

Frank J. Bolaños, Member

SUBJECT: BOARD RULE 6Gx13- 1C-1.06: POLITICS- PARTICIPATION OF STAFF

The School Board of Miami-Dade County recognizes and encourages the rights of its employees, as citizens, to be active members of the democratic society within which we live. However, the Board also bears responsibility to protect our schools and schoolchildren from being used in political campaigns and to ensure that our employees are not using their official authority to influence another person's vote.

Board Rule 6Gx13-1C-1.06: Politics- Participation of Staff, serves as a guideline for employee behavior and helps differentiate between an individual's rights and their responsibilities working in an educational organization. Nevertheless, since its initial promulgation in 1974 and subsequent amendment in 1995, scenarios have arisen that are not addressed in this rule.

The Board Attorney will draft an amendment to this rule that addresses behavior it is silent on for approval by the School Board. Such activities should include, but not be limited to:

- Usage of district email servers and individual accounts for the purpose of distributing political communication.
- Employee behavior/conduct at schools serving as precincts on election days.
- Implied or express use of school children in communicating political messages to parents and the community.
- Improper use by Union representatives of School Board property or email for the purposes of influencing an election.

These recommendations should comply with all applicable Florida Statutes governing employees rights and election related activities.

**ACTION PROPOSED BY
FRANK J. BOLAÑOS:**

That the School Board of Miami-Dade County, Florida, direct the Board Attorney to initiate an amendment to Board Rule 6Gx13- 1C-1.06: Politics- Participation of Staff, and presenting it to the School Board at its next regular meeting.

Public Activities Involving Staff or Students**POLITICS--PARTICIPATION OF STAFF**

The Board recognizes and encourages the rights of its employees, as citizens, to engage in political activity, with the following restrictions:

1. No employee shall, in the furtherance of any candidacy for nomination or election to public office in any election, provide campaign services to the candidate during working hours. See '106.15(3), Fla.Stat.
2. No employee shall use his/her official authority or influence for the purpose of coercing or influencing another person's vote. '104.31(1)(a), Fla.Stat.
3. No employee shall directly or indirectly coerce or attempt to coerce, command or advise any other employee to contribute any money or anything else of value to any party, committee, organization, agency or person for political purposes. However, nothing in this paragraph shall prohibit an employee from suggesting to another employee in a non-coercive manner that he or she may voluntarily contribute to a fund which is administered by a party, committee, organization, agency, person, labor union or other employee organization for political purposes. '104.31(1)(b), Fla.Stat.
4. No employee shall make or solicit or knowingly accept any campaign contribution in a building owned by the school district. This subsection shall not apply when a school district-owned building or any portion thereof is rented for the specific purpose of holding a campaign fund-raiser. '106.15(4), Fla.Stat.
5. No employee, in the furtherance of his/her candidacy for nomination or election to public office in any election shall use any school board-owned motor vehicle solely for the purpose of furthering his/her candidacy. See '106.15(2), Fla.Stat.

Nothing in this rule shall be construed to limit an employee's right to engage in political activity as set forth in '104.31, Fla.Stat.

Specific Authority: 104.31; 106.15; 230.22(2) F.S.

Law Implemented, Interpreted, or Made Specific: 231.09(2) F.S.

History: THE SCHOOL BOARD OF DADE COUNTY, FLORIDA

Repromulgated: 12-11-74

Amended: 7-12-95