

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Political Activity

**NUMBER:** 4:21

---

1. Employees of the Board of Regents shall not be obligated, by reason of their employment, to contribute to any political funds or collections or render political service. Employees refusing to contribute such funds or to render political service may not be removed or otherwise disciplined or prejudiced for such refusal.
2. Employees of the Board of Regents shall not use their official authority or influence to coerce the political action of a person or group.
3. Employees of the Board of Regents may:
  - A. Take an active part in political management, political campaigns, or non-political activities except during regularly scheduled working hours, and without the use of Board information and communication technology systems, Board services or Board property that is not available to the public and paid for at the rate offered to the public; and
  - B. Seek and hold compatible elective political office. Employees, both during any election campaign and during the term of any part-time office, other than that of state representative or senator, to which the employee may be elected, are required to make specific arrangements with the president, superintendent and his/her designee to assure that the employee's regular duties are performed. Employees elected to a full-time public office are entitled to leave without pay consistent with 4:15 of the Board of Regents Policy Manual. Under current South Dakota Supreme Court interpretation of section 12, article III, of the South Dakota Constitution, employees elected to the South Dakota Legislature must resign from state employment no later than the beginning of their term in office.
4. This policy shall not prohibit activity of nonpartisan type not specifically identified with a national or state political party. Questions relating to constitutional amendments, referendums, approval of state laws, and other issues of similar character are deemed not specifically identified with a national or state political party.
5. Employees of the Board of Regents enjoy all rights of free expression accorded them under state and federal law. Nevertheless, employees, especially faculty and professional staff members, should remember that the public may judge their institution or the Board by their public statements. Accordingly, unless they have been authorized to make an official

statement on behalf of their institution or the Board, employees should make every effort to indicate that they are not speaking or writing as institutional or Board representatives. At a minimum, employees who identify their institutional affiliation should advise the public that the views that they express represent their own private or professional opinions, not those of their institution or of the Board, and that these opinions are given in their individual capacities or as private consultants.

Faculty members should, additionally, observe those standards set forth in the Board's policies on academic freedom, Policy No. 1:11, and the agreement with the Council of Higher Education.

**SOURCE: BOR, Aug. 1979, p. 1126; SDCL §§ 3-6-26 through 3-6-27, 3-6A-14(6), 3-6A-15, 13-49-14 through 13-49-14.1; Revised BOR, March 1992; BOR October 2010.**