

TAXPAYER PROTECTION PROJECT

THUMB ON THE SCALE: THE GROWING ALARM OVER ISD ELECTIONEERING AND WHAT TO DO ABOUT IT

WRITTEN BY

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KEY POINTS

- **ISD officials may not electioneer**; however, an increasing number stand accused. The rise in illicit activity may be due, in part, to inadequate state enforcement and light penalties.
- **Numerous instances** of ISD electioneering are alleged to have occurred during the Spring and Fall 2024 election cycles.
- **Strong, new laws** are needed to properly punish bad actors, to enable the attorney general to prosecute criminal activity, and to restore public trust in the system.

EXECUTIVE SUMMARY

In Texas, public school districts appear to be using taxpayer resources to influence election outcomes. This practice, known as electioneering, is not only illegal but it also distorts public policy and corrodes public trust in institutions. This paper examines the recent pattern of alleged ISD electioneering activity during the Spring and Fall 2024 election cycles and recommends legislative reforms to bolster law enforcement, properly punish criminal violations, and dissuade future wrongdoing.

INTRODUCTION

Electioneering may be defined as “the process by which political groups convince voters to cast ballots for or against particular candidates, parties, or issues (such as ballot issues, school board budgets, or referendums) in an upcoming election” ([Cornell Law School, 2024, para. 1](#)). The manner in which interested parties engage in this process typically involves “the display of campaign posters or signs, distribution of campaign materials, or solicitation of votes for or against any person or political party or position” ([Cornell Law School, 2024, para. 1](#)). While none of this is controversial on its own and can even be a positive good in the right context, the practice becomes unscrupulous when government officials engage in these activities using the public’s money and resources.

In Texas, numerous state laws directly or indirectly bar independent school district (ISD) officials and employees from engaging in electioneering-type activities. For example, [Section 11.169](#), Texas Election Code, prohibits governmental entities from using “state or local funds or other resources of the district to electioneer for or against any candidate, measure, or political party.” Further, [Section 255.003\(a\)](#), Texas Election Code, instructs that, “An officer

What Activities Constitute Illegal ISD Electioneering?

According to the OAG (n.d.), government officials and the public should be aware that the following activities may constitute a violation of election law:

- “...an officer or employee of a political subdivision may not knowingly spend or authorize the spending of public funds for political advertising.
- In addition, school district officials may not use public resources to advocate for or against particular political candidates and/or groups of political candidates.
- Furthermore, the Texas Election Code prohibits the board of trust of a school district from using state or local funds ‘to electioneer for or against any candidate, measure, or political party.’ [Tex. Educ. Code Sec. 11.169.](#)”

If you are concerned about potential electioneering activity in your community, fill out [this](#) form and submit it to the appropriate authorities for review.

or employee of a political subdivision may not knowingly spend or authorize the spending of public funds for political advertising.” Still further, [Section 255.0031\(a\)](#) provides that “An officer or employee of a state agency or political subdivision may not knowingly use or authorize the use of an internal mail system for the distribution of political advertising.” Finally, [Section 45.105\(a\)](#) of the Texas Education Code stipulates that “public school funds may not be spent except as provided by this section.” A careful reading of this section may be understood to indirectly prohibit ISDs from appropriating funds in service of electioneering activities.

Despite these many restrictions, ISDs increasingly find themselves in conflict with one, some, or all of these statutes, which has invited negative publicity and legal entanglements. This was certainly the case during the Spring 2024 election cycle wherein the Office of the Attorney General (OAG) of Texas indicted seven ISDs over possible violations of Texas’ Education and Election Codes. Those seven embattled districts included: Aledo, Castleberry, Denison, Denton, Frisco, Huffman, and Hutto ISDs. In each instance (except Hutto ISD), matters have

been resolved civilly and the electioneering activity stopped; however, it is unclear whether, in the absence of criminal penalties, these illicit operations have been halted temporarily or for good. More information on the specifics of these cases can be found in **Appendix A**.

