

**Policy 1160: Political Processes**

**Status:** DRAFT

**Original Adopted Date:** 02/06/2007 | **Last Revised Date:** 11/06/2012 | **Last Reviewed Date:** 11/06/2012

The Governing Board has a responsibility to actively advocate fiscal and public policy that supports the district's schools and the children in the community. **The Board shall be proactive in defining the district's advocacy agenda based on the district's vision and goals and the needs of the district and community. The Board's advocacy efforts shall be conducted in accordance with legal requirements.**

**Ballot Measures/Candidates**

**No district funds, services, supplies, or equipment shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)**

**The Board may discuss and study the potential effect of proposed or qualified ballot measures on the district's schools at an open and agendized Board meeting. The Board's discussion of the effect of such measures shall include an opportunity for staff and members of the public to speak on all sides of the issue. At that meeting, the Board may adopt a position or resolution in support of or in opposition to a ballot measure. The language in any resolution adopted by the Board shall not urge the public to take any action regarding the measure.**

**The Board's position on a ballot measure, including any resolution, shall be publicized only through normal district procedures and consistent with regular district practice for reporting Board actions. Such publicity shall be for informational purposes and shall not attempt to influence voters.** To the extent possible, the Board shall be proactive in defining the district's advocacy agenda based on the needs of the district and the direction set forth in the district's vision and goals. The Board's advocacy efforts shall be conducted in accordance with legal requirements.

**Individual School Board members may include their name in support of or opposition to a county, city, district, or school measure on a county ballot in accordance with Elections Code 9170.**

**The Superintendent or designee may use district resources to provide students, parents/guardians, and community members with fair and impartial information related to ballot measures, including information about the impact of ballot measures on the district. (Education Code 7054)**

In preparing or distributing such informational material, the Superintendent or designee shall analyze the material to help ensure that it is an appropriate informational activity, provides a fair analysis of the issues, and does not advocate passage or defeat of a measure or candidate.

District resources, including email or computer systems, shall not be used to disseminate campaign literature. In addition, district resources shall not be used to purchase advertisements, bumper stickers, posters, or similar promotional items that advocate an election result or urge voters to take any action in support of or in opposition to a measure.

Political activity related to district bond measures shall, in addition to the above, be subject to the following conditions:

1. The Superintendent or designee may research, draft, and prepare a district bond measure or other initiative for the ballot, but shall not use district resources to influence voters or otherwise campaign for the measure.
2. Upon request, Board members and district administrators may appear at any time before a citizens' group to explain why the Board called for an election on a bond measure and to answer questions. (Education Code 7054.1)

If the presentation occurs during working hours, the employee representing the district shall not urge a citizens' group to vote for or against the bond measure.

3. The Board or any individual Board member may file a written argument for the ballot that is either for or against any school measure. (Elections Code 9501)

The Board may establish reasonable regulations related to Board members and employees engaging in political activity during working hours and on district premises. (Education Code 7055)

## Legislation

The Board's responsibility as an advocate for the district may include lobbying **and outreach** at the state-d, national, and local levels.

Because local governments also make decisions which impact the district's schools, the Board and the **The Board and Superintendent** or designee shall work to establish **and maintain** ongoing relationships with elected officials, community leaders and agencies, and the media and shall inform them of the potential effect of local issues on the schools.

The Board shall identify issues that will affect its schools and the children in its community, establish goals and priorities for legislative advocacy, solicit community input and adopt legislative **in order to communicate district** positions. The Superintendent or designee shall establish a coordinated plan for carrying out the advocacy agenda, including specific activities, target groups or individuals, staff responsibilities and timelines.

In order to strengthen legislative advocacy efforts, the district may work with organizations and coalitions and may join associations whose representatives lobby on behalf of their members in accordance with Government Code 53060.5. **and concerns.**

The Board and Superintendent shall develop an advocacy action plan to define expectations and responsibilities. This plan may include, but is not limited to, legislative priorities, strategies for outreach to the media and community, development of key messages and talking points, and adoption of positions on specific legislation, regulations, or budget proposals.

As necessary, the Board may direct the Superintendent or designee may draft legislative proposals which serve the district's interests.

