

We Are TR!



Legal Guidelines for Political Activities

For the purposes of these guidelines, “public resources” includes money, but also includes items paid for with public funds like staff time, materials, equipment, facilities and the use of district communications channels, such as the district and school websites, email system, staff mailboxes, automated call system, School Loop system and newsletter.

Activities on School Campus

What are the restrictions for district employees or potential candidates engaging in political activities on school grounds?

During working hours (including after school functions), school district employees, potential school board candidates, and those working on their behalf may not engage in political activities on school campuses.

(Education Code § 7056)

In general, requests by individual candidates to visit a school during working hours are not considered appropriate during an election campaign. This restriction includes informal visits to classrooms and meetings with school councils (e.g. School Site Council, ELAC) or with school administrators. If a candidate contacts you asking to visit your school, explain that the Twin Rivers USD

election guidelines do not permit visits during working hours.

A candidate may request to attend a Council, Open House or Parent/Teacher Group meeting and may do so, as these meetings are open to the public. They are not to campaign during these meetings or events.

Parent Groups

Do these restrictions apply to parent groups?

School councils (e.g. School Site Council, ELAC) are bound by the same guidelines as the school. It is not appropriate for the school council as a group to endorse a specific candidate. They may not distribute information on behalf of, or about, a specific candidate. Individual candidates are not permitted to meet with the council during the campaign period.

These guidelines apply to the school council as a group. The individual members of a school council, including the chair of the council, are not limited in any way in terms of their ability to campaign for specific candidates during their own time but they cannot use their role on the school council as part of their endorsement.

(continued...)

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School Facilities

May district and school facilities be used for a political forum?

Yes. A school district may make a school forum available to the public as long as the forum is made available to all sides on an equitable basis. The key is even-handedness. When the district makes a facility available to one group, then all opposing groups must also be allowed to use the facility. If the district sponsors a forum, then all groups and sides must be given an opportunity to appear. (Education Code § 7058) In TRUSD, the candidate/group would follow the normal process for a Facilities Use Request.

Political Messages and Materials

Can political materials be displayed or distributed at schools?

Political information should not be displayed or distributed via schools. For this reason, no campaign material may be displayed or distributed to students or parents via schools. (California Teachers Assn. v. Governing Board (1996) 45 Cal.App.4th 1383, 1388-1392; 77 Ops.Cal.Atty.Gen. 56, 63-64 (1994))

Personal Time

Can a district employee encourage family or friends to vote a certain way?

Yes, district employees may engage in political activity as private citizens, as long as the activity does not involve the use of public funds. When doing so, board members and employees should make it clear they are acting on their own behalf and on their own time. (Education Code § 7052)

Resources

Information and election resources are available on the following websites:

<http://www.sos.ca.gov/elections>

<http://www.leginfo.ca.gov/calaw.html>

<http://www.elections.saccounty.net>

Additional Questions

We have attempted to provide guidelines explaining the majority of questions that might arise during the June 2014 board election. Thank you in advance for your cooperation.

If you have questions or if situations arise that are not covered by these guidelines, please contact Director of Communications Zenobia Gerald, 916-566-1789.