Despite these legal victories however, Texas’ election environment remains fraught with difficulty for a few different reasons. First, the state’s ability to enforce the law has been weakened on account of the fact that the OAG is unable “to criminally prosecute Election Code violations following the Court of Criminal Appeals’ decision in *Texas v. Stephens*” ([OAG, 2024b, para. 3](#)). In that case, it was determined,

The 1876 Texas Constitution completely eliminated the specific constitutional authority of the Attorney General to represent the State in appeals of criminal cases in a deliberate response to the “despotic control of the reconstruction governor”... Since then, it has had no authority to represent the State in a criminal case in any court, except when a county or district attorney requests it to assist. (*State of Texas v. Stephens, 2021, p. 6*)

The ruling, while sound, had the effect of removing the OAG’s ability to prosecute election-related crimes, thus prompting the state’s top law enforcement official to center the agency’s efforts around seeking “civil injunctive relief” instead (OAG, 2024e, para. 3). It is unclear whether these civil remedies are enough to deter future malgovernance. Looking ahead, this deficiency hints at a need for the Texas Legislature to amend the Texas Constitution to restore the OAG’s independent authority to prosecute election-related criminal offenses. This policy prescription is explored further in the **Recommendations** section.

Second, electioneering-related offenses carry a relatively light penalty. In those uncommon instances where criminal convictions are sought, violators generally only face misdemeanor charges, which may be plea bargained down further still. It is doubtful whether this level of punishment is in equal proportion to the crime or enough to serve as an adequate deterrent.

These issues seem to be at the root of much of the ISD electioneering problem. How these particulars manifest in real-world situations varies, but their influence is obvious.

ISD ELECTIONEERING EXAMPLES: CALENDAR YEAR 2024

During the 2024 calendar year, school district elected officials and employees either initiated or participated in several hundred different election contests statewide. In most cases, no foul play was alleged or observed. However, in some instances, school officials’ activities were said to have violated the spirit or the letter of the law. These controversies were not limited to any particular contest type, but rather spanned the gamut, from primary elections to voter-approval tax rate elections to bond elections. Outlined below are several notable examples of questionable—if not unlawful—election-related activity. Certain ones were the object of local criminal prosecution, while others drew state-level civil enforcement, while still others received negative publicity.

Spring 2024

Several alleged instances of electioneering may have occurred during the Spring 2024 election cycle, but two cases in particular are worth noting: Denton ISD and Huffman ISD. Regarding the former, the perpetrators faced the prospect of criminal prosecution, whereas with respect to the latter, the reported wrongdoing was notable for its brazenness and the absence of any meaningful punishment.

Denton ISD: From Emails to Criminal Indictments

On February 5, 2024, Jesús and Lindsay Luján, married administrators employed by Denton ISD (DISD), were accused of sending emails from their school email addresses to staff encouraging them to vote for public education-friendly candidates “in the March Republican primary election” (Salhotra, 2024, para. 1). Included in Mrs. Luján’s email was a prompt “to vote for Republicans who oppose school voucher programs...[and] a link to a scorecard detailing each candidate’s position on public school funding” (Salhotra, 2024, para. 3). According to the OAG’s lawsuit, the scorecard was maintained by Texans for Public Education, a group whose website claims “[we] actively participate in the promotion of public education through block voting. Here you will find information about which politicians we believe have the best policies and intentions for supporting public education, its educators and students” (*State of Texas v. Price et al.*, 2024, p. 4). As is obvious, information of this type is clearly meant to influence voter perception and decision. For his part, Mr. Luján sent a similar email containing much of the same content, except it included statements acknowledging that “historically, 85% of PRIMARY voters in TX want vouchers. That’s why it is so important that teachers and public school and funding advocates show up at the primaries” (*State of Texas v. Price et al.*, 2024, p. 5). As a result of their actions, the OAG filed suit against the Lujáns in late February 2024 “seeking an injunction to stop DISD from continuing its unlawful activity” (OAG, 2024a, para. 2). In March, the OAG obtained its injunction, “ordering the district to not use any funds or resources to engage in illegal electioneering” (Salhotra, 2024, para. 10).

