trustees policy.

**Related policies:** Academic Freedom Policy; Conflict of Interest and Commitment Policy; Free Expression Policy; Social Media Policy for Student Organizations

**Related document:** Political Activity Request Form

**Scheduled Review Date:** July 2028 (Audit & Compliance Committee, Students Affairs Office, and General Counsel's Office)

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## **L. Policy Revisions**

### **A. Background**

Southwestern Law School is a private institution of higher education whose activities are regulated in part by Section 501(c)(3) of the Internal Revenue Code, which prohibits nonprofit organizations from participating or intervening in any political campaign of a candidate for public office. A “candidate for public office” is an individual who is, or is proposed by others as, a contestant for an elective public office, whether the office is national, state, or local. This Policy refers to such an individual as a “political candidate.”

This Policy focuses primarily on political campaign activity involving political candidates. Although federal tax law also regulates other forms of political and legislative activity, including lobbying, ballot-measure activity, and certain advocacy activities, those activities are subject to different legal standards and are not the primary focus of this Policy. Nothing in this Policy independently prohibits lawful academic discussion, scholarship, personal political speech, nonpartisan voter education or voter-registration activity, or public-policy advocacy, although other Southwestern policies and legal requirements may apply.

The Internal Revenue Service has stated that whether an organization is participating or intervening, directly or indirectly, in any political campaign on behalf of or in opposition to a political candidate depends on the totality of the facts and circumstances of each case.

This Policy applies to Southwestern activities both on and off campus, including in-person, virtual, hybrid, prerecorded, and other online activities, when they are sponsored, co-sponsored, organized, funded, or materially supported by Southwestern (including faculty and staff acting in an institutional capacity), a Southwestern office, department, or program, or a recognized student organization.

For purposes of this Policy, “Southwestern resources” include institutional funds; facilities; staff work time and support services; letterhead, names, logos, and other branding; official email accounts and distribution lists; websites and social-media accounts; learning-management, videoconferencing, event-registration, and other digital platforms; nonpublic student, alumni, attendee, or other contact information; equipment; supplies; and other institutional assets or services.

In addition to applicable legal requirements, Southwestern has adopted the institutional procedures in this Policy to promote compliance with Section 501(c)(3), reduce institutional risk, and preserve public confidence that Southwestern does not support or oppose political candidates.

Nothing in this Policy is intended to limit the academic freedom of Southwestern faculty or the rights of members of the Southwestern community under the Academic Freedom Policy, the Free Expression Policy, or applicable law. Rather, this Policy establishes requirements governing institutional political campaign activity, the use of Southwestern resources, and activities that could reasonably be attributed to Southwestern as an institution.

Appearances by a political candidate in their capacity as a candidate will not be permitted at Southwestern events, whether on or off campus, within 45 calendar days before a primary, general, special, or runoff election in which the individual is a candidate. This restriction does not prohibit a properly structured appearance by the individual in a clear non-candidate capacity or the individual's attendance as a member of the general public at an event open to the public, as permitted under this Policy.

Because Southwestern's Online J.D. Program and other activities may involve students, speakers, and elections outside California, a proposed activity may also be subject to federal, state, or local requirements in another jurisdiction. The General Counsel's Office may require additional review or safeguards for activities involving an election outside California or other circumstances presenting additional legal requirements.

This Policy does not attempt to summarize the election or campaign-finance laws of every jurisdiction.

## **B. Political Candidate Appearances at Southwestern Programs and Events**

A faculty or staff member acting in an institutional capacity, a Southwestern office department, or program, or a recognized student organization (Host) must submit a written request using the Political Activity Request Form and receive written approval before inviting an individual to speak in their capacity as a political candidate at a Southwestern event, whether the event is on or off campus or is held virtually or in another online format. Requests should be submitted as early as practicable and ordinarily at least 15 business days before the anticipated event. Shorter-notice requests may be considered when there is sufficient time for an appropriate compliance review.

