



—MEMORANDUM—

TO: Administrators, Supervisors and Managers

FROM: Communications
Legal Services

SUBJECT: Political Activities in an Election Year

DATE: October 5, 2020

In light of upcoming elections and the many candidates and initiatives related to education, the following is a brief summary of expectations regarding the political activities of students, employees and community groups at District school sites and offices. Please review the attached Guidelines and FAQ's for more detailed information and for sharing with staff as needed.

1. **Students:** Student political free speech and expression should be limited only to maintain an orderly school environment and protect the rights, health and safety of all members of the school community. Students should be allowed to post or distribute political handbills, leaflets and other printed material and collect signatures on petitions before school, during lunch or after school in locations that do not obstruct the normal flow of traffic. All printed material and petitions should include the name and address of the sponsoring organization or individual. Buttons, badges, armbands or clothing with slogans or sayings can be worn unless their message disrupts class or is obscene or defamatory. (Administrative Regulation 5145.2.)
2. **Employees:** Employees have the right to engage in political discussions and activities on their own time and at their own expense. On such occasions, employees should make it clear that they are acting as individuals, not as District representatives. District employees and employee organizations cannot use any District funds, services, supplies or equipment, including the District's mail system (intradistrict mail, e-mail and staff mailboxes), to urge the passage or defeat of any ballot measure or candidate, including candidates for election to the Board of Education. Employees also cannot solicit or receive any political contributions during working hours on school property, post or distribute political campaign materials on school property, involve students in political campaigns, present partisan viewpoints in the classroom without giving equal time to opposing views, or wear buttons or clothing that campaign during instructional time (note: case law has defined Back-to-School Night as non-instructional time). (Administrative Regulation 4119.25.)
3. **Community groups:** Parent groups, such as PTAs, PTSAs and PTOs, may host discussions of (or with) political candidates and issues so long as no district resources are used to support any political candidate or initiative (Ed. Code Section 7054 and BPs and ARs 4119.25, 4219.25, 4319.25). Examples of resources prohibited would include the district's automated phone dialing system, copy machines, paper supplies, custodial services and the use of facilities not rented via the civic permit process. Groups such as PTAs, PTOs or other organizations may hold forums in district facilities if the forum is made available to all sides on an equitable basis (Ed. Code 7058, Board Policy 1160). All groups that wish to use district facilities for any purpose must follow the permit process pursuant to the Civic Center Act and Board Policy and Administrative Regulation 1330.