

**“Teaching Political Engagement” versus “Engaging in Political Advocacy”:
what we can do; what we cannot do; and what we should do¹**

By Nicky Yuen, Political Science Department, De Anza College

In this fall’s election campaigns there are many ways we can engage our students in the arts of democracy so as to promote our college’s mission. Moreover, because they are topical and because some electoral outcomes will deeply impact our students’ lives, the contests in this November’s election provide important tools and opportunities for us to participate in an engaged pedagogy.

As most people know, it is perfectly legal for students to engage in political advocacy efforts. In fact, this is a constitutionally protected activity. It is also perfectly legal *for faculty and staff* to do the same. What you CANNOT do is use *PUBLIC RESOURCES* for partisan or political purposes (advocating for the passage or defeat of ballot measures or the election or defeat of candidates). ²

How does this play out in the course of an instructor’s role on campus? Instructional faculty are able to engage in partisan and political advocacy efforts on their own time as much as they want. Because in general our “assigned hours of work” are officially our classroom time and office hours, what we do with the rest of our time is generally entirely up to us. When we do engage in advocacy, of course, we should not use district resources to do so—phones, photocopiers, computers, etc. But, if you have your own cell phone and/or your own laptop, go at it. And, just as students and the public are able to tap into district wireless networks for their own purposes, faculty and staff are able to do the same if they are using their own computers or smart devices.

We should of course not create the impression that we are representing the District or one of our Colleges in our activity. But, just as groups like Greenpeace, CalPIRG and U.S. military recruiters roam the campus talking with students about their issues, so can we use any public spaces in the same way.

In some community college district’s there are policies and practices regarding free speech that attempt to be much more restrictive than those at Foothill-De Anza. In those districts, administrators may attempt to impose much narrower constraints on the “time, manner and place” of political advocacy. At Foothill-De Anza, however, all public spaces appear to be public forums in which advocacy speech is relatively unregulated.

¹ This memo is NOT a legal opinion and I am not a practicing attorney. Instead, it is my best personal interpretation of what is permissible. See Section 7054 of the Education Code. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=07001-08000&file=7050-7058>

² It’s also worth noting that there is nothing in the Education Code or any other law that I know of that prohibits an instructor from engaging in general *social justice* advocacy, even in the classroom. The legal prohibition is simply against *electoral* advocacy.

How about what we do in the classroom? Obviously classroom time is both a “public resource” and specifically dedicated to student learning. So on political or controversial issues must a faculty member remain “neutral” or “objective?” Not at all. If an instructor finds a legitimate educational purpose in taking a position, then it is within the discretion of the instructor to do so provided that the purpose is educational and not to influence the outcome of an election.³

It may also be useful to think about your particular classroom goals within the context of the College’s mission statements which at De Anza College refers to learning outcomes such as “critical thinking,” “information literacy,” “global and social awareness,” etc.

Just as you are allowed to talk about electoral advocacy as part of your class, you are welcome to invite people to your class who are taking advocacy positions if the purpose is to advance your class’s or the institution’s legitimate learning goals. Of course, being open to having opposing views represented in your classroom is better evidence that you are in fact not simply trying to bring about a particular electoral outcome.

So overall, just ask yourself this: for the particular group of students in your classroom in relationship to the learning goals you are pursuing, what is the best path? Even more specific, for the fall election issues what will foster an atmosphere of open inquiry and discourse, *as well as* engaged action among our students—not

³ On a side note, what do *I* personally regarding so-called “neutrality” in the classroom? Here are two quotes that characterize my own position:

- First, as my friend and mentor Paul Wellstone once said: *“If a teacher does not involve himself, his values, his commitments, in the course of discussion, why should the students.”*
- Second, as Howard Zinn wrote: *“You can’t be neutral on a moving train.”*

So, in general, I choose to take more open advocacy positions because I find that doing so leads to more engaged discussion and more passionate personal commitment to being involved among my students. In addition, however, being open about my own politics is my method of being intellectually forthcoming with my students and letting them know that, yes, professors and academic institutions have personal and intellectual agendas that always also have political implications. In my view, it’s better for students to be conscious of this as they engage in their own learning.

I also then work very hard to make sure students understand that *THEY* don’t have to agree with my position and that they should use their own values, their best thinking and the best data they can find to come to their own conclusions on the important issues of the day. I also go out of my way to invite speakers with a variety of points of view to visit my classroom, recruit student volunteers, etc.

to advance a particular electoral outcome, but to advance the learning goals of the classroom and of the institution?

To summarize:

- You can advocate on campus, as long as you are not using “public resources”
- Students can advocate on campus and in the classroom
- Classroom activities must be for educational purposes and not to bring about specific electoral outcomes
- You can invite “partisan” visitors to your class (and it will help to have multiple points of view represented in your classes)
- You are allowed to express your political opinions in class as long as you are doing it for pedagogical reasons and not to influence the outcome of an election
- In pursuing our college’s mission it is our responsibility to foster a sense of engaged citizenship in our students. Elections are one important means of doing so, regardless of what academic discipline you teach.

De Anza College Mission:

De Anza College provides an academically rich, multicultural learning environment that challenges students of every background to develop their intellect, character and abilities; to realize their goals; and to be socially responsible leaders in their communities, the nation and the world. De Anza College fulfills its mission by engaging students in creative work that demonstrates the knowledge, skills and attitudes contained within the college’s Institutional Core Competencies:

- Communication and expression
- Information literacy
- Physical/mental wellness and personal responsibility
- Global, cultural, social and environmental awareness
- Critical thinking