

Policy 1160 Political Process

Status: ADOPTED

Original Adopted Date: 06/1994

Last Revised Date: 05/15/2024

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. The Board shall be proactive in defining the district's advocacy agenda based on the district's vision and goals and the needs of the district and community. The Board's advocacy efforts shall be conducted in accordance with legal requirements.

Ballot Measures/Candidates

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)

The Board may discuss and study the potential effect of proposed or qualified ballot measures on the district's schools at an open and agendaized Board meeting. The Board's discussion of the effect of such measures shall include an opportunity for staff and members of the public to speak on all sides of the issue. At that meeting, the Board may adopt a position or resolution in support of or in opposition to a ballot measure. The language in any resolution adopted by the Board shall not urge the public to take any action regarding the measure.

The Board's position on a ballot measure, including any resolution, shall be publicized only through normal district procedures and consistent with regular district practice for reporting Board actions. Such publicity shall be for informational purposes and shall not attempt to influence voters.

Individual School Board members may include their name in support of or opposition to a county, city, district, or school measure on a county ballot in accordance with Elections Code 9170.

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 informational material, the Superintendent or designee shall analyze the material to help ensure that it is an appropriate informational activity, provides a fair analysis of the issues, and does not advocate passage or defeat of a measure or candidate.

District resources, including email or computer systems, shall not be used to disseminate

campaign literature. In addition, district resources shall not be used to purchase advertisements, bumper stickers, posters, or similar promotional items that advocate an election result or urge voters to take any action in support of or in opposition to a measure.

Political activity related to district bond measures shall, in addition to the above, be subject to the following conditions:

1. The Superintendent or designee may research, draft, and prepare a district bond measure or other initiative for the ballot, but shall not use district resources to influence voters or otherwise campaign for the measure.
2. Upon request, Board members and district administrators may appear at any time before a citizens' 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 employee representing the district shall not urge a citizens' group to vote for or against the bond measure.

3. The Board or any individual Board member may file a written argument for the ballot that is either for or against any school measure. (Elections Code 9501)

Legislation

The Board's responsibility as an advocate for the district may include lobbying and outreach at the state, national, and local levels. The Board and Superintendent or designee shall work to establish and maintain ongoing relationships with elected officials, community leaders, and the media in order to communicate district positions and concerns.

The Board and Superintendent shall develop an advocacy action plan to define expectations and responsibilities. This plan may include, but is not limited to, legislative priorities, strategies for outreach to the media and community, development of key messages and talking points, and adoption of positions on specific legislation, regulations, or budget proposals.

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 in accordance with Government Code 53060.5.

The district may provide fair and impartial information about legislative issues affecting schools and children and shall inform the community about its advocacy activities. However, informational materials about legislation shall not urge the public to lobby the legislature, Governor, or state agencies on behalf of the district.

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

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 resolve the issue through litigation or other

appropriate means.

Political Forums

Forums on 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)

06/94
06/98
12/98
10/11

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 board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

2 CCR 18600-18640
2 CCR 18901.1
Ed. Code 35160
Ed. Code 35172
Ed. Code 7050-7058
Ed. Code 7054
Ed. Code 7054.1
Ed. Code 7056
Elec. Code 9170
Elec. Code 9501

Description

[Lobbyists](#)
[Campaign related mailings sent at public expense](#)
[Authority of governing boards](#)
[Promotional activities](#)
[Political activities of school officers and employees](#)
[Use of district property](#)
[Requested appearance](#)
[Soliciting or receiving political funds](#)
[Ballot label; support and opposition listings](#)
[School district elections; arguments for or against a measure](#)
[Attendance at legislative body; expenses](#)
[Audio or video recording of proceedings](#)
[Broadcasts of proceedings](#)
[Political Reform Act](#)
[Definition of independent expenditure](#)
[Unlawful use of state resources](#)

Gov. Code 53060.5
Gov. Code 54953.5
Gov. Code 54953.6
Gov. Code 81000-91014
Gov. Code 82031
Gov. Code 8314

Management Resources

Attorney General Opinion
Attorney General Opinion
Court Decision

Court Decision

Court Decision
Court Decision

Court Decision
Court Decision
Court Decision

Description

73 Ops.Cal.Atty.Gen. 255 (1990)
88 Ops.Cal.Atty.Gen. 46 (2005)
Choice-in-Education League et al v. Los Angeles Unified School District, (1993) 17 Cal.App.4th 415
League of Women Voters v. Countywide Criminal Justice Coordination Committee, (1988) 203 Cal.App.3d 529
Miller v. Miller, (1978) 87 Cal.App.3d 762
Santa Barbara County Coalition Against Automobile Subsidies v. Santa Barbara County Association of Governments, (2008) 167 Cal.App.4th 1229
Stanson v. Mott, (1976) 17 Cal. 3d 206
Vargas v. City of Salinas, (2009) 46 Cal. 4th 1
Yes on Measure A v. City of Lake Forest, (1997) 60 Cal.App.4th 620

CSBA Publication	Legal Guidelines for Lobbying Activity, Fact Sheet, February 2011
CSBA Publication	Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates, Fact Sheet, February 2011
Institute for Local Government Publication	Legal Issues Associated with Use of Public Resources and Ballot Measure Activities, June 2010
Website	CSBA District and County Office of Education Legal Services
Website	Institute for Local Government
Website	Fair Political Practices Commission
Website	CSBA

Cross References

Code	Description
0000	Vision
0200	Goals For The School District
1000	Concepts And Roles
1100	Communication With The Public
1112	Media Relations
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1325	Advertising And Promotion
1330	Use Of School Facilities
1330	Use Of School Facilities
1400	Relations Between Other Governmental Agencies And The Schools
4119.25	Political Activities Of Employees
4119.25	Political Activities Of Employees
4219.25	Political Activities Of Employees
4219.25	Political Activities Of Employees
4319.25	Political Activities Of Employees
4319.25	Political Activities Of Employees
7131	Relations With Local Agencies
7214	General Obligation Bonds
7214	General Obligation Bonds
9000	Role Of The Board
9010	Public Statements
9124	Attorney
9200	Limits Of Board Member Authority
9230	Orientation
9250	Remuneration, Reimbursement And Other Benefits
9250-E(1)	Remuneration, Reimbursement And Other Benefits
9320	Meetings And Notices
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session