

Board Policy 4219.25
Political Campaign] Activities Of Employees
Personnel

The Board of Education respects the right of school employees to engage in electoral politics, and activities, including ballot and candidate campaigns, on their own time, and at their own expense. On such occasions, employees shall make it clear that they are acting as individuals and not as representatives of the district.

Employees shall refrain from prohibited activities identified in law and administrative regulations. Employees who engage in these activities shall be subject to disciplinary action and/or criminal penalties.

Administrative Regulation
Political Activities Of Employees
Personnel

Prohibited Activities

District employees shall not:

1. Use district funds, services, supplies or equipment to urge the passage or defeat of any ballot measure or candidate, including any candidate for election to the Board of Education. (Education Code 7054) This prohibition specifically includes the use of student [or family] addresses, class rosters, or other [confidential] student or personnel information obtained in the course of employment for the purposes of organizing students, [families] or employees to urge the passage or defeat of any ballot measure or candidate.
2. During working hours and on district property, solicit or receive any political funds or contributions to promote the passage or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service or other working conditions; (Education Code 7056)
3. During working hours and on district property, solicit or receive any political funds or contributions to promote the passage or defeat of other types of ballot measures;
4. Use district time to urge the passage or defeat of any ballot measure or candidate;
5. Use district equipment for the preparation or reproduction of political campaign materials, even if the district is reimbursed;
6. Post or distribute political campaign materials on district property;
7. Disseminate political campaign materials through the district's mail service, e-mail or staff mailboxes;
8. Use students to write, address or distribute political campaign materials;

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Comment [1]: Existing law, known as the Civic Center Act, authorizes a school district governing board to grant the use of school facilities or grounds as a civic center, for specified purposes, upon terms and conditions deemed proper by the governing board. Existing law authorizes a school district governing board to charge a fee, not to exceed the school district's direct costs, as defined, for use of the school facilities or grounds by entities that promote youth and school activities or that arrange for and supervise sports league activities for youths.

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Deleted: Like other community members, employees may use school facilities for [political] meetings [and other approved purposes] under the Civic Center Act.

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Comment [2]: not necessary?

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9. Present viewpoints on particular candidates or ballot measures in the classroom without giving equal time to the presentation of opposing views;
10. Wear buttons or articles of clothing that express political opinions on ballot measures or candidates during instructional time

Nothing in Board policy or administrative regulation shall be construed to prevent employees from soliciting or receiving funds or contributions for political purposes, including promoting the support or defeat a ballot measure that would affect the rate of pay, hours of work, retirement, civil service, or other working conditions of employees during non-working time, including before and after school, the lunch period or other scheduled work intermittency during the school day. (Education Code 7056)

At least one month prior to any local, state or federal election, the District shall remind employees and Board Members of the rules and regulations pertaining to public employees, public property, and political campaigns. (cf this FAQ, to be attached as an example]

Employee Organizations

Employee organizations may use district mailboxes and other means to communicate with employees, subject to reasonable regulation. Employee organizations may have access at reasonable times to areas in which employees work; may use institutional bulletin boards, mailboxes, and other means of communication and may use district facilities at reasonable times for the purpose of meetings. (Government Code 3543.1)

However, employee organizations shall not use district funds, services, supplies or equipment, such as the district mail system, to urge the passage or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)

Access to district communication channels shall be limited in cases where such access would be disruptive to district operations.

Employees may wear buttons and apparel showing union affiliation during instructional and/or duty time.

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Comment [3]: irrelevant to this item

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Deleted: In the event of a concerted action or work stoppage, political activities by employee organizations and individual employees shall be restricted to peaceful informational picketing and other activities allowed by law.

PUBLIC RESOURCES AND POLITICAL CAMPAIGNS
Guidelines and FAQs

School district boards and employees must follow California state guidelines on the use of public resources in the context of political campaigns - including activities during work hours, use of materials, equipment, facilities and communications channels such as e-mail, newsletters or websites. The rule of thumb is “[on your own time, on your own dime!](#)” Here is a brief overview of some of the rules:

Q: What political activities are prohibited?

A: “No school district funds, services, supplies or equipment shall be used for the purpose of urging the support or defeat of any ballot measure or candidate” (*Cal. Ed. Code §7054*). For example:

- School district employees may not use school supplies, equipment or facilities, including photocopying, making signs, or posting signs on school district property to advocate for a candidate or ballot position;
- School district employees may not distribute flyers at school sites to students, parents, or other non-employees. This includes placing flyers in a classroom or other public school district spaces;
- School district employees may not use an employee email address (*@berkeley.net*) or the District email system to endorse particular candidates or urge passage or defeat of ballot measures. A state College professor was sued by a conservative anti-tax group because he emailed students urging them to vote yes on Prop 30 for school funding.

Q: What political activities are permitted?

A: During school time, parent-teacher conferences, open houses, etc., the focus should remain on student learning within the context of the school curriculum. However:

- School district employees may engage in political activity as private citizens, and recommend how to vote to others, as long as the activity does not involve the use of public resources. When doing so, board members and employees should make it clear they are acting on their own behalf and on their own time;
 - School district employees may volunteer on a campaign on off-duty hours. They may distribute campaign literature as long as they do so off school / district property. School district employees may discuss endorsements and ballot measures with each other during non-duty hours (before or after school, on break time) and may post union-produced materials on union bulletin boards;
 - School district employees may provide information about a ballot measure if...”the information provided constitutes a fair and impartial presentation of relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.” (*Cal. Ed Code § 7054*);
 - A school district may host a public forum on candidates and/or ballot issues, as long as the forum is made available to all sides on an equitable basis. (*Cal. Ed Code § 7058*)
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For further details:

[California School Board Association Fact Sheet](#), as well as [California Ed Code \(sections § 7050-7058\)](#).

[FAQ regarding School Districts and District Employees \(K-12\)](#) from School and College Legal Services of California