Washington County School District
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Administrative Letter A133

Use of District Resources to Advocate For or Against Ballot Propositions Prohibited

Administrative Letter #133 Use of District Resources to Advocate For or Against Ballot Propositions Prohibited. Approved: October 15, 2018

DATE: October 14, 2018

FROM: Lyle Cox, Executive Human Resource Director

SUBJECT: Use of District resources, including email, to advocate for or against ballot propositions prohibited

Reference: https://le.utah.gov/xcode/Title20A/Chapter11/20A-11-S1205.html?v=C20A-11-S1205_2018050820180508

Pursuant to UCA 20A-11-1205, District employees may not send an email using the email of a public entity:

- for a political purpose;
- to advocate for or against a ballot proposition; or
- to solicit a campaign contribution.

Given the limitations imposed by federal and State law, the question is often asked, "What can I do?"

We offer the following guidance and information:

ACTIVITIES ALLOWED:

- DO present factual information and be prepared to answer questions at school community council meetings, PTA, other parent organization meetings, events and ask for parent and employee

support and help on various political and public concern issues. (Utah Code Sections 20A-11-1202(8) and 20A-11-1206(2))

- DO inform patrons of political and education issues through school wide newsletters, websites, etc. If the school offers opinions through official channels, provide both pro and con information. (Utah Code Sections 20A-11-1202(8) and 20A-11-1206(2))
- DO take persuasive political information to family, friends, neighbors, and other households in your school neighborhood after school hours, not acting as an employee of the District. (Utah Code Sections 20A-11-1202(14) and 20A-11-1206(2))
- DO encourage parents, spouses, family members and friends, during personal time, to use informative or persuasive information to influence their friends, neighbors, coworkers, etc.
- DO offer your personal thoughts and opinions to students parents or patrons, only after being asked to do so.
- DO exercise your right to free speech and political involvement on a "matter of public concern" during non-contract time. (*Pickering v. Board of Education*, 1968 U.S. Supreme Court case and *Connick v. Myers*, 1983 U.S. Supreme Court case)

ACTIVITIES TO AVOID

- Do NOT contact people about their political positions using the school email system, mail, directory, or other school resources.
- Do NOT circulate a referendum or initiative petition or political information during contract time
- Do NOT fund-raise or campaign during contract time or PAID association leave time. (Federal Hatch Act, UCA 53G-11-206, and WCSD Policy 1333).
- Do NOT wear political buttons during contract time.
- Do NOT deny an opponent equal access to present a position different than your own on school property. (You do not, however, have to seek out an opposing view point.)
- Do NOT harass a fellow employee or patron about her political position on any political issue.
- Do NOT staff a petition table while you are being paid by the school to be at a school event.
- Do NOT try to convince employees whom you supervise. You CAN answer questions from employees and provide factual information, such as "You must be registered to vote or become registered in order to sign a petition, vote for or against a ballot question, or a proposition."