PROVISIONS RELATING TO ALL EMPLOYEES

ADMINISTRATIVE REGULATION – **POLITICAL ACTIVITIES OF EMPLOYEES** AR 4219.25

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

State	**Description**
Ed. Code 38130-38139	Civic Center Act
Ed. Code 51520	Prohibited solicitations on school premises
Ed. Code 7050-7057	Political activities of school officers and employees
Elec. Code 18304	Prohibition against use of district seal in campaign literature
Gov. Code 3543.1	Rights of employee organizations
Gov. Code 82041.5	Mass mailing
Gov. Code 8314	Unlawful use of state resources
Pen. Code 424	Embezzlement and falsification of accounts by public officers
Public Employment Relations Board Rulings	City of Sacramento, (2019) PERB Dec. No. 2702m

ADOPTED BY COUNTY SUPERINTENDENT: September 1, 2022
REVISED: