

**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. 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.
2. The Superintendent or Board members may respond to a constituent request for information concerning the referendum, including personal views.
3. The school District will not use its automated calling system, electronic mail, text, telephone or other electronic or automated means for the purpose of reminding or encouraging parents/guardians and students about the time, date and place concerning referenda and encouraging them to vote. This prohibition shall not apply to a regularly published newsletter or similar publication.
4. The website maintained by the town/city or the Regional School District is not a community notification system. Such website may contain notice pertaining to the date, time, and location of the referendum.
5. Third party comments posted on social media or on websites maintained by the state, town or the School District do not constitute an expenditure of state or municipal funds to influence the outcome of a referendum.

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.

**Spending Public Funds for Advocacy (continued)**

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 Local questions and proposals. Explanatory text. Use of community notification systems. Expenditures of state and municipal funds to influence vote prohibited. Preparation and printing of certain materials permitted. Civil penalty. Summaries of arguments for, against local questions (as amended by PA 00-92, PA 04-117, PA 13-247 and PA 15-173)

Adopt New Policy from CABE: 7/17/19

**BROOKFIELD PUBLIC SCHOOLS**  
Brookfield, Connecticut