## The Board and District

**In order to strengthen legislative advocacy efforts, the district may work with organizations and coalitions and may join associations whose representatives lobby on behalf of their members in accordance with Government Code 53060.5.**

**The district** may provide fair and impartial information about legislative issues affecting schools and children and shall inform the community about its legislative advocacy activities. However, the Board shall not urge the public to lobby the legislature, Governor, or state agencies on behalf of the district.

## Ballot Measures/Candidates

The Board may study the potential effect of ballot measures on the district's schools. Any Board discussion of the effect of such measures shall include an opportunity for Board members, staff and members of the public to speak on all sides of the issue. Following such study, the Board may adopt a position or resolution in support of or in opposition to ballot measures of importance to education. The language in any resolution adopted by the Board shall not urge the public to take any action regarding the measure.

The Board's positions shall be publicized only through normal district procedures and consistent with regular district practice for reporting Board actions. **advocacy activities.** Such publicity shall be for informational purposes and shall not attempt to influence voters.

No district funds, services, supplies or equipment shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)

District resources shall not be used to disseminate campaign literature or to purchase advertisements, bumper stickers, posters or similar promotional items that advocate an election result.

The Superintendent or designee may use district resources to provide students, parents/guardians and community members with fair and impartial information related to ballot measures, including information about the impact of ballot measures on the district. (Education Code 7054) However, informational materials about legislation shall not urge the public to lobby the legislature, Governor, or state agencies on behalf of the district.

In preparing or distributing such informational materials **As necessary**, the **Board may direct the** Superintendent or designee shall analyze the material to help ensure that it is an appropriate informational activity, provides a fair analysis of the issues, and does not advocate passage or defeat of a measure or candidate.

### **Bond Measures**

The Superintendent or designee may research, draft and prepare a bond measure or other initiative for the ballot, but shall not use district resources to secure signatures in order to qualify the measure for the ballot.

Upon request, Board members and district administrators may appear at any time before a citizens' group to explain why the Board called for an election on a bond measure and to answer questions. (Education Code 7054.1)  
If the presentation occurs during working hours, the district representative shall not urge a citizens' group to vote for or against the bond measure.

For informational purposes, the Superintendent or designee may conduct a poll related to a ballot issue. Such a poll shall not advocate a particular position on the issue. **legislative or regulatory proposals which serve the district's interests.**

### **Legal Advocacy**

The Board recognizes that some issues are more appropriately addressed judicially rather than legislatively. When a legal issue is likely to set a state or national precedent, the district may join with other districts or parties in order to challenge **resolve** the issue through litigation or other appropriate means.

### **Political Forums**

Forums on political issues may be held in district facilities as long as the forum is made available to all sides of the issue on an equitable basis. (Education Code 7058)

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**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**

### **Description**

2 CCR 18600-18640	Lobbyists - <a href="https://simbli.eboardsolutions.com/SU/EslshK5xMWM11ebnL4su0sMvA==">https://simbli.eboardsolutions.com/SU/EslshK5xMWM11ebnL4su0sMvA==</a>
2 CCR 18901.1	Campaign related mailings sent at public expense - <a href="https://simbli.eboardsolutions.com/SU/RAW1BiISYaSu54mCUAzRMQ==">https://simbli.eboardsolutions.com/SU/RAW1BiISYaSu54mCUAzRMQ==</a>
Ed. Code 35160	Authority of governing boards - <a href="https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==">https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==</a>
Ed. Code 35172	Promotional activities - <a href="https://simbli.eboardsolutions.com/SU/mVfx6wBztjEsmgOccplusEJNQ==">https://simbli.eboardsolutions.com/SU/mVfx6wBztjEsmgOccplusEJNQ==</a>
Ed. Code 7050-7058	Political activities of school officers and employees - <a href="https://simbli.eboardsolutions.com/SU/5YoLGWfbAw1M58GNpvRw==">https://simbli.eboardsolutions.com/SU/5YoLGWfbAw1M58GNpvRw==</a>
Ed. Code 7054	Use of district property - <a href="https://simbli.eboardsolutions.com/SU/zsQbGD629AZeslshbpluserHcegA==">https://simbli.eboardsolutions.com/SU/zsQbGD629AZeslshbpluserHcegA==</a>
Ed. Code 7054.1	Requested appearance - <a href="https://simbli.eboardsolutions.com/SU/Aj68x9ZUmPid2oqLqp92mg==">https://simbli.eboardsolutions.com/SU/Aj68x9ZUmPid2oqLqp92mg==</a>
Ed. Code 7056	Soliciting or receiving political funds - <a href="https://simbli.eboardsolutions.com/SU/Dgd5hd1rGngWjtEZXBnEtA==">https://simbli.eboardsolutions.com/SU/Dgd5hd1rGngWjtEZXBnEtA==</a>
Elec. Code 9170	Ballot label; support and opposition listings - <a href="https://simbli.eboardsolutions.com/SU/QtOGQ31oBO2FEYSN8zb5dw==">https://simbli.eboardsolutions.com/SU/QtOGQ31oBO2FEYSN8zb5dw==</a>
Elec. Code 9501	School district elections; arguments for or against a measure - <a href="https://simbli.eboardsolutions.com/SU/nlgWApEAqXTrLbmlWAAV8w==">https://simbli.eboardsolutions.com/SU/nlgWApEAqXTrLbmlWAAV8w==</a>
Gov. Code 53060.5	Attendance at legislative body; expenses - <a href="https://simbli.eboardsolutions.com/SU/Y8slshOA9fuwkYIMvvagUVew==">https://simbli.eboardsolutions.com/SU/Y8slshOA9fuwkYIMvvagUVew==</a>

Gov. Code 54953.5	Audio or video recording of proceedings - <a href="https://simbli.eboardsolutions.com/SU/pglHf3CJute3LspDNfIFwA==">https://simbli.eboardsolutions.com/SU/pglHf3CJute3LspDNfIFwA==</a>
Gov. Code 54953.6	Broadcasts of proceedings - <a href="https://simbli.eboardsolutions.com/SU/VAvd4eXAMI6WSOnhCnKLWA==">https://simbli.eboardsolutions.com/SU/VAvd4eXAMI6WSOnhCnKLWA==</a>
Gov. Code 81000-91014	Political Reform Act - <a href="https://simbli.eboardsolutions.com/SU/YoRIO7U1CVMHSIRIJD6Piw==">https://simbli.eboardsolutions.com/SU/YoRIO7U1CVMHSIRIJD6Piw==</a>
Gov. Code 82031	Definition of independent expenditure - <a href="https://simbli.eboardsolutions.com/SU/SmslshpAAJBrvGeoUrN24p15A==">https://simbli.eboardsolutions.com/SU/SmslshpAAJBrvGeoUrN24p15A==</a>
Gov. Code 8314	Unlawful use of state resources - <a href="https://simbli.eboardsolutions.com/SU/wxE0E3jai89V8gV1GsXZaA==">https://simbli.eboardsolutions.com/SU/wxE0E3jai89V8gV1GsXZaA==</a>

**Management Resources References**

	<b>Description</b>
Attorney General Opinion	73 Ops.Cal.Atty.Gen. 255 (1990)
Attorney General Opinion	88 Ops.Cal.Atty.Gen. 46 (2005)
Court Decision	Choice-in-Education League et al v. Los Angeles Unified School District, (1993) 17 Cal.App.4th 415
Court Decision	League of Women Voters v. Countywide Criminal Justice Coordination Committee, (1988) 203 Cal.App.3d 529
Court Decision	Miller v. Miller, (1978) 87 Cal.App.3d 762
Court Decision	Santa Barbara County Coalition Against Automobile Subsidies v. Santa Barbara County Association of Governments, (2008) 167 Cal.App.4th 1229
Court Decision	Stanson v. Mott, (1976) 17 Cal. 3d 206
Court Decision	Vargas v. City of Salinas, (2009) 46 Cal. 4th 1
Court Decision	Yes on Measure A v. City of Lake Forest, (1997) 60 Cal.App.4th 620
CSBA Publication	Legal Guidelines for Lobbying Activity, Fact Sheet, February 2011 - <a href="https://simbli.eboardsolutions.com/SU/VoslshjslshS5kMzi7oWci5W50fQ==">https://simbli.eboardsolutions.com/SU/VoslshjslshS5kMzi7oWci5W50fQ==</a>
CSBA Publication	Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates, Fact Sheet, February 2011
Institute for Local Government Publication	Legal Issues Associated with Use of Public Resources and Ballot Measure Activities, June 2010
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>
Website	Institute for Local Government - <a href="https://simbli.eboardsolutions.com/SU/U2G2edhR1agbQ5dqoPtfmA==">https://simbli.eboardsolutions.com/SU/U2G2edhR1agbQ5dqoPtfmA==</a>
Website	Fair Political Practices Commission - <a href="https://simbli.eboardsolutions.com/SU/C2dGDtcJnwlshMnGhy8IJcbw==">https://simbli.eboardsolutions.com/SU/C2dGDtcJnwlshMnGhy8IJcbw==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>

