



Fair Campaign Practices Act

Compliance Guidelines for Poudre School District Employees

[Colorado's Fair Campaign Practices Act \(FCPA\)](#) prohibits public resources from being used to support or oppose a candidate or ballot issue. These guidelines are provided to help ensure actions taken by PSD employees do not result in violations of the Fair Campaign Practices Act and/or [District Policy GBI](#). The rules below relate to all elections, including the Board of Education director race and possible mill levy override ballot measure for the November 2019 election. Per Policy GBI, employees shall immediately report known or suspected violations of this policy to the superintendent or the executive director of Human Resources. Questions regarding the application of this policy or the information below should be directed to Vicki Thompson, executive director of Human Resources, at 970-490-3620, or vthompson@psdschools.org.

Do's and Don'ts

	Do	Don't
Using Public Funds	Public funds can be used for producing and distributing a "factual summary." Summary must include arguments both for and against an issue. The District will produce this factual summary.	Public funds cannot be used in any manner that supports or opposes any campaign involving an issue or candidate. Campaign information cannot be included in school newsletters or any information sent home to parents.
Discussing the Ballot Measure	During working hours, you may respond to questions about the issue but only when such questions are unsolicited and not orchestrated by you in a manner to elicit your opinion about the issue.	During work hours and at the work site, you may not work to promote or defeat a candidate or ballot issue and cannot wear, display, or distribute campaign materials at the work site.
Making Campaign Contributions and Stating an Opinion	On their own time and without reimbursement, employees may publicly state an opinion, provide in-kind services, or make contributions from personal funds in support of an issue.	Except when responding to unsolicited questions, you may not publicly state an opinion at scheduled meetings where school business is conducted and you are working, such as back-to-school nights.
Renting District Facilities and Equipment	The use of school/district facilities to host forums or rallies is permitted if all groups have equal access to facility rental and the typical rental process is followed and fees are paid. District Policy KF – Use of District Facilities must be followed.	Public equipment, such as PSD computers, tablets, copy machines, mailing equipment, or e-mail may not be used to support or oppose an issue or candidate.
Talking to Students	During work hours, you may answer students' questions about the issue but only when such questions are unsolicited and not orchestrated by you in a manner to elicit your opinion about the issue.	While on duty, you shall not initiate any discussion with students or others about the ballot issue, take any stand on a candidate or ballot issue with students, distribute any materials that express a position to students, or enlist the services of students to work on any campaign.
Using Social Media and Email	You may participate in political discussion or "like" ballot measures if you are not on duty. Non-PSD email accounts may be used off-duty and not using PSD equipment, such as District cell phones or computers.	Participation in campaign-specific discussion on social media is not allowed while on duty. PSD email or other PSD communication platforms (Skype, Google Docs, etc.) cannot be used to make campaign announcements or for electioneering.



Frequently Asked Questions

Question: Can or how may information be posted at schools?

Answer: *No advocacy information about any issues or candidates can be posted (displayed on a wall or shared from a school's branded social media platforms). Per [District Policy KHC – Distribution/Posting of Non-District Communications](#), advertising, pamphlets, fliers and other promotional notices may be made available at table displays or on bulletin boards in common areas, at the discretion of the PSD site administrator/executive director of communications.*

Q: What can be said or done at back-to-school nights, School Accountability Committee (SAC), Parent Teacher Organization (PTO)?

A: *Official announcements during the formal part of the meeting must be non-partisan and neutral. If an outside group wants to distribute literature or solicit people about an issue or candidate, that activity may be permitted at the discretion of the site administrator/principal provided that, if such permission is granted, equal opportunity is available to groups with both pro and con perspectives about an issue(s) or candidate(s). Employees may not publicly state an opinion at scheduled meetings where school business is conducted, such as at back-to-school nights (except in direct response to an unsolicited question).*

Q: Can a campaign rent PSD equipment in addition to school district facilities?

A: *Campaign committees may not use or rent district copy machines, telephones, computers, fax machines, or other equipment. Individuals or organizations may use district facilities in accordance with [District Policy KF](#).*

Q: What can be put into school newsletters?

A: *PSD school newsletters must not be used to advocate for any position or candidate. Only fact-based and neutral announcements about activities (such as neutral forums and debates) can be put in non-PSD newsletters. Many PSD school newsletters contain advertisements, which are included as part of a newsletter services contract PSD holds with an outside company. Under [District Policy KHB – District Revenue Through Advertising](#), prohibited types of revenue advertising includes but isn't limited to: "Advertising that promotes or opposes any political organization or religion," and "Advertising that concerns the nomination, retention or election of any person to public office," and "Advertising that concerns any federal, state or local ballot issue, ballot question or matter that is or may be at issue in a public election."*

Q: As an employee, what do I do if a campaign contacts me during work hours, using my PSD email?

A: *Employees **may**, during working hours, respond to questions about an issue or candidate. However, such questions must be unsolicited and not orchestrated by a District employee or representative in a manner to use District employment to state an opinion about the issue. Employees may also consider using the following response, sent from their PSD email address.*

"Thank you for reaching out. You have done so during my working hours and via my school district email account. While I may answer unsolicited questions about an issue or candidate while on-duty, in accordance with the [Fair Campaign Practices Act](#), I may do so only when such questions are unsolicited and not orchestrated in a manner to elicit my opinion about the issue. You may wish to



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contact me at (privateemail@privateservice.com) and I may choose to respond when I am off-duty and using non-PSD resources.”

Q: May I wear or otherwise display campaign materials during work hours?

A: Employees shall not wear, display, or distribute campaign materials at the work site.

Q: What does access to school/district grounds during the instructional day look like?

A: The instructional day is reserved exclusively for carrying out the District’s educational mission. Therefore, campaigning on school grounds during the instructional day is prohibited. The instructional day is defined as that period of time beginning one-half hour before school begins and ending one-half hour after school ends. Campaign literature may be distributed on public sidewalks bordering school campuses during the instructional day so long as the distribution is not disruptive of the educational environment and does not impede access to school grounds. Campaign materials may not be placed or left in staff mailboxes, work areas, offices, or lounges, nor posted on bulletin boards, on the walls of school facilities, or on school grounds. Candidates and persons campaigning on behalf of candidates or ballot issues may not solicit District employees during working hours nor attend District employee or staff meetings at any time.

Q: Can campaign materials be distributed at school- or district-sponsored activities?

A: During school-sponsored activities held after the instructional day, candidates and members of campaign committees may place campaign materials on cars parked in school/district lots but must avoid littering. Candidates and members of campaign committees may distribute materials inside a school building prior to or after an after-school event that is sponsored by the school and open to the public as long as the distribution does not interfere with the event. If the distribution does interfere, the principal may redirect or stop the distribution. Alternatively, principals may designate a temporary table or location at which candidates may leave campaign materials during the meeting/event. Any materials remaining on the table at the end of the event will be discarded.

Q: Can campaign materials be distributed at Board of Education meetings?

A: Candidates and members of campaign committees may place campaign materials on cars in the parking lot prior to or during Board meetings but must avoid littering. Candidates and members of campaign committees may distribute campaign materials in the foyer of the Board Room and outside the Administration Building before, during, and after the meeting as long as the distribution does not disrupt the meeting. Candidates may not distribute campaign materials in the Board Room while meetings are underway.