Arizona law prohibits the use of District or charter school resources to influence the outcome of elections “including the use or expenditure of monies, accounts, credit, facilities, vehicles, postage, telecommunications, computer hardware and software, web pages, personnel, equipment, materials, buildings or any other thing of value of the school district or charter school for the purpose of influencing the outcomes of elections.” A.R.S. § 15-511(A). A person is "Influencing the outcomes of elections" if they use district or charter resources in a manner that is not impartial or neutral to do any of the following:

- support or oppose a candidate for nomination or election to public office or the recall of a public officer,
- support or oppose a ballot measure, question or proposition, including any bond, budget or override election, or
- support or oppose the circulation of a petition for the recall of a public officer or a petition for a ballot measure, question or proposition in any manner. A.R.S. § 15-511(L)(2).

An employee responsible for using district resources to influence the outcome of an election must pay a minimum $5,000 fine, plus the value of the misused resources. While the penalty is severe, school employees can still be active in elections, provided they follow the following parameters.

**Permitted Activities**

1. **Advocacy in Private Capacity:** School district personnel may act as advocates, circulate petitions, and distribute election literature as private citizens, during non-duty time outside the classroom or other instructional settings, using their own or other private resources. School district personnel may engage in these activities at school-sponsored extracurricular activities, such as athletic events, only if they both are not on duty or supervising or organizing the event and they do not represent that they are acting on behalf of the school district or charter school while engaged in such activities.

2. **Expression of Opinions:** School district personnel can express their opinions or preferences on elections outside the classroom or other instructional settings, or at school sponsored extracurricular events, such as athletic events, if they are not on duty or supervising or assisting with supervision or organization of the event. They may wear buttons, place bumper stickers on their cars, wear clothing with political messages, distribute flyers or information, make contributions, talk with neighbors, friends and members of the community, put up or display signs, make speeches and speak to community or civic groups or engage in any other political activity they choose to in non-instructional settings during non-duty time, as long as they are not using school district or charter school personnel, equipment, materials, buildings or other resources. School district personnel shall refrain from suggesting that they are acting on behalf of the school district or charter school.

3. **Private Vehicles:** Private vehicles with bumper stickers and other electioneering signs or materials relating to an election may be parked on school district or charter school property. On Election Day, if the school is a polling place, a vehicle displaying electioneering messages may not be parked within the 75 foot limit designated by election officials.

4. **Reporting about Official Actions:** A school district or charter school may prepare and disseminate reports on official actions of the governing board. Note, however, that a “governing body may not adopt a resolution supporting or opposing an initiative or referendum and then under the guise of ‘reporting on official actions’ mail brochures to all residents.” Ariz.Att’y Gen. Op. I00-020; see below Prohibited Activities.

5. **Receipt of Election Information in Mailboxes, E-mail and Telephones:** If the school district or charter school permits private use of school district mailboxes, telephones, and e-mail accounts, employees and governing board members do not violate state law by receiving information or literature advocating a position on an election matter. **But Note:** forwarding that information using district resources is prohibited.

6. **Public Forums:** A school district or charter school may host a nonpartisan forum for the purpose of educating voters about issues at which speakers and/or members of the public discuss the pros and cons of a ballot measure, so long as there is an equal opportunity to present all viewpoints.

7. **Responses to Questions About Ballot Measures:** School district resources may be used to respond to questions about ballot measures so long as the responses provide factual information in a neutral manner and do not present
a clear and unmistakable plea to vote for or against the measures or encourage the person making the inquiry to take some other kind of action in support of or opposition to the measures.

8. **Use of Buildings and Facilities by Community Groups or Organizations:** School districts or charter schools may rent or lease its buildings and facilities to partisan and ballot measure groups on the same basis and conditions as other groups who are permitted to rent or lease school buildings or facilities. See A.R.S. § 15-1105.

9. **Investigation of Fiscal Impact of Ballot Measure:** A school district or charter school may use its resources to investigate the fiscal impact of ballot measures on the district or school.

### Prohibited Activities

1. **Campaign Signs:** No campaign signs, banners, stickers or any item that advocates for or against a candidate, an initiative, referendum, or any ballot measure shall be placed in or on school district or charter school buildings (including but not limited to playing fields, parking lots, walls and fencing).

2. **Political Buttons, T-shirts, etc.:** Board members, personnel and others acting on behalf of a school district shall not wear political buttons, T-shirts, hats or other items displayed on their persons or apparel that are designed to influence the outcome of an election *in a classroom*, in any other instructional setting, or *at a school-sponsored extracurricular event at which they are supervising or assisting* with supervision or organization of the extracurricular event.

3. **Use of Premises by Outside Groups:** In permitting use of school buildings by outside groups for meetings, the school district or charter school cannot favor proponents of one side over another, *i.e.* if access is allowed to proponents of a ballot measure, equal access under the same terms and conditions must be allowed opponents of ballot measures.

4. **Use of Authority or Position:** School district and charter school employees shall not use the authority of their positions when expressing an opinion either verbally or in writing or attempting in any other manner to influence the vote or political activities of any subordinate employee.

5. **Use of School Mailboxes, E-mail and Telephones:** Even if a school district or charter school permits private use of school mailboxes, telephones or e-mail accounts for some personal use, district personnel may not distribute a communication for the purpose of influencing the outcomes of elections. School telephone systems shall not be used as telephone banks for the purpose of influencing the outcomes of elections. E-mails to influence the outcomes of elections may not be generated, distributed or forwarded via a school e-mail account.

6. **School Personnel and Students:** An employee of a school district or charter school shall not give pupils written materials to influence an election or to advocate support for or opposition to pending or proposed legislation, even if no school district personnel, equipment or resources were used to prepare the materials. This includes flyers prepared by a private citizen group supporting a candidate or passage of a ballot measure or materials urging citizens to call their legislators to support or oppose legislation.

7. **Petition Circulation:** Persons acting on behalf of a school district shall not use school district and charter school personnel, equipment, materials, buildings or other resources to circulate ballot measure petitions or petitions to qualify for ballot status recognition. This does not prohibit individual employees from voluntarily exercising their rights to circulate petitions in their personal capacities on non-duty time at a school-sponsored extracurricular event, as long as they are outside the classroom or any other instructional setting and they are not supervising or organizing the extracurricular event.

8. **Solicitation of Contributions:** Persons acting on behalf of a school district shall not use school district and charter school personnel, equipment, materials, buildings or other school resources to solicit contributions to be used in support of or opposition to a ballot measure. This does not prohibit individual employees from voluntarily exercising their rights to solicit contributions on non-duty time, outside the classroom or other instructional settings.

9. **Governing Board Resolutions:** Other than publicity pamphlet arguments permitted by A.R.S. § 15-481(B)(9), school district and charter school governing boards are not permitted to adopt resolutions supporting or opposing ballot measures to influence the outcomes of elections. Ariz. Att’y Gen.Op. I00-020.