

MIDDLETOWN UNIFIED SCHOOL DISTRICT

Policy 4119.25: Political Activities Of Employees

Original Adopted Date: 1/17/2024

The Governing Board recognizes the importance of political activity, voting, and civic engagement, and respects the right of district employees to engage in political discussions and activities as individuals on their own time and at their own expense. When engaging in such activities, employees shall make it clear that they are acting on their own behalf and not as representatives of the district.

District employees, as members of the community, may use school facilities for meetings, including political activities, as permitted under the Civic Center Act and district policy.

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

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Ed. Code 38130-38139

Ed. Code 51520

Ed. Code 7050-7058

Elec. Code 18304

Gov. Code 3543.1

Gov. Code 82041.5

Gov. Code 8314

Pen. Code 424

Description

[Civic Center Act](#)

[Prohibited solicitations on school premises](#)

[Political activities of school officers and employees](#)

[Prohibition against use of district seal in campaign literature](#)

[Rights of employee organizations](#)

[Mass mailing](#)

[Unlawful use of state resources](#)

[Embezzlement and falsification of accounts by public officers](#)

Management Resources

Attorney General Opinion

Attorney General Opinion

Attorney General Opinion

Court Decision

Court Decision

Court Decision

Description

77 Ops.Cal.Atty.Gen. 56 (1994)

84 Ops.Cal.Atty.Gen. 106 (2001)

84 Ops.Cal.Atty.Gen. 52 (2001)

Pickering v. Board of Education Township High School District, (1968) 88 S. Ct. 1731

L.A. Teachers Union v. L.A. City Board of Education, (1969) 71 Cal.2d 551

San Leandro Teachers Association v. Governing Board of the San Leandro Unified School District, (2010) 46 Cal. 4th 822

Court Decision	Diquisto v. County of Santa Clara, (2010) 181 Cal. App. 4th 236
Court Decision	Heffernan v. City of Paterson, (2016) 136 S. Ct. 1412
Court Decision	California Teachers Association v. Governing Board of San Diego Unified School District, (1996) 45 Cal.App. 4th 1383
Court Decision	Downs v. Los Angeles Unified School District, (9th Cir. 2000) 228 F.3d 1003
Public Employment Relations Board Ruling	Turlock Joint Elementary School District, (2004) PERB Dec. No. 1490a
Public Employment Relations Board Ruling	East Whittier School District (2004) PERB Dec. No. 1727
Public Employment Relations Board Ruling	Conejo Valley Unified School District, (2009) PERB Dec. No. 2054
Public Employment Relations Board Ruling	City of Sacramento, (2019) PERB Dec. No. 2702m
Public Employment Relations Board Ruling	San Diego Community College District, (2001) PERB Dec. No.1467
Website	CSBA District and County Office of Education Legal Services
Website	California Attorney General's Office
Website	California Public Employment Relations Board
Website	CSBA

Cross References

Code	Description
1160	Political Processes
1325	Advertising And Promotion
1330	Use Of School Facilities
1330	Use Of School Facilities
3512	Equipment
3512-E(1)	Equipment
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.1	Civil And Legal Rights
4119.21	Professional Standards
4119.21-E(1)	Professional Standards

4119.22	<u>Dress And Grooming</u>
4140	<u>Bargaining Units</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4219.1	<u>Civil And Legal Rights</u>
4219.21	<u>Professional Standards</u>
4219.21-E(1)	<u>Professional Standards</u>
4219.22	<u>Dress And Grooming</u>
4240	<u>Bargaining Units</u>
4319.1	<u>Civil And Legal Rights</u>
4319.21	<u>Professional Standards</u>
4319.21-E(1)	<u>Professional Standards</u>
4319.22	<u>Dress And Grooming</u>
4340	<u>Bargaining Units</u>
6144	<u>Controversial Issues</u>