SAN DIEGO UNIFIED SCHOOL DISTRICT

Date: September 12, 2019

To: All Principals, Division and Department Heads, Child Development Center Administrators, Governance Team Chairpersons and Chairs of School Site Councils

Subject: PROHIBITED USE OF DISTRICT FACILITIES OR EMPLOYEE TIME FOR CAMPAIGN ACTIVITIES

Department and/or Persons Concerned: All Principals, Division and Department Heads, Child Development Center Administrators

Due Date: None

Reference: Education Code Sections 7050 through 7058 and 35172, Board Policy 1250 and 6144, Administrative Regulation 1250 and Administrative Procedure 9205

Action Requested: Implement the following guidelines.

Brief Explanation:

State law prohibits the use of school district funds, services, supplies, or equipment for the purpose of urging the support or defeat of any ballot measure or candidate. District employees may not engage in political or campaign activities during work hours. (Education Code sections 7050 through 7058). This restriction includes the wearing or display of partisan political materials (i.e., posters, political buttons) at work sites during duty hours.

Based on these prohibitions, the following are guidelines concerning campaign activities:

1. No person may engage in political campaigning on school sites or on district administrative locations.

2. Except as provided for under Administrative Procedure 9205 (Civic Center Use of Buildings, Grounds and Equipment), district telephones, copiers, materials, supplies and personnel, including translators and interpreters, may not be used for any political or campaign activity.

3. Students may not take home political or campaign material distributed by parent or other school associated groups.

4. Employees may appear at public or private meetings to discuss a ballot measure. If they are at the meeting representing the district, they must only present relevant facts on the consequences to the district of the measure. Persons may campaign as private citizens on their own time and at their own expense. It should be clear that the views expressed are personal.
5. School mail or mailboxes may not be used to distribute materials that urge either the support
or defeat of a candidate or ballot measure. Employee organizations may communicate with
their unit members using school mail only pursuant to San Leandro Teacher’s Assn v.
Governing Board etc. (2009) 46 Cal.4th 822.

6. Except for employee organization bulletin boards or faculty room tables, no district property,
including bulletin boards, walls, or marquees, shall be used to display campaign or election
materials. Employee organizations may post only their materials on the organization bulletin
board. These bulletin boards should not be in a place readily accessible to the general public.

7. Instructional activities related to campaign issues are governed by Board Policy 6144
(Controversial Issues).

8. Visits to school sites by individuals associated with political campaigns must comply with
Board Policy 1250 and Administrative Regulation 1250 (Visitors).

9. Distribution of materials related to an election shall be governed by the following:
   a. All written information to be disseminated to the public by school employees during
      work hours or using district facilities must first be submitted to the district’s Legal
      Services office.

   b. Information of a partisan nature may be distributed between employees on school
      premises only during lunch breaks or duty-free time. Such information may be discussed
      between employees only in noninstructional settings.

10. Under Education code section 7053 no one who holds, or who is seeking election to the
    Board of Education may, directly or indirectly, use, promise, threaten or attempt to use, any
    office, authority, or influence, whether then possessed or merely anticipated, to confer upon
    or secure for any person, or to aid or obstruct any person in securing, or to prevent any
    person from securing, any position, nomination, confirmation, promotion, change in
    compensation or position, within the District upon consideration or condition that the vote or
    political influence or action of such person or another shall be given or used in behalf of, or
    withheld from, any candidate or officer, or upon any other corrupt condition or
    consideration. The prohibitions of that section apply to either urging or discouraging any
    political action of an employee.

If you have any questions regarding the above, please contact Legal Services at (619) 725-5630.

Andra M. Greene
General Counsel

AMG:dmh

Distribution: List A, B, C, D, E, F, O and S