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ATPE weighs in on Texas Attorney General's opinion on school district activities meant to encourage voting by employees, students

State's largest educator group remains committed to emphasizing the importance of voting and the rights of educators to participate in elections

AUSTIN, Texas—Earlier today, Texas Attorney General **Ken Paxton** issued a non-binding opinion ([KP-0177](#)) at the request of Sen. Paul Bettencourt (R-Houston) regarding school district activities meant to encourage voting by school employees and eligible students. [The Association of Texas Professional Educators](#) (ATPE) was one of several groups that weighed in on the request through correspondence with the Opinion Committee, which Paxton invited from interested stakeholders. Below is a statement on behalf of ATPE regarding the attorney general's opinion.

"ATPE is disappointed that the Office of the Texas Attorney General spent so little time considering the merits of the request and the ancillary materials that it requested," said **Jennifer Canaday**, ATPE Governmental Relations Director, noting that the attorney general's opinion was issued on the morning of the first business day following the deadline for submission of stakeholders' briefs. "Nevertheless, there is nothing in today's opinion that warrants a change in our direction. ATPE intends to continue our non-partisan get-out-the-vote efforts and our work with the Texas Educators Vote (TEV) coalition to encourage voter participation within the education community."

In particular, ATPE disagrees with Paxton's opinion that a court would likely find school-sponsored transportation of employees to polling places unconstitutional. However, both ATPE and the TEV coalition have deferred to school district leaders to make decisions about such transportation services.

"We trust that school boards will continue to make prudent decisions on this matter in light of all the legal advice available to them," Canaday said.

ATPE stands by its Jan. 12 correspondence to the Attorney General's Office, a copy of which is attached, highlighting facts that it believes were overlooked or distorted in Sen. Bettencourt's request for opinion. For example, ATPE explained that its coalition's model resolution on voting "...makes no reference whatsoever to political candidates, parties or ballot measures." It would thus not violate political advertising restrictions if it were adopted by school boards. In addition, ATPE notes that neither the TEV coalition website or any site linked to it as an external resource—such as ATPE's www.TeachtheVote.org or the Secretary of State's Project V.O.T.E.—is used to promote any specific candidates or ballot measures.

Attorney General Paxton's Jan. 17 opinion ignored Sen. Bettencourt's complaints about the TEV coalition's promotion of an "Educator's Oath to Vote" and school district initiatives encouraging educators to vote and wear "I Voted!" stickers on campus.

In response to this, Canaday said: "The Attorney General's silence on these topics reinforces our position that non-partisan get-out-the-vote activities are well-within the legal rights of educators and school district officials."

Canaday concluded: "ATPE and its coalition partners are committed to emphasizing the importance of voting and the rights of educators to participate in elections. We will continue providing resources and respecting local school district leaders' decisions about how to facilitate voter engagement on their campuses for their educators and students."

ATPE is available for comment on Texas Attorney General Opinion KP-0177.

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About The Association of Texas Professional Educators (ATPE)

ATPE has been a strong voice for Texas educators since 1980. It is the leading educators' association in Texas with more than 100,000 members statewide. With its strong collaborative philosophy, ATPE speaks for classroom teachers, administrators, future, retired and para-educators and works to create better opportunities for 5 million public schoolchildren. ATPE is the ally and the voice of Texas public education. Learn more about ATPE at atpe.org.