

POLICY 2.591

5-K I recommend the Board approve the proposed new Policy 2.591, to be entitled "Calls to Action."

[Contacts: Vern Pickup-Crawford, 434-8771; and Dr. Joseph Orr, 649-6888.]

Development

CONSENT ITEM

- This proposed Policy will facilitate the Board's ability to invite the public and employees to assist the Board in obtaining its legislative objectives on critical issues upon which the Board has taken a position.
- This proposed text clarifies the public educational purpose of using District resources to disseminate information and invite community members and employees to take a position when contacting legislators outside of work hours.
- This version addresses the concerns expressed by the Board at the second development reading on April 1 and is consistent with Attorney General Opinion 02-13.

PROPOSED NEW POLICY 2.591

CALLS TO ACTION

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3 1. The School Board of Palm Beach County finds a clear and concrete public,
4 educational purpose in encouraging community members and District employees
5 to voluntarily participate, outside of employees' regular work hours, in contacting
6 the federal and state legislative and executive branches to advocate the Board's
7 position on legislative or budgetary issues affecting the district school system,
8 because the Board reasonably expects that such lobbying activities will result in
9 improving educational opportunities for students of the District School System by
10 means of improved funding, legislation, or rules and regulations that are more
11 practical or favorable to the district's educational program.
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- 13 2. To achieve this purpose, the superintendent/designee may recommend to the
14 Board, Calls to Action or other lobbying activities regarding specific issues.
15 Alternatively, the Superintendent/designee may direct that Calls to Action be
16 initiated on issues that have been voted upon by the Board or upon which the
17 Board has otherwise clearly taken a position.
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- 19 3. For any such Calls to Action or other lobbying activity, the Board declares a public,
20 educational purpose in the reasonable use (by the Legislative Liaison and/or the
21 Superintendent/designee, Chief Academic Officer, or Chief Operating Officer) of
22 District-owned computers, e-mail and telecommunications systems, or other
23 interschool, intra school, or intra district communications (including newsletters,
24 stationery, and postage), to inform members of the community and District
25 employees concerning issues and their potential impact or implications for the
26 District, and to invite them to advocate positions that would be in the best interests
27 of the District. When possible, it is preferred that the Legislative Liaison,
28 Superintendent/ designee, CAO, and COO use communications methods which
29 impose little or no additional costs, such as e-mail and local fax transmissions, to
30 disseminate information for Calls to Action.
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- 32 4. It shall further be deemed a fitting and proper school purpose to expend
33 reasonably-budgeted District funds on postage, other mailing costs and materials,
34 or long-distance telephone expenses incurred by the Legislative Liaison,
35 Superintendent/designee, CAO, or COO using District equipment to send out a Call

36 to Action for community members or District employees (outside of their work
37 hours) to voluntarily contact their state or federal legislators (or the Governor or
38 President, as appropriate) regarding issues identified in Section (2).

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40 5. If employees respond to a Call to Action outside of regular work hours using District
41 equipment, they shall use communications methods which impose little or no
42 additional cost, such as e-mail. (If employees participate in a Call to Action from
43 their home and incur any expense such as postage or long-distance calls, those
44 expenses are personal and voluntarily and shall not be reimbursable.)

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46 6. The Superintendent or designee(s) who are registered lobbyist(s) shall be the
47 employees authorized to contact the legislative or executive branches for purposes
48 of lobbying during regular working hours pursuant to a Call to Action. Other than
49 the Superintendent or registered designees, any employee desiring to contact the
50 legislative or executive branches in response to a Call to Action must do so outside
51 of their regular work hours.

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53 7. Nothing in any other policy, including Policy 2.59 and Policy 3.29, shall be
54 construed as prohibiting the Superintendent and designee(s) who are registered as
55 lobbyist(s) from contacting state or federal decision-makers with District
56 communications equipment or by mail during working hours for an approved Call to
57 Action. Nor shall any other Policy prevent an employee from using District e-mail
58 equipment, outside of regular work hours, to participate in a Call to Action under
59 this Policy. To the extent that Policy 2.59 or Policy 3.29 might be deemed
60 inconsistent with this policy, the terms of this policy shall control.

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63 STATUTORY AUTHORITY: §§ 1001.41(2) [230.22(2)]; 1001.42(22) [230.23(22)];
64 1001.43(10) [230.23005(10)], Fla. Stat.

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66 LAWS IMPLEMENTED: §§ 1001.32(2) [230.03(2)]; 1002.42(15)(a)
67 [230.23(15)(a)]; 1001.43(5) [230.23005(5)], Fla. Stat.

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69 RELEVANT ATTORNEY

70 GENERAL OPINION: AGO 02-13

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72 HISTORY: _____ / ____/03

Legal Signoff:

The Legal Department has reviewed proposed Policy 2.591 and finds it legally sufficient for development by the Board.

Attorney

Date