

Fresno Unified Board Policy (BP)1160

Political Processes

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, equipment, or supplies 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 agendaized 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.

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.

(cf. 1325 - Advertising and Promotion)

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)

(cf. 4119.25 /4219.25/4319.25 Political Activities of Employees)
(cf. 9000 - Role of Board and Members)
(cf. 9010 - Public Statements)

Legislation

The Board's responsibility as an advocate for the district may include lobbying and outreach at the state, national, and local levels. The Board and Superintendent or the Government Relations administrator, shall work to establish and maintain ongoing relationships with elected officials, community leaders, and the media in order to communicate district positions and concerns.

(cf. 1400 – Relations Between Other Government Officials/Agencies And The Schools)

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.

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 advocacy activities. However, informational materials about legislation shall not urge the public to lobby the legislature, Governor, or state agencies on behalf of the district.

As necessary, the Board may direct the Superintendent or designee to draft 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 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 issues on an equitable basis. (Education Code 7058)

(cf. 1330 - Use of School Facilities)

Legal Reference:
EDUCATION CODE
7050-7058 Political activities of school officers and employees
7054 Use of district property
7054.1 Requested Appearance
7056 Soliciting or receiving political funds
9170 Ballet label; support and opposition listings
9501 School district elections; arguments for or against a measure
35160 Authority of governing boards

35172 Promotional activities
GOVERNMENT CODE
8314 Unlawful use of state resources
53060.5 Attendance at legislative body; expenses
54953.5 Audio or video recording of proceedings
54953.6 Broadcasts of proceedings
81000-91014 Political Reform Act
82031 Definition of independent expenditure
Choice-in-Education League et al v. Los Angeles Unified School District (1993) 17 Cal.App.4th 415
Stanson v. Mott (1976) 17 Cal. 3d 206
League of Women Voters v. Countywide Criminal Justice Coordination Committee (1988) 203 Cal.App.3d 529,
Miller v. Miller, (1978) 87 Cal.App.3d 762
Vargas v. City of Salinas, (2009) 46 Cal. 4th 1
Yes on Measure A v. City of Lake Forest, (1997) 60 Cal.App.4th 620
250 Cal. Rptr. 161, rev.den.
73 Ops.Cal.Atty.Gen. 255 (1990)
88 Ops.Cal.Atty.Gen. 46 (2005)

Policy FRESNO UNIFIED SCHOOL DISTRICT
adopted: April 15, 1993 Fresno, California
revised: January 26, 1995
revised: January 30, 1997
revised: September 6, 2001
revised: February 21, 2024

Policy Section: 1000 Community Relations