

BEST PRACTICE – SPLOST CAMPAIGNING

Outlined below are the applicable laws and set forth some best practices for SPLOST campaigning.

The Ethics in Government Act, O.C.G.A. § 21-5-1 et seq., was passed in 1986 "to protect the integrity of the democratic process and to ensure fair elections." The Act requires such things as public disclosure of campaign contributions and limits on the amount of money that can be contributed by individuals, corporations and other organizations, and restrictions on lobbying. It also regulates political activity on behalf of "public agencies," defined to include school districts. The specific prohibition relevant to SPLOST elections is contained in O.C.G.A. § 21- 5-30.2(b) and states:

No agency or person acting on behalf of an agency shall make, directly or indirectly, any contribution to any campaign committee, political action committee or political organization or to any candidate . . .

The Act goes on to define "contribution" as:

a gift, subscription, membership, loan, forgiveness of debt, advance or deposit of money or anything of value conveyed or transferred by or on behalf of an agency without receipt of payment therefor . . .

Best Practices

- Do not use any school funds to support a SPLOST referendum, including use of school district materials or personnel such as:
 - school stationery and school district copiers to promote a referendum;
 - preparing and distributing promotional materials during school hours; and
 - including a pro-bond article in a school newsletter that was published using school funds
- All employees and board members, as individual citizens, have the right to endorse and support a referendum and to work actively for its passage. For example:
 - a board member may appear and speak at a civic club or some other public event;
 - a superintendent may speak to a parent-teacher organization at a regularly scheduled meeting;

- any school employee may solicit contributions to a campaign committee outside school hours; and
 - board members and employees may use their own funds to prepare and distribute newsletters in support of a referendum.
 - a superintendents may attend meetings of civic groups during the normal workday to discuss the referendum.
- Convey only fact-based information when attending a civic meeting.
- Avoid any action which may be interpreted as requiring subordinates to vote a certain way or to contribute money.
- A superintendent and the school system may provide information to the public about issues which impact upon schools, including information about a referendum.
- School funds may be used to provide general information to the public about a SPLOST, so long as the information is factual and does not endorse a particular view. For example:
 - school funds may be used to develop and distribute a list of "Frequently Asked Questions" including factual information about both sides of the issue.
- Consider providing information to separate volunteer campaign committees that support the passage of a SPLOST.

NOTE: Membership in these committees can include school staff and personnel; however, they are still subject to the above limitations.