



ELECTIONS AND PTA



National, State and regional elections raise many issues about the participation of a PTA, its members' and its board, in election related activities and issues. By law, PTAs are required to be non-partisan and must never support or oppose political parties or candidates, including those running for school boards. The California State PTA and all of its constituent associations are

classified as tax-exempt nonprofit associations under the federal Internal Revenue Code Section 501(c)(3). State and federal laws place certain requirements and restrictions on lobbying and election-related activities and expenditures by such associations. A PTA that participates in influencing or attempting to influence specific legislation or voter action for the passage or defeat of any ballot measure must comply with both the federal IRS regulations and the California state laws and reporting requirements.

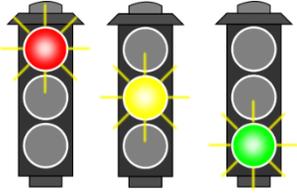
In order to retain its IRS tax-exempt status and continue to receive tax-deductible contributions, **a PTA may not participate in any type of political campaign or other activity on behalf of or in opposition to any candidate for any public office.** Nor may a PTA devote more than an insubstantial part of its volunteer activity and expenditures to influence the outcome of ballot measures and other legislation. The IRS regulations do not define "insubstantial," but it is generally interpreted to mean 5 percent or less of the association's total expenditures and activities (including volunteer hours). Lobbying expenses must be reported on the association's annual tax forms. Definition of what constitutes reportable lobbying is complex; contact your Unit President with any questions about possible lobbying activities or expenses.

Judgment should be exercised by PTA leaders on whether privately endorsing a candidate (without using a PTA title) could negatively affect a future relationship with the elected official should a different winning candidate win. **REMANDER: YOUR NAME WILL BE A MATTER OF PUBLIC RECORD IF YOU MAKE ANY CONTRIBUTION(S) TO ANY SINGLE CANDIDATE OF \$100 OR MORE IN A CALENDAR YEAR.**

For the purpose of this policy, all elections involving candidates are defined as partisan elections, even those for "nonpartisan" offices, such as school board or city council. Use of a PTA's name or the PTA trademark with participation in any partisan activity will endanger PTA's nonprofit status.

PTA members are often the individuals with the most knowledge and awareness of their communities' needs. Their community activities qualify them to take leadership roles in election campaigns. However, PTA leaders who are considering taking a leadership role on behalf of a candidate are strongly urged to avoid even the appearance that their private activities have, in any way, the endorsement, approval, or support of PTA. Discretion must be used by the current PTA president, because he/she is the official spokesperson for the PTA organization.

GENERAL GUIDELINES



Following are some guidelines for election-related activities. If you have any questions about any activities during this campaign season, please discuss the activity with 33rd District Director of Legislation.

PTAs SHALL NOT:

1. Officially endorse any candidate.
2. Participate in any political campaign on behalf of or in opposition to any candidate for public office.
3. Allow an individual candidate to address a PTA meeting UNLESS all other candidates are invited.
4. Make monetary contributions to any political campaign on behalf of or in opposition to any candidate for public office.

PTAs MAY:

1. Encourage all voters to carefully evaluate each office candidate and to vote.
2. Disseminate as much factual, objective information as possible during election campaigns to help voters make informed choices.
3. Conduct candidates forums alone or as part of a coalition with other nonpartisan groups. All candidates for a specific office must be invited to present their views. Whether or not a candidate chooses to appear is the decision of each candidate. A nonpartisan moderator should be in charge of the meeting, and fair procedures must be established and agreed to in advance. Similar procedures should be followed for an issues forum. **“INFORMAL CANDIDATES FORUMS” – I.E., THE DISCUSSION OR DEBATE OF POLICIES OR ISSUES RAISED IN THE ELECTION WHICH INCLUDES ONE OR MORE CANDIDATES – SHOULD NOT TAKE PLACE AT A PTA MEETING.**

INDIVIDUAL PTA MEMBERS:

1. May **NOT** use his/her title or the name of “PTA” to endorse a candidate.
2. May **NOT** use his/her title or the name of PTA in an endorsement even if just used for identification purposes.
3. PTA officers **MAY** serve as members of school boards as long as they do not seek PTA endorsement to support their election. If a PTA officer runs for a school board, no endorsement by the PTA should be given or implied. The inclusion of a reference to PTA service or honors on a list of the candidate’s qualifications for office is permitted.
4. PTA leaders who consider public office while they serve as PTA spokesmen are urged to weigh the impact their candidacy, appointment, or election could have on PTA’s tax-exempt status.
5. Members who choose to seek public office **MAY NOT** request or receive PTA endorsement at any time, but **MAY** list their PTA service as part of their qualifications.
6. A current PTA officer/board member may **NOT** use his/her title or the name of PTA to endorse (1) a ballot measure on which MTA has not taken a position; or (2) any candidate.



ORGANIZING A LOCAL CANDIDATES FORUM

Preliminary/Organizing Activities

1. Form a committee. Participation on this committee falls within the duties of the PTA Leg Chair/Rep.
2. Determine whether PTA will sponsor the forum alone or with another nonpartisan organization, such as the League of Women Voters or a branch of the American Association of University Women.
3. Set the date, and obtain a facility that is centrally located, if possible. If it will accommodate the number of candidates, a school district board room is an excellent location, and the physical environment, including audience space is, in most cases, already set up.
4. Decide whether to videotape the forum. This can be done through a local cable TV station, a high school video production class, or by a volunteer. Video can be uploaded to an online videosharing site and the PTA website. Some local government TV channels are willing to work in partnership with the League of Women Voters and PTA to tape forums for replay. Note: The camera should focus only on the moderator and the candidates.

Invitations To All Candidates

5. Draft invitations to candidates. Be sure to include:
 - a) Complete information on date, time, and place;
 - b) Guidelines and ground rules for the forum (e.g., there will be only written questions, amount of time allowed for candidates' responses; topics of questions; forum format (including time for opening and closing statements, candidate order for statements and answers, etc.); rules prohibiting campaign literature distribution in the forum room; if the forum will be videotaped for replay on cable TV or displayed on a website; etc.;
 - c) A request for any information needed from the candidate for promotion of the forum; e.g., biography and photo;
 - d) Name, address, telephone number and e-mail address of forum committee's contact person;
 - e) Due date for the candidate to respond.
6. Candidate schedules are often hectic. They may be contacted by many organizations with requests for information, personal appearances, and/or forums. Establishing a personal connection by calling all candidates or their campaigns to inform them about the forum, to extend an initial invitation, and to advise them to look for a more formal invitation in the mail can facilitate both the process of organizing the forum and communicating with the candidates.
7. Obtain addresses and e-mail addresses of all official candidates, and send invitations by certified mail with a return receipt requested. The signed, returned receipts should be kept on file.

Location

8. Determine physical arrangements:
 - a) Provide adequate accessible seating for attendees.
 - b) Seating for candidates should be in the form of a head table, preferably elevated so they are visible to the audience. Seating assignments should be done by lottery with each candidate drawing a seat number prior to the beginning of the forum. The table should also be draped and water provided for candidates and moderator.
 - c) The moderator is the forum facilitator and may either stand at a podium or be seated at the table with the candidates. If the former, the moderator should be provided with a chair. If the latter, the moderator must be seated in a location that allows for eye contact with all candidates and control over the forum process and decorum.
 - d) Provide an adequate sound system with microphones available to rotate among the candidates, with a separate microphone for the moderator.
 - e) Provide tables for any refreshments and for any literature pertaining to the forum, such as agendas, programs, packets of candidates' biographies and questionnaire responses.
 - f) Follow facility use permit regulations concerning distribution of campaign literature. Note: If a table is provided outside the forum room for candidate literature, the opportunity must be offered to all candidates. The materials should not be made available until the conclusion of the forum to avoid having them brought into the forum room. It is generally a good idea to place a limit on the amount of literature any individual candidate can place on the table to maintain the nonpartisan nature of the overall forum environment.
 - g) Provide a table for question sorters toward the front of the room. Timers should be located in the middle of the front row and visible to all candidates.

Forum Volunteers

9. Identify volunteer responsibilities:
 - a) Volunteers from PTA and co-sponsoring organizations that organize and/or staff the forum should have no personal ties to any candidacy, and shall not have publicly expressed support or opposition to any of the candidates.
 - b) The forum committee should arrange for the following: greeters for both candidates and attendees; hospitality; person to open the forum and lead the Pledge of Allegiance – may be the moderator or president of the sponsoring organization(s).
 - c) Secure a neutral moderator. Consider requesting a representative of the League of Women Voters or a respected political editor from the local media. The moderator or his/her organization cannot have casually or formally endorsed any of the candidates.
 - d) Question Sorters – Enlist one PTA representative with no personal ties to any candidate, and one representative from each of the co-sponsoring organizations.
 - e) Timers – one to keep track of time, and one to hold up signs to signal candidates.
 - f) Two or three volunteers to hand out blank index cards, pick up questions and deliver them to the sorter(s).

Publicity

10. Articles for the newspaper, radio announcements, cable announcements, fliers for PTA newsletters, etc.

The Candidates Forum

On the day of the forum:

- a) Attendees enter, ushers provide blank index cards on which attendees may write questions for the candidates. Each index card should be used for only one question.
- b) Begin with Pledge of Allegiance, welcome and a statement of the nonpartisan policies of the sponsoring groups.
- c) Moderator should go over the basic forum guidelines and procedures that were distributed to all candidates, so the audience will also understand them and know what to expect. The moderator must specify the length of time allowed for opening and closing statements, if they are included, and must also specify the amount of time each candidate will be given to respond to each question. If the forum is televised, this statement will inform the home audience as well. The moderator will also include the following information:
 - i. The order of questions will be rotated among the candidates in random order.
 - ii. Whether all questions will be in writing or if questions from attendees will be permitted.
 - iii. All questions will be screened for relevance, to avoid duplication, and to assure adherence to the guidelines and ground rules. Personal questions or attacks on any candidate will not be acknowledged.
 - iv. If a question is directed to a specific candidate, it must be issue-focused. The candidate will have a set amount of time to respond. All other candidates may have an opportunity to respond, if they so desire.

If a question is directed to all candidates, each candidate will have up to one minute to respond.

- d) Timers should hold up signs to signal speakers:

- i. Green: start
- ii. Yellow: 15 seconds left
- iii. Red: stop

- e) The moderator should state that verbal interaction between the audience and the candidates during the forum will not be permitted. The forum is neutral territory for a sharing of philosophy, ideas and information, not campaigning.

f) Begin Forum: While candidates are giving their opening statements, screeners can begin sorting questions to be asked of the candidates. If questions have been received through outreach efforts prior to the forum, they should be included in the mix. After the opening statements, the moderator asks the candidates questions received from the question sorters. (Note: In the event attendance is small at the beginning of the forum, the moderator should have a few questions in hand that were collected prior to the forum. This is even more important when the forum is televised.)

g) Moderator or other designee should close and thank cosponsors, the TV station and home audience, if applicable, and everyone in the forum audience for attending, reminding them of the election date and encouraging them to study the candidates and cast their votes in the election.

FOR ANY QUESTIONS OR CONCERNS, CONTACT THE THIRTY DISTRICT OFFICE OR
PTA33RDLEGISLATION@GMAIL.COM
