



To Public School Educators, Administrators, Trustees, Parents, and Supporters:

My name is Justin Nelson, and I am running for Texas Attorney General. Public education has been a cornerstone of my life. My mother taught in the Houston public school system until the day before I was born, I attended public schools in Houston from pre-school through high school, and now I have the great honor to teach constitutional law at the University of Texas Law School.

As the parent of three young children, I believe that our leaders have a sacred trust to preserve and strengthen our schools for future generations. Article Seven of the Texas Constitution, requiring "the support and maintenance of an efficient system of public free schools," makes it a legal duty as well. As the Texas Constitution says, public education is "essential to the preservation of the liberties and rights of the people."

That's why I'm so concerned that my opponent, Ken Paxton, has treated public education as a political punching bag throughout his time in office. It is a disgrace that Mr. Paxton is indicted for fraud as the chief lawyer of Texas, but it is even more disgraceful how he has continued to demean, denigrate, harass, and intimidate our public school teachers and administrators.

I am deeply concerned about Mr. Paxton's recent letter regarding the use of public school buses for transporting students and staff to polling places, which I believe not only misrepresents the law but has also been used to intimidate Texas public educators from engaging in the democratic process.

I am also deeply concerned about using the office of Texas Attorney General to threaten those who are standing up for public education and trying to protect Article VII of the Texas Constitution, especially coming from my opponent Mr. Paxton who has been a consistent supporter of vouchers.

This is unconscionable. **I cannot say it strongly enough: free speech and voting rights do not stop at the schoolhouse door.** The Texas Attorney General's office should not be used as a tool to harass and intimidate political opponents.

Mr. Paxton's letter states, "...absent an educational purpose in providing students transportation to the polling locations, a court would likely conclude that the transportation serves no public purpose of the school district and therefore violates article III, section 52(a) of the Texas Constitution." This implies that there would never be a public purpose to use school buses to transport students and staff to polling places and that the practice is illegal. That is incorrect.

Texas law empowers each Texas school district, through its trustees, to determine whether a particular public expenditure meets the constitutional requirement of a public purpose. Therefore, if a school board exercises its discretion and finds a public purpose (such as using school busses for a field trip to a working election polling place for instructing students about elections), the law is that courts will not interfere with the judgment of the trustees, absent a clear abuse of discretion.

Texas law specifically requires Texas public schools to teach about local, state, and national elections. Because of this, it is my opinion that promoting voter education in public schools and encouraging participation in the democratic process serves a public purpose. I also strongly believe that:

- Voting is not a partisan issue.
- All eligible Texans have a constitutional right to free speech.
- Public educators do not have fewer free speech rights than other citizens.
- If public educators are participating in the political process in their private capacity as citizens, (even at school), they are not violating the law.

Specifically, if asked, teachers can talk to students and parents and each other about their political opinions, including on their own social media from their home computers. In addition, if two public educators of equal rank are on a scheduled break in the teacher's lounge, they are not denied the freedom of speech to talk politics at the lunch table. Public educators, like all citizens are free to voice their political opinions to parents, teachers and students.

I encourage all public educators to take every precaution not to use political advocacy group emails or email addresses in public school communications and not use public resources, including school time, to advocate for candidates or political measures. But those who support public education have a right, if not a duty, to stand up for the Texas Constitution's guarantee of free quality public education.

Texans deserve a government that works for us, not against us. Although it will be my name on the ballot, I'm running on behalf of every Texan – regardless of party – who believes that Texas should be the leader in public education and that public schools are critical in training the next generation of leaders in Texas and in this country.

I am proud to have been endorsed by Texas Parent PAC, Texas State Teachers Association, Texas AFT, and other pro-education groups. I have had invaluable conversations with my education committee, composed of a bipartisan group of teachers, parents, and administrators who support public education. By standing

together, all of us can make clear that strong public schools and vibrant public discourse are shared Texas values.

As Texas Attorney General, I will enforce the law, not break it. I will fight for ALL Texans, regardless of party. I will be a check on power, not a rubber stamp. And I will follow the rule of law, including by making sure that those who support public education maintain their Constitutional right to participate in the civic discourse without fear of harassment or intimidation.

I hope you will join us in spreading the word to all Texans of the importance of the issues at stake to our schools and our children in this election and in encouraging all Texans to exercise their constitutional right to vote.

Sincerely,

Justin Nelson