



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.

Questions regarding the application of these guidelines in specific circumstances should be directed to Ellen Laubhan, Communications Services Coordinator, at 490-3427, or elaubhan@psdschools.org.

1. Access to School/District Grounds During the Instructional Day:

- 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.
- b. 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.
- c. 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.
- d. 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.

2. Distribution of Campaign Materials at School/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.
- b. 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 no cost or for rental, 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.

3. Distribution of Campaign Materials 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.
- b. 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.
- c. Candidates may not distribute campaign materials in the Board Room while meetings are underway.

4. Use of School/District Facilities:

- a. Campaign committees may rent school facilities pursuant to District Policy KF, Use of District Facilities. While District facilities are available on an even-handed basis, a campaign committee may be denied this opportunity if school facilities are not available.

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- b. Organizations, whether or not school-sponsored, that have free or reduced-rate access to District facilities, may not invite candidates to make presentations at their meetings unless the meeting is a candidate forum and every candidate has been invited and is given equal opportunity to attend and participate.
- c. Campaign committees may not use or rent District copy machines, telephones, computers, fax machines, or other equipment.

5. Candidates, like other citizens, may request School District records pursuant to Colorado's Public Records Act.

6. Permitted Activities:

- a. Public funds may be spent producing and distributing a "factual summary" about the issue before the voters **only** if the summary includes arguments both for and against the issue and **does not** state a conclusion. Because producing such a summary involves the expenditure of public money, and exposes the District to liability under the FCPA, only the Board of Education or Superintendent may authorize production of a summary.
- b. Employees **may**, during working hours, respond to questions about the issue. However, such questions must be unsolicited and not orchestrated in a manner to use District employment to state an opinion about the issue.
- c. Employees or Board members **may**, on their own time and without reimbursement of expenses, publicly state an opinion about the issue, provide in-kind services, or make contributions from personal funds in support of an issue.
- d. Community groups may use school/district facilities to host forums or rallies pursuant to District Policy KF, Use of District Facilities. Such groups should have equal opportunity to access school facilities and be charged a uniform rate for rental.

7. Impermissible Activities:

- a. Public funds **may not** be used in any manner that tends to support or oppose the issue, except as expressly authorized by the Board of Education or Superintendent in a manner consistent with the FCPA.
- b. Public facilities and equipment (such as computers, copy machines, or mailing equipment), e-mail, or public employee time **may not** be used to support or oppose an issue, except as expressly authorized by the Board of Education or Superintendent in a manner consistent with the FCPA.
- c. Employees cannot work to promote or defeat a candidate or ballot issue during work hours or while using school/district phones or school/district computers. "Work hours" include all times employees are on duty during regular hours or on duty as a work requirement outside of the regular workday.
- d. During work hours, employees cannot work to promote or defeat a candidate or ballot issue.
- e. Employees should not wear, display, or distribute campaign materials at the work site.
- f. Campaign information shall not be included in school newsletters or any information sent home to parents.
- g. 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 hours any materials that express a position on candidates or ballot issues.
- h. Employees shall not enlist the services of students to work on any campaign.
- i. 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.