

# Campaigning on School Grounds

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## Question:

**Are candidates for school board trustee allowed to send home flyers in students' backpacks or hand out flyers on school property?**

## Answer:

**NO.** Allowing any candidate, including those who are currently elected as a Trustee, to campaign on school grounds or send flyers home in students backpack would likely violate IC § 74-604 which states:

**74-604. PUBLIC FUNDS PROHIBITED.**

*(1) Unless specifically required by law, and except as provided in this chapter, neither a public entity nor its employees shall make, nor shall a public official make or authorize, an expenditure from public funds to advocate for or against a candidate or a ballot measure.*

*(2) Neither a public entity nor any of its employees shall use, nor shall a public official authorize or use, public property or resources to advocate for or against a candidate or a ballot measure.*

Under these hypothetical circumstances, District employees would be authorizing candidates to campaign on District property (use of District property) and would also be providing access to District students to deliver campaign messages on behalf of the candidates. In addition to violating 74-604, such conduct carries with it the potential for interfering with the educational process, as it would be considered inappropriate for school children to be the messengers for all candidates participating in elections, whether for the local Board Trustee, County Commissioner, the State Legislature, or even U.S. Congress.

If the candidates wish to stand on the sidewalk in front of the school and greet patrons as they enter – they may do so. But they cannot be on school grounds or use District students to advocate for a candidate.

If you have any questions, do not hesitate to reach out to staff at ISBA.

## contact us with your question:



**Idaho School Boards Association**

PO Box 9797  
Boise, ID 83707-4797

**phone** (208) 854-1476  
**fax** (208) 854-1480

**web** [www.idsba.org](http://www.idsba.org)  
**email** [info@idsba.org](mailto:info@idsba.org)

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