Around the same time, area voters “submitted affidavits to Denton County District Attorney Paul Johnson on February 27 that alleged criminal election interference” (Anderson, 2024a, para. 2). Those affidavits, along with a demand letter seeking a criminal investigation (McGee, 2024a), ultimately forced the Denton County district attorney’s office to launch their own probe of the matter, as required under Section 273.001 of the Texas Election Code. Following that action, the pair were “indicted April 2 in county criminal courts on charges of unlawful use of internal mail system for political advertising, a Class A misdemeanor punishable by up to one year in jail and a \$4,000 fine” (Anderson, 2024a, para. 3). Their arraignments were later scheduled for May 13, 2024, followed by hearings to be held on June 4, 2024. However, the hearings were then rescheduled for June 18, 2024 (Anderson, 2024b, para. 3). The indictment set a new precedent as the Lujáns are the first Texas school officials to “have been criminally prosecuted for using public resources to electioneer” (Anderson, 2024b, para. 5). As the matter proceeded however, the case kept getting pushed back from June 2024 to July and then finally to mid-August (Anderson, 2024c, para. 3). Ultimately, the case against the Lujáns was resolved after the pair admitted guilt to prosecutors on the electioneering charges before the hearings (Anderson, 2024c, para. 5). Thus, they avoided criminal prosecution and agreed to participate in a pre-trial diversion program negotiated by their attorney. Anderson (2024c, para. 5) reports, “Before entering the voluntary program, offenders must admit their guilt to prosecutors and may have to comply with other conditions set by the district attorney.” As of yet, it is unclear whether this slap on the wrist will be enough to deter future wrongdoing.

Huffman ISD: Open Interference

On February 7, 2024, Huffman ISD superintendent Dr. Benny Soileau called a meeting at Hargrave High School to discuss the upcoming Republican primary election with all faculty and staff. During this meeting, he spoke about the “21 legislators [that] had supported public school finance during the past

special session” (*State of Texas v. McGee et al.*, 2024, p. 4) and how “those 21 now have to face an election in the primaries coming up in March” (*State of Texas v. McGee et al.*, 2024, p. 5). Dr. Soileau then allegedly said, “Five of those 21 are retiring, they’re not coming back...So now we’re down to 16. And they’re calling them Sweet 16. And if we don’t support those 16 representatives in the upcoming election, we roll into the next session almost assured that we’re going to face a universal voucher bill that will change the face of public education for years to come” (*State of Texas v. McGee et al.*, 2024, p. 5). In addition to offering up political commentary, Dr. Soileau may have also directed staff to distribute hard-copy materials identifying approved candidates. The OAG (2024c, para. 2) notes that “[W]hen school staff asked for a list of those endorsed politicians they had been told to vote for, the superintendent said that a Huffman ISD administrator would distribute it.” Following the discovery of these illicit activities, the OAG filed a suit seeking a temporary injunction. In response, Huffman ISD accused the OAG of election interference, saying the suit was “a politically-motivated publicity stunt to help turn out anti-public education voters in advance of the Republican primaries” (Cacciatore, 2024, para. 5). Huffman ISD also oddly claimed that the audio recording of the superintendent “impermissibly invades protected speech” and that Soileau “should receive prosecutorial immunity” (Cacciatore, 2024, para. 7). Despite the district’s protestations, Huffman ISD eventually agreed to “an injunction barring Superintendent Benny Soileau from advocating for any political candidates using the district’s funds or resources” (Wilburn, 2024, para. 1). The agreement reached by the OAG and Huffman ISD means the injunction takes effect but “without any admission of wrongdoing by any party, and for the purpose of allowing the parties to move forward from their current dispute” (Wilburn, 2024, para. 7). Further, while the agreement requires the superintendent to follow the law, it “does not prevent him from encouraging individuals to vote, discussing the importance of voting or ‘discussing non-ballot issues relating to public education or school funding’” (Wilburn, 2024, para. 8). There have been no further

updates from the Harris County district attorney's office on its criminal investigation.

Fall 2024

Numerous electioneering-related concerns were raised during the most recent November 2024 election cycle.¹ While none resulted in any meaningful legal action, the continued misbehavior may at least prompt legislative reform in the near future. Two examples that may serve to inform future efforts are Turkey-Quitaque and Canyon ISDs. These school districts are noteworthy as they demonstrate the conspicuous and inconspicuous ways in which this type of activity is occurring.

Turkey-Quitaque ISD: It's FOR the Kids

Located in Turkey, Texas, Turkey-Quitaque ISD is a small public school district with a student enrollment of nearly 200 students ([National Center for Education Statistics, n.d.](#)). Despite its compact size, the school district's recent election-related activities are something that every Texan should take note of.

In September 2024, Turkey-Quitaque ISD trustees approved a tax rate that required the district to hold a Voter-Approval Tax Rate Election (VATRE) on the uniform election date in November. An ISD automatically triggers a VATRE when it adopts a tax rate that produces more revenue than otherwise allowed by its voter-approval tax rate (VATR). Each district's VATR is determined through formulas that have been established in state statute.

