

[DRAFT]

Policy

POLITICAL CAMPAIGN MATERIALS DISTRIBUTION SOLICITATIONS IN SCHOOLS

Code KHE

~~Purpose: To establish the basic structure for all political solicitations, including Board elections, as they relate to the school District.~~

South Carolina Ethics Act

The South Carolina Ethics Act includes the following provisions relevant to participation in activities concerning elections and ballot measures.

SECTION 8-13-765. Use of government personnel or facilities for campaign purposes; government personnel permitted to work on campaigns on own time.

(A) No person may use government personnel, equipment, materials, or an office building in an election campaign. The provisions of this subsection do not apply to a public official's use of an official residence.

(B) A government, however, may rent or provide public facilities for political meetings and other campaign-related purposes if they are available on similar terms to all candidates and committees, as defined in Section 8-13-1300(6).

(C) This section does not prohibit government personnel, where not otherwise prohibited, from participating in election campaigns on their own time and on nongovernment premises.

SECTION 8-13-1346. Use of public funds, property, or time to influence election prohibited; exceptions.

(A) A person may not use or authorize the use of public funds, property, or time to influence the outcome of an election.

(B) This section does not prohibit the incidental use of time and materials for preparation of a newsletter reporting activities of the body of which a public official is a member.

(C) This section does not prohibit the expenditure of public resources by a governmental entity to prepare informational materials, conduct public meetings, or respond to news media or citizens' inquiries concerning a ballot measure affecting that governmental entity; however, a governmental entity may not use public funds, property, or time in an attempt to influence the outcome of a ballot measure.

SECTION 8-13-1300(31) states "influence the outcome of an elective office" means:

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- (a) expressly advocating the election or defeat of a clearly identified candidate using words including or substantially similar to “vote for”, “elect”, “cast your ballot for”, “Smith for Governor”, “vote against”, “defeat”, or “reject”;
- (b) communicating campaign slogans or individual words that, taken in context, have no other reasonable meaning other than to urge the election or defeat of a clearly identified candidate including or substantially similar to slogans or words such as “Smith’s the One”, “Jones 2000”, “Smith/Jones”. “Jones!”, or “Smith – A man for the People!”; or ...

The Board believes in the exposure of students to persons of political prominence as a means through which students are made aware of current events in their community, state, nation and world along with the effects of these events upon their individual lives.

Subject to Board Policy GBI, the Board encourages schools to be receptive to visits from local, State and or national leaders as they perform their official elected duties. This would also include visits during elections, if the purpose for the visit is to allow students to interact and ask questions.

The Board prohibits campaigning in the public schools by individual candidates or parties for municipal, school board, county, state or federal elections, or representatives from a campaign for a ballot measure with the following exception:

The Superintendent or his/her designee shall organize all-candidate forum(s) for school board elections for educational and informational purposes on District or school property. All candidates for the school board seats at issue must be invited to participate. The forum(s) may be streamed with archived files maintained on the District’s website. Students from each of the District’s high schools should be encouraged to participate in the planning and execution of these forums, as appropriate. Campaign materials may be posted in the part of a school or District facility being used for such a forum, but all materials must be removed from the premises at the end of any such forum.

- ~~• Schools and/or the District may organize all candidate forums for educational and informational purposes. Questions asked of candidates and their answers may be posted as information on the District's website.~~

No school sponsored publication (or organization working on behalf of a school such as a booster club) or District facility will advertise or accept for advertisement any material opposing or promoting any political party, candidate for public office, or ballot measure. This prohibition includes material referencing the candidate’s name that also references the candidate’s elected office title.

~~The Board prohibits advertising by candidates in school or District publications paid in part or totally with public funds.~~

The District will notify the community by way of emails, social media, and other such means of communication when its schools will be used as polling places. The District will also use such means to remind the community to register to vote and notify the community of the dates on

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which local, State and national elections are taking place.

Voter registration drives can be held in a school or on other District property if they are not held in reference to a particular candidate or ballot measure.

School facilities may be rented for campaign purposes after hours by a candidate, political party, or representative from a campaign or a ballot measure on a commercial basis in accordance with Board Policy KF/KF-R. Campaign materials may be posted in the part of a school rented for the campaign meeting, provided all such materials are removed from the premises at the end of any such meeting.

The Board prohibits the posting or distributing of campaign materials associated with elections on District property with these exceptions:

- Campaign materials may be posted in that part of a school or District facility being used for an all-candidate forum, as provided for above. However, all political materials must be removed from the premises at the end of any such forum meeting.
- ~~Campaign materials may be used as classroom teaching aids on the condition that support for an individual or political party is not verbally solicited.~~
- Campaign materials may be distributed outside of District facilities at announced public functions such as an ~~school open house or~~ athletic event. In order to do so, the candidates, representatives from a campaign for a ballot measure, and/or their campaign representatives must request and be granted prior approval from the principal or the [designated District official] and they will be advised of an authorized space to do so. The District reserves the right to curtail such activity if it becomes disruptive or otherwise interferes with school activities. Due to the potential disruption, no campaign literature may be distributed during school board meetings.
- Campaign signs may be displayed on District property being used for polling places only voting in accordance with State laws and city and county ordinances. ~~This includes the placement of signs not within 200 feet to the main entrance to the facility and their removal within 14 days following the election.~~

Adopted 8/26/85; Revised 11/27/89, 3/29/05, 6/28/10, 8/23/10, __/__/18

A. S.C. Code, 1976, as amended.

1. Section 8-13-100, et. seq. – Ethics, Government Accountability, and Campaign Reform