## **POLICY 2.591**

**4-F** I recommend the Board adopt the proposed new Policy 2.591, to be entitled "Calls to Action."

[Contacts: Vern Pickup-Crawford, 434-8771; and Dr. Joseph Orr, 649-6888.]

## Adoption

## **CONSENT ITEM**

- This proposed Policy will facilitate the Board's ability to invite the public and employees to assist the Board in obtaining its legislative objectives on critical issues upon which the Board has taken a position.
- This proposed text clarifies the public educational purpose of using District resources to disseminate information and invite community members and employees to take a position when contacting legislators outside of work hours.
- This version addresses the concerns expressed by the Board at the second development reading on April 1 and is consistent with Attorney General Opinion 02-13.
- The Board approved this proposed new Policy as a first reading on December 2, 2002.
- The Rule Development Notice was advertised on Nov. 25, 2002; and the Rule Adoption Notice was advertised on December 16, 2002.

## **PROPOSED NEW POLICY 2.591**

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1. The School Board of Palm Beach County finds a clear and concrete public, educational purpose in encouraging community members and District employees to voluntarily participate, outside of employees' regular work hours, in contacting the federal and state legislative and executive branches to advocate the Board's position on legislative or budgetary issues affecting the district school system, because the Board reasonably expects that such lobbying activities will result in improving educational opportunities for students of the District School System by means of improved funding, legislation, or rules and regulations that are more practical or favorable to the district's educational program.

2. To achieve this purpose, the superintendent/designee may recommend to the Board, Calls to Action or other lobbying activities regarding specific issues. Alternatively, the Superintendent/designee may direct that Calls to Action be initiated on issues that have been voted upon by the Board or upon which the Board has otherwise clearly taken a position.

3. For any such Calls to Action or other lobbying activity, the Board declares a public, educational purpose in the reasonable use (by the Legislative Liaison and/or the Superintendent/designee, Chief Academic Officer, or Chief Operating Officer) of District-owned computers, e-mail and telecommunications systems, or other interschool, intra school, or intra district communications (including newsletters and the use of stationery and postage), to inform members of the community and District employees concerning issues, pursuant to Section (2) above, and their potential impact or implications for the District, and to invite them to advocate positions that would be in the best interests of the District. When possible, it is preferred that the Legislative Liaison, Superintendent/ designee, CAO, and COO use communications methods which impose little or no additional costs, such as email and local fax transmissions, to disseminate information for Calls to Action.

4. It shall further be deemed a fitting and proper school purpose to expend reasonably-budgeted District funds on postage, other mailing costs and materials, or long-distance telephone expenses incurred by the Legislative Liaison, Superintendent/designee, CAO, or COO using District equipment to send out a Call

36		to Action for community mer	mbers or District employees (outside of their work
37		hours) to voluntarily contact	their state or federal legislators (or the Governor or
38		President, as appropriate) re	egarding issues identified in Section (2).
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40	<u>5.</u>	If employees respond to a C	Call to Action outside of regular work hours using Distric
41		equipment, they shall use co	ommunications methods which impose little or no
12		additional cost, such as e-m	ail. (If employees participate in a Call to Action from
43		their home and incur any ex	pense such as postage or long-distance calls, those
14		expenses are personal and	voluntarily and shall not be reimbursable.)
<del>1</del> 5			
<del>1</del> 6	6.	The Superintendent or design	gnee(s) who are registered lobbyist(s) shall be the
<del>1</del> 7		employees authorized to co	ntact the legislative or executive branches for purposes
48		of lobbying during regular w	orking hours pursuant to a Call to Action. Other than
<del>1</del> 9		the Superintendent or regist	ered designees, any employee desiring to contact the
50		legislative or executive bran	ches in response to a Call to Action must do so outside
51		of their regular work hours.	
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53	<u>7.                                    </u>	Nothing in any other policy,	including Policy 2.59 and Policy 3.29, shall be
54		construed as prohibiting the	Superintendent and designee(s) who are registered as
55		lobbyist(s) from contacting s	tate or federal decision-makers with District
56		communications equipment	or by mail during working hours for an approved Call to
57		Action. Nor shall any other	Policy prevent an employee from using District e-mail
58		equipment, outside of regula	ar work hours, to participate in a Call to Action under
59		this Policy. To the extent th	at Policy 2.59 or Policy 3.29 might be deemed
50		inconsistent with this policy,	the terms of this policy shall control.
51			
52	CT/	ATUTORY AUTHORITY:	§§ 1001.41(2) [230.22(2)]; 1001.42(22) [230.23(22)];
53 54	<u>31/</u>	ATOTORY AUTHORITY.	99 1001.41(2) [230.22(2)], 1001.42(22) [230.23(22)], 1001.43(10) [230.23005(10)], Fla. Stat.
55			1001.45(10) (250.25005(10)), 1 ld. Stat.
56	LAV	WS IMPLEMENTED:	§§ 1001.32(2) [230.03(2)]; 1002.42(15)(a)
57			[230.23(15)(a)]; 1001.43(5) [230.23005(5)], Fla. Stat.
58 50	DEI	LEVANT ATTORNEY	
59 70		NERAL OPINION:	AGO 02-13
71	<u> </u>		
72	HIS	STORY:	

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Legal Signoff:		
The Legal Department has reviewed pr for development by the Board.	oposed Policy 2.591 and finds it legally	sufficient
Attorney	 Date	