
COMMUNICATION AND BALLOT ISSUES LEGAL CONSIDERATIONS

What are the legal considerations in ‘Telling a New Story About Your School’ when that story involves talking about a ballot issue, like a levy, income tax, or bond issue, to fund the schools?

There are specific legal and ethical considerations board of education members and school employees must observe when placing a school levy or bond issue on the ballot. In short, schools may educate citizens about a current or future ballot issue and may not advocate for or against a current or future ballot issue. Board of education members and school employees may not use any public resources to advocate for or against a ballot issue. For instance, school email systems, social media accounts, and copying machines may not be used to advocate for or against a school levy. In addition, no school employee may engage in advocacy activities while on school time.

The Ohio Auditor of State (AOS) has prepared a detailed document meant to answer many questions on this topic and it may be found below. It is very important to note that this document is not meant to be exhaustive and does not consider every possible scenario. Always consult district legal counsel to ensure activities are appropriate and legal.

AOS Levy and Bond Issue Guidance

These legal considerations are critically important! For help, Ohio school district officials are encouraged to consult with professional organizations like [OASBO](#), [BASA](#), and [OSBA](#) who work diligently to update fact sheets and other guidance. Ultimately, school district officials are strongly encouraged to purposefully and proactively consult with their own legal counsel on these issues. For example, officials may want their legal counsel to review high profile “just the facts” type communications about a levy to ensure compliance with Ohio law. Be proactive and put in the time before you deliver your messages about ballot issues, which remain high stakes communications for your school district institution. Focus on educating and not advocating - remember “Just the Facts” is the right approach.

Disclaimer 1: The information above is intended to provide practical information and is subject to change. Please consult school district legal counsel to ensure your work is aligned to all applicable laws.



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