

COMMUNITY RELATIONS

SUBJECT: Political Processes

The County Board of Education and County Superintendent of Schools have a responsibility to actively advocate fiscal and public policy that supports the County Office of Education's schools and the children in the community. To the extent possible, the County Board and County Superintendent shall be proactive in defining the County Office of Education's advocacy agenda based on the needs and direction set forth in its vision and goals.

(cf. 9000 - Role of the Board)

(cf. 9010 - Public Statements)

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

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

Legislation

The County Board and County Superintendent's responsibility as advocates for the County Office of Education may include lobbying at the local, state, and national levels.

Because local governments also make decisions which impact the County Office of Education's schools, the County Board and the County Superintendent or designee shall work to establish ongoing relationships with city and county officials and agencies, and shall inform them of the potential effect of local issues on the schools.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

The County Board and County Superintendent shall identify issues that will affect schools and the children in the community, establish goals and priorities for legislative advocacy, solicit community input and adopt legislative positions. The County 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 County Office of Education may work with organizations and coalitions and may join associations whose representatives lobby on behalf of their members.

As necessary, the County Superintendent or designee may draft legislative proposals which serve the interests of the County Office of Education.

The County Board and County Superintendent may provide fair and impartial information about legislative issues affecting schools and children and shall inform the community about its legislative advocacy activities. However, they shall not urge the public to lobby the legislature on behalf of the County Office of Education.

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

Ballot Measures/Candidates

The County Board and County Superintendent may study the potential effect of ballot measures on the schools. Any County Board discussion of the effect of such measures shall include an opportunity for County Board members, the County Superintendent and staff, and members of the public to speak on all sides of the issue. Following such study, the County Board may adopt positions in support of or in opposition to ballot measures of importance to education.

The County Board and County Superintendent's positions shall be publicized only through normal procedures for reporting County Board or County Superintendent's actions and in a manner that does not attempt to influence voters.

(cf. 9323 - Meeting Conduct)

No County Office of Education 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 County Board of Education or County Superintendent of Schools. (Education Code 7054)

County Office of Education 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 County Superintendent of Schools or designee may use County Office of Education 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 County Office of Education. (Education Code 7054)

In preparing or distributing such information, the County Superintendent or designee shall ensure that the totality of the circumstances, including language, style, tenor and timing, does not expressly advocate passage or defeat of a measure or candidate.

For informational purposes, the County Superintendent or designee may conduct a poll related to a ballot issue. Such a poll shall not advocate a particular position on the issue.

Legal Advocacy

The County Board and County Superintendent recognize 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 County Office of Education may join with other districts, county offices of education, or parties in order to challenge the issue through litigation or other appropriate means.

Political Forums

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

(cf. 1330 - Use of School Facilities)

Legal Reference:

EDUCATION CODE

7054 Use of district property

7054.1 Requested appearance

7055 Local rules

7056 Soliciting or receiving political funds

7058 Use of forum

35160 Authority of governing boards

35172 Promotional activities

GOVERNMENT CODE

50023 Attending legislature to support or oppose legislation

53060.5 Attendance at legislative body; expenses

54953.5 Right to record proceedings

54953.6 Broadcasts of proceedings

81000-91015 Political Reform Act

COURT DECISIONS

Stanson v. Mott, (1976) 17 Cal. 3d 206

Miller v. Miller, (1978) 87 Cal.App.3d 762

League of Women Voters v. Countywide Criminal Justice Coordination Committee, (1988) 203 Cal.App.3d 529, 250 Cal. Rptr. 161, rev.den.

Choice-in-Education League et al v. Los Angeles Unified School District, (1993) 17 Cal.App.4th 415

Yes on Measure A v. City of Lake Forest (1997) 60 Cal.App.4th 620

Scherer v. Buchanan, First Appellate District, Civil No. A076648

ATTORNEY GENERAL OPINIONS

73 Ops.Cal.Atty.Gen. 255 (1990)

Management Resources:

OFFICE OF LEGISLATIVE COUNSEL

Advice letter #7837, March 18, 1996 (use of public funds to publicize board positions)

FAIR POLITICAL PRACTICES COMMISSION

FPPC No. 93/345 (1996)

CSBA PUBLICATIONS

Political Activities of School Districts: Legal Issues, 1998

Maximizing School Board Leadership: Community Leadership, 1996