

## 2018 Nonpartisan Elections Guide

### FREQUENTLY ASKED QUESTIONS: June 2018 Primary

**1. When is the 2018 primary election?**

The primary election takes place June 5, 2018. Vote-by-mail begins May 7.

**2. When is the deadline to register to vote?**

The deadline to [register to vote](#) is May 21, 2018.

**3. How can charter school leaders get their communities involved?**

- School leaders **can** act in a nonpartisan capacity by educating their school communities about elections and voter engagement.
- School leaders **cannot** advocate for a specific candidate, tell their school communities who to vote for, nor rate candidates while they are acting in their capacity as a school leader.

Do	Don't
Register people to vote.	Don't use public funds to support or oppose candidates.
Provide briefings or information on all candidates on an equal basis.	Don't limit your briefings or information to certain candidates.
Distribute nonpartisan materials about candidates and their views and positions.	Don't endorse candidates for office.
Help new voters understand elections and the voting process.	Don't let candidates use office space, equipment, or other school resources.
Encourage and help people get to polls on Election Day, regardless of how they intend to vote.	Don't publicize which candidates share the organizations' view on contested issues.

*Consult an attorney familiar with charter schools and election law if you have additional questions or concerns.*

**4. Can CCSA help me communicate with my school communities about voting?**

Yes, your school can join CharterNation. Email [charternation@ccsaadvocates.org](mailto:charternation@ccsaadvocates.org) to learn more. CharterNation is a comprehensive civic engagement program of CCSA Advocates, funded by CCSA, designed to encourage charter school families and supporters to get involved in advocacy by:

- Increasing their awareness and knowledge of charter school policy, important upcoming elections, and legislative affairs.
- Becoming actively involved in issues in their local communities and neighborhoods.

- Registering and turning out to vote, as well as inspiring others to vote.

In our analysis, charter school families and supporters consistently turn out to vote at higher levels than the general electorate, so it's especially important that we mobilize them around charter school policy issues.

**5. Can school leaders communicate their endorsement of a specific candidate?**

No, school leaders cannot encourage their school communities to vote for a specific candidate, nor encourage anyone to volunteer for a specific candidate's campaign while acting in their capacity as a school leader. In their personal time, acting in their individual capacity as a citizen and community leader, they may advocate for specific candidates and encourage volunteering for a specific candidate.

**6. May a charter school use its resources, including its parent contact lists, for the purpose of nonpartisan voter registration drives?**

Yes, as long as the school acts in compliance with any and all applicable privacy policies, including education related privacy requirements, which may prevent the use of certain information in school contact lists. (See [Family Educational Rights and Privacy Act](#).) The school must also at all times adhere to state and federal laws regulating voter registration activities. A voter registration guide, as well as other helpful information, is available from the [California Secretary of State](#). Charter schools interested in these activities should make sure they are familiar with the various legal requirements to ensure compliance with the law.

**7. Can a charter school that is engaged in a voter registration drive ask voters if they wish to be added to the school's contact list or other mailing list?**

Yes. Although the information on a voter registration card is confidential and protected by state law, nothing prevents an organization **from separately asking and obtaining written permission from individuals to be placed on the organization's** mailing or other contact list.

Please note that it is unlawful for a person or an organization in charge of a voter registration drive to disclose a driver's license number, identification card number and/or social security number from a voter registration card to someone other than an elections official or the person/organization in charge of the voter registration drive. (See, e.g., Elec. Code §§ 2138.5, 2194 & 18111.) The school should therefore not retain this information, and retain only the individual's name, address, phone number and email after receiving separate, written permission from that individual to do so.

In addition, California law provides that voter contact information (name, address, telephone, email) obtained from election officials for a fee may only be used for election, scholarly, journalistic, political, or governmental purposes. It is expressly prohibited to use this information for commercial purposes. (See Elec. Code § 2194.) Care should therefore be taken to ensure that clear, written consent from each individual is obtained before their information is used.

