



PROVISIONS RELATING TO ALL EMPLOYEES

ADMINISTRATIVE REGULATION – **POLITICAL ACTIVITIES OF EMPLOYEES** AR 4319.25

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)

SBCEO employees shall not:

1. Use SBCEO 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 County Board of Education (Education Code 7054, 7056; Government Code 8314)
2. Use the SBCEO'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 County Board of Education, a County Board of Education member, or the SBCEO (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 SBCEO 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 SBCEO property
7. Disseminate political campaign materials through the SBCEO's mail service, e-mail, or staff mailboxes
8. Use students to write, address, or distribute political campaign materials during school hours
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 SBCEO funds, services, supplies, or equipment, such as staff mailboxes or the SBCEO mail system, to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the County Board of Education. (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)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Management Resources

Attorney General Opinion
 Attorney General Opinion
 Attorney General Opinion
 Court Decision

Court Decision

PERB Ruling

Website
 Website
 Website

Description

84 Ops.Cal.Atty.Gen. 52 (2001)
 84 Ops.Cal.Atty.Gen. 106 (2001)
 77 Ops.Cal.Atty.Gen. 56 (1994)
 Downs v. Los Angeles Unified School District, (9th Cir. 2000) 228 F.3d 1003
 California Teachers Association v. Governing Board of San Diego Unified School District, (1996) 45 Cal.App. 4th 1383
 San Diego Community College District, (2001) PERB Dec. No.1467
[CSBA](#)
[California Public Employment Relations Board](#)
[California Attorney General's Office](#)

State

Ed. Code 38130-38139
 Ed. Code 51520
 Ed. Code 7050-7057
 Elec. Code 18304
 Gov. Code 3543.1
 Gov. Code 82041.5
 Gov. Code 8314
 Pen. Code 424
 Public Employment Relations Board Rulings

Description

Civic Center Act
 Prohibited solicitations on school premises
 Political activities of school officers and employees
 Prohibition against use of district seal in campaign literature
 Rights of employee organizations
 Mass mailing
 Unlawful use of state resources
 Embezzlement and falsification of accounts by public officers
 City of Sacramento, (2019) PERB Dec. No. 2702m

ADOPTED BY COUNTY SUPERINTENDENT: September 1, 2022

REVISED: