

Business and Non-Instructional Operations

Spending Public Funds for Advocacy

The Board of Education recognizes that C.G.S. 9-369b prohibits the expenditure of municipal funds to influence a vote on a pending referendum question. This includes the dissemination of printed materials and the preparation of video and website presentations. The Superintendent is directed to avoid violating this prohibition which applies to in-kind expenditures as well as direct expenditures of money. Individuals violating this prohibition are personally liable.

The Board recognizes that public funds may be expended concerning a referendum when the following conditions are met:

1. By vote of the legislative body, the town/city may authorize the preparation and printing of concise explanatory texts concerning referenda proposals. The Town Clerk is responsible for preparing the text subject to the approval of the town/city attorney who shall assure that such text does not advocate either the approval or disapproval of the question. The town's legislative body may also authorize the preparation and printing of materials concerning any referendum proposal or question in addition to the explanatory text. Such materials are also subject to the approval of the town/city counsel and must be neutral, advocating neither approval nor disapproval of the referendum question.
2. A public official may expend public funds to prepare a written, printed or typed summary of his/her view on a referendum issue and distribute that summary to the news media at a bona fide press conference. Such summary may express support or opposition to the referendum question. The summary may be provided upon request to members of the public. Public funds may not be used to provide for a general distribution of the summary.
3. The Superintendent or Board members may respond to a constituent request for information concerning the referendum, including personal views.

Business/Non-Instructional Operations

Spending Public Funds for Advocacy (continued)

4. The town via public ordinance may provide for the preparation and printing of concise summaries of arguments in favor of, and arguments opposed to, local proposals or questions approved for submission to the electors of the town/city at a referendum. The ordinance must provide for a committee to prepare such summaries, with members representing the various viewpoints. Such summaries must be approved by vote of the town's legislative body and posted and distributed by the Town Clerk.

The Board recognizes that school officials and Board members retain their First Amendment rights to express their position on the proposed school budget or other referendum questions. The prohibition contained in this policy only pertains to the expenditure of public funds.

It is further recognized that individuals, individually or collectively, can spend private funds to advocate for a referendum result, as they see fit, as permitted by the regulations of the State Elections Enforcement Commission.

The Board further recognizes the statutory right of any community member to bring a complaint if such individual claims to have been aggrieved in connection with a referendum by (1) an election official's ruling, (2) a mistake in the vote count, or (3) a violation of prohibited acts concerning absentee voting. A person may file a complaint with any judge of the Superior Court.

Legal Reference: Connecticut General Statutes
 9-355 Official neglect or fraud
 9-357 Fraudulent registration
 9-358 False swearing before registrar, moderator or board
 9-359 Absentee ballots
 9-359a False statement in absentee balloting. Class D felony
 9-360 Fraudulent voting
 9-361 Primary or enrollment violations
 9-369b Explanatory text related to lead question. Expenditures of state and municipal funds to influence vote prohibited. Exception. Civil penalty. (as amended by PA 00-92 and PA 04-117.)

Policy adopted: March 9, 2017

STONINGTON PUBLIC SCHOOLS
 Stonington, Connecticut