The Dean or designee must approve requests from faculty members and institutional units. The Student Affairs Office (SAO) must approve requests from recognized student organizations. The applicable decision-maker will consult with the General Counsel's Office before making a final determination. No person may approve a request involving their own candidacy or a matter in which they have a material conflict of interest. If the ordinary decision-maker is conflicted, the request will be routed to an appropriate uninvolved decision-maker. If the Dean is conflicted, the request will be decided by the Board Chair or an uninvolved Vice Chair after consultation with the General Counsel's Office; if the General Counsel is conflicted, Southwestern will consult an appropriate uninvolved legal advisor or outside counsel.

Approval or denial of a request must be based on neutral considerations, including legal compliance, educational purpose, safety, operational feasibility, and resource constraints, and not on a political candidate's party, political viewpoint, or position on an issue.

When a political candidate appears at Southwestern in their capacity as a candidate, the Host must make reasonable, good-faith efforts to provide a substantially equivalent opportunity to all political candidates seeking the same office. An equivalent opportunity need not occur at the same event, but should be comparable in format, audience access, duration, and publicity to the extent reasonably practicable. Invitations must be extended sufficiently in advance to provide a genuine opportunity to participate. A political candidate's refusal or failure to respond does not prevent an approved event from proceeding. The Host must retain copies of invitations and responses and provide them to the General Counsel's Office before the event.

Before the event, the Host must communicate with the political candidate(s) in writing about the educational and informative purpose of the event and the requirements below. A political candidate may discuss their candidacy, positions, and qualifications and may advocate for their own election during an approved candidate-capacity appearance, but the Host must ensure that the appearance remains an educational or informational program rather than a campaign rally or other campaign event.

- Southwestern and the Host must not indicate support for or opposition to any political candidate or political party.
- No political fundraising may occur in connection with the event. Campaign donation solicitations, donation links or QR codes, sales of campaign merchandise, and similar fundraising activity are prohibited.

- Campaign volunteer recruitment, campaign sign-up activity, and distribution or sale of campaign literature, signs, merchandise, or similar campaign materials are prohibited at the event. Campaign staff may accompany a political candidate for logistical, scheduling, security, or similar purposes but may not engage in campaign activity at the event.
- Southwestern will not reproduce, republish, or distribute a political candidate's campaign literature, advertisements, campaign graphics, slogans, or similar materials. Neutral biographical information may be used as appropriate.
- Communications concerning the event may accurately and neutrally identify the individual as a political candidate, the office sought, the election, and other relevant factual information, but may not contain campaign slogans, fundraising or volunteer links, campaign graphics, or language favoring or disfavoring the political candidate.
- In communications concerning the appearance, and when the political candidate is introduced and the event concludes, the Host must clearly state that Southwestern does not support or oppose the political candidate.
- Southwestern will not provide a political candidate or campaign with nonpublic attendee names, email addresses, registration information, chat transcripts, or other nonpublic contact or participation data. A political candidate or campaign may not collect attendee contact information for campaign purposes through the Southwestern event or Southwestern resources.
- Southwestern-produced or Southwestern-branded photographs, video, audio, screenshots, recordings, or other event materials may not be used in campaign advertising, fundraising, or other campaign promotional materials. Any recording or media arrangement must comply with event rules established by Southwestern.
- Any proposed honorarium, travel reimbursement, lodging, or other payment or benefit to a political candidate or campaign must be reviewed in advance by the General Counsel's Office.
- The Host must be prepared to redirect or stop prohibited activity. Southwestern may suspend or terminate an event if a political candidate, campaign representative, or other participant does not adhere to this Policy or applicable event rules.

If applicable, the Host must also follow the rules concerning political candidate debates and questioning set forth in Section D below.

