

Colorado Fair Campaign Practices Act

Employee Election Guidelines

Colorado's Fair Campaign Practices Act prohibits the use of public resources to support or oppose a candidate or ballot issue. Understanding how this law impacts employee conduct during work hours is vitally important to all district staff in the upcoming election period. The following provides basic answers to frequently-asked questions regarding employee participation in the election campaign.

FACTUAL SUMMARY:

Allowed

- A school district is allowed to spend public funds to prepare and dispense a "factual summary" which includes arguments both for and against proposals on any issue of "official concern" on the ballot. (Such a summary would be produced at the district level; individual schools are not authorized to produce such a summary).

Not Allowed

- A school district is not allowed to state a conclusion or opinion in favor of or against any particular issue addressed by the factual summary.

PHONE CALLS:

Allowed

- You are allowed to respond to questions about any issue, provided that you have not solicited the questions.
- You are allowed to use your personal phone on your own time to urge people to vote for or against an issue.



Not Allowed

- You are not allowed to use any regular work hours or district communication equipment, materials or supplies to promote or defeat an issue.

SCHOOL MATERIALS:

Not Allowed

- You are not allowed to use district email or any district materials and/or equipment of any kind to express an opinion about, or to urge the passage or defeat of, any issue.
- You are not allowed to use a school's bulk mail permit to send out materials related to a campaign. This includes an item such as a PTA/PTO newsletter, even if the PTA/PTO later reimburses the school for the use of its permit.

FLIERS:

Allowed

- You are allowed to utilize your own time to distribute fliers off district property in support of or against any issue. No district facilities, supplies or equipment may be used to prepare these fliers.
- Members of employee organizations are allowed to deliver materials in favor of or against an issue to their members, provided it is not during regular work hours, does not use district mail boxes, and no district supplies or equipment are used to prepare those materials.

Not Allowed

- You are not allowed to use the district email or mail service to promote or defeat an issue. On Election Day, materials related to any issue may not be made available to the public in a school used as a polling place.

SCHOOL FACILITIES:

Allowed

- School facilities are allowed to be used by any group to promote or defeat an issue only if the current Facility Use Policy is applied in a nonbiased fashion to both sides of the issue. Copies of Policy KFB/KFC, Community use of School Buildings/Fields and Grounds, is available at aurorak12.org/pol-reg/SectionK/kfb-kfc.pdf



INTERACTING WITH STUDENTS:

Not Allowed

- You are not allowed to promote the passage or defeat of any issue with students during your working hours and/or during your duty time.
- You are not allowed to distribute any materials which promote the passage or defeat of any issue at school and/or during your duty time.
- You are not allowed to send campaign materials home with students.

SCHOOL NEWSLETTERS:

Allowed

- You are allowed to distribute voter registration information.

Not Allowed

- You are not allowed to use school newsletters in any way to urge people to vote in favor of or against any issue.

CAMPAIGN PARTICIPATION:

Allowed

- You are allowed to use your personal time to urge electors to vote for or against an election issue, or to make contributions of your own money.
- You should keep records substantiating that any time campaigning for or against the election issue was on your personal, unpaid time, which must be time outside of working hours or your vacation time.

Not Allowed

- You are not allowed to wear campaign buttons, clothing, etc. which promote passage or defeat of any issue at school and/or during your duty time.

TALKING TO PARENTS:

Allowed

- You are allowed to respond to questions about any issue, provided that you have not solicited the questions.
- You are allowed to use your own time to talk with whomever you please, either in favor of or against an issue.
- You are allowed to encourage parents to register to vote and give them information on registration, absentee voting and polling locations.

Not Allowed

- You are not allowed to use any regular work hours or district communication equipment, materials or supplies to promote or defeat an issue.
- You are not allowed to use your regular work hours to urge parents to vote for or against an issue.

BULLETIN BOARDS:

Not Allowed

- Bulletin boards are not allowed to be used for the purpose of promoting or defeating an issue.

PTA/PTO MEMBERS/PARENT VOLUNTEERS:

Allowed

- The FCPA does not apply to PTA/PTO members or parent volunteers because they are not employees of the district. They are allowed to use the school facilities to promote or defeat an issue if the current Facility Use Policy is applied in a nonbiased fashion to both sides of the issue.
- PTA/PTO members or parent volunteers are allowed to freely discuss positions for or against an issue at any time.
- PTA/PTO members/parent volunteers are allowed, as interested patrons, to participate in a campaign committee. This campaign committee, or “issue committee” can actively seek contributions and promote a position about an election issue.

Not Allowed

- Because of limitations on the school district under the FCPA, PTA/PTO members or parent volunteers are not allowed to use district communication equipment (telephones or email), district mail service, supplies or equipment, (e.g. copy machines) to promote or defeat the passage of any ballot issue in the election.

