

Foundations May Host and Support Candidate Forums

Public charities and foundations—both public and private—are prohibited from supporting or opposing a candidate or a political party. They do not need to cut off all contact, however, nor restrict support for all grantee contact with elected officials and candidates during an election year. Here are a few guidelines for hosting events that candidates will attend.

A candidate appearance is a forum where the candidate has an opportunity to speak to the public. These appearances usually provide an opportunity for candidates to craft their own message. The audience for these appearances may be limited by the grantee or foundation. For example, the foundation may invite candidates to speak to its grantees at an annual dinner, and a grantee may invite candidates to speak at a conference it publicizes to its members and supporters.

There are two reasons you or a grantee would invite candidates to an event: either because they are candidates or because they have some expertise that you want to share with your audience. A different set of rules applies to each situation, but they apply equally to forums hosted by either foundations or grantees.

When you invite candidates because of their candidacy, keep the following guidelines in mind:

- There must be no indication of support for or opposition to the candidate at the event.
- There should be no political fundraising.
- You must offer all of the other candidates an opportunity to appear at the event. These appearances do not have to be at the same time, but there can be *no contextual favoritism*. In other words, don't invite one candidate to your conference to speak at 8 p.m. on Friday and another candidate to speak at 8 a.m. on Sunday.

When you invite candidates for reasons not associated with their candidacy, remember the following:

- If an individual is being invited to speak in a capacity outside of his/her candidacy, there is no requirement for equal opportunity.

Example: Dr. Senator is the speaker at your grantee summit. She is an expert in early childhood development and pioneered supplemental nutrition programs for schools in your community. Dr. Senator is being asked to speak as a preeminent advocate of changing educational standards to enhance childhood learning. She is not being invited due to her position as a Senator even though she is running for re-election. Therefore, there is no need to extend an invitation to other candidates.

- Tell the individual that she cannot mention her candidacy. Write a letter to the individual detailing the reason your organization is inviting her. The memo should also state that your organization is a nonpartisan 501(c)(3) organization that does not support or oppose candidates for office.
- Do not time this appearance to coincide with an election. The closer the appearance is to an election the more it looks like you are inviting the individual as a candidate versus for their expertise.

Example: If your annual grantee summit is held in May, do not change the event to October. This is too close to the election and would give the appearance that you are supporting his/her candidacy.