

1267. POLITICAL ACTIVITIES

Education Code Section 7054 prohibits the use of school district funds, services, supplies or equipment to advocate for or against a ballot measure or candidate. However, public resources may be employed to provide information in a fair and impartial presentation to the public about the possible effects of any ballot measure on the Los Angeles Unified School District. The Education Code imposes a criminal penalty for violation of Education Code Section 7054. Although it is impossible to anticipate all specific applications of these principles, the following guidelines apply:

A. Prohibited Activities

1. District employees shall not, without prior approval of the District's legal counsel, expend public funds:

- a. to sponsor any activity relating to a ballot measure or candidate;
- b. to disseminate any written information relating to a ballot measure or candidate.

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2. District employees shall not use District personnel, equipment, stationery, stamps, public funds, or other resources to distribute materials which advocate a particular position relating to a ballot measure or candidate.

3. District employees shall not permit use of District facilities, other than by lawful leases or permits (See Board Rule 1301, et seq.) for the purpose of advocacy for or against a ballot measure or candidate.

B. Permitted Activities

1. The District may conduct studies through research and investigation as required in connection with the present and future management, conditions, needs and financial support of the schools. (Education Code Section 35172-a)

2. District funds, services or equipment can be used to provide information to the public about the possible effects of a ballot measure if the informational activities are otherwise authorized by the Constitution or laws of this state and the information constitutes a fair and impartial presentation of the relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.

(Education Code Section 7054-b)

3. A presentation that includes either the good or the bad consequences of a ballot measure should fairly present both the good and the bad. The Education Code imposes a criminal penalty for the violation of Education Code Section 7054-b.

4. A District officer is not prohibited from appearing at any time before a citizens group that requests such a person for the purpose of discussing the reasons why the Board of Education called for an election to submit to District voters a proposition for bond issuance and for the purposes of responding to inquiries from the citizens group. (Education Code Section 7054.1)

5. Employee organizations are not prohibited from soliciting or receiving political funds or contributions from employee members to promote the

support or defeat of any ballot measure on District property during “non working time.” Nonworking time is defined as time outside an employee’s working hours, whether before or after school or during the employee’s lunch period. (Education Code

Section 7056-b)

6. A forum under the control of the District can be used to provide information to the public about the possible effects of any ballot measure,

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if the forum is made available to all sides on an equitable basis.”

(Education Code Section 7058)

7. District officers and employees may discuss or advocate a position on an issue when such activity is during non working time and is not in any way funded from District sources. (Education Code Sections 7056-a, b, and 7054-a.)

An employee is off-duty before and after the assigned workday and during a duty-free lunch period. Distribution of political literature by and to employees during duty-free time at work sites may only occur in areas that are apart from students and classes.

8. Factual information to be disseminated, if in compliance with the above guidelines, may be obtained from documents prepared by non-District sources. However, the District should not act as distributor of leaflets, brochures or other publications prepared by non-District organizations.

C. Criminal Penalty

Violation of statutory provisions regarding the subject limitations is a misdemeanor or felony punishable by imprisonment in the county jail or by a fine, or by both, or imprisonment in state prison. (Education Code Section 7054-c)

(Amended 5-8-01)