

COMMUNITY RELATIONS

Political Activity

Prohibited – Permissible Election Activities

- I. PURPOSE:** The purpose of this regulation is to provide direction and guidelines to the Board and District employees on what are prohibited and permissible activities in connection with any local, state or national election.
- II. DEFINITIONS:**
- A. Election shall mean any local, state or national primary, general, special or other election requiring a popular vote of the electors held in this state or a convention or caucus of a political party held in this state to nominate a candidate. Election shall include a vote on a ballot question.
 - B. Ballot question shall mean (a) any question which is submitted or which is intended to be submitted to a popular vote at an election, including, but not limited to, a question submitted or intended to be submitted by way of initiative, referendum, recall or judicial retention, whether or not it qualifies for the ballot and (b) any question which has been submitted to a popular vote at an election as a result of the legislative action or adoption of a resolution by a political subdivision to place an issue or issues on the ballot.
 - C. Candidate shall mean any individual who is a candidate for an elective office.
 - D. Public resources shall mean personnel, property, resources or funds under the official care and control of the Board or a District employee.
- III. GUIDELINES:** Except as otherwise provided herein, the Board or a District employee shall not use or authorize the use of public resources for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage or defeat of a ballot question.
- A. This regulation does not prohibit the Board or a District employee from making government facilities available to a person for campaign purposes if the identity of the candidate or the support for or opposition to the ballot question is not a factor in making the government facility available or a factor in determining the cost or conditions of use.
 - B. This regulation does not prohibit the Board from discussing and voting upon a resolution supporting or opposing a ballot question.

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Prohibited – Permissible Election Activities (Continued)

- C. This regulation does not prohibit the Board or a District employee under the direct supervision of any public official from responding to specific inquiries by the press or the public as to his or her opinion regarding a ballot question or from providing information in response to a request for information.
- D. This regulation does not prohibit, in the normal course of their duties, the Board or a public employee under the direct supervision of the Board from using public resources to research and prepare materials to assist the government body in determining the effect of the ballot question on the government body. This section does not authorize mass mailings, mass duplication or other mass communications at public expense for the purpose of qualifying, supporting or opposing a ballot question. Mass communications shall not include placing public records demonstrating the consequences of the passage or defeat of a ballot question affecting the government body on existing websites of such government body.
- E. Nothing in this regulation prohibits the Board from campaigning for or against the qualification, passage or defeat of a ballot question or the nomination or election of a candidate when no public resources are used.
- F. Nothing in this regulation prohibits a District employee from campaigning for or against the qualification, passage or defeat of a ballot question or the nomination or election of a candidate when no public resources are used. Except as otherwise provided in this section, a District employee shall not engage in campaign activity for or against the qualification passage or defeat of a ballot question or the nomination or election of a candidate while on government work time or when otherwise engaged in his or her official duties.
- G. Nothing in this regulation prohibits the Board or a District employee from identifying himself or herself by his or her official title.

Original Adoption:

2019-10-22

Related Policies and Regulations:

**1310, 1310.1, 3970, 3970.1, 3970.2, 3970.3,
4730, 4770, 4780**

Legal Reference:

**§§49-1401 to 49-14,142 (Nebraska
Political Accountability and Disclosure
Act) and §49-14,101.02**