

KNOW YOUR RIGHTS!

Politics At Work

Union educators play a powerful role in shaping policies that affect our schools! Here are a few rights to remember and things to keep in mind:

 KNOW YOUR RIGHTS:	KEEP IN MIND: 
We generally have the right to wear union buttons, shirts, and other union gear, even while teaching. [1] We can also wear other political messages on campus in non-instructional settings (Buttons, T-shirts, etc.) Don't forget that SDEA members have a voice in <i>any</i> kind of dress codes through their Site Governance Teams! [2]	The District can only limit political apparel <i>while</i> teaching, and only if their policies are neutral (not banning some and allowing other political content.) [3] And under our contract, they need to bring dress codes to the SGT.
If the District prohibits us from putting up political signs and messages in instructional spaces, this has to be enforced neutrally (not banning some and allowing other political displays.) [4]	Especially when we are officially representing our employer (for example, during instructional time), be careful not to imply that personal views or union positions are the views of the District.
We have protected rights to union activity during non-duty time, and some of that activity is political work! [5]	Use instructional time for instruction, and be aware of any activities that interfere with instruction or District operations. [6]
Prep time is work time, but if the District permits us to engage in non-work activities during prep time, it generally may not single out union-related activity for different treatment. <i>(For example, if we can show that the District allows us to sell Girl Scout cookies or celebrate a birthday during prep time, we should be allowed to discuss union business during that time, too!)</i>	Don't use District resources for political campaigns unless you have specific permission - that includes things like printers/copiers, email systems, and parent contacts. [7]

ADDITIONAL RESOURCES:

- [Know Your Rights: Union Solidarity w/ Families & Students](#)
- [ACLU: Free Speech Rights of CA Teachers](#)

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KNOW THE DIFFERENCE: ELECTORAL POLITICS VS. POLITICAL VIEWS

Not all political speech is the same. Campaigning for a specific candidate or ballot measure is different from discussing political issues, policies, or current events. Different rules may apply depending on what you're doing and whose resources you're using to advocate for a specific candidate. It is not illegal to talk about topics people may consider "political." (In fact, it's part of the curriculum for many educators!) Public education *is* political.

CAMPAIGNS VS. VOTER INFORMATION

Political campaigns have many rules about how they use money and resources. (That's why political ads have so much fine print!) There is a difference between neutral voter education and campaigning. [8] As public school educators, we can (and probably should!) share **clear, impartial information** about the ballot measures that fund and impact our schools.

MAILBOX MESSAGING:

At work, the District can prohibit us from using staff mailboxes to campaign for specific candidates. We can use staff mailboxes (and even District emails) to share information about union-related political activity like encouraging voting... as long as we are not promoting a specific candidate or a specific yes/no vote. [8]

While canvassing neighborhoods, don't put any political flyers in mailboxes... it's actually a federal offense! [9] That's why many campaigns use "door hanger" flyers to leave behind for anyone who doesn't answer the door..

WHEN IN DOUBT: ORGANIZE TOGETHER!

It's always a good idea to strategize with your union colleagues (and your Political Involvement Committee) on political campaigns, to make sure you have the right information and resources.

REFERENCES:

1. PERB 401.07000
2. SDEA contract, Section 11.12
3. CTA v. San Diego USD., 45 Cal. App. 4th 1383, 1390–91 (1996)
4. Johnson v. Poway USD, 658 F.3d 954, 957, 968 (9th Cir. 2011)
5. SDEA contract, Article 5
6. Kennedy, 142 S. Ct. at 2424–25
7. California Code, Ed Code - EDC § 7054
8. CA Supreme Court: San Leandro Teachers Association v. Gov. Board of the San Leandro USD (46 Cal. 4th 855 (2009))
9. 18 U.S.C. § 1725

