

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 900
Committee Substitute Favorable 7/13/95

Short Title: No School Employee Political Action.

(Public)

Sponsors:

Referred to:

April 12, 1995

A BILL TO BE ENTITLED
AN ACT TO DEFINE THE APPROPRIATE POLITICAL ACTIVITY OF PUBLIC
SCHOOL EMPLOYEES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-307.1. Appropriate political activity of public school employees defined.

(a) As an individual, each public school employee retains all the rights and obligations of citizenship provided in the Constitutions and laws of North Carolina and the United States; however,

(1) While on duty or within any period of time during which the employee is expected to perform services for which the employee receives compensation from the State, no public school employee shall take any active part in managing a campaign, or campaign for political office, or otherwise engage in political activity; and

(2) Unless in an approved curriculum, no public school employee shall otherwise use State funds, supplies, or vehicles to secure support for or oppose any candidate, party, or issue in an election involving candidates for office or party nominations, or affect the results thereof.

1 **(b)** No local board of education, superintendent, principal, or other public school
2 employee exercising supervisory authority shall make, issue, or enforce any rule or policy
3 the effect of which is to interfere with the right of any public school employee as an
4 individual to engage in political activity while not on duty or at times during which the
5 employee is not performing services for which the employee receives compensation from
6 the State or a unit of local government. A public school employee who is on call or may
7 be expected to perform job duties on a 24-hour-per-day basis shall not be prevented from
8 engaging in political activity except during regularly scheduled working hours or at other
9 times when the employee is actually performing assigned job duties.

10 **(c)** Any person found guilty of the willful violation of this section shall be
11 required to reimburse the local school administrative unit at the rate of twenty-nine cents
12 (29¢) per mile for the use of vehicles, at a rate of twenty-five cents (25¢) per page for
13 copies made, and for the actual cost of supplies. In addition, a civil penalty of up to five
14 hundred dollars (\$500.00) shall be assessed. This penalty shall be credited to the General
15 Fund."

16 Sec. 2. This act in no way prohibits a public school employee from seeking or
17 running for public office.

18 Sec. 3. This act becomes effective December 1, 1995.