

# P-T-O Council

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Ann Arbor Public Schools  
2555 South State Street  
Ann Arbor, MI 48104

Sept 10, 2009

Dear PTO Council Reps and PTO Officers:

I would like to provide clarity on questions that have come before the Council regarding WISD enhancement millage proposal, what PTOs are allowed to do, and may choose to do in the campaign this fall. Outside legal counsel was sought to specifically address the position of 501c(3) PTOs.

The PTO Council has agreed to assist in disseminating educational and informational materials to our PTOs from the Citizen's Millage Committee, and any other group pro-or-con, provided the materials are on-topic and respectful. These materials may be in the form of paper flyers, electronic messages, or presentations to groups. The point of view of any group does not reflect the position of the PTO Council.

It is important to remember that PTOs may not use any **district resources** for copying/printing/or distributing materials relating to this issue. Copiers and printers owned by the district cannot be used for this purpose. PTOs may choose to use their resources to provide printed material. Using "backpack mail", distributed by teachers or staff, is not allowed. Any electronic communication must not use district e-mail lists, however e-mail lists maintained by PTO groups may be used for this purpose.

**What about parent volunteers who stuff student backpacks with classroom notices?**

*PTO Council recommends:* It is not permissible for any campaign committee to send campaign literature home with students from school.

**Is using a PTO Newsletter and e-Notes permissible?**

*PTO Council recommends:* "Broad issue" coverage such as a "Get out the Vote" message is permissible. **Editorial** content is permitted in regularly disseminated PTO newsletters, but not in a special edition and not in an issue dominated in content by a ballot proposal. See "the 5% Rule", below.

Quotes from the Citizen's Millage Campaign", "It Takes a Millage" message:

**CMC: "Please allow time at your September or October PTO meeting to educate your parents about the millage. We have speakers who can make a brief presentation and answer your questions."**

*PTO Council recommends:* PTOs can host the CMC to make presentations at your regular PTO meetings.

**CMC: "We also hope your PTO will endorse the millage. PTOs are allowed to do this."**

*PTO Council recommends:* It **is allowed** for PTOs to seek to influence legislation *including endorsement* of a millage election, when the "subject" of the millage issue is in line with the mission of the organization. These activities may be undertaken as long as it is not a substantial part of the group's activities.

Our PTOs are well established in supporting their individual schools, and a 6-week period of activity in support of a millage campaign would likely not dominate the activities of the PTOs yearlong programs in volunteer hours or financial expenditure.

**Use the “5% rule of thumb”** to keep volunteer hours and expenditures in line. Do not exceed 5% of your annual total volunteer hours or annual expenditures on campaign issues to keep within 501(c) 3 regulations.

In a separate issue, a PTO may choose to change its 501(c)3 status to 501(h) status, to allow for a greater portion of resources to be used for campaign purposes. This “election” is made by filing Form 5768 with the IRS during the year it is to be effective.

**CMC: “Find a parent volunteer to serve as building coordinator of the campaign.** This parent will champion the millage by organizing building activities and spreading the word at your school--such as an information table at curriculum night, recruiting volunteers to campaign door-to-door, e-mail chains, etc. We will provide training and information packets.”

*PTO Council recommends* that volunteers for the millage campaign NOT be current PTO Officers in your school PTO, to maintain a separation between campaign activities and normal PTO function. Again, no school district resources may be used for these activities.

*PTO Council recommends:* Groups on either side of the millage issue **may** be granted equal time and access to present or distribute information, or make presentations in person at regular meetings. If the PTO wishes to engage in advocacy there is no obligation to give both sides equal time, simply adhere to the 5% rule of activity. It is recommended as a best practice to give all sides equal time and to conduct debates with respect and civility.

A PTO may choose not to advocate, and may still wish to remind its members to “Get Out and Vote” on Election Day. It may provide non-biased factual information on a topic. These activities are not considered “grassroots lobbying”, and may be undertaken at any time.

If you have further questions, please do not hesitate to contact me. I will do my best to find answers to your concerns.

Sincerely,  
Martine Perreault

PTO Council Chair, 2009-10  
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