During the early voting period, which extended from October 21, 2024 to November 1, 2024 ([Texas Secretary of State, n.d.](#)), Turkey-Quitaque ISD's social media account, *Valley Patriot News*, posted several controversial images on its site. As depicted in **Images 1** through **7**, the district featured schoolchildren grouped by grade-level holding pro-VATRE promotional materials with the same message: "VOTE YES PROP A: Support Our School." The images

raise serious questions about the use of school district resources to promote an election outcome, the stewardship of its social media platform, and most importantly, the possible exploitation of children in the government's care.

Image 1

Turkey-Quitaque ISD Pre-K Class with Pro-VATRE Promotional Material



Source: Valley Patriot News (2024a).

¹ Excluding Turkey-Quitaque and Canyon ISDs, potential electioneering-like activity was also noted in Crosby ISD ([Cain, 2024](#)), Crowley ISD ([Turcios, 2024](#)), Frisco ISD ([Texas Public Policy Foundation, 2024](#)) Houston ISD ([Pearson, 2024](#)), and Temple ISD ([Anderson, 2024d](#)).

Image 2

Turkey-Quitaque ISD Kindergarten Class with Pro-VATRE Promotional Material



Source: Valley Patriot News (2024b).

Image 4

Turkey-Quitaque ISD 2nd Grade Class with Pro-VATRE Promotional Material



Source: Valley Patriot News (2024d).

Image 3

Turkey-Quitaque ISD 1st Grade Class with Pro-VATRE Promotional Material



Source: Valley Patriot News (2024c).

Image 5

Turkey-Quitaque ISD 3rd Grade Class with Pro-VATRE Promotional Material



Source: Valley Patriot News (2024e).

Image 6

Turkey-Quitaque ISD 4th Grade Class with Pro-VATRE Promotional Material



Source: Valley Patriot News (2024f).

Image 7

Turkey-Quitaque ISD 5th Grade Class with Pro-VATRE Promotional Material



Source: Valley Patriot News (2024g).

In addition to the images of children holding pro-VATRE material, the district also created and disseminated its own promotional products, such as the flyer in **Image 8**. The image, which at the time of this publication is still featured on the district's website, contains several concerning statements that would seem to conflict with the state's electioneering statutes, including: "VALLEY SCHOOL IS ASKING VOTERS TO APPROVE A TAX RATE THAT WILL RESULT IN AN INCREASE IN VALLEY ISD'S STATE FUNDING EACH YEAR" and "A vote 'YES' is a vote for the future of our children, our school, and our communities!" (Turkey-Quitaque ISD, n.d.).

Image 8

Turkey-Quitaque ISD VATRE Promotional Material

**Turkey-Quitaque
Independent School District**

Early Voting: 10/21-11/1/2024	VATRE	Election Day: 11/5/2024
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VOTE

Voter-Approved

Tax Rate

Election

VOTE

OPPORTUNITY TO SUPPORT YOUR SCHOOL

VALLEY SCHOOL IS ASKING VOTERS TO APPROVE A TAX RATE THAT WILL RESULT IN AN INCREASE IN VALLEY ISD'S STATE FUNDING EACH YEAR.

	2024	2023	2022
<u>M & O Rate</u>	\$0.8555	\$0.7380	\$0.9441
<u>I & S Rate</u>	\$0.17906	\$0.18455	\$0.18455
<u>Total Tax Rate</u>	\$1.03456	\$0.92255	\$1.12865
Increase in State Revenue	\$174,903		
Revenue Increase from 2023	\$108,269		

