



## **Legal cans and can'ts for school district employees relating to the November referendum**

As the November referendum approaches, questions may arise about the role school district employees may play.

As a general rule, when employees of the district are off duty, their activities relating to the referendum are not restricted. Staff members do not surrender their rights as citizens because they are employed by the district.

However, the role of district employees during work hours or during other times in which they are being paid by the district is somewhat more limited. At these times, staff should exercise good judgment with regard to their referendum-related activities.

Here are five basic ground rules:

- School district employees can't campaign or advocate for or against the referendum during work hours or during other times in which they are being paid by the district.
- During work hours or during other times in which they are being paid by the district, employees can provide information and educate the public about the referendum question. This includes describing school or department needs or the lack thereof.
- In providing information during work hours or during other times in which they are being paid by the district, employees can't use terms such as "vote for," "support," "cast your ballot for," "vote against," "defeat" or "reject."
- School district employees can't use school district money or resources (example, school copying machines) to campaign or advocate for or against the referendum.
- On their own time, employees can speak freely in favor or against the referendum and can engage in activities to promote or defeat the referendum.

**Legal cans and can'ts  
for principals regarding “backpack mail”  
relating to the November referendum**

- Principals can provide information about the referendum to parents, staff, students and the community. In providing information, principals can use “backpack mail,” i.e. provide information to parents via students. The information can't campaign or advocate for or against the referendum.
- Parent-Teacher Organizations or any other organization can't use “backpack mail” except as provided by Board of Education Policy 7041. This policy does not allow “backpack mail” to be used to distribute information relative to a referendum.
- If you have any other questions regarding distribution of referendum related information or materials, contact our Legal Services office at 663-1868.

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