

W&L in conflict with student clubs over political endorsements and tax law

Both the College Republicans and College Democrats demand more transparency and consistency from the university in their regulation of student speech

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The College Democrats and College Republicans are working together to protect students' freedom of speech, after being barred from endorsing candidates due to a possibly erroneous interpretation of Washington and Lee's tax exemption status.

Both organizations plan to meet with the university General Counsel to address their issues with the school's current policy in the near future.

This conversation stems from an incident that occurred at the beginning of the semester.

On Sept. 12, during the annual Activities Fair, the College Republicans were tabling with material supporting Glenn Youngkin, then-Republican nominee for governor in Virginia.

Washington and Lee Director of Student Activities, Kelsey Goodwin, asked the College Republicans to take down these materials at the fair.

Goodwin said that the College Republicans material dispersal was not compliant with the university's 501(c)(3) tax-exempt status and that, according to the president of the College Republicans, Lilly Gillespie, '22, bars clubs "from using school resources to express our opinions of candidates seeking office."

This is not the first time that the university has restricted political speech on campus.

In October 2019, the university barred the VAratifyERA's #iScream4Equality, sponsored by the Gender Action Group and The Pink Elephants from giving out ice cream.

The Washington and Lee chapter of American Association for University Professors (AAUP) responded to both of these incidents in a letter to the university.



Signs endorsing conservative candidates are posted outside the Republican Party Headquarters in Lexington. Similar signs were disallowed at the Activities Fair in September. Photo by Lilah Kimble, '23.

"Students acting as individuals or as members of student-organized groups are not speaking on behalf of the university," the letter said. "Therefore, these activities do not endanger W&L's tax-exempt status."

Gillespie agreed, saying the College Republicans were not acting as a facet of the university.

"We don't speak for the university and we shouldn't be construed to speak for the university," she said.

President of the College Democrats Judy Park, '22, also expressed the need for clarification of the university's policy on political expression.

It seems that neither the College Republicans nor the College Democrats truly understand what is allowed and what is not.

"There are a lot of rules that are not always enforced," Park said.

Other groups, such as Mock Convention, have been allowed to bring political speakers on campus but do not have the same problems the College Democrats and the College Republicans have been facing.

Park said College Democrats have only been given vague explanations of the policy when enforced.

"What is the actual policy? Why is it that way? And how can it be better delivered?"

Park asked, saying these are key questions she wants answered by the university. Gillespie said that there were even arguments over whether the College Republicans could use email to spread information about Glenn Youngkin and campus events.

They were given conditional permission from Goodwin, as long as they included a disclaimer that their views did not represent the school, Gillespie said. Gillespie sees this regulation as unfair, since the university allows other clubs to bring speakers or host information sessions on campus without disclaimers.

"We want to make sure that these inconsistencies are much clearer and defined going forward," Gillespie said.

Although no policy change happened before the gubernatorial election on Nov. 2, deeper considerations are now being given to the school's interpretation of the tax law from within the school's executive team.

The university's Executive Director of Communications and Public Affairs Drewry Sackett said that the school would like to "give as much latitude to student expression as possible while remaining compliant" with IRS regulations.

"We are looking into a range of approaches, including similar policies at other institutions, and will be considering available options," Sackett said.