**8. May a charter school use its resources, including its parent/teacher contact lists, for the purpose of non-partisan and impartial efforts to educate its community and/or the public about education-related election issues?**

Yes, as long as the information provided is wholly impartial and in no way advocates in favor of or against any candidate for elective office or any state or local ballot measure. Charter schools operated by nonprofit organizations should also check to confirm that this activity is not inconsistent with their articles of incorporation and bylaws.

**9. Can a charter school include information on the upcoming election in its parent newsletter?**

Yes, as long as the newsletter provides only impartial and neutral information and does not advocate in favor of or against a candidate for elective office. Careful attention must be paid to communications that refer to a “clearly identified” candidate and are made in proximity to elections. These communications, which are sometimes referred to as “electioneering communications,” do not directly advocate in favor of or against a candidate or measure, and yet may still trigger certain reports and/or may even be prohibited because they refer to candidates or measures close to an election.

**10. May a charter school permit third party organizations (i.e., groups unaffiliated with the school) to use public school facilities such as meeting and assembly rooms where the third party organizations intend to advocate in favor of or against candidates for elective office?**

Yes, as long as the school makes the facilities available to all organizations regardless of political viewpoint and on an equitable basis. To ensure compliance with applicable laws, including but not limited to the prohibition against candidate advocacy by 501(c)(3) organizations, charter schools should adopt a policy clarifying that access to its facilities is provided to all sides on an equal basis at their fair market value (i.e., a good faith estimate of what it would cost to rent a similar facility) and that any views expressed by the unaffiliated groups are their own and should not be construed as support for the group or its positions.

Additionally, schools occupying district facilities may need to follow additional policies and procedures referenced in their use agreements regarding third party access, including compliance with the Civic Center Act.

**11. Why is the race for Superintendent of Public Education (SPE) important?**

The SPE is the most important education officer in our state. The SPE manages the California Department of Education which is responsible for allocating billions of dollars to charter schools and school districts each year, including start up grants for new charter schools. The SPE also sits on the State Board of Education, oversees the team that recommends approval or denial of charter school appeals, and implements policies that can ensure charter schools continue to be flexible, autonomous and innovative. Further, the SPE can wield the power of the office to drive the Governor, California Legislature, local school districts, and federal government toward policy decisions that put the education of students above all else.

**12. Why is the Governor’s race so important?**

The Governor is the most powerful and important office in California. This person has authority over the budget, plays a key role in the legislative process, and makes decisions that directly impact the state's education policy environment. Specifically, for charter schools, the Governor can make or break our ability to serve our students, and for our schools to thrive and grow in the future.

**13. How important is the June primary election for Governor?**

The top two candidates move on to the general election in November. Primary elections tend to be lower turnout. In our analysis, charter school families and supporters consistently turn out to vote at higher levels than the general electorate, so it's especially important that we mobilize them around charter school policy issues. By getting involved, you can help increase voter turnout and help ensure pro-charter school voters – who put kids first – participate in this election.

**14. What threats does a Governor who is anti-charter school pose?**

The consequences of an anti-charter school governor will be dire, quite literally leading to the end of the charter school movement over time. For example, such a Governor could: pose a moratorium on new charter school growth, eliminate the appeals process for charter schools thus allowing local authorizers to deny charter schools with impunity, eliminate state facilities funding, and sign anti-charter school legislation to pass onerous regulations and draconian conflict of interest laws.

**15. Has California ever had a Governor who didn't support charter schools?**

California has never had an anti-charter school Governor since the passage of the California Charter Schools Act in 1992. The charter school community should be very concerned about the future of our movement if an anti-charter school Governor were to be elected in 2018.

**16. What are a few examples of how the Governor influences charter schools?**

- Governors have the ability to include charter school favorable budget line items, such as the critically important SB 740 facilities grant program.
- The Governor signs or vetoes legislation on charter schools that arrive at his desk. Our previous Governors have been strong advocates for charter schools who helped pass pro-charter school legislation and, importantly, have served as an effective defense against perennial attacks by the California Teachers Association (CTA).
- The Governor appoints the members of the California State Board of Education (SBE), which presides over many charter school regulatory matters. A favorable SBE serves as a deterrent to charter school denials locally. However, an unfavorable SBE would send the message locally to school districts they can deny charter schools with impunity.