

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION**Community Relations**
POLITICAL PROCESSES

The County Superintendent and County Board have a responsibility to actively advocate fiscal and public policy that supports the schools and the children in the public schools of Fresno County. To the extent possible, the County Superintendent and County Board shall be proactive in defining advocacy agenda based on the needs, vision, and goals of the County Superintendent, County Board, and the community. The County Superintendent and County Board's advocacy efforts shall be conducted in accordance with legal requirements.

Legislation

The County Superintendent and County Board's responsibility as advocates for public education may include lobbying and outreach at the state and national levels. Because local governments also make decisions that impact the schools, the County Board and County Superintendent or designee shall work to establish ongoing relationships with city and county officials and agencies, and shall inform them of the potential effect of local issues on the schools.

The County Superintendent and County Board may 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 County Superintendent and County Board 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.

As necessary, the County Superintendent or designee may draft legislative or regulatory proposals which serve the interests of the County Board and the County Superintendent.

The County Superintendent and County Board may provide fair and impartial information about legislative issues affecting schools and children and shall inform the community about their legislative advocacy activities. However, the County Superintendent and County Board shall not urge the public to lobby the legislature, Governor, or state agencies on behalf of the County Superintendent and/or the County Board.

Ballot Measures/Candidates

The County Superintendent and/or County Board may discuss and study the potential effect of proposed or qualified ballot measures on public schools and the programs of the County Superintendent and County Board. Any discussion of the effect of such measures shall include an opportunity for the County Superintendent, County Board members, County Superintendent staff, and members of the public to speak on all sides of the issue. Following such study, the County Superintendent and County Board may adopt positions or resolutions in support of or in opposition to ballot measures of importance to education. The language in any resolution

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adopted by the County Superintendent and/or County Board shall not urge the public to take any action regarding the measure.

The County Board's position on a ballot measure, including any resolution, shall be publicized only through normal procedures for reporting Board actions and in a manner that does not attempt to influence voters.

The County Superintendent and individual County 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.

No funds, services, supplies, or equipment of the County Superintendent and County Board shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the County Board or County Superintendent.

Resources, including email or computer systems, of the County Superintendent and County Board shall not be used to disseminate campaign literature or to purchase advertisements, bumper stickers, posters, or similar promotional items that advocate an election result or urge voters to take any action in support or in opposition to a measure.

The County Superintendent and/or County Board or designee may use resources of the County Superintendent and County Board 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 County Superintendent, the County Board, and public education.

In preparing or distributing such information, the County Superintendent or designee shall analyze the information 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.

Legal Advocacy

The County Superintendent and County Board recognize 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 County Superintendent and/or County Board may join with school districts or other parties in order to challenge the issue through litigation or other appropriate means.

Political Forums

Forums on political issues may be held in facilities owned by the County Board or leased by the County Superintendent as long as the forum is made available to all sides of the issue on an equitable basis.

Adopted: 11/18/2010

Amended: 10/18/2018, 12/12/2023

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Legal Reference

Education Code

7055 Local agency rules
7056 Soliciting or receiving political funds or contributions
35160 Authority of governing boards
35160.2 "School district"

Elections Code

9170 Ballot measures; Listing of supporters and opponents

Government Code

8314 Unlawful use of state resources
53060.5 District's attendance at proceedings
54953.5 Right to record proceedings
54953.6 Broadcasts of proceedings
81000-91015 Political Reform Act, including 82901.1 – Definition of independent expenditure

Code of Regulations, Title 2

18600-18640 Lobbyists
18901.1 Campaign related mailings sent at public expense

Court Decisions

Vargas v. City of Salinas (2009) 46 Cal.4th 1
Santa Barbara County Coalition Against Automobile Subsidies v. Santa Barbara County Association of Governments (2008) 167 Cal.App.4th 1229
Stanson v. Mott (1976) 17 Cal. 3d 206
Miller v. Miller (1978) 87 Cal.App.3d 762
League of Women Voters v. Countywide Criminal Justice Coordination Committee, (1988) 203 Cal.App.3d 529
Choice-in-Education League et al v. Los Angeles Unified School District (1993) 17 Cal.App.4th 415
Yes on Measure A v. City of Lake Forest (1997) 60 Cal.App.4th 620

Attorney General Opinions

88 Ops.Cal.Atty.Gen. 46 (2005)
73 Ops.Cal.Atty.Gen. 255 (1990)

Management Resources

CSBA Publications

Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates, Fact Sheet, February 2011
Legal Guidelines for Lobbying Activity, Fact Sheet February 2011

Institute for Local Government Publications

Legal Issues Associated with Use of Public Resources and Ballot Measure Activities, June 2010

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
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Web Sites

CSBA: <http://www.csba.org>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute for Local Government: <http://www.ca-ilg.org>

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