

Election Guidelines for School Board Members

Do speak out

Elected board members may campaign fully for or against any ballot measure as long as they don't use public resources. The courts recognize the right, if not the duty, of elected officials to speak out on major issues, particularly on matters that affect the constituents they serve.

Board members can speak without restriction as long as public resources are not involved in any way. The board member can use district-prepared materials for reference because these materials are public records available to anyone.

Do take positions

Elected school boards can take a position on a ballot measure provided public resources are not used to advocate that position.

Board resolutions for or against a ballot measure must be drafted by a member of the board, not by the superintendent or board secretary. The board secretary can make copies of the proposed resolution and include the drafted resolution in board packets sent out before the board meeting. On resolutions that take a position on a ballot measure, the superintendent can prepare information that indicates the impact that ballot measure will have on the district, but must make that information balanced and impartial.

Following passage of a resolution, the board secretary can retype the resolution to conform to the district format. The superintendent may not endorse the board's action, but can sign the resolution strictly "attesting to the action taken" and as the official clerk. Language labeling the signature as such should be part of the signature line.

If the district normally includes information on board meeting actions in a regular district publication, the action the board took on the ballot measure resolution can be included as part of the listing of board actions, but should not be specifically highlighted. Board action to support or oppose a ballot measure should be included in the board's official minutes.

Don't use district resources

School districts cannot use public resources to advocate a position on a ballot measure. Public resources mean money, staff time during working hours, vehicles or travel allowances, or facilities and equipment.

Examples:

- Employees cannot do research or write speeches designed to advocate a position on a ballot measure.
- Employees cannot charge travel expenses to the district for attending a meeting at which they advocate a campaign position.

- A board secretary cannot draft a board resolution that takes a position on a ballot measure before the board has officially taken action on the resolution. (Following a board action, the board secretary can format the resolution to comply with a standard format used for resolutions.)

Do provide information

Elected board members may use public resources to develop and distribute objective material on the effects of a ballot measure. Such material must be informational, providing the public with a fair presentation of all relevant facts and may not advocate a position.

Examples:

- Employees can be asked to do research and prepare impartial, factual information that fairly assesses the effects of a measure on the district and the community.
- Boards and staff can use such information in meetings with individuals, organizations, the news media, legislators, civic leaders, special interest groups and others to objectively explain the measure's impact.
- Measure proponents or opponents can also use the information gathered.

Do provide public forums

School districts may provide, at public expense, a forum in which the opponents and proponents for a ballot measure are given equal time to present their views. A forum may not be provided to one side but denied to the other.

From OSBA's [Oregon School Bond Manual](#)