On occasion, a political candidate may speak or be featured at a Southwestern event in a clear non-candidate capacity. The invitation must be based on the individual's expertise, professional experience, public office, or relationship to Southwestern rather than the individual's candidacy. The individual must speak only in the non-candidate capacity; neither the individual nor Southwestern representatives may mention the candidacy or upcoming election; no campaign activity may occur in connection with the appearance; Southwestern must maintain a nonpartisan atmosphere; and communications announcing the appearance must clearly indicate the capacity in which the individual is appearing without mentioning the candidacy or election. Southwestern will inform the individual of these restrictions in advance.

A political candidate may also attend a Southwestern event as a member of the general public if the event is open to the public. The political candidate and accompanying campaign representatives are subject to the same rules as other attendees and may not engage in campaign fundraising, campaign solicitation, distribution of campaign materials, or other campaign activity at the event. Southwestern may apply its ordinary safety, conduct, and event-management rules to all attendees on neutral terms.

## **C. Using Southwestern Facilities and Resources**

A Host may request permission to use Southwestern facilities or institutional digital platforms to hold public forums on educational or public-policy issues. The Dean must approve requests from faculty members and institutional units, and the SAO must approve events hosted by recognized student organizations. Such a forum, if approved, must serve an educational purpose. Outside groups that are invited or allowed to participate must not use the forum for political campaign activity or fundraising. The Host must take reasonable steps to ensure that the forum does not imply that Southwestern has an institutional position on an issue or is associated with a political campaign.

Faculty whose academic interests include involvement with political or public-policy groups may make de minimis use of private meeting space if regular Southwestern procedures for reserving and using facilities are followed and the activity is not related, directly or indirectly, to supporting or opposing a candidate for elective federal, state, or local public office. No other Southwestern resources may be used to conduct the meeting, and any announcement or invitation must make clear, when reasonably necessary to avoid confusion, that Southwestern does not support or oppose the group's efforts.

## **D. Political Candidate Debates**

Southwestern may, in its discretion, provide forums for political candidate debates in person, virtually, or in another approved format. Requests to host a political candidate debate must be approved by the Dean after consultation with the General Counsel's Office. Any approved debate must include at least two political candidates and must be structured so that it does not promote or advance one political candidate over another.

Southwestern or another approved staging organization must use pre-established, written, objective, and nonpartisan criteria to determine which political candidates may participate. The criteria must be applied consistently and made available to invited political candidates before the debate. For debates involving candidates for federal office, the selection criteria and debate structure must satisfy applicable Federal Election Commission requirements. A third party permitted to stage or co-stage a debate using Southwestern resources must be approved by the Dean and General Counsel's Office and must agree to comply with this Policy and applicable law.

Debate topics must cover a broad range of issues appropriate to the office. Questions presented to the political candidates must be prepared by Southwestern faculty, staff, and students or by an independent, nonpartisan panel. Campaigns may suggest topics only if the same opportunity is provided on neutral terms to participating candidates, and campaigns may not control the questions. Questions and debate procedures must be submitted to the General Counsel's Office no later than five business days before the debate unless a different deadline is approved. Political candidates may not be asked whether they agree or disagree with Southwestern's positions or statements, and each participating candidate must have a substantially equivalent opportunity to present and respond to views on the issues discussed.

Southwestern will select or approve one or more moderators. Moderators must conduct the debate in a fair and impartial manner. Their role is to facilitate the discussion, enforce established debate ground rules, and ensure that participating political candidates have substantially equivalent opportunities to respond. Moderators must refrain from expressing approval or disapproval of a political candidate or the political candidates' views and should apply questioning, time limits, and follow-up opportunities consistently among participants.

At the beginning and conclusion of the debate, the moderator will clearly state that the views expressed are those of the participating political candidates and

not those of Southwestern and that Southwestern neither supports nor opposes any political candidate.

