

TO: District Superintendents, Charter School Administrators, School Board Trustees
FROM: Supt. Tom Luna
SUBJECT: Political Activities on School Grounds

DATE: May 13, 2011

The State Department of Education has received a number of different inquiries from legislators, parents and members of the public regarding the propriety of political activities currently taking place on school grounds. In this area, the political activities of Idaho professional educators are governed by rules promulgated by the State Board of Education under IDAPA 08.02.02.076, which is the Code of Ethics for Idaho Professional Educators. Specifically, subsection 11e states that unethical conduct includes: "Using institutional privileges for the promotion of political candidates or for political activities, except for local, state or national education association elections."

With the specific exception of elections for union offices, no "institutional privileges" are to be used for political purposes. This includes, but is not limited to, activities such as using the school district e-mail system to coordinate political activities, creating and printing political materials, engaging in political proselytizing to a classroom of students, urging 18-year old students to vote a particular way in an election, using students as couriers for political material and allowing the use of the school to further political agendas in conjunction with any school activity or event, including after-school events.

There have been numerous reports of each of these types of activities taking place in Idaho's public schools over the last several weeks. If substantiated, each is a violation of the Code of Ethics and is punishable by a letter of reprimand, the placing of conditions on the educator's certificate or the suspension or revocation of the educator's certificate, pursuant to Section 33-1208(1)(j), Idaho Code. Those whose certificates are suspended or revoked can no longer be employed by an Idaho public school.

Those education professionals who are subject to this Code of Ethics include all certified educators, including: superintendents, assistant superintendents, administrators, directors, supervisors, coordinators, principals, assistant principals, teachers, education media generalists, counselors, psychological examiners, school psychologists, speech/language pathologists, audiologists, school social workers, school nurses and occupational/physical therapists.

According to Section 33-1209(1), Idaho Code, a signed allegation that a violation of the Code of Ethics has occurred may be submitted to the Idaho Professional Standards Commission (PSC) by a local Board of Trustees or an "individual with a substantial interest in the matter, except a student of an Idaho public school." Since most of the political activities in question pertain to the public education system of the State of Idaho, any Idaho resident can claim a substantial interest in the question, from a parent or grandparent to a businessperson or police officer, and can submit such an allegation.

Furthermore, it should be noted that for any of the listed education professionals, "Having knowledge of a violation of the Code of Ethics for Idaho Professional Educators and failing to report the violation to an appropriate education official" is a violation of subsection 10d of the Code of Ethics, and punishable by the same consequences as a violation of subsection 11e, relating to political activities at school.

Those who are aware of any violations of the Code of Ethics for Idaho Professional Educators should call the Idaho Professional Standards Commission at 332-6864, or review the materials available for

filing a complaint at <http://www.sde.idaho.gov>.

In order to help you ensure that your professional employees do not put their certification at risk by violating the Code of Ethics for Idaho Professional Educators, the State Department of Education will begin notifying you of any ethical violations or plans to commit ethical violations of which we are made aware.