

## POLITICAL PROCESSES

The Governing Board has a responsibility to actively advocate fiscal and public policy that supports the district's schools and the children in the community. To the extent possible, the Board shall be proactive in defining the district's advocacy agenda based on the needs of the district and the direction set forth in the district's vision and goals.

The Board may establish reasonable regulations related to Board members and employees engaging in political activity during working hours and on district premises. (Education Code 7055)

The Board's responsibility as an advocate for the district may include lobbying at the state and national levels.

Because local governments also make decisions which impact the district's schools, the Board and the Superintendent or designee shall work to establish ongoing relationships with city and county officials and agencies, and shall inform them of the potential effect of local issues on the schools.

The Board shall identify issues that will affect its schools and the children in its community, establish goals, and priorities for legislative advocacy, solicit community input, and adopt legislative positions. The superintendent or designee shall establish a coordinated plan for carrying out the advocacy agenda, including specific activities, target groups or individuals, staff responsibilities, and timelines.

In order to strengthen legislative advocacy efforts, the district may work with organizations and coalitions and may join associations whose representatives lobby on behalf of their members.

As necessary, the Superintendent or designee may draft legislative proposals which serve the district's interests.

The Board may provide fair and impartial information about legislative issues affecting schools and children and shall inform the community about its legislative advocacy activities.

### **Ballot Measures/Candidates**

The Board may study the potential effect of ballot measures on the district's schools. Any Board discussion of the effect of such measures shall include an opportunity for Board members, staff, and members of the public to speak on all sides of the issues. Following

**POLITICAL PROCESSES (Continued)**

such study, the Board may adopt positions in support of, or in opposition to, ballot measures of importance to education.

The Board's positions shall be publicized only through normal district procedures for reporting Board actions and in a manner that does not attempt to influence voters.

No district funds, services, supplies, or equipment shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)

District resources shall not be used to disseminate campaign literature or to purchase advertisements, bumper stickers, posters, or similar promotional items that advocate an election result.

The Superintendent or designee may use district resources to provide students, parents/guardians and community members with fair and impartial information related to ballot measures, including information about the impact of ballot measures on the district. (Education Code 7054)

In preparing or distributing such information, the Superintendent or designee shall ensure that the totality of the circumstances, including language, style, tenor and timing, does not expressly advocate passage or defeat of a measure or candidate.

The Superintendent or designee may research, draft, and prepare a bond measure or other initiative for the ballot, but shall not use district resources to secure signatures in order to qualify the measure for the ballot.

Upon request, Board members and district administrators may appear at any time before a citizen's group to explain why the Board called for an election on a bond measure and to answer questions. (Education Code 7054.1)

If the presentation occurs during working hours, the district representative shall not urge a citizens' group to vote for or against the bond measure.

For informational purposes, the Superintendent or designee may conduct a poll related to a ballot issue. Such a poll shall not advocate a particular position on the issue.

**POLITICAL PROCESSES (Continued)****Legal Advocacy**

The Board recognizes that some issues are more appropriately addressed judicially rather than legislatively. When a legal issue is likely to set a state or national precedent, the district may join with other districts or parties in order to challenge the issue through litigation or other appropriate means.

**Political Forums**

Forums or political issues may be held in district facilities as long as the forum is made available to all sides of the issue on an equitable basis. (Education Code 7058)

**Legal Reference:****EDUCATION CODE**

7054	Use of district property
7054.1	Requested appearance
7055	Local rules
7056	Soliciting or receiving political funds
7058	Use of forum
35160	Authority of governing boards
35172	Promotional activities

**GOVERNMENT CODE**

50023	Attending legislature to support or oppose legislation
53060.5	Attendance at legislative body; expenses
54953.5	Right to record proceedings
54953.6	Broadcasts of proceedings
81000-91015	Political Reform Act

**COURT DECISIONS**

Stanson v. Mott (1976) 17 Cal. 3d 206
Miller v. Miller, (1978) 87 Cal.App.3d 762
League of Women Voters v. Countywide Criminal Justice Coordination Committee, (1988) 203 Cal.App.3d 529, 250 Cal. Rptr.161
Yes on Measure A v. City of Lake Forest (1997) 60 Cal. App. 4th 620
Scherer v. Buchanan, First Appellate District, Civil No. A076648

**POLITICAL PROCESSES (Continued)**

ATTORNEY GENERAL OPTIONS

73 Ops.Cal.Atty.Gen.255 (1990)

Management Resources:

OFFICE OF LEGISLATIVE COUNSEL

Advice letter #7837, March 18, 1996 (use of public funds to publicize board positions)

FAIR POLITICAL PRACTICES COMMISSION

FPPC No. 93/345 (1996)