

Policy Name: Licensed Personnel – Public Office**Policy Code: 3.13****Date Adopted: R/A 4/16/12**

The individual and personal rights and freedoms of district employees are no less than other citizens who are expected to assume the full responsibilities of citizens living in a democracy. These rights including voting or refraining from voting; discussing the social, political, and economic issues of the day in public meetings; participating actively in the political party of their choice by attending party functions; contributing to the support of the party; campaigning in the community for its candidates; serving as an official in the party; and subject to the conditions set forth in No. 3 below, becoming a candidate for public office and holding such office if elected or appointed.

The political activity of a staff member, however, must not compromise his/her professional integrity. He/she must not misuse his/her school position to pervert the academic process in the interests of his/her own political ambitions or those of a political group.

A school employee will, in sum, be free to act as he/she desires in the discharge of his political responsibilities unless it can be shown this his/her behavior is affecting his/her professional performance in a demonstrably deleterious manner or in violation of board policies and regulations.

THEREFORE,

- 1. School employees engaging in political activity will make it clear that they are speaking and acting as individuals and that they do not represent the school district nor the views of the board. School employees will not engage in political activity on school premises during school hours. Regulations for the use of school buildings or grounds are the same for employees as they are for other citizens of the district.**
- 2. A staff member seeking an extended leave of absence for campaigning, holding office, or other time-consuming responsibilities connected with government, shall apply in writing for such leave well in advance of the activity. Leave for political activity may vary widely in time required due to the varying types of political activity, consequently each shall be treated by the board on an individual basis.**
- 3. Assemblies, school classes, and materials and equipment shall not be used for partisan political purposes.**
- 4. School employees shall not be prohibited from communicating with an elected public official concerning matters related to the school employee's job.**
- 5. It shall be unlawful for any school employer to discipline, threaten to discipline, to reprimand, either orally or written, or to place any notation in a school employee's personnel file disciplining or reprimanding the employee, or otherwise discriminate against a school employee because the school employee exercised the right to communicate with an elected public official as granted under this policy.**
- 6. A school employer shall not be prohibited from disciplining an employee who has intentionally made untrue allegations to an elected official concerning matters related to the school employee's job.**

Legal References: U.S. Const. Amend. I; U.S. Const. Amend. XVI; Pickering v. Board of Education, 88 S. Ct. 1731 (1968); Elrod v. Burns, 96 S. Ct. 2673, (1976); Dougherty County Georgia Board of Education v. White, 47 U.S.L.S. 4001 (U.S. Nov. 28, 1978); Act 1214 of 1997; Act 658 of 1999. A.C.A. 6-17-115