

Oakland Mills Board of Directors Political Activity and Disclaimer Policy

Goal: Under fiduciary responsibility requirements, protect the Oakland Mills Community Association's (OMCA) 501(c)(4) tax exempt status as a social welfare organization.

As a 501(c)(4) Social Welfare Organization, the Oakland Mills Community Association may engage in limited political activity to seek legislation germane to the Association's programs to attain social welfare purposes. The promotion of social welfare does not include direct or indirect participation or intervention in political campaigns on behalf of or in opposition to any candidate for public office. (<https://www.irs.gov/charities-non-profits/other-non-profits/social-welfare-organizations>)

To ensure the Association stays within the confines of what is allowable under 501(c)(4) the following policy will apply when the Association interacts with candidates running for office at the local, state, or national level.

Board and Staff Interaction with Candidates Running for Office

Goal: All incumbent candidates already representing residents of Oakland Mills are treated equally with respect to invitations to OMCA-sponsored events and board meetings.

An incumbent who represents Oakland Mills may be invited to speak at an Oakland Mills board meeting or at an Oakland Mills event. This would not be an invitation to campaign. Rather, it would be an invitation to discuss an issue impacting Oakland Mills that the Oakland Mills board has chosen to place on its agenda, or to speak as a guest of Oakland Mills to residents as their elected representative. If multiple incumbents who represent residents of Oakland Mills are running in the same race, all incumbents will be invited to speak to ensure Oakland Mills Community Association does not create the perception of favoring one candidate over others.

Candidates for office who are not currently representing Oakland Mills may not be invited to speak at meetings or events, as this invitation would be a result of their candidacy for office rather than their current representation of our community. Exceptions include events where all candidates for office are invited for a public forum, such as a moderated candidates' debate where all candidates receive invitations and equal time.

Unless there is a pressing or emergency community issue needing immediate attention from the Oakland Mills board and the incumbent, incumbent candidates will not be invited to speak at Oakland Mills Community Association board meetings within 28 days prior to a primary or general election.

Candidates may attend open OMCA board meetings as regular audience members and speak to the board about OMCA business during regular resident remarks under the same rules that apply to all other residents. Candidates may not engage in campaigning in The Other Barn or on property managed by OMCA, including The Other Barn and the three Neighborhood Centers. Incumbent candidates or other candidates speaking before the OMCA board during official business may not use photographs or recordings of their business with the OMCA board without written consent of the board.

Candidates may choose to attend public OMCA events without invitation. They may not campaign at these events unless they have reserved and paid for designated space to do so.

Social media run by OMCA to promote advertisement of events and discussion of issues shall not be used by candidates for campaigning. Like any member of the public, candidates for public office may post factual information to OMCA social media, subject to review by moderators of the social media platform.

OMCA Board Members Who Have Announced Candidacy for Political Office

Goal: Respect aspirations to higher levels of public service while protecting OMCA's 501(c)(4) status.

To ensure transparency and protection of OMCA's 501(c)(4) status, a board member who has publicly announced or filed for a candidacy for political office shall inform the board of directors in writing upon announcing or filing. This does not impact the member's status as a board member.

Board members who are candidates for political office must keep their candidacy and their OMCA responsibilities separate and distinct. This includes refraining from using their status as an OMCA board member in campaign material, other than as a biographical fact; from using minutes, documents, or other information gained from sitting on the OMCA board of directors for political purposes; from using OMCA social media or other OMCA platforms to engage in campaign speech; and from using images of other OMCA directors in campaign material without expressed consent. Board members who are candidates for political office using membership on the OMCA board, including photographs and videos, to support biographical background, will add a caption reading, "Oakland Mills Community Association does not make political endorsements."

Personal Endorsement of Candidates

Goal: Respect free speech and participation in the political process while protecting OMCA's 501(c)(4) status and avoiding ambiguity regarding OMCA's official positions on social welfare issues.

OMCA values free speech and everyone's right to engage in the political process. OMCA board members and staff may endorse candidates, state their party affiliations or preferences, work for campaigns, and otherwise engage in political processes as **individuals, and keep these activities separate and distinct from their OMCA board positions and OMCA's positions on social welfare issues**. OMCA board members and staff must not infer or imply that their political activity represents that of OMCA. If challenged or questioned, board members and staff must state that they are stating personal opinion that does not reflect the position of OMCA. Should OMCA choose to take a position on policy, this will be done in open meeting with consensus of at least a majority of the voting members of the board present at the meeting. OMCA will not consider taking a position on individual candidates for office.

Approved by OMCA Board, Feb. 26, 2019