

Political Activities of Employees

The Solano County Office of Education (SCOE) respects the right of its employees to engage in political discussions and activities on their own time and at their own expense. On such occasions, employees shall make it clear that they are acting as individuals and not as representatives of SCOE.

Like other community members, employees may use school facilities for meetings under the Civic Center Act.

Employees shall refrain from prohibited activities identified in law and SCOE policies. Employees who engage in these activities shall be subject to disciplinary action and/or criminal penalties.

SCOE employees shall not:

1. Use SCOE funds, services, supplies, or equipment to urge the passage or defeat of any ballot measure or candidate, including any candidate for election to the County Board or County Superintendent (Education Code 7054)
2. During working hours and on SCOE property, 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)
3. During working hours and on SCOE property, solicit or receive any political funds or contributions to promote the passage or defeat of other types of ballot measures
4. Use SCOE time to urge the passage or defeat of any ballot measure or candidate
5. Use SCOE equipment for the preparation or reproduction of political campaign materials, even if SCOE is reimbursed
6. Post or distribute political campaign materials on SCOE property
7. Disseminate political campaign materials through SCOE'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 opposing views
10. Wear buttons or articles of clothing that express political opinions on ballot measures or candidates during instructional time

Nothing in SCOE policy or administrative regulation shall be construed to prevent employees from soliciting or receiving funds or contributions for political purposes during nonworking time, including before and after work, the lunch period, or other scheduled work intermittency during the workday. (Education Code 7056)

Employee Organizations

Employee organizations may use SCOE mailboxes and other means to communicate with employees, subject to reasonable regulation. Employee organizations may have access at reasonable times to areas in which employees work; may use institutional bulletin boards, mailboxes, and other means of communication and may use SCOE facilities at reasonable times for the purpose of meetings.

Policy 4119.25 (Continued)

However, employee organizations shall not use SCOE funds, services, supplies, or equipment, such as the SCOE mail system, to urge the passage or defeat of any ballot measure or candidate, including any candidate for election to the County Board of Education or County Superintendent (Education Code 7054)

Access to SCOE communication channels shall be limited in cases where such access would be disruptive to its operations.

In the event of a concerted action or work stoppage, political activities by employee organizations and individual employees shall be restricted to peaceful informational picketing and other activities allowed by law.

Legal Reference:

EDUCATION CODE

7050-7057 Political activities of school officers and employees

38130-38139 Civic Center Act

51520 Prohibited solicitations on school premises

GOVERNMENT CODE

3543.1 Rights of employee organizations

COURT DECISIONS

Downs v. Los Angeles Unified School District, (9th Cir. 2000) 228 F.3d 1003

California Teachers Association v. Governing Board of San Diego Unified School District, (1996) 45 Cal.App. 4th 1333

L.A. Teachers Union v. L.A. City Board of Education, (1969) 71 Cal.2d 551

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 106 (2001)

84 Ops.Cal.Atty.Gen. 52 (2001)

77 Ops.Cal.Atty.Gen. 56 (1994)

PERB RULINGS

California Federation of Teachers, Local 1931 v. San Diego Community College District (2001) PERB Order #1467 (26 PERC 33014)

Policy Cross-Reference:

1160 Political Processes

1325 Advertising and Promotion

1330 Use of School Facilities

3512 Equipment

4040 Employee Use of Technology

4118 Dismissal/Suspension/Disciplinary Action

6144 Controversial Issues