

LONG BEACH UNIFIED SCHOOL DISTRICT

SERVING LONG BEACH, LAKEWOOD, SIGNAL HILL AND
AVALON

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To: All Employees

From: Christopher J. Steinhauser

Re: -Protected Political Activities by School District Employees
-Prohibited Political Activities by School District Employees

With local, statewide and national elections approaching in the coming months, this advisory is being provided to help you understand both your protected rights to participate in the political process and our obligations to ensure that public funds are not used for political purposes:

Protected Political Activities by School District Employees

California law protects school district employees who wish to engage in political activities, providing that there shall be no restrictions placed on the political activities of school district employees, except as may be specifically prohibited by law.

Some examples of common political activities which are clearly permitted during your non-duty time:

1. Displaying a sign at your own home advocating for a particular candidate or position on a political measure.
2. Walking your neighborhood or precinct, urging others to support a candidate or a position on a ballot measure.
3. Writing letters to the editor regarding how you feel others should vote.
4. Telephoning others during non-work time and away from the district workplace (i.e., not using district property or time) to encourage them to vote a certain way.
5. Helping others register to vote, and helping others participate in the voting process by helping them, on your non-work time, get to and from the polls.
6. Contributing your money, goods, equipment, services and time to work on a campaign.
7. Participating as a member of a bargaining unit in the organized activities of the group.
8. Participating in community meetings and planning sessions, preparing mailings, taking part in community forums, and providing information to your friends, neighbors and relatives.

9. Working after business hours and off campus with co-workers who wish to work together on a campaign.
10. Making sure that both you and the members of your family are registered to vote, and then voting, either by mailed ballot or by visiting your assigned polling place on election day.

This list is not intended to be a complete listing, but is intended to give you some sense of the broad range of activities which are clearly permitted and protected during non-duty time. You may very well select additional activities which are of interest to you and your family and friends, and you have a right to participate as you see fit during your non-duty time.

In addition to the essentially personal political activities listed above, California law authorizes some other specific permitted activities:

1. If authorized to do so by the Governing Board, a board member or administrative officer, when requested by a citizens' group to do so, may attend a meeting of such organization to discuss the reasons why the Board called for a bond election and to respond to inquiries from the group. [E.C. 7054.1]
2. Employees may solicit and receive political funds or contributions to promote the support or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service, or other working conditions of employees of the district. These activities are prohibited during working hours. [E.C. 7056 (a)]
3. Recognized employee organizations and their officers, agents, and representatives may solicit and receive political funds or contributions during nonworking time from employee members to promote the support or defeat of any ballot measure. "Nonworking time" means time outside an employee's working hours, whether before or after school or during an employee's luncheon period or other scheduled work intermittency during the school day. [E.C. 7056 (b)]
4. Use of a forum under the control of the school district is permissible if the district makes the forum available to all sides on an equitable basis. [E.C. 7058]
5. California law encourages activities which make it convenient for persons to register to vote. Thus our students are able to help facilitate this important civic activity by bringing voter registration materials home to their parents to enable them to register. Registration materials may also be available at all school sites and district work locations for our employees and any members of the public. No partisan materials are to be included with these voter registration materials. [E.C. 2158]
6. Traditional efforts to inform district residents about school programs, accomplishments, and choices need not be curtailed because of a pending election. [E.C. 35172c]

Prohibited Activities By School District Employees

The general concept to remember here is that the funds, equipment, services, goods, facilities and employee time which are provided for the district at taxpayer expense are not to be used for political activities. Those assets are provided to the school district to permit us to carry out our school district duties only, and may not be used for political activities.

Some examples of prohibitions include:

1. No school district funds, services, supplies or equipment may be used for the purpose of urging the support or defeat of any ballot measure or candidate. [E.C. 7054 (a)]
2. Students may not be used as couriers for political materials -- even if included as part of a traditional distribution of materials by parent clubs or other groups.
3. Photocopy machines, supplies, mail services, e-mail, telephones, computers, duplication services, district vehicles, employee work time and various electronic media are examples of taxpayer-provided assets which may not be used for political purposes.
4. Although the District may lobby the Legislature, and although it can provide fair and impartial information about legislative issues affecting schools and children, it cannot use taxpayer-provided assets, including employee time, to urge students, parents or other citizens to lobby or convince the legislature, state agencies or other government officials on behalf of the District.

If you have a question at any time regarding whether a particular political activity is protected or prohibited, please contact your supervisor first, and you will be provided the necessary clarification.