

Community Relations

Communications Regarding Pending Referenda

EXPLANATORY TEXTS OR OTHER PRINTED MATERIALS

The Board of Education shall authorize the preparation, printing and dissemination of 1) concise explanatory texts and/or 2) other printed material with respect to proposals or questions approved for submission to the electors of Burlington and Harwinton at a referendum.

Any such explanatory text prepared by the Board shall specify the intent of each such proposal or question. The explanatory text shall not advocate either the approval or disapproval of the proposal or question. Each such explanatory text shall be subject to the approval of the Board's attorney.

The Board's secretary shall cause such question or proposal and such explanatory text to be printed in sufficient supply for public dissemination and shall also provide for the printing of such explanations of proposals or questions on posters of a size to be determined by said secretary. At least three such posters shall be posted at each polling place at which electors will be voting on such proposals or questions. Any posters printed in excess of the number required by this section to be posted may be displayed by said secretary at the secretary's discretion at locations which are frequented by the public. The explanatory text shall also be furnished to each absentee ballot applicant.

In addition, any such "other printed material" shall be prepared by the person or persons so authorized by the Board, shall not advocate either the approval or disapproval of the proposal or question and shall be subject to the approval of the Board's attorney.

NOTICE ABOUT PENDING REFERENDUM

1. **General Rule.**

Any notice about a pending referendum shall not advocate the approval or disapproval of the proposal or question or attempt to influence or aid the success or defeat of the referendum. Notice of a pending referendum may be provided to the community by the Board only by using the methods that are permitted or required by law. Notice or warning of a referendum regarding the amendment of the regional school district plan or the issuance of bonds shall be given by the clerks of the member towns in the regional school district.

2. Content of Notice.

Any notice regarding a pending referendum shall be limited to:

- A. the time and location of such referendum,
- B. a statement of the question as it is to appear on the ballot at the referendum,
- C. with respect to a “warning”, any such other information that may be required by law, and,
- D. if applicable, the explanatory text or other material that has been properly approved.

3. Method of Communicating Notice.

- A. **Community notification system.** The term "community notification system" means a communication system maintained by a municipality that is available to all residents of such municipality and permits any resident to opt to receive notifications of community events or news from such municipality via electronic mail, text, telephone or other electronic or automated means. The Board Chairperson may request the Towns of Burlington and/or Harwinton to use their community notification systems to send or publish a notice informing all residents enrolled in such system of an upcoming referendum.
- B. **District website.** The Internet website maintained by the Board is not a community notification system, but may contain the same notice regarding a referendum that may be communicated by a community notification system.
- C. **Regularly published newsletter or similar publication.** Regularly published newsletters and similar publications may publish the same notice regarding a referendum that may be communicated by a community notification system.
- D. **Other electronic or automated methods prohibited.** Other than the above methods for communicating notice of a referendum, no person may use or authorize the use of school district or other municipal funds to send an unsolicited communication to a group of residents regarding a referendum via electronic mail,

text, telephone or other electronic or automated means for the purpose of reminding or encouraging such residents to vote in a pending referendum.

- E. **District signage, flyers distributed to students.** Physical signs located on school district property may only provide notice of the time, date and location of a pending referendum. Flyers distributed to students may contain information specifying only the time, date, location and question or proposal to be voted upon.

4. **Exceptions to the Prohibition of Expending Public Funds**

- A. **Press release.** An official of the Board may prepare a written, printed or typed summary of the official's views on a proposal or question, which is prepared for any news medium or which is not distributed with public funds to a member of the public except upon request of such member.
- B. **Third party online comment.** If the Board maintains a social media or Internet website that permits third-party comments, the maintenance of those third-party comments does not constitute an expenditure of municipal funds.

Legal Reference:

Connecticut General Statutes

9-369b Local questions and proposals. Explanatory text. Use of community notification systems. Expenditure 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