

AAUW Policy Leaders

2021-2022 Resource Manual

Partisan versus Political: A Guide to AAUW Advocacy*

Election Activities: Summary of Policies

Election activities carried out in AAUW's name must be conducted within the guidelines set out in AAUW policies. Activities must also be allowable under regulations established by the U.S. Internal Revenue Service and the Federal Election Commission.

AAUW is a 501(c)(3) nonprofit organization and the AAUW Action Fund is a 501(c)(4) nonprofit organization. Any branch or state that has not filed to be separately incorporated as a 501(c)(3) organization falls under AAUW's 501(c)(4) status. Certain AAUW policies prohibit 501(c)(3) organizations from undertaking some activities that are legally permissible for 501(c)(4) organizations.

Note: Election activity guidelines for state and local races sometimes differ from those found in federal regulations. To determine state and local regulations for partisan and nonpartisan races, including school boards, check with your state elections division.

Guidelines for Election Activities

AAUW branches and state organizations may conduct election-related activities as long as

1. the activities do not expressly advocate the election or defeat of any clearly identified partisan candidate or political party, and
2. the preparation for and conduct of the election-related activities are not coordinated with any candidate or political party.

Acting as private citizens, individual AAUW members may endorse candidates for partisan elective office, contribute money or anything of value to such candidate(s), and organize for

supporting such candidate(s). Such endorsement, contribution, or organizing activity cannot use the name of AAUW. Any AAUW member who is actively involved in a candidate's campaign should avoid participating in activities that may give the appearance of AAUW's endorsement of the candidate.

In sum, AAUW branches and state organizations **MAY** do the following:

- Focus issue education messages and get-out-the-vote activities on the effect that the election results will have on AAUW priority issues. Those messages or activities must not expressly advocate the election or defeat of any candidate or party.
- Encourage voters to support unspecified candidates who agree with AAUW's position on specific issues. For example, a branch or state can publish a "vote prochoice" message. The message cannot appear, however, in a publication that gives candidates' views on reproductive rights.
- Identify particular groups in the community (for example, women, people of color, people with disabilities) to be part of coalition efforts or to receive election materials. Decisions about which groups to work with should be based on factors such as the desire to build a broad-based coalition, not on whether an anticipated coalition member can affect the outcome of an election.
 - Any political action committee or organization that has endorsed a candidate cannot be asked to be a coalition member in an AAUW voter education or voteturnout campaign.
- Determine and publicize the positions of candidates. In addition to voting records, the following may be used to gather and publicize information about the candidates' positions on issues: position papers issued by candidates, public statements made by candidates, candidate questionnaires, and candidate forums. Different guidelines apply to each activity.

- Candidate questionnaires: All candidates running for the offices to be covered in the questionnaire must have the opportunity to participate. All questions must be phrased as neutrally as possible; language must not favor or disfavor a particular candidate. All responses received must be printed in their entirety in any publication of responses to the questionnaire. The publication of responses should include the names of all candidates to whom the questionnaire was sent, but publication may proceed even if all candidates do not respond.
- Candidate forums: All major party candidates for the office must be invited, and an effort must be made to ensure their participation. If only one candidate can attend and the other candidates do not send representatives, AAUW branches with 501(c)(3) status may not proceed with a forum. AAUW branches with 501(c)(4) status (most AAUW branches) may proceed in organizing regardless of how many candidates attend. (For the full set of rules pertaining to candidate forums, see AAUW Policy 301, Candidates for Public Office, in the Board of Directors Policy Book).
- Any publication or oral statement of the candidates' responses to questions asked on a questionnaire or at a forum may include a statement of AAUW's position on the issues covered, as long as there is no call to remember AAUW's position when voting.
- **Only 501(c)(4) states and branches may publish voting records** for the state's congressional delegation, state legislature, or other body. The voting record must include all incumbents within the district or geographic area to be covered. Its content (for example, the votes to be included) and distribution must not be coordinated with candidates.

- **Only 501(c)(4) states or branches may publish voter guides** that include the position of major party candidates on specific issues. The information in the voter guides must be available from public sources such as prior votes cast by candidates, position papers, or public statements made by the candidate. AAUW's policy department provides a voter guide template on the AAUW Action Fund website.

AAUW branch and state organizations **MAY NOT** do the following:

- Endorse candidates in any partisan election, including local, state, congressional, gubernatorial, or presidential elections.
- Target any voter registration efforts toward members of a particular political party or at individuals likely to vote for partisan candidates who support AAUW issues. The public must be notified by signs and in any handouts that all voter registration information is available to individuals without regard to their political preference.
- Distribute advocacy materials as part of voter registration.
- Distribute voter guides in conjunction with any event designed to highlight an incumbent's or a candidate's positions (for example, a press conference regarding how a member of Congress voted on budget cuts affecting women and families). During such events, no mention should be made of the election.
- Coordinate any election-related activities with one or more candidates, campaigns, or political party organizations.
- Provide membership lists to be used in raising funds or other efforts as an in-kind gift to any partisan or nonpartisan campaign. This includes AAUW email, phone, and mailing lists.
- Use AAUW email, phone, or mail network updates to expressly advocate on behalf of a candidate who is running for partisan political office. This includes advocating financial or any other in-kind support of a particular candidate.

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As you know, for more than a century AAUW has influenced legislative debate on critical issues affecting women and girls: issues such as education, Social Security, sex discrimination, civil rights, reproductive health, affirmative action, pay equity, and family and medical leave. AAUW has a long-standing policy of nonpartisanship and does not endorse or oppose candidates for partisan elective office (see AAUW Policy 301, Candidates for Public Office). These two traditions are not contradictory. Indeed, AAUW's nonpartisan policy and our organization's bipartisan membership are the main reasons for AAUW's effectiveness in advocacy.

AAUW's nonpartisan policy means that the organization does not endorse party-nominated candidates. However, AAUW does endorse legislation; thus we are nonpartisan, but we are not nonpolitical. AAUW has always taken political stands on the critical issues of the day, as dictated by the member-adopted Public Policy Priorities. AAUW works with any policy maker from any party who cares about our priority issues and shares our goals — even if that policy maker differs with us on another facet of the AAUW Public Policy Priorities.

When members take advocacy actions in the name of AAUW, those actions must be political rather than partisan. Here are some things to keep in mind when determining if your actions are political or partisan:

DO

- ✓ Remain nonpartisan. AAUW does not endorse candidates in partisan races.
- ✓ Work on issues guided by our values and mission, including taking positions on ballot initiatives that are in line with AAUW's Public Policy Priorities.
- ✓ Engage with candidates and elected officials from all major parties equally, making sure questions are phrased in a neutral manner.
- ✓ Encourage voter registration for everyone, regardless of their political persuasion.

DO NOT

- X Expressly advocate for or endorse any particular partisan candidate.

- X Encourage voter registration for a particular party.
- X Share AAUW membership lists with campaigns or political parties.
- X Raise funds for partisan candidates or coordinate any election activity with a campaign or political party.

AAUW is a nonprofit 501(c)(3) organization, and most AAUW state-level organizations and branches have a 501(c)(4) tax status. In order to protect this tax status, there are rules that must be followed. Be sure to know the tax status of your branch and always check your local election laws before hosting or promoting an event.

For more detailed policies, information about your branch's tax status, or help determining whether your action is political or partisan, contact VoterEd@aauw.org.

***From Collaborations with Other Organizations: AAUW Policy 600 section Page 37-44.**