



January 28, 2020

Dear Sir or Madam,

As we begin the 2020 election season, the importance of Texas' educators to the future of our state cannot be overstated, particularly when it comes to their critical role in the civic process. Our public schools are charged with preparing Texas children to be "thoughtful, active citizens,"¹ and Texas teachers labor tirelessly to provide our children with the education, sense of civic duty, and reverence for the rule of law required of future citizens and leaders.

Because Texans place such great trust in their public schools, it is critically important that school districts not abuse that trust by using their position as a platform to express their own opinions about political issues. Similarly, school districts must take care not to use taxpayer resources for the benefit of private individuals—including political candidates.²

Educators, school district employees, and school board members do not lose their freedom of speech merely because they are public servants. A core value of Texas's constitution is that "[e]very person shall be at liberty to speak, write or publish his opinions on any subject, being responsible for the abuse of that privilege."³

In recognition of the difficulty educators face balancing these two principles, the Office of the Attorney General prepared the enclosed advisory about the role of Texas schools in politics and elections, which we bring to your attention in light of the upcoming election season. The advisory includes a compilation of laws and statutes, as well as a helpful Frequently Asked Questions section.

My hope is that you will find the advisory a useful aid to assist you in lawfully leading your school district, employees, and students through the 2020 election season and future election seasons.

Sincerely,

A handwritten signature in black ink that reads "Ken Paxton". The signature is written in a cursive, slightly slanted style.

KEN PAXTON
Attorney General of Texas

¹ Tex. Educ. Code §§ 4.001(b), 25.087; Tex. Elec. Code § 13.046.

² See Tex. Const. art. III, § 52(a); Tex. Atty. Gen. Op. LO-97-077 (1997).

³ Tex. Const. art. I, § 8.