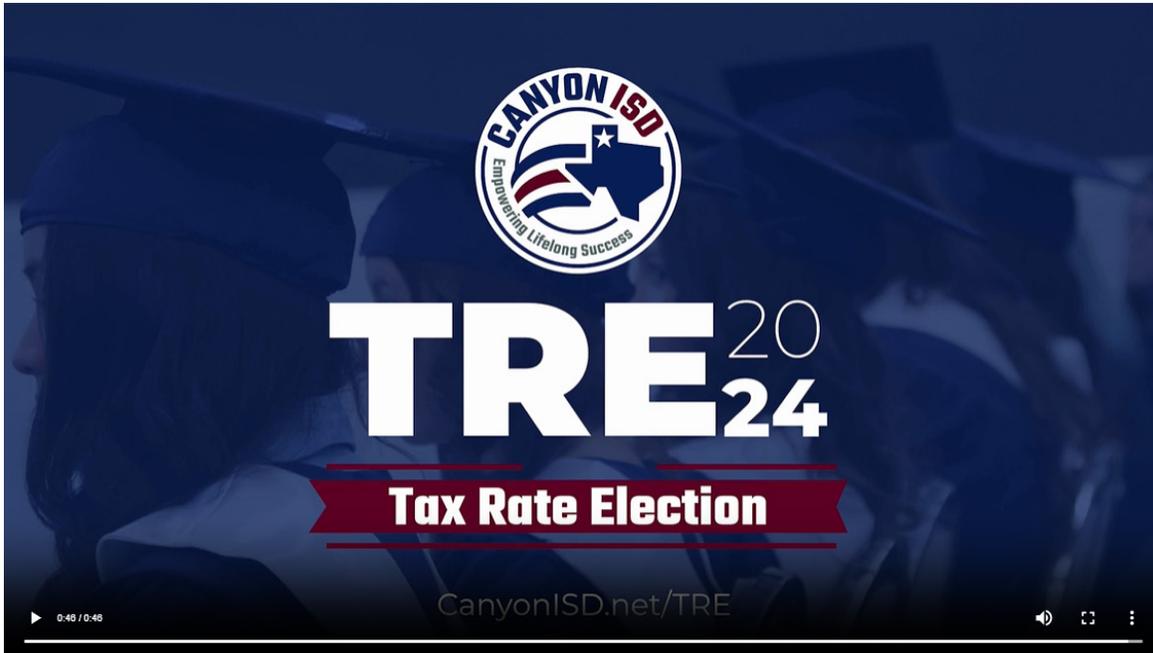
"A vote "YES" is a vote for the future of our children, our school, and our communities!" - Greg Ramsey

**Texas raised the Homestead Tax Exemption to \$100,000 in 2023.

Source: Turkey-Quitaque ISD (n.d.).

Image 9

Canyon ISD Seeking Support FOR Its VATRE



Canyon Independent School District Proposes Tax Rate Election

Canyon ISD is seeking community support for a Tax Rate Election as part of our ongoing commitment to the district's Strategic Plan. If approved, the tax rate election would enable CISD to access additional funding from the state to continue meeting the goals set forth in our Strategic Plan, which was developed through extensive community input.

Source: Canyon ISD (n.d.).

In one final example of probable electioneering activity, interested parties searching the district's website for the election order that calls for the VATRE may find the electronic document on a webpage titled "Vote FOR the VATRE, Vota POR el VATRE" (Turkey-Quitaque ISD, 2024). The headline helps to dispel any remaining doubt that the district is a neutral party in the VATRE.

Canyon ISD: Subtle Persuasion

In a much more subtle way, Canyon ISD seems to have promoted a pro-VATRE viewpoint to voters via its website. For instance, the district's VATRE landing page contains the statement, "Canyon ISD is seeking community support **for** a Tax Rate Election..." [*emphasis added*] (Canyon ISD, n.d.). The district's full statement is provided in **Image 9**. In addition to nudging readers in this way, the district also uses accentuated text to explain how it intends to spend any new revenue, stating that it will:

- "Increase **safety, security and armed officers** at all campuses
- Support and maintain **all student programs**
- Retain a **competitive compensation plan** and quality workforce
- Buses for **additional bus routes** to accommodate for growth in enrollment
- **Manage all inflationary costs**, especially insurance and utilities" (Canyon ISD, n.d.).

These communication tactics, while minor in some regard, gently prod interested parties in a particular direction, which is contrary to the spirit of the law, if not the letter of the law.

RECOMMENDATIONS

State law prohibits political subdivisions from engaging in electioneering for good reasons. The practice corrodes public trust, threatens free and fair elections, consumes valuable taxpayer resources, and exposes government employees to various political pressures unrelated to their actual duties. Despite these grounds, Texas public school districts continue to engage in this illicit activity, sometimes conspicuously, sometimes less so. Factors that may be contributing to the pervasiveness of the practice include a lack of proper state enforcement and punishments that are too light to serve as a proper deterrent. To improve the status quo and discourage ISDs from using public resources to influence election outcomes in the future, the 89th Texas Legislature should consider making the following statutory changes.

