

**Regulation 4219.25: Political Activities Of Employees**

**Status:** ADOPTED

**Original Adopted Date:** 06/01/1996 | **Last Revised Date:** 12/01/2020 | **Last Reviewed Date:** 12/01/2020

No employee shall be prohibited from soliciting or receiving political funds or contributions to promote the support or defeat of a ballot measure during nonworking time, including before and after school, the lunch period, or other scheduled work intermittency during the school day. (Education Code 7056)

District employees shall not:

1. Use district funds, services, supplies, equipment, work hours, or other public resources to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Governing Board (Education Code 7054, 7056; Government Code 8314)
2. Use the district's seal in any campaign literature or mass mailing with the intent to deceive voters, including, but not limited to, the use of a reproduction or facsimile of the seal in a manner that creates a misleading, erroneous, or false impression that the document is authorized by the Board, a Board member, or the district (Elections Code 18304)
3. During working hours, 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)
4. During working hours, solicit or receive any political funds or contributions to promote the passage or defeat of other types of ballot measures
5. Use district equipment for the preparation or reproduction of political campaign materials
6. Post or distribute political campaign materials in classrooms, through distance learning platforms, or 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
9. Present viewpoints on particular candidates or ballot measures in the classroom without giving equal time to the presentation of all perspectives

10. Wear buttons, hats, or other articles of clothing that express political opinions on ballot measures or candidates during instructional time

### Political Activities of Employee Organizations

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

No employee organization or its officers, agents, or representatives shall be prohibited from soliciting or receiving political funds or contributions to promote the passage or defeat of a ballot measure during nonworking time, including before and after school, the lunch period, or other scheduled work intermittency during the school day. (Education Code 7056)

| State                                    | Description                                                                                                           |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| Ed. Code 38130-38139                     | <u>Civic Center Act</u>                                                                                               |
| Ed. Code 51520                           | <u>Prohibited solicitations on school premises</u>                                                                    |
| Ed. Code 7050-7058                       | <u>Political activities of school officers and employees</u>                                                          |
| Elec. Code 18304                         | <u>Prohibition against use of district seal in campaign literature</u>                                                |
| Gov. Code 3543.1                         | <u>Rights of employee organizations</u>                                                                               |
| Gov. Code 82041.5                        | <u>Mass mailing</u>                                                                                                   |
| Gov. Code 8314                           | <u>Unlawful use of state resources</u>                                                                                |
| Pen. Code 424                            | <u>Embezzlement and falsification of accounts by public officers</u>                                                  |
| <b>Management Resources</b>              | <b>Description</b>                                                                                                    |
| Attorney General Opinion                 | 77 Ops.Cal.Atty.Gen. 56 (1994)                                                                                        |
| Attorney General Opinion                 | 84 Ops.Cal.Atty.Gen. 106 (2001)                                                                                       |
| Attorney General Opinion                 | 84 Ops.Cal.Atty.Gen. 52 (2001)                                                                                        |
| Court Decision                           | Pickering v. Board of Education Township High School District (1968) 88 S. Ct. 1731                                   |
| Court Decision                           | L.A. Teachers Union v. L.A. City Board of Education (1969) 71 Cal.2d 551                                              |
| Court Decision                           | San Leandro Teachers Association v. Governing Board of the San Leandro Unified School District (2010) 46 Cal. 4th 822 |
| Court Decision                           | Diquisto v. County of Santa Clara (2010) 181 Cal. App. 4th 236                                                        |
| Court Decision                           | Heffernan v. City of Paterson (2016) 136 S. Ct. 1412                                                                  |
| Court Decision                           | California Teachers Association v. Governing Board of San Diego Unified School District (1996) 45 Cal.App. 4th 1383   |
| Court Decision                           | Downs v. Los Angeles Unified School District (9th Cir. 2000) 228 F.3d 1003                                            |
| Public Employment Relations Board Ruling | Turlock Joint Elementary School District (2004) PERB Dec. No. 1490a                                                   |
| Public Employment Relations Board Ruling | East Whittier School District (2004) PERB Dec. No. 1727                                                               |
| Public Employment Relations Board Ruling | Conejo Valley Unified School District (2009) PERB Dec. No. 2054                                                       |
| Public Employment Relations Board Ruling | City of Sacramento (2019) PERB Dec. No. 2702                                                                          |
| Public Employment Relations Board Ruling | San Diego Community College District (2001) PERB Dec. No.1467                                                         |
| Website                                  | <u>CSBA District and County Office of Education Legal Services</u>                                                    |
| Website                                  | <u>California Attorney General's Office</u>                                                                           |
| Website                                  | <u>California Public Employment Relations Board</u>                                                                   |
| Website                                  | <u>CSBA</u>                                                                                                           |
| <b>Code</b>                              | <b>Description</b>                                                                                                    |
| 1160                                     | <u>Political Processes</u>                                                                                            |
| 1325                                     | <u>Advertising And Promotion</u>                                                                                      |
| 1330                                     | <u>Use Of School Facilities</u>                                                                                       |

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|--------------|-------------------------------------------------|
| 1330         | <u>Use Of School Facilities</u>                 |
| 3512         | <u>Equipment</u>                                |
| 3512-E(1)    | <u>Equipment</u>                                |
| 4040         | <u>Employee Use Of Technology</u>               |
| 4040-E(1)    | <u>Employee Use Of Technology</u>               |
| 4118         | <u>Dismissal/Suspension/Disciplinary Action</u> |
| 4118         | <u>Dismissal/Suspension/Disciplinary Action</u> |
| 4119.1       | <u>Civil And Legal Rights</u>                   |
| 4119.21      | <u>Professional Standards</u>                   |
| 4119.21-E(1) | <u>Professional Standards</u>                   |
| 4119.22      | <u>Dress And Grooming</u>                       |
| 4140         | <u>Bargaining Units</u>                         |
| 4218         | <u>Dismissal/Suspension/Disciplinary Action</u> |
| 4218         | <u>Dismissal/Suspension/Disciplinary Action</u> |
| 4219.1       | <u>Civil And Legal Rights</u>                   |
| 4219.21      | <u>Professional Standards</u>                   |
| 4219.21-E(1) | <u>Professional Standards</u>                   |
| 4219.22      | <u>Dress And Grooming</u>                       |
| 4240         | <u>Bargaining Units</u>                         |
| 4319.1       | <u>Civil And Legal Rights</u>                   |
| 4319.21      | <u>Professional Standards</u>                   |
| 4319.21-E(1) | <u>Professional Standards</u>                   |
| 4319.22      | <u>Dress And Grooming</u>                       |
| 4340         | <u>Bargaining Units</u>                         |
| 6144         | <u>Controversial Issues</u>                     |