**Cross References**

	<b>Description</b>
0000	Vision - <a href="https://simbli.eboardsolutions.com/SU/eQxI6o2soPd39Bnny4WPoA==">https://simbli.eboardsolutions.com/SU/eQxI6o2soPd39Bnny4WPoA==</a>
0200	Goals For The School District - <a href="https://simbli.eboardsolutions.com/SU/S05O5v6npwslsh2SIXKYX8ZbA==">https://simbli.eboardsolutions.com/SU/S05O5v6npwslsh2SIXKYX8ZbA==</a>
1000	Concepts And Roles - <a href="https://simbli.eboardsolutions.com/SU/KaR1o6WsS0oZ4pumqkwBog==">https://simbli.eboardsolutions.com/SU/KaR1o6WsS0oZ4pumqkwBog==</a>
1100	Communication With The Public - <a href="https://simbli.eboardsolutions.com/SU/Hywu1plusUHmPznTnAojQeislshg==">https://simbli.eboardsolutions.com/SU/Hywu1plusUHmPznTnAojQeislshg==</a>

1112	Media Relations - <a href="https://simbli.eboardsolutions.com/SU/3lHEaJYmsnDktqG0qiC94Q==">https://simbli.eboardsolutions.com/SU/3lHEaJYmsnDktqG0qiC94Q==</a>
1114	District-Sponsored Social Media - <a href="https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvFyCOp9Cgiw==">https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvFyCOp9Cgiw==</a>
1114	District-Sponsored Social Media - <a href="https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==">https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==</a>
1325	Advertising And Promotion - <a href="https://simbli.eboardsolutions.com/SU/1slshXspRaQThslshjxtigzLaZYg==">https://simbli.eboardsolutions.com/SU/1slshXspRaQThslshjxtigzLaZYg==</a>
1330	Use Of School Facilities - <a href="https://simbli.eboardsolutions.com/SU/bweubRumziCMEFsRwfPRVQ==">https://simbli.eboardsolutions.com/SU/bweubRumziCMEFsRwfPRVQ==</a>
1330	Use Of School Facilities - <a href="https://simbli.eboardsolutions.com/SU/OsPXtQrBZmNcjhUi2mwN3Q==">https://simbli.eboardsolutions.com/SU/OsPXtQrBZmNcjhUi2mwN3Q==</a>
1330-E PDF(1)	Use Of School Facilities - <a href="https://simbli.eboardsolutions.com/SU/mJDGwwleQuuHMknzSltrQ==">https://simbli.eboardsolutions.com/SU/mJDGwwleQuuHMknzSltrQ==</a>
1400	Relations Between Other Governmental Agencies And The Schools - <a href="https://simbli.eboardsolutions.com/SU/boI2KQoplusfOV4IODLslshnZFOsg==">https://simbli.eboardsolutions.com/SU/boI2KQoplusfOV4IODLslshnZFOsg==</a>
4119.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/UslshRGVNhJBFEdNRko7psQg==">https://simbli.eboardsolutions.com/SU/UslshRGVNhJBFEdNRko7psQg==</a>
4219.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/seiEdh3poDGMpbcllNJXOQ==">https://simbli.eboardsolutions.com/SU/seiEdh3poDGMpbcllNJXOQ==</a>
4319.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/HslshEplusldczqDEuoelLia0ZiA==">https://simbli.eboardsolutions.com/SU/HslshEplusldczqDEuoelLia0ZiA==</a>
7131	Relations With Local Agencies - <a href="https://simbli.eboardsolutions.com/SU/ls4jeJFy2ukUR3nnp0Km1g==">https://simbli.eboardsolutions.com/SU/ls4jeJFy2ukUR3nnp0Km1g==</a>
7214	General Obligation Bonds - <a href="https://simbli.eboardsolutions.com/SU/RuWpIR0Hyg9zd1a1uLplusJg==">https://simbli.eboardsolutions.com/SU/RuWpIR0Hyg9zd1a1uLplusJg==</a>
7214	General Obligation Bonds - <a href="https://simbli.eboardsolutions.com/SU/5H9WP4YrKfWbYiJpZDAC7Q==">https://simbli.eboardsolutions.com/SU/5H9WP4YrKfWbYiJpZDAC7Q==</a>
9000	Role Of The Board - <a href="https://simbli.eboardsolutions.com/SU/yCFHLIFLUDCtfgppluseQHTjg==">https://simbli.eboardsolutions.com/SU/yCFHLIFLUDCtfgppluseQHTjg==</a>
9010	Public Statements - <a href="https://simbli.eboardsolutions.com/SU/pplusGikKLIU0CP7U1yIXehkQ==">https://simbli.eboardsolutions.com/SU/pplusGikKLIU0CP7U1yIXehkQ==</a>
9124	Attorney - <a href="https://simbli.eboardsolutions.com/SU/slshOCqMiqFcC60jEt4dQfrsA==">https://simbli.eboardsolutions.com/SU/slshOCqMiqFcC60jEt4dQfrsA==</a>
9200	Limits Of Board Member Authority - <a href="https://simbli.eboardsolutions.com/SU/0hKRSA+VLHUJi2u41Y5PPKQ==">https://simbli.eboardsolutions.com/SU/0hKRSA+VLHUJi2u41Y5PPKQ==</a>
9230	Orientation - <a href="https://simbli.eboardsolutions.com/SU/4qcNnLdU11insCheApKTew==">https://simbli.eboardsolutions.com/SU/4qcNnLdU11insCheApKTew==</a>
9250-E PDF(1)	Remuneration, Reimbursement And Other Benefits - <a href="https://simbli.eboardsolutions.com/SU/LdSKraplusGNbjFslshbbquhAGIA==">https://simbli.eboardsolutions.com/SU/LdSKraplusGNbjFslshbbquhAGIA==</a>
9250	Remuneration, Reimbursement And Other Benefits - <a href="https://simbli.eboardsolutions.com/SU/6MTwNWPnCFvhD2CyUnR2FA==">https://simbli.eboardsolutions.com/SU/6MTwNWPnCFvhD2CyUnR2FA==</a>
9320	Meetings And Notices - <a href="https://simbli.eboardsolutions.com/SU/d3byKNXKI19slshRQNoSURfaQ==">https://simbli.eboardsolutions.com/SU/d3byKNXKI19slshRQNoSURfaQ==</a>
9321-E PDF(1)	Closed Session - <a href="https://simbli.eboardsolutions.com/SU/JouF3slshhdp1t8S6jR9jTrVg==">https://simbli.eboardsolutions.com/SU/JouF3slshhdp1t8S6jR9jTrVg==</a>
9321-E PDF(2)	Closed Session - <a href="https://simbli.eboardsolutions.com/SU/R7Dlslsh4Z8zkiT8c3evrPAG==">https://simbli.eboardsolutions.com/SU/R7Dlslsh4Z8zkiT8c3evrPAG==</a>
9321	Closed Session - <a href="https://simbli.eboardsolutions.com/SU/eQxvTE4sunzJru8wB8gc1g==">https://simbli.eboardsolutions.com/SU/eQxvTE4sunzJru8wB8gc1g==</a>