

Dear Fellow School Board Trustee,

You may have seen an agenda item recommended for your board approval, titled “**Culture of Voting resolution.**” I’d like to give you my personal perspective on it.

This resolution was created by the Texas Association of School Boards (TASB). It refers to a website (www.TexasEducatorsVote.com), which is supposedly separate from TASB. You should be the judge of that.

We do have a low voter turnout in the state of Texas. In PISD, approximately one in twenty registered voters vote in local elections. Encouraging district employees and students to vote and participate in the electoral process is important to our democracy.

However, influencing them *how* to vote is not. In fact, it is *illegal* according to Federal law ([18 U.S. Code § 597](#)), and the [Texas Election Code section 276.001](#). It is even prohibited through policies created by TASB, such as [BBBB\(LEGAL\)](#), [DGA\(LEGAL\)](#) and [DGA\(LOCAL\)](#). The Federal law I quoted imposes up to two years in prison for violation, and violating the state law mentioned is a felony of the third degree, carrying a minimum of two year prison time. Note that the resolution proposes to give employees time off to vote, provide district transportation, and the linked website suggest to give gift cards for voting. All of those require expenditures to encourage voting.

That website asks district employees to sign an oath to vote in a certain way. It refers them to several other websites for recommendations about candidates. In my opinion, the list is biased and excludes other sources which, granted, might have opposing opinions on the topics and candidates.

I encourage you to be extra vigilant when you discuss this resolution, when (and if) you vote on it, and when you implement it. Please make sure you don’t violate the law. Make sure you don’t cause your employees to violate the law, as there are severe consequences to that. Read everything very carefully. I know it seems innocent and good when you first see it.

I would also encourage you to read this [letter from Senator Paul Bettencourt to Attorney General Ken Paxton](#).

Also remember that you don’t have to adopt this resolution, and if you choose to--you don’t have to adopt it exactly as presented.

Disclaimers:

1. I am a trustee on the Plano ISD board, but **I am not speaking on behalf of the board**. In fact, I’m probably doing the exact opposite.
2. While I hold a law degree, I am not practicing law or certified to practice law in Texas or in the US. **Do not consider this letter as legal advice.**

I was not elected to serve by TASB or the other trustees on our board. Neither were you. You and I were elected by the people of our district, and we must serve with their best interests in mind. Let’s not forget that.

Sincerely,

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If you are interested in the discussion that took place at Plano ISD over this resolution, please look at the following links (it was discussed in three consecutive board meetings):

<https://www.youtube.com/watch?v=bNodC-9Pndk&t=2847s>
<https://youtu.be/MURknVOHOUs?t=3851>
<https://youtu.be/KvEV4i6vuBg?t=1421>