

**POLICY 2.59**

**5-B** I recommend the Board approve the proposed revision to Policy 2.59, entitled "Political Activities on School Board Property."

[Contact: Gerald Williams, 434-8734]

**Development**

**CONSENT ITEM**

- This proposed revision promotes school safety and the educational purpose and integrity of the learning environment, such as by restricting appearances of candidates; eliminating access of candidates to school staff mailboxes; and limiting distribution of political material, while also clarifying that student government election materials of students are allowed in an appropriate time, place, and manner.

1 POLICY 2.59

2 **POLITICAL ACTIVITIES ON SCHOOL BOARD PROPERTY**

- 3 1. The School District of Palm Beach County is committed to ensuring each citizen's  
4 rights as provided in the Constitution and laws of the State of Florida and the  
5 Constitution of the United States. However, School Board employees shall be  
6 prohibited from the following:
- 7 a. Participating in any political activity while on duty.
- 8 b. Attempting, either directly or indirectly, to coerce political activity or support  
9 from any other School Board employee.
- 10 c. Soliciting or attempting to solicit funds from a School Board employee on  
11 behalf of any candidate, party, or issue while on duty.
- 12 2. School Board employees shall have the right to actively participate in political  
13 activities on behalf of any candidate, party, or issue during the time they are not  
14 scheduled to be on duty.
- 15 3. Nothing contained in this Policy shall be interpreted to prohibit a School Board  
16 member or employee from performing any statutory or assigned duty with respect  
17 to any issue which directly affects the District school system or which is placed on  
18 a ballot by or at the request of the School Board.
- 19 4. School Board employees who offer themselves as candidates for public office shall  
20 notify the Superintendent immediately upon qualifying for election. They shall file a  
21 written statement explaining plans for conducting their campaign so as not to  
22 interfere with their job responsibilities.
- 23 a. Personal leave may be taken for thirty (30) days prior to the election as  
24 provided herein.
- 25 b. Such candidate shall adhere strictly to Fla. Stat. § 104.31, ~~F.S.~~, regarding  
26 political activity on the part of public officials and employees, including  
27 teachers.
- 28 c. A successful candidate for an office requiring a part-time responsibility shall  
29 report immediately to the Superintendent after the election and thereafter  
30 when deemed necessary by the Superintendent or School Board to evaluate

- 31 the compatibility of the dual responsibility.
- 32 d. A School Board employee may be granted leave of absence, with loss of full  
33 pay, for a specified period of time for the purpose of campaigning or for  
34 serving in public office.
- 35 5. Political Candidates
- 36 a. Debates or Forum. If a class or school-sponsored group plans a political  
37 debate or forum during the school day, the principal/teacher/sponsor shall  
38 ensure that all candidates for the same public office or who have differing  
39 opinions on a political issue, are given equal opportunity to participate.
- 40 b. Appearances. ~~If a political candidate asks to visit a school, the visit must~~  
41 ~~take place before or after the school day or at lunch time. If a candidate is~~ are  
42 not allowed to appear at a school unless they are invited to visit or speak to a  
43 class or other school-related activity during school hours. ~~The~~ The requirements  
44 for debates or forums are applicable and other candidates for the public office  
45 should be invited to visit at the same time or be provided an equivalent  
46 opportunity.
- 47 c. Every partisan organization or political committee is required to file the names  
48 and addresses of its appointed officers, its contributions and expenditures with  
49 the Board of Election Supervisors, in accordance with state fair election  
50 practices and Chapter 106, Florida Statutes.
- 51 d. Nothing in this policy shall preclude or prevent incumbent elected public  
52 officials from appearances on School Board property upon the invitation of a  
53 School Board Member, the Superintendent, the Superintendent's designee or  
54 principal provided that it is within their official capacity and not a campaign  
55 activity.
- 56 6. School groups may not participate in events that fall into these classifications:
- 57 a. Public appearances to promote the political candidacy of any person or the  
58 furtherance of any partisan political interest.
- 59 b. Appearances that create an undue amount of interference with the regular  
60 school program or that cause an excessive amount of students' absences for  
61 rehearsal or preparation.
- 62 c. The school principal shall refer any case where a possible conflict may exist to  
63 the Superintendent for approval or disapproval.

