



## **Campaigning and Advocacy Do's and Don'ts**

It is imperative that campaigning and advocacy efforts of candidates, issue based ballot measures (including school bonds and overrides) by school board members and public school employees stay within the bounds of the law. Arizona Revised Statutes section 15 511 (A.R.S. §15 511) prohibits school districts from using school resources to influence the outcome of an election.

### **This is what A.R.S. §15 511 prohibits:**

- It prohibits school boards (collectively, as a board) from making statements or submitting arguments in favor of, or in opposition to, a ballot measure. (This does not include the pro-statement required to be submitted and signed by the governing board in an override election pursuant to A.R.S. §15 481 B.9.)
- It prohibits school employees, when on school time, from activities that would influence an election.
- It prohibits the use of school property including equipment, paper, copiers, buildings, computers, etc., from being used to influence an election.
- It prohibits Arizona school districts from expending funds for membership in an organization that attempts to influence the outcome of an election.
- It prohibits students being



welcome to engage in such activity and it is consistent with district policy for such activity.

- School districts MAY remind their patrons that 2014 election days are August 26 (primary) and November 4 (general) and ask them to vote – so long there is no attempt to say HOW to vote.
- Board members and school employees on school time MAY answer questions from a factual perspective on the impact to the school district depending on the election's outcome. (However, be careful here! If facts can be viewed as being overly speculative, skewed or selectively used to further a particular viewpoint, the law may be triggered.)

## **Frequently Asked Questions about A.R.S. §15 511 and the Use of School Resources to Influence an Election**

**Q1: Can a person use their title in support of an issue – say a letter to the editor signed by the superintendent?**



**Q5: Can teachers wear T-shirts or buttons to school in support of/opposition to a ballot measure? Can board members wear T shirts or buttons in support of a ballot measure to a board meeting?**

A5: No and No.

**Q6: Can community members, parents or school employees pass out material in support or opposition to a candidate or ballot measure at school or at school sponsored events?**

A6: If it is an event where the public is not generally invited – like during the school day – parents or community members would have to stay off school premises to hand things out. (School employees could also participate if they were off duty.) If it is an extracurricular event where the public is invited, then the parents (and school employees that are off duty and do not have supervisory responsibilities) can come on campus and pass things out – so long as all sides are treated fairly.

**Q7: Can the district distribute factual information about the impact of a ballot measure to the public?**

A7: Yes, but facts should be presented fairly, completely and without bias. If at all possible, such materials should stick to the financial numbers closely and avoid editorial comment.

**Q8: Can schools send home factual information with students for their parents to read?**

A8: The law is very clear that students should never be used in an attempt to influence the outcome of an election. The law also prohibits students from bringing home material that attempts to influence legislation (no lobbying, the only place in the law where lobbying is invoked). For this reason, best practice is not to give any material to students related to the election – even a “just the facts” flyer.

**Q9: Can teachers, school staff and administrators discuss their support for/opposition to a candidate or issue based ballot measure during the course of the school day or at official events?**

A9: Teachers and other school employees do have the right of free speech but these rights are fewer in a work environment. During non duty time, school employees should feel free to express their point of view and to gather with other like minded school employees who are also off duty. School employees should always refrain from expressing their views about the election to students during the school day. If discussing ballot measures before community groups, superintendents and principals should take time off from work if discussing those ballot







**Q23: Can school employees be expected to support a ballot measure in their free time?**

A23: NO! Employees cannot be required to support a ballot measure through either expressed or implied directive and no reward or punishment can follow to employees for being involved or not being involved in a ballot measure campaign

**Q24: Can school employees give out information – such as directory information of students or lists of school vendors – to an outside group for campaign purposes?**

A24: Yes, so long as that information must be disclosed as a public record S -0.2 (st) 0.2 ( ) 0.2 (b[4o) -0