

# G-17: Administrative Procedures

## Political Activities on District Property



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### REFERENCES

[Board Policy G-17: Political Activities on District Property](#)

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### DEFINITIONS

**Ballot proposition:** Constitutional amendments, initiatives, referenda, judicial retention questions, opinion questions, bond approvals, or other questions submitted to the voters for their approval or rejection.

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### PROCEDURES FOR IMPLEMENTATION

District employees are encouraged to exercise their constitutional rights to actively participate in political activities on behalf of any candidate, political party, or political issue during the time they are not scheduled to be on duty.

These procedures are intended to minimize distractions from instruction and to assure that no public funds are used for political purposes.

#### I. District Employees

- A. District employees are prohibited from the following:
  - 1. participating in any political activity while on duty;
  - 2. attempting, either directly or indirectly, to coerce political activity or support from any other district employee;
  - 3. soliciting or attempting to solicit funds from a district employee on behalf of any candidate, party, or political issue while on duty;
  - 4. polling students on the political opinions of their parents; and
  - 5. attempting to indoctrinate students or other employees with their personal political views.
- B. District employees may:
  - 1. provide factual information about a ballot proposition to the public, so long as the information grants equal access to both the opponents and proponents of the ballot proposition; and
  - 2. may engage in the neutral encouragement of voters to vote.
- C. Nothing in these procedures prohibits a board member or district employee from performing any statutory or assigned duty with respect to any issue which directly affects the district, or which is placed on a ballot by or at the request of the board, provided that such assigned duty is consistent with a willing employee's personal political beliefs.

#### II. Political Candidates

- A. Debate or forum: If a class or school sponsored group plans a political debate or forum during the school day, the principal/teacher/sponsor shall ensure that all candidates for the same political office or who have differing opinions on a political issue, are given an equal opportunity to participate.
- B. Appearances
  - 1. Political candidates are not allowed to appear at a school unless they are invited to visit or speak to a class or other school-related activity during school hours.
  - 2. The requirements for debates or forums are applicable to appearances, and other candidates for the public office should be invited to visit at the same time or be provided an equivalent opportunity.
  - 3. School groups may not participate in public appearances to promote the political candidacy of any person or the furtherance of any partisan political interest.
- C. Nothing in these procedures precludes or prevents incumbent elected public officials from making appearances on district property upon the invitation of a board member, the superintendent, or a principal, provided that it is within their official capacity and not a campaign activity.
- D. Political candidates who violate these procedures will be asked to leave the premises voluntarily. Failure to do so may result in law enforcement being called.

#### III. Distribution of Political Materials

- A. Any distribution of political materials is prohibited during working hours, on school buses, or on district property except as provided in these procedures.
- B. District mail or any other district communication system, including the district website and social media pages, may not be used for a political purpose; to advocate for or against a ballot proposition, a proposed initiative, or a proposed referendum; or to solicit a campaign contribution.
  - 1. It is considered a violation of state law for a person to send one email of the type described above, regardless of the number of recipients of the email.

2. An email sent in violation of this section constitutes a public record that is subject to disclosure under the Utah Government Records Access and Management Act regardless of the fact that the contents were unrelated to the individual's employment and/or might be considered a personal communication.
  3. If necessary, and only after meeting the requirements outlined in Utah Code Ann. §20A-11-1203, the district may post a link to an outside website where an individual may view research, information, and arguments for or against a ballot proposition, proposed initiative, or proposed referendum.
- C. Political campaign materials or materials that support or oppose political candidates, parties, or issues shall not be sent home from school with students.
  - D. Students may post or distribute student-government election materials in an appropriate time, place, and manner, as determined by the principal so as to avoid any disruption to the learning environment.
  - E. Each school shall provide voter registration forms to students as required by Utah Code Ann. §20A-2-302.

**IV. Instructional Programs/Activities**

- A. Teachers may use political materials as part of the instructional program, provided the material is germane to the instructional objectives of the course. Any presentation of political materials, issues, or expressions or views must be balanced and fair.
- B. Teachers may not use professional interactions with students to further their own political aims or views or those of any other individual or group.
- C. Nothing in these procedures restricts the teaching of political issues or the dissemination of information about such issues. However, all sides of political issues must be presented.
- D. Student mock elections are permitted when conducted as part of the educational program.

**V. Use of Facilities**

- A. The district shall make its facilities available for rental to registered political parties, without discrimination, to be used for political party activities if:
  1. the political party requests the use of the meeting facility before 5 p.m. no later than 30 calendar days before the day on which the use by the political party will take place;
  2. the meeting facility is not already scheduled for another purpose at the time of the proposed use; and
  3. the political party complies with Board Policy C-4: Community Use of Facilities, and its accompanying administrative procedures.

**VI. Employee Candidates and Elected Officials**

- A. District employees who offer themselves as candidates for public office shall notify the superintendent immediately upon qualifying for election.
  1. Such employees must file a written statement explaining plans for conducting their campaign so it will not interfere with their job responsibilities.
- B. The employee candidate must comply with these procedures and any applicable state laws regarding political activity on the part of public employees.
- C. Employees who are eligible for vacation or personal leave will be required to use such leave first to campaign or render service in their elected office.
- D. Employees elected to public office may be granted leave without pay to fulfill the responsibilities of their office.
- E. In accordance with state law, if an employee of the district is also a legislator, the district:
  1. shall grant leave to the individual on an authorized legislative day for the number of hours requested by the individual;
  2. may not interfere with, or otherwise restrain the individual from, using the leave described in Subsection (E)(1); and
  3. may not take retaliatory action against the individual for using the leave described in subsection (E)(1).
- F. If the employee elected to public office is being compensated by the district, and receiving financial remuneration for the employee's public service, the employee will reimburse the district as follows:
  1. Non-instructional employees will reimburse the district 40% of their regular daily rate of pay, or the entire amount received if such amount is less than the cost of 40% of their regular daily rate of pay.
  2. Instructional employees will reimburse the district the cost of a long-term substitute, or the entire amount received if such amount is less than the cost of a long-term substitute.
- G. Employees are expected to perform their elected duties outside their regular employment hours as much as possible in order to minimize the time away from their district responsibilities.