64 7. Use or Distribution of Political Materials During School Hours or on School  
65 Grounds

66 a. ~~General Requirements. No one may distribute political material that is~~  
67 ~~unconstitutional or illegal, that violates state fair election practices, or in the~~  
68 ~~opinion of the principal poses the potential to disrupt the educational~~  
69 ~~environment.~~

70 b. ~~Campaign materials must include an authority line that identifies the name and~~  
71 ~~address of the person, candidate, treasurer, chairman or campaign manager~~  
72 ~~who is responsible for the campaign materials.~~

73 c. ~~If a principal has questions about the appropriateness of any material, he or~~  
74 ~~she may consult the superintendent/designee. Any person who is refused~~  
75 ~~permission to distribute material on school property may appeal the principal's~~  
76 ~~decision to the superintendent/designee.~~

77 d. ~~Manner, place and time of distribution. Persons may distribute political~~  
78 ~~materials on public school property provided they consult in advance with the~~  
79 ~~principal on the manner, place, and time of distribution.~~

80 i. ~~Manner. Emphasis will be placed on making materials available to~~  
81 ~~interested persons, rather than having a blanket distribution. Distribution~~  
82 ~~options to be considered include:~~

83 1. ~~A display of materials~~

84 2. ~~Handouts~~

85 3. ~~Designated bulletin boards or wall spaces.~~

86 4. ~~School mailboxes (see item 7(c) & (d) below)~~

87 ii. ~~Place. Except when related to the instructional program of a voluntary~~  
88 ~~forum or seminar held by students, political materials may not be~~  
89 ~~distributed in classrooms, the media center, or other instructional spaces~~  
90 ~~during the school day. Location options to be considered include:~~

91 1. ~~Building sidewalks and entrance foyers~~

92 2. ~~Cafeteria or lunch room~~

93 3. ~~Designated hallways~~

94 4. ~~Student government rooms or spaces.~~

95 iii. ~~Time. Except when the distribution is related to the instructional program,~~

- 96                    ~~political materials may not be distributed during class time. Time options~~  
97                    ~~to be considered include:~~
- 98                    1. ~~Before the beginning of the school day~~
  - 99                    2. ~~During lunch periods~~
  - 100                  3. ~~During scheduled activity or flex periods (by students only)~~
  - 101                  4. ~~At the end of the school day.~~
- 102                  e. ~~School Mailboxes. Political materials may be placed by a candidate or his or~~  
103                    ~~her representative in the individual mailboxes provided for school staff if the~~  
104                    ~~distribution is made before or after school hours at a time that the principal has~~  
105                    ~~determined will cause the least disruption to office and school activities. The~~  
106                    ~~School District of Palm Beach County employees may not distribute political~~  
107                    ~~materials during their work hours.~~
- 108                  f.    a. Interschool (Pony) Mail. Any interschool or intraschool mail system may not  
109                    be used to distribute any political materials to schools. A regular newsletter of  
110                    an employee organization that is normally distributed by the pony mail system  
111                    will not be considered political material if it contains news of a political nature  
112                    taken by the organization. However, news about or publications from any  
113                    political action committee is considered political material and may not be  
114                    distributed through the pony mail.
- 115                  g.    b. District Employees. Political Materials. Any distribution of political materials,  
116                    except as part of the instructional program or student government, or political  
117                    activity during working hours (including e-mail messages) is prohibited, -  
118                    ~~Distribution also includes "PROFS" or E-mail messages~~ except as allowed  
119                    under this Policy or Policy 2.591.
- 120                  h.    c. Students may post or distribute student-government election materials in an  
121                    appropriate time, place, and manner, as determined by the principal, so as not  
122                    to avoid any disruption to the learning environment.
- 123                  i.    d. As Part of an Instructional Program. Teachers may use political materials as  
124                    part of the instructional program, provided the material is germane to the  
125                    instructional objectives of the course. Any presentation of political materials, or  
126                    issues, or expression of views, however, must be balanced and fair.
- 127                  i.    Teachers shall be responsible for providing students with the opportunity  
128                    to investigate various sides of the topics presented in their courses,  
129                    particularly in relation to controversial subjects, within such limits as may

130 be imposed by relevance to the course, the maturity level and intellectual  
131 ability of the students, and the time available.

132 ii. Teachers shall permit freedom of expression on those topics that are  
133 matters of opinion so that students may weigh alternative views and make  
134 up their own minds. Students shall be encouraged to examine, analyze,  
135 evaluate, and synthesize the information available to them before drawing  
136 conclusions in order to develop as fully as possible their capacities for  
137 rational judgment.

138 iii. Teachers shall strive to promote tolerance for the opinions of others and  
139 respect for the right of all individuals to hold and express differing  
140 opinions.

141 iv. A teacher may express his/her opinions in regard to political, social and  
142 religious values or issues provided that the total presentation is  
143 essentially balanced and fair. He/she shall not use professional contacts  
144 with students to further his/her own political aims or views or those of any  
145 other individual or group.

146 STATUTORY AUTHORITY: §§ 1001.41(2); 1001.43(5), Fla. Stat. Section 230.22,  
147 Florida Statutes

148 LAWS IMPLEMENTED: §§ Sections 104.31; 1001.43(5); 1012.23; 1012.66;  
149 1001.54; 1012.28, Fla. Stat. 231.001; 231.39; 231.085, Florida Statutes

150 History: 1/21/98; \_\_\_/\_\_\_/04

Legal Signoff:

The Legal Department has reviewed proposed Policy 2.59 and finds it legally sufficient for development by the Board.

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Attorney \_\_\_\_\_ Date \_\_\_\_\_