

CAMPAIGN "DO's" AND "DON'T's"

Employee Rights and Responsibilities for Compliance with the Colorado Fair Campaign Practices Act

CASE wants to remind all Colorado school district employees that using public resources, including copiers, fax machines and e-mail, are not to be used to urge a vote for or against any candidate, group of candidates or ballot issue. You should not include any information in your publications or material sent to parents urging people to support candidates endorsed by any group. This document does not provide legal guidance to your individual circumstances, but rather is a quick, view of the spirit of the Colorado Fair Campaign Practices Act. This has been adapted from a document that was used in Jefferson County Schools.

The Fair Campaign Practices Act outlines what activities Colorado school district employees are permitted or not permitted to engage in during a campaign. The following guidelines should help you determine what is permitted and not permitted in the Act.

ACTIVITY	PERMITTED	NOT PERMITTED
PHONE CALLS	<ul style="list-style-type: none"> Employees are allowed to give <u>undisputed factual responses</u> about a campaign issue on school telephones in response to unsolicited telephone inquiries. Employees may make telephone calls stating their position with respect to a candidate or ballot issue on their own time and on their own personal telephone. 	<ul style="list-style-type: none"> Employees CANNOT work to promote or defeat a candidate or ballot issue during work time or while using school telephones.
TALKING TO PARENTS	<ul style="list-style-type: none"> During the work day, employees are allowed to respond to unsolicited questions with strictly <u>factual answers</u> regarding a campaign issue. Such responses must not contain partial conclusions or otherwise tend to urge a particular vote. Presentations which express a position on a campaign issue or candidate may be made outside of employee work hours. 	<ul style="list-style-type: none"> During work time, employees CANNOT work to promote or defeat a candidate or ballot issue. "Work hours" include all times employees are on duty during regular hours or in attendance as a work requirement beyond regular work hours.
SCHOOL MATERIALS AND EQUIPMENT		<ul style="list-style-type: none"> School materials and equipment CANNOT be used under any circumstances to prepare, post, sort, or distribute any materials or information expressing a position concerning an election. This includes the use of paper, copy machines, typewriters, telephones, bulk mailing permits, etc.
SCHOOL FACILITIES	<ul style="list-style-type: none"> School facilities use by organizations, groups or committees should be governed by individual district facilities use policies. 	<ul style="list-style-type: none"> Individuals, groups or organizations that advocate social or political change by use of violence will be denied the use of facilities.
	<ul style="list-style-type: none"> If a PTO or other school-related organization is going to use school facilities for a meeting in which an election is to be discussed, the usual nonprofit rental fee should be paid for that meeting to avoid any conflict with the Act. 	

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WEARING OF BUTTONS, POSTING CAMPAIGN LITERATURE, BULLETIN BOARDS, ETC.		<ul style="list-style-type: none"> Employees SHOULD NOT wear, display, or distribute campaign materials at the work site
FLIERS	<ul style="list-style-type: none"> Employees and employee organizations may distribute materials on their own time to promote or defeat a candidate or ballot issue outside of school grounds as long as the distribution is not done in connection with any school activity. 	<ul style="list-style-type: none"> On Election Day, electioneering materials are specifically PROHIBITED from public display in a school being used as a polling place. Campaign information SHALL NOT be included in school newsletters or any information sent home to parents.
INTERACTING WITH STUDENTS		<ul style="list-style-type: none"> Employees SHALL NOT take any stand on a candidate or ballot issue with students while on duty. Employees SHALL NOT distribute to students during work time any materials which express a position on elections issues. Employees SHALL NOT enlist the services of students, either during school time or outside of school hours, to work on any campaign. (Pro and con organizations may enlist student help.)
VOTING	<ul style="list-style-type: none"> Employees may make personal contributions to any candidate or organization supporting a ballot issue. 	
CAMPAIGN CONTRIBUTIONS	<ul style="list-style-type: none"> Employees may make personal contributions to any candidate or organization supporting a ballot issue. 	<ul style="list-style-type: none"> Employees may not solicit or accept cash or other campaign contributions during work time.
PUBLIC RECORDS ACT	<ul style="list-style-type: none"> Employees should respond to Public Records Act requests from candidates or election organizations in the same manner they would respond to such a request from a member of the public at large. 	<ul style="list-style-type: none"> Employees MUST NOT release students' and employees' names, addresses, or telephone numbers unless such information is contained in a directory otherwise available to the public.
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