

**DCSD Legal Guidelines for Compliance with the  
Colorado Fair Campaign Practices Act  
COLO.REV.STAT. §§ 1-45-101 et seq.**

*Colorado's Fair Campaign Practices Act forbids public resources from being used to support or oppose a candidate or ballot issue. The following guidelines have been prepared to insure compliance with the law and the orderly operation of regular school functions **during the election season.***

A. Access to School Grounds During the Instructional Day

1. The instructional day is reserved exclusively for carrying out the School District's educational mission. Therefore, campaigning on school grounds during the instructional day is prohibited. The instructional day is generally defined as one-half hour before classes begin in the morning until one-half hour after all classes have ended in the afternoon.
2. Campaign literature may be distributed on the public sidewalks bordering school campuses during the instructional day so long as the distribution is not disruptive of the educational environment and does not unduly impede access to school grounds.
3. Campaign materials may not be placed or left in staff mailboxes, staff lounges, work areas, offices, or lounges, or posted on bulletin boards or on the walls of school facilities.
4. Candidates and persons campaigning on behalf of candidates or ballot issues may not solicit District employees during working hours nor attend District employee or staff meetings at any time.

B. Activities of District Employees

1. School District employees should not volunteer opinions during work time about the relative merits of a candidate or ballot issue. An employee may "endorse" a candidate or ballot issue on his or her personal time.
2. School District employees may not work on a campaign during working hours or when they are acting in their capacity as an employee of the District. Employees may not use public facilities, equipment, or supplies for or on behalf of any candidate or ballot issue campaign. Employees may make personal contributions to a candidate or campaign and may use personal time to campaign for a candidate or ballot issue.
3. Interschool mail and delivery service, school facilities, and school equipment shall not be used for development or dissemination of campaign materials relative to specific candidates. Individual employee mailboxes cannot be used and campaigning and candidate literature shall not be permitted on school property during regular schools. Campaign committees may not use or rent District copy machines, telephones, fax machines, or other equipment.
4. Employees may not wear campaign buttons during work hours or while acting in their capacity as school employees. Employees may not leave or post campaign materials in the school building including staff lounges, work areas, or bulletin boards, regardless of whether such areas are open to the public.

5. School District employees shall not be required to work on any election campaign. Employees may not at any time solicit the services of students to work on a campaign.

C. Distribution of Campaign Materials At School-Sponsored Activities

1. During school-sponsored activities that are held after the instructional day, candidates and members of campaign committees may place campaign materials on cars in parking lots, but must avoid littering.
2. Candidates and members of campaign committees may distribute materials inside school building prior to or after an after-school event that is sponsored by the school and open to the public as long as the distribution does not interfere with the event. If the distribution does interfere, the principal may redirect or stop the distribution. Alternatively, principals may designate a temporary table or location at which candidates or campaign committees may leave campaign materials during the meeting or event. Any materials remaining on the table at the conclusion of the event will be discarded.

D. Distribution of Campaign Materials At Board of Education Meetings

1. Candidates and members of campaign committees may distribute campaign materials in the foyer of the Board Room and outside the administration building before, during, and after the meeting as long as the distribution does not disrupt the meeting.
2. Campaign materials may not be distributed in the Board Room while the meeting is in progress.

E. Use of School Facilities

1. Candidates and campaign committees may rent school facilities pursuant to District Policy KF, Community Use of School Facilities, and its implementing regulation. Preferential treatment in scheduling or fees must not be given. While School District facilities are available on an even-handed basis, a candidate or campaign committee may be denied this opportunity of school facilities are not available.
2. Organizations, whether or not school-sponsored, that have free or reduced-rate access to District facilities, may not invite candidates or representatives of campaign committees to make presentations at their meetings unless the meeting is a forum to which every candidate for the position or both sides of the ballot issue have been invited and are given equal opportunity to attend and participate.
3. Campaign committees may not use or rent District copy machines, telephones, fax machines, or other equipment.

F. Requests for District Information

1. Candidates, like other citizens, may request School District records pursuant to Colorado's Public Records Act.
2. School and employee directories are for school and District purposes only and are not available for candidate or campaign committee use.

**Additional Guidelines AFTER Bond/Mil Levy Approved by BOE**  
***Under the Fair Campaign Practices Act (FCPA)***  
**DCSD Office of Legal Counsel**

Several questions continue to come to our attention regarding exchange of information on political issues as per C.R.S. 1-45-101 et. seq. Therefore, these additional guidelines will help assist you in this arena. When in doubt, please exercise caution and keep in mind, complaints under the FCPA are used as a campaign tools to defeat various ballot issues. Call x70225 with any specific questions.

1. The BOE - they can say anything about various political actions and issues to anyone and in any forum they deem appropriate, therefore, use them to relay information as much as possible.
2. Off work time, after work hours – it is open, you and others can say what you want and go to all the meetings you'd like in the political arena.
3. Work-time unsolicited questions - you and others can respond to specific questions asked as you deem appropriate; you can provide responses to requests for information as per district policy, for example, providing copies of open records documents.
4. Work-time attendance at meetings with various "district" groups - for example, district leadership, staff meetings, teacher advisory groups, PTOs/PTAs, etc. – if you are presenting, speak factually about the Board meeting, i.e., it was a 7-0 vote, passed by the BOE, etc. You can include distribution of documents already produced and provided to the BOE (now public documents), i.e. ballot questions, financial sheets, etc., so long as all “persuasive” language has been deleted. Include factual statements as to the vote, if applicable, i.e., there was opposition and include a summary of this opposition. (Note: the FCPA allows a factual based summary but it must include both arguments for and against the issue.)
5. Work-time attendance at meetings with various "outside" groups - If you are invited to attend an event during work hours, e.g., rotary club, local community groups, etc., you can accept, but can only discuss bond/mil levy information in a very limited capacity if its "on company time." (See #4 above.) Your presentations to such groups should NOT include specific November election components, however, once you are asked, you can respond as per #2 above.

NOTE: If you are invited specifically to address the November election components or are attending on your request (rather than their invite), take personal leave/vacation, document that you are using personal time/vacation for the event, and reiterate that you are there in your personal capacity. Then you are free to say what you deem appropriate. NOTE: if you are going to do "handouts" for these events, **THEY CANNOT BE COPIED ON DISTRICT TIME OR AT DISTRICT EXPENSE!**

6. Do not use district email to forward or send information in a “broadcast” capacity - If you want to exchange relevant election issue information with colleagues for personal purposes, it is not a violation of FCPA. (NOTE: it may be a violation of district use of email for personal purposes, see applicable policies and regulations.) However, a caution is that you should NOT use district email to “distribute” or “broadcast” political information and/or persuasive arguments for or against a particular issue on a wide-scale basis.