

GOUCHER COLLEGE FEDERAL AND STATE GOVERNMENT LOBBYING POLICY— FREQUENTLY ASKED QUESTIONS

1. Why has Goucher implemented a lobbying policy?

Goucher has implemented a lobbying policy to implement the provisions of the Lobbying Disclosure Act as amended, the Maryland Public Ethics Law, and the Higher Education Opportunity Act of 2008, which are explained below, and to define the rights and responsibilities of Goucher employees who represent the needs of the college to the federal and state governments.

In December 2007, the federal **Lobbying Disclosure Act of 1995** was amended by the Honest Leadership and Open Government Act of 2007. The amended statute requires the disclosure of the activities of paid lobbyists to affect decisions in the executive and legislative branches of the federal government. Organizations, including colleges and universities, that spend at least \$10,000 in a quarter and that have one or more employees who are lobbyists, as defined in the legislation, are required to register and report the lobbying activities of all of their employees.

The Maryland Public Ethics Law, which was enacted by the Maryland General Assembly, requires paid lobbyists to report lobbying activities two times per year to the State Ethics Commissions.

In 2008, Congress passed the **Higher Education Opportunity Act of 2008**, which prohibits federal funds received under the Higher Education Act of 1965 from being used in certain lobbying activities.

2. Who is authorized to lobby on behalf of Goucher College?

Only the President and the special assistant to President and director of government & community relations (the special assistant) are authorized to act on behalf of Goucher College when conducting lobbying activities with the federal or state government.

Other individuals (faculty, administrators, staff, trustees, and students) may engage in lobbying activities on behalf of the college if they are designated in writing by the President to represent the institution for purposes of a specific contact. This is to ensure that the college's position on federal and state legislation is presented in a consistent manner and that the college accurately reports all lobbying activities, as required by the federal and state statutes.

3. May I contact government officials on my own behalf or on behalf of other organizations to which I belong, including professional associations?

Yes. This policy is not intended to restrict the rights of college trustees, employees, or students to petition the government or to prevent such individuals from identifying their profession and place of employment or study in the context of communicating with federal or state officials. However, in exercising this right, such

individuals should make it clear that they are expressing their personal views and not an official position of the institution.

Similarly, if individuals choose to lobby federal or state officials on behalf of a professional association to which they belong, they may, provided they make clear they are expressing the views of the association and not the college. In addition, college trustees, employees, and students who are making personal lobbying contacts with federal or state officials or lobbying contacts in a personal capacity or on behalf of a professional association may not use Goucher resources (stationary, telephones, fax and/or photocopy machines, computers, or other equipment) for such purpose.

4. If I want to lobby on behalf of the college, how should I proceed?

You must first contact the special assistant and receive the President's authorization to lobby on behalf of the college. You will be required to maintain a record of your time spent on lobbying activities and expenses that you incur in lobbying, and you may be required to register as a lobbyist if you meet the threshold requirements in the statutes.

Contact the Office of General Counsel for the appropriate recordkeeping forms or for more information.

5. Can I give gifts to my federal or state representatives?

If Goucher is required to register as a federal lobbyist in the future, most gifts to members of Congress or Congressional staff members from any employee of the college will be banned, including gifts under the amount of \$50. In addition, college employees are not permitted to provide gifts using personal funds, even if the college does not reimburse them. Congress has provided some exceptions to these rules, but they are limited.

Consequently, to ensure that Goucher is able to verify its compliance with these rules, whether or not it is required to register as a federal lobbyist, all employees of the college must obtain written approval from the special assistant prior to providing a gift in any amount to a member of Congress or a Congressional staff member, even if the gift is provided with personal funds. This requirement extends to all gifts, including paying for meals or providing refreshments in on-campus meetings.

The rules relating to providing gifts and meals to state representatives and executive officials are less restrictive than the federal rules but are complicated nonetheless. If you would like to give a gift to a state representative or provide refreshments at a campus event for state legislators, please contact the Office of General Counsel prior to doing so to ensure that you are not violating the provisions of state law.

6. Who should I contact with questions about the new policy?

If you need additional information about this policy, contact the Office of General Counsel at 410-337-6011.