- **Enable the OAG to institute a criminal prosecution.** In light of the decision rendered in *State of Texas v. Stephens* (2024, p. 11), the Texas Legislature should consider amending Article IV of the Texas Constitution in such a way that “expressly permits the Attorney General to prosecute election law violations in district courts.” This critical reform will enable the state’s top prosecutor to enforce Texas law as violations emerge without having to first garner an invitation from local prosecutors. Such involvement promises to be a potent deterrent.
- **Terminate bad actors.** Policymakers should require any school official found guilty of electioneering to be subject to automatic termination, without severance or extended benefits. The seriousness of this crime and the violation of public trust merit such harsh and immediate consequences.

- **Enhance criminal penalties.** Where electioneering-related criminal violations are found to have occurred, policymakers should increase the maximum allowable charge from a misdemeanor to a state jail felony. Again, the nature of the crime and the social corrosion it promotes merits a tougher response.
- **Punish repeat offenders.** For school districts caught engaging in electioneering activities on more than one occasion over a specified period (for example, a five-year time horizon), policymakers should consider imposing added penalties. Such punishments might range from instituting a spending freeze for a particular period of time, requiring the political subdivision to adopt the no-new-revenue tax rate for a set number of years, or subjecting it to additional training requirements meted out by the proper authorities, like the Texas Secretary of State. These added penalties will serve as another deterrent to the continual violation of public trust.

Together, the reforms outlined above will strengthen the present election environment and deter Texas public school districts from engaging in electioneering activity in the future. More importantly, the public’s faith in our local public institutions will greatly improve. ■

APPENDIX A: ISD ELECTIONEERING LAWSUITS, MAY 2024

SPRING 2024 ISD ELECTIONEERING LAWSUITS						
Case	Context	Claim #1	Claim #2	Claim #3	Claim #4	Outcome
<p>State of Texas v. Collins et al. (Aledo ISD)</p>	<p>"According to the filing, the OAG references an email sent out by the AISD board Feb. 20 which noted in part ... that our state leaders, with our governor leading the charge, prioritized taxpayer-funded private/home school vouchers over funding your Aledo ISD schools. This happened even though enough legislators opposed vouchers to vote them down repeatedly for decades and again in 2023. ... 'Bears cats VOTE! Your Aledo public schools are on the ballot starting TODAY! ... The decisions made by those on this Primary Election ballot affect you DAILY as evidenced by the budget shortfalls discussed at the top of this email'" (Staff Reports, 2024, para. 4).</p>	<p>Violation of Texas Education Code § 11.169</p>	<p>Violation of Texas Education Code § 45.105</p>	<p>Violation of Texas Election Code § 255.003(a)</p>	<p>Violation of Texas Election Code § 255.0031(a)</p>	<p>"Aledo ISD and Attorney General's office have filed an agreed-upon order with the court.... The order essentially states that Aledo ISD will continue to follow state laws related to electioneering" (Weatherford Democrat, 2024, paras. 5-6).</p>
<p>State of Texas v. Tallaferrero et al. (Castleberry ISD)</p>	<p>"[T]he Castleberry ISD Superintendent used her official email to send out an endorsement list of political candidates and instructed the district's administration to "vote accordingly" (OAG, 2024c, para. 2).</p>	<p>Violation of Texas Education Code § 11.169</p>	<p>Violation of Texas Education Code § 45.105</p>	<p>Violation of Texas Election Code § 255.003(a)</p>	<p>Violation of Texas Election Code § 255.0031(a)</p>	<p>"Texas Attorney General Ken Paxton has secured an agreed injunction with Castleberry Independent School District (ISD) after suing the district for illegal electioneering... Castleberry ISD agreed that the superintendent and all employees would refrain from using any funds or resources, including emails, to engage in illegal electioneering" (Legal Newswire, 2024, paras. 1-2).</p>
<p>State of Texas v. Rhoden et al. (Denison ISD)</p>	<p>"Denison ISD's official website expressed its support or opposition for certain political candidates and stumped for its preferred policy agenda. Additionally, Denison ISD posted a resolution adopted by its Board of Trustees further endorsing certain political measures" (OAG, 2024c, para. 2).</p>	<p>Violation of Texas Education Code § 11.169</p>	<p>Violation of Texas Education Code § 45.105</p>	<p>Violation of Texas Election Code § 255.003(a)</p>	<p>-</p>	<p>In March 2024, "[T]he district said its Board of Trustees 'authorized the superintendent to work with district legal representation to resolve the suit'... The District anticipates the suit will be resolved soon" (KXII Staff, 2024, paras. 2, 4).</p>

