



Oxnard Union High School District

**SECTION 4000
PERSONNEL**

**BOARD POLICY
BP 4119.25, 4219.25, 4319.25**

POLITICAL ACTIVITIES OF EMPLOYEES

The Governing Board recognizes the importance of political activity, voting, and civic engagement, and respects the right of district employees to engage in political discussions and activities as individuals on their own time and at their own expense. When engaging in such activities, employees shall make it clear that they are acting on their own behalf and not as representatives of the district.

District employees, as members of the community, may use school facilities for meetings, including political activities, as permitted under the Civic Center Act and district policy.

Employees shall refrain from prohibited political activities for the purposes of advocacy identified in law, Board Policy, and administrative regulations. Employees who engage in these activities shall be subject to disciplinary action and/or criminal penalties.

Legal Reference:

State

Ed. Code 38130-38139
Ed. Code 51520
Ed. Code 7050-7058
Elec. Code 18304

Gov. Code 3543.1
Gov. Code 82041.5
Gov. Code 8314
Pen. Code 424

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

Management Resources

Attorney General Opinion
Attorney General Opinion
Attorney General Opinion
Court Decision

Court Decision

Court Decision

Court Decision

Court Decision
Court Decision

Court Decision

Public Employment Relations Board Ruling

Description

77 Ops Cal Atty Gen. 56 (1994)
84 Ops Cal Atty Gen. 106 (2001)
84 Ops Cal Atty Gen. 52 (2001)
Pickering v. Board of Education Township High School District, (1968) 88 S. Ct. 1731
L.A. Teachers Union v. L.A. City Board of Education, (1969) 71 Cal.2d 551
San Leandro Teachers Association v. Governing Board of the San Leandro Unified School District, (2010) 46 Cal. 4th 822
Diquisto v. County of Santa Clara, (2010) 181 Cal. App. 4th 236
Heffernan v. City of Paterson, (2016) 136 S. Ct. 1412
California Teachers Association v. Governing Board of San Diego Unified School District, (1996) 45 Cal App. 4th 1383
Downs v. Los Angeles Unified School District, (9th Cir. 2000) 228 F.3d 1003
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. 2702m
Public Employment Relations Board Ruling	San Diego Community College District, (2001) PERB Dec. No.1467
Website	CSBA District and County Office of Education Legal Services
Website	California Attorney General's Office
Website	California Public Employment Relations Board
Website	CSBA

ADOPTED: 11/16/94; REVISED: 05/09/18; 11/15/23



Oxnard Union High School District

SECTION 4000 PERSONNEL

ADMINISTRATIVE REGULATIONS AR 4119.25, 4219.25, 4319.25

POLITICAL ACTIVITIES OF EMPLOYEES

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 or 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.

(cf. 6144 - Controversial Issues)
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)