

All Personnel

BP 4119.25(a)
4219.25
4319.25

POLITICAL ACTIVITIES OF EMPLOYEES

The Governing Board recognizes the importance of political activity, voting, and civil engagement and respects the right of school employees to engage in political 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 as individuals 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.

The Board believes that District employees have an obligation to prevent the improper use of school time, materials or facilities for political campaign purposes. Employees shall refrain from prohibited activities identified in law, Board policy, and administrative regulations. Employees who engage in these activities shall be subject to disciplinary action and/or criminal penalties.

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 References

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

Description

Political activities of school officers and employees
Civic Center Act
Prohibited solicitations on school premises

Federal References

Elections Code 18304
Government Code 3543.1
Government Code 8314

Government Code 82041.5
Penal Code 424

Description

Prohibition against use of district seal in campaign literature
Rights of employee organizations
Prohibition against use of public resources for campaign activity
Definition of mass mailing
Punishment for misuse of public funds

Management Resources

Court Decision
Court Decision

Heffernan v. City of Paterson, (2016) 136 S. Ct. 1412
Diquisto v. County of Santa Clara, (2010) 181 Cal. App. 4th 236

Court Decision

San Leandro Teachers Association v. Governing Board of the San Leandro Unified School District, (2010) 46 Cal. 4th 822

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

POLITICAL ACTIVITIES OF EMPLOYEES (continued)

Management Resources (continued)

Court Decision	L.A. Teachers Union v. L.A. City Board of Education, (1969) 71 Cal.2d 551
Court Decision	Pickering v. Board of Education Township High School District, (1968) 88 S. Ct. 1731
Attorney General Opinion	84 Ops.Cal.Atty. Gen. 106 (2001)
Attorney General Opinion	84 Ops.Cal.Atty.Gen. 52 (2001)
Attorney General Opinion	77 Ops.Cal.Atty.Gen. 56 (1994)
Public Employment Relations Board Ruling	City of Sacramento, (2019) PERB Dec. No. 2702m
Public Employment Relations Board Ruling	Conejos Valley Unified School District, (2009) PERB Dec. No. 2054
Public Employment Relations Board Ruling	East Whittier School District, (2004) PERB Dec. No. 1727
Public Employment Relations Board Ruling	Turlock Joint Elementary School District, (2004) PERB Dec. No. 1490a
Public Employment Relations Board Ruling	San Diego Community College District, (2001) PERB Dec. No. 1467

Cross References

	Description
1160	Political Processes
1325	Advertising and Promotion
1330	Use of School Facilities
6144	Controversial Issues

Policy
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MURRIETA VALLEY USD
Murrieta, California