## **E. Disclaimers and Publicity**

When a political candidate event has been approved, the following may serve as a template for the required disclaimer, subject to any modifications directed by the General Counsel's Office:

This event is sponsored by \_\_\_\_\_. Southwestern Law School does not support or oppose any candidate or political party. The views expressed are those of the participating speaker(s) and do not represent Southwestern. The appearance of a candidate and the use of Southwestern facilities or resources do not constitute an endorsement by Southwestern.

Promotional materials for authorized events are subject to review and approval by the Communications & Marketing Office and, as appropriate, the General Counsel's Office. For an approved candidate-capacity appearance, promotional materials may accurately and neutrally identify the individual's candidacy, office sought, election, and other relevant factual information. No materials may state or imply that Southwestern, any office, any student organization, or any institutional official endorses or opposes a political candidate or political party, and no materials may include campaign slogans, fundraising or volunteer links, donation QR codes, or campaign graphics in a manner that suggests Southwestern support. Subject to these restrictions, Southwestern may otherwise publicize an approved event in a neutral manner and may arrange for coverage by media organizations.

## **F. Southwestern Publications, Website, and Institutional Accounts**

Southwestern will not endorse or oppose a political candidate or political party in official publications or on Southwestern-controlled websites, social-media accounts, email accounts, or other institutional communications. This restriction does not prohibit personal political speech on noninstitutional accounts or independently authored academic, faculty, student, or other expression that is not reasonably attributable to Southwestern as an institution, subject to applicable law and Southwestern policies.

## **G. Fundraising and Contributions**

Funds or contributions for political candidates, campaigns, or political parties may not be solicited in the name of Southwestern; at a Southwestern-sponsored event; through Southwestern facilities or institutional digital platforms; or through the use of Southwestern resources, including institutional email, mailing

lists, social-media accounts, learning-management systems, event-registration systems, or nonpublic contact information. No Southwestern funds or other institutional resources may be used for campaign or political contributions, and Southwestern will not reimburse an individual for a personal political contribution.

Nothing in this Policy prohibits an employee, student, trustee, or other member of the Southwestern community from making lawful personal political contributions or engaging in lawful personal fundraising using personal time and personal resources, provided the activity is not undertaken in Southwestern's name or in a manner that reasonably implies Southwestern's support or opposition.

## **H. Recognition and Activities of Student Organizations**

The SAO will not officially recognize a student organization whose purpose is to support or oppose a particular political candidate. This restriction does not prevent recognition of student organizations organized around a political party, political philosophy, public-policy issue, civic engagement, voter education, or similar subject, provided the organization is not organized to support or oppose a particular candidate and complies with this Policy and other applicable Southwestern policies.

Recognized student organizations may sponsor approved political candidate appearances, debates, issue forums, voter-education activities, and other educational programs consistent with this Policy. Students remain free to engage in lawful personal political activity outside the scope of a recognized student organization and without using Southwestern resources in a manner prohibited by this Policy.

## **I. Employee, Student, and Trustee Involvement in Political Activities**

Employees, students, trustees, officers, and other members of the Southwestern community may take political positions and engage in lawful political activities in their individual capacities. They should make clear, by words and actions when reasonably necessary to avoid confusion, that their positions are not those of Southwestern and are not being taken in an official capacity on behalf of the institution. Nothing in this Policy authorizes Southwestern to direct or control an employee's lawful political activities or affiliations or to discipline a student solely for speech or other communication protected by applicable law.

Employees may not engage in political campaign activities while performing Southwestern duties or in a manner that interferes with the performance of their Southwestern responsibilities. Employees may not use Southwestern funds, letterhead, logos, official branding, nonpublic contact information, support services, institutional accounts or platforms, equipment, supplies, or other Southwestern resources in connection with political campaign activities. An employee who participates in a political campaign must do so in an individual capacity and may not state or imply that Southwestern supports the activity or candidacy.

A political candidate may truthfully identify a current or former Southwestern position or affiliation for identification or biographical purposes in campaign materials, websites, social media, biographies, or similar communications, provided the description is accurate and does not reasonably imply Southwestern's endorsement or support. To reduce the risk of confusion regarding Southwestern's institutional position, a political candidate should minimize references to their Southwestern position or affiliation beyond what is reasonably appropriate for identification or biographical purposes. When reasonably necessary to avoid confusion, the political candidate should state that the affiliation is provided for identification purposes only and that the views expressed are personal. The political candidate may not use Southwestern logos, official branding, nonpublic institutional photographs or content, or other indicia of institutional endorsement in campaign materials. Use of an academic or employment title does not, by itself, authorize use of Southwestern's name, logos, photographs, or other institutional resources.

An employee may be subject to additional political-activity restrictions because of separate public employment or work on a particular federally funded program. An employee who believes such restrictions may apply should seek appropriate advice; questions concerning the relationship between such restrictions and Southwestern employment may be directed to the General Counsel's Office.

Southwestern students are free to express their individual and collective political views and to engage in lawful personal political activity, provided they do not state or reasonably imply that they are speaking for Southwestern. A student may truthfully identify themselves as a Southwestern student or J.D. candidate for biographical or identification purposes. Students may not use Southwestern logos, official branding, institutional accounts, or other indicia of institutional endorsement to support or oppose a particular political candidate.

An employee or student who files for public office, formally declares a candidacy, or publicly announces a candidacy must notify Southwestern in writing as soon as

practicable. Full-time faculty and exempt staff must notify the Dean. Non-exempt staff must notify the Chief Operations Officer. Adjunct faculty currently teaching must notify Vice Dean Anahid Gharakhanian. Students must notify the Associate Dean for Student Affairs. Notification is required solely so Southwestern can address potential conflicts of interest or commitment, institutional attribution, use of Southwestern resources, and the individual's continuing Southwestern responsibilities; it is not a request for permission to become or remain a candidate. Southwestern will not direct or control the individual's lawful political views, affiliations, or personal campaign activities.

The appropriate administrator will work with the employee or student, in consultation with the General Counsel's Office as appropriate, to develop a reasonable conflict management plan when one is necessary. A plan may address work or academic responsibilities, scheduling, recusals, use of Southwestern resources or data, institutional events, and avoidance of institutional endorsement or attribution. The plan should be tailored to identified conflicts and should not unnecessarily burden lawful personal political activity. Whenever possible, employee disclosures should be made using Southwestern's Conflicts of Interest and Commitment Disclosure Platform.

An employee who is a political candidate may continue to perform ordinary Southwestern duties, including speaking or participating at Southwestern events in a non-candidate capacity, provided the activity complies with Section B and is not used for campaign purposes. If a trustee or officer becomes a political candidate, the individual must notify the Board Chair and the General Counsel's Office; if the Board Chair is the political candidate, notice must instead be provided to an uninvolved Vice Chair or the Chair or Co-Chair of the Audit & Compliance Committee.

## **J. Administration, Records, and Compliance Reporting**

The General Counsel's Office will maintain or coordinate the maintenance of Political Activity Request Forms, approvals, invitations and responses, candidate-selection criteria, required disclaimers, and other material compliance documentation in accordance with Southwestern's applicable records-retention practices. The General Counsel's Office may issue forms, guidance, or event-specific compliance instructions to implement this Policy.

Material violations of this Policy and other significant political-activity compliance matters will be reported through Southwestern's established compliance-reporting processes, including to the Board Audit & Compliance Committee when appropriate. The Committee need not receive personally identifiable

information regarding an individual matter unless such information is reasonably necessary for the Committee to fulfill its oversight responsibilities.

**K. Questions**

The law in this area can evolve over time. Questions regarding proposed political activities, political candidate appearances, use of Southwestern resources, or student organization activities should be directed to the Dean, the Associate Dean for Student Affairs (for student organizations), or the General Counsel's Office.

**L. Policy Revisions**

Southwestern expressly reserves the right to change or modify any aspect of this Policy at any time, with or without notice, subject to applicable law.