

ABBDA - POLITICAL ACTIVITIES

Purpose

The purpose of this policy is to outline the restrictions placed on school districts under the Corrupt Practices Act, NDCC 16.1-10, and to identify the political activities that are allowed and not allowed within the MLS School District. Under state law, no person may use any property belonging to or leased by the District, or any service which is provided to or carried on by the District (either directly or by contract) for a “political purpose.”

Definitions

For the purposes of this policy, the following definitions under NDCC 16.1-10-02 are adopted:

- *Political purpose means* any activity undertaken in support of or in opposition to a statewide initiated or referred measure, a constitutional amendment or measure, a political subdivision ballot measure, or the election or nomination of a candidate to public office and includes using “vote for”, “oppose”, or any similar support or opposition language in any advertisement whether the activity is undertaken by a candidate, a political committee, a political party, or any person. In the period thirty days before a primary election and sixty days before a special or general election, “political purpose” also means any activity in which a candidate’s name, office, district, or any term meaning the same as “incumbent” or “challenger” is used in support of or in opposition to the election or nomination of a candidate to public office. The term does not include activities undertaken in the performance of public office or a position taken in any bona fide news story, commentary, or editorial. Factual information may be presented regarding a ballot question solely for the purpose of educating voters if the information does not advocate for or against or otherwise reflect a position on the adoption or rejection of the ballot question.
- *Property* includes motor vehicles, telephones, typewriters, adding machines, postage or postage meters, funds of money, and buildings. However, nothing in this section may be construed to prohibit any candidate, political party, committee, or organization from using any public building for such political meetings as may be required by law, or to prohibit such candidate, party, committee, or organization from hiring the use of any public building for any political purpose if such lease or hiring is otherwise permitted by law.
- *Services* includes the use of employees during regular working hours for which such employees have not taken annual or sick leave or other compensatory leave.

Rights and Restrictions

The District recognizes that district employees, students, volunteers, and board members have certain individual, civic rights (e.g., the right to be an active member of a political party of choice; the right to seek, campaign for, and serve in public office; the

right to vote). However, in accordance with law, the District prohibits the use of school property, school time, and school services for political purposes except as authorized by law and board approval. Use of the school delivery system for political purposes is also prohibited. Employees shall not use on-duty hours for political purposes and shall observe state law prohibiting political activities by public employees. No district employee or volunteer shall exploit students for political purposes.

Nothing in this policy shall prevent:

1. The discussion and study of politics and political issues, when such discussion and study are appropriate to classroom studies. During any such study or discussion, employees shall observe the district's policy on academic freedom.
2. The conducting of student and employee organization elections and campaigning connected therewith.
3. Voluntary patriotic exercises as allowed under District policy or in compliance with the law.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- ABBD, Commercial and Political Use of Schools
- DDCA, Political Leave
- DDCA-BR, Political Leave Regulations
- DE, Staff Code of Conduct
- GACB, Patriotic Exercises
- GBA, Academic Freedom

End of [Name of District] Policy ABBDA. Adopted: 8/25

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