<p><i>State of Texas v. Price et al.</i> (Denton ISD)</p>	<p>"On February 5, 2024, the principal of Alexander Elementary School in DISD sent an email to all staff members encouraging the staff to vote against specific candidates who support certain policies. The school official used her government email to circulate the voting guidelines to other public employees, directly violating the Texas Election Code's prohibition against the use of 'state or local funds or other resources of the district to electioneer for or against any candidate, measure, or political party'" (OAG, 2024a, para. 2).</p>	<p>Violation of Texas Education Code § 11.169</p>	<p>Violation of Texas Education Code § 45.105</p>	<p>Violation of Texas Election Code § 255.003(a)</p>	<p>Violation of Texas Election Code § 255.0031(a)</p>	<p>"The Denton County District Attorney's Office has agreed to place two Denton ISD administrators on pretrial diversion after both were indicted for electioneering in April...As long as a person on pre-trial diversion abides by the terms of the agreement, the prosecution will dismiss the criminal case, and the person is eligible to have the charges expunged,' [the principals' attorney] said in a statement" (Breeding-Gonzales, 2024, paras. 1-2).</p>
<p><i>State of Texas v. Davis et al.</i> (Frisco ISD)</p>	<p>"Repeatedly and as recently as February 27, Frisco ISD's Government Affairs department used official resources to stump for certain policies and political measures" (OAG, 2024b, para. 2).</p>	<p>Violation of Texas Education Code § 11.169</p>	<p>Violation of Texas Education Code § 45.105</p>	<p>Violation of Texas Election Code § 255.003(a)</p>	<p>-</p>	<p>"Frisco ISD officials have approved a settlement agreement with the Texas attorney general for the electioneering lawsuit filed earlier this year. The district's board of trustees approved the settlement Sept. 16. The settlement will allow FISD to avoid additional expenses and use of resources required for a full trial which was set Sept. 30, according to an emailed statement from an FISD spokesperson" (Johnson, 2024, paras. 1-2).</p>

<p><i>State of Texas v. McGee et al.</i> (Huffman ISD)</p>	<p>"During a school meeting at Hargrave High School, the Huffman ISD Superintendent instructed faculty to vote for 16 specific politicians who supported certain policies. Additionally, when school staff asked for a list of those endorsed politicians they had been told to vote for, the superintendent said that a Huffman ISD administrator would distribute it" (OAG, 2024d, para. 2).</p>	<p>Violation of Texas Education Code § 11.169</p>	<p>Violation of Texas Education Code § 45.105</p>	<p>Violation of Texas Election Code § 255.003(a)</p>	<p>-</p>	<p>"Huffman ISD's legal counsel agreed to an injunction Tuesday, barring Superintendent Benny Soileau from advocating for any political candidates using the district's funds or resources...In the agreed injunction, the parties, which include Soileau and Huffman ISD School Board President Amanada McGee, agreed to grant the state's petition 'without any admission of wrongdoing by any party, and for the purpose of allowing the parties to move forward from their current dispute'" (Wilburn, 2024, paras. 1, 7).</p>
<p><i>State of Texas v. Logiudice et al.</i> (Hutto ISD)</p>	<p>"In the suit, Paxton alleges the parties named allowed the use of district computers, salaries and email accounts to be used to publish the social media post, encouraging individuals to vote for candidates who support public schools and who are against vouchers" (Sjoberg, 2024, para. 8).</p>	<p>Violation of Texas Education Code § 11.169</p>	<p>Violation of Texas Education Code § 45.105</p>	<p>Violation of Texas Election Code § 255.003(a)</p>	<p>Violation of Texas Election Code § 255.0031(a)</p>	<p>Unknown.</p>

REFERENCES

- Anderson, E. (2024a, April 4). *Denton school officials criminally charged for electioneering*. Texas Scorecard. <https://texasscorecard.com/local/denton-school-officials-criminally-charged-for-electioneering/>
- Anderson, E. (2024b, May 13). *Denton ISD admins delay criminal electioneering cases*. Texas Scorecard. <https://texasscorecard.com/local/denton-isd-admins-delay-criminal-electioneering-cases/>
- Anderson, E. (2024c, August 14). *Denton ISD admins admit guilt, avoid court in criminal electioneering case*. Texas Scorecard. <https://texasscorecard.com/local/denton-isd-admins-admit-guilt-avoid-court-in-criminal-electioneering-case/>
- Anderson, E. [@TrueTexasTea]. (2024d, October 27). *Update...An electioneering complaint was reportedly filed with @TXAG against @TempleISD. The FB post showing alleged school-funded electioneering has been* [Post]. X. <https://x.com/TrueTexasTea/status/1850634267011043441>
- Breeding-Gonzales, L. (2024, August 14). *Two Denton ISD administrators accused of electioneering placed on pretrial diversion*. KERA News. <https://www.keranews.org/education/2024-08-14/two-denton-isd-administrators-accused-of-electioneering-placed-on-pretrial-diversion>
- Cacciatore, L. (2024, April 18). *Huffman ISD accuses AG's office of election interference in response to electioneering lawsuit*. Texas Scorecard. <https://texasscorecard.com/local/huffman-isd-accuses-ags-office-of-election-interference-in-response-to-electioneering-lawsuit/>
- Cain, B. [@BriscoeCain]. (2024, November 2). *@CrosbyISD is having a teacher work day on Tuesday. They didn't do that during the primary even though schools were* [Post]. X. <https://x.com/BriscoeCain/status/1852771610903605729>
- Canyon ISD. (n.d.). *2024 tax rate election*. Retrieved November 26, 2024, from https://www.canyonisd.net/371272_2
- Cornell Law School. (n.d.). *Electioneering*. Retrieved October 25, 2024, from <https://www.law.cornell.edu/wex/electioneering>
- Johnson, H. (2024, September 18). *Frisco ISD officials approve settlement agreement for electioneering lawsuit*. Community Impact. <https://communityimpact.com/dallas-fort-worth/frisco/education/2024/09/18/frisco-isd-officials-approve-settlement-agreement-for-electioneering-lawsuit/>
- KXII Staff. (2024, March 27). *Denison ISD expects to resolve lawsuit with Texas AG soon*. KXII. <https://www.kxii.com/2024/03/27/denison-isd-expects-resolve-lawsuit-with-texas-ag-soon/>
- Legal Newsline. (2024, February 29). *Attorney General Ken Paxton secures injunction against Castleberry ISD for illegal electioneering*. Retrieved November 14, 2024, from <https://legalnewsline.com/stories/655472238-attorney-general-ken-paxton-secures-injunction-against-castleberry-isd-for-illegal-electioneering>
- McGee, D. (2024a, February 27). *Denton County independent school district illegal election interference*. Liberty Justice Center. https://libertyjusticecenter.org/wp-content/uploads/Demand-Letter_Denton_Electioneering.pdf
- McGee, D. (2024b, March 28). *Huffman independent school district demand for investigation*. Liberty Justice Center. https://libertyjusticecenter.org/wp-content/uploads/LJC-Letter_Huffman-Texas-Election-Interference-Letter.pdf

- Nation Center for Education Statistics. (n.d.). *Search for public school districts*. Retrieved November 26, 2024, from https://nces.ed.gov/ccd/districtsearch/district_detail.asp?Search=2&DistrictID=4843400&ID2=4843400&details=
- Office of the Attorney General of Texas (OAG). (2024a, February 22). *Attorney General Ken Paxton sues school district for illegal electioneering with public tax money* [Press release]. <https://www.texasattorneygeneral.gov/news/releases/attorney-general-ken-paxton-sues-school-district-illegal-electioneering-public-tax-money>
- Office of the Attorney General of Texas (OAG). (2024b, February 28). *Attorney General Ken Paxton sues Frisco ISD for illegal electioneering* [Press release]. <https://www.texasattorneygeneral.gov/news/releases/attorney-general-ken-paxton-sues-frisco-isd-illegal-electioneering>
- Office of the Attorney General of Texas (OAG). (2024c, February 29). *Attorney General Ken Paxton sues two more Texas school districts for illegal electioneering* [Press release]. <https://www.texasattorneygeneral.gov/news/releases/attorney-general-ken-paxton-sues-two-more-texas-school-districts-illegal-electioneering>
- Office of the Attorney General of Texas (OAG). (2024d, March 1). *Attorney General Ken Paxton Sues Huffman ISD and Aledo ISD for illegal electioneering*. <https://www.texasattorneygeneral.gov/news/releases/attorney-general-ken-paxton-sues-huffman-isd-and-aledo-isd-illegal-electioneering>
- Office of the Attorney General of Texas (OAG). (2024e, March 4). *Attorney General Ken Paxton secures injunction against Denton ISD for illegal electioneering* [Press release]. <https://www.texasattorneygeneral.gov/news/releases/attorney-general