

# Santa Barbara Unified School District Board Policy

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## All Personnel

### POLITICAL ACTIVITIES OF EMPLOYEES

The Governing Board respects the right of school 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 the district.

(cf. 1160 - Political Processes)

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

(cf. 1330 - Use of School Facilities)

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

(cf. 1325 - Advertising and Promotion)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

#### 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. Board of Education 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)

#### Management Resources:

##### CSBA PUBLICATIONS

Political Activities of School Districts: Legal Issues, 1998, revised 2001

##### WEB SITES

CSBA: <http://www.csba.org>

Office of the Attorney General, Dept. of Justice: <http://caag.state.ca.us/>

Public Employment Relations Board: <http://www.perb.ca.gov>

SANTA BARBARA UNIFIED SCHOOL DISTRICT  
Santa Barbara, California January 26, 2010