

ADVOCACY, VOTES & ELECTIONS

The Peru Central School District Board of Education is committed to providing factual information and materials on the school budget and school election ballot propositions, through print and non-print means aimed at reaching the electorate as a whole in order to help promote public comprehension and informed decisions. Providing factual information and materials promotes the general public policy of New York State to foster public awareness and participation in the school district's votes and elections. The District and its representatives are not permitted to use official resources or a position, such as School Board Member or employee, to attempt to influence the outcome of a vote. Such persons may express a private opinion regarding an election, but should not do so on behalf of the District, or when addressing a group assembled for another purpose, such as a class or a School Board meeting.

All students who are eligible to and wish to vote during regular school hours may be released to vote during non-instructional times in their schedule such as lunch period or study hall period.

District Telephones and Other Communication Devices

The Peru Central School District Board of Education does not authorize students or employees to use district communication devices to contact potential voters to encourage them to vote, since such actions may create an appearance of impropriety.

School officials and employees are prohibited from actively encouraging or tacitly permitting others to use District facilities or District communication devices to engage in promotional activities, since the school board is ultimately accountable for how District facilities and communication devices are used. Administrators and employees are not to make sets of phone lists or mailing labels available to outside organizations, in the absence of safeguards to ensure that such District resources will not be used to exhort the electorate to vote in a particular manner.

Administrators, in cooperation with presidents of collective bargaining units are to make clear to all employees that school mailboxes and the school District's information technology network are not to be used for distribution of flyers or e-mails promoting particular individuals for seats on the school board, or a particular position with regard to the budget or any other matter on the ballot.

Partisan Positions vs. Providing Information

Administrators, in cooperation with presidents of collective bargaining units, are to inform school employees [and unit members] that district employees are prohibited from espousing partisan positions to students on school time on matters pending before voters.

If the topic of the annual vote or associated election is associated with a particular course or unit of study currently underway during class time, such as the 12th grade Participation in Government course, there is nothing improper with a teacher explaining briefly during class time the meaning of a 'approved budget' or 'contingency budget' to students in that class. Doing so is not taking a partisan position, because the teacher is providing factual information to the students in that class.

Parent-Teacher Organizations

PTOs may request the use of District buildings, per the District's building use policy, in order to present student, parent or employee groups with information flyers with factual information, such as budget facts, biographies of the candidates running for the school board, along with verbatim candidate responses to broad, open-ended questions and each candidate's response to such questions.

Under such circumstances, the questions and responses serve to educate and inform the public about the candidate's positions and qualifications, rather than advocating a particular position.

Speculation Regarding Property Values

Although there is a common perception in many communities that property values correspond directly with the quality of the public schools, the Commissioner of Education has directed school officials to refrain from speculating about the effect future proposals might have on property values in an attempt to persuade the public to take a particular position on a ballot proposition. However, general statements suggesting extra-curricular activities and other non-mandatory programs are strong or superlative do not exhort the electorate to vote in any particular way or otherwise convey favoritism, partisanship, approval or disapproval for the budget proposal or any particular candidates.

Concerns Regarding Improper Advocacy

Individuals with concerns regarding alleged improper advocacy by a district employee are to report the allegation to that employee's immediate supervisor. In the event of alleged improper advocacy by an administrator or supervisor, individuals with concerns regarding such alleged improper advocacy are to report that alleged improper advocacy to the Superintendent of Schools.

Adoption: September 13, 2005 Re-Adoption 'as is': May 10, 2011

This policy is based substantially on information provided within the 32nd and 33rd edition of School Law, co-published by the New York State School Boards Association and the New York State Bar Association, 2008 & 2010, through LexisNexis.