

## FAQ – Limitations on Supporting Political Campaigns – ORS 260.432

### **Q: Whom do the limitations apply to?**

A: All non-elected public employees, including school administrators, licensed teachers and classified staff.

### **Q: What qualifies as a political campaign?**

A: Political candidates, political committees, ballot measure referrals, and initiative, referendum and recall petition efforts (as soon as a prospective petition is filed appropriately). For example, Initiative Petition 28, “A Better Oregon” has filed the appropriate prospective petition, so these limitations apply to campaigning for that initiative.

### **Q: Are elected board members also restricted in how they may engage in political activity?**

A: Generally, no. However, elected officials may not direct public employees to engage in political activity. A person appointed to fill a vacant elected position is considered an elected official. A board member may not use school publications to publish their position on a political campaign.

### **Q: Can I use work time at school or in the office to promote or oppose a political campaign?**

A: No. School resources, including time on duty, cannot be used for political activities.

### **Q: Can I wear a button or have a bumper sticker in support of a political campaign?**

A: Yes, so long as such a display does not disrupt your work environment. Public employees or administrators cannot hand out buttons and encourage co-workers to wear them.

### **Q: Can I share information about the campaign to co-workers through staff mailboxes, email, the school website, school bulletin boards or school social media?**

A: Generally, no, school resources may not be used to engage in political activity. However, if it is allowable to put non-work related materials in staff mailboxes then it would be allowed here. When sharing information employees must share information when not on school time. If another campaign would not be allowed to send an email through the district’s internal email system, then a school employee may not use that medium for political campaign information.

**Q: Can I advocate on behalf of my political campaign at school events, including collecting signatures?**

A: Possibly. As long as you are not on school time and are not using school resources, then you should be allowed at events that are open to all political groups. However, if the event does not allow groups to advocate for or against political campaigns, you may not be allowed to advocate at the event.

**Q: Can I give presentations or speak on behalf of a political campaign outside of work?**

A: Yes, but it is recommended that you announce that you are speaking as an individual, not as a spokesperson for the school district.

**Q: Can I use my job title when supporting a campaign outside of work?**

A: Yes, but be cautious about giving the appearance of acting in your official capacity. Your opinions should not be attributed to the district. The Secretary of State provides the following guidance:

“An administrative or management employee must be cautious in that they may be a publicly known figure in the jurisdiction. An administrative, management employee must not use a letter to the editor or series of such letters an outlet for political advocacy if it done recognizably in the context of their official capacity. Even if the letters are written on personal time using personal equipment, the content and verbiage of the published material may indicate they were written in the context of speaking as the administrator or manager and thus be a potential election law violation.”

**Q: Can a school district publish “Don’t forget to vote” materials?**

A: Yes, as long as the materials are impartial. They may include information on where and when to vote and even neutral descriptions of the item to be voted on.

**Q: Can school administrators discuss possible effects of a ballot initiative with employees or school community?**

A: Yes, a school administrator may discuss the possible effects of a ballot initiative with employees as long as the information presented is impartial and balanced so as to not implicitly encourage employees to support or oppose the initiative.

**Q: Can a school rent its facilities to a person or group for political campaign uses?**

A: Yes, if a district makes its facilities generally available for rent to outside groups, it can rent space for all political campaigns. Districts should follow their policies on use of facilities.

**Q: Can a school publication sell advertisement space to a person or group in support of a political campaign?**

A: Yes, but only if that publication is open to all potential advertisers and the political campaign ad is charged the same fee as others.

Additional Resources:

OSBA:

[http://www.osba.org/Resources/Article/Budget\\_and\\_Finance/Elections-Election\\_Dos\\_and\\_Donts\\_for\\_Public\\_Officials.aspx](http://www.osba.org/Resources/Article/Budget_and_Finance/Elections-Election_Dos_and_Donts_for_Public_Officials.aspx)

[http://www.osba.org/Resources/Article/Ask\\_Betsy/Campaigning\\_on\\_district\\_property.aspx](http://www.osba.org/Resources/Article/Ask_Betsy/Campaigning_on_district_property.aspx)

[http://www.osba.org/Resources/Article/Ask\\_Betsy/Can\\_board\\_members\\_promote\\_ballot\\_measures.aspx](http://www.osba.org/Resources/Article/Ask_Betsy/Can_board_members_promote_ballot_measures.aspx)

[http://www.osba.org/Resources/Article/Ask\\_Betsy/Superintendent\\_endorsement\\_of\\_candidate.aspx](http://www.osba.org/Resources/Article/Ask_Betsy/Superintendent_endorsement_of_candidate.aspx)

[http://www.osba.org/Resources/Article/Ask\\_Betsy/Posting\\_passing\\_of\\_political\\_resolutions.aspx](http://www.osba.org/Resources/Article/Ask_Betsy/Posting_passing_of_political_resolutions.aspx)

Secretary of State:

<http://sos.oregon.gov/elections/Pages/laws-rules.aspx>

<http://sos.oregon.gov/elections/Documents/restrictions.pdf>

[http://sos.oregon.gov/elections/Documents/260.432\\_quickref.pdf](http://sos.oregon.gov/elections/Documents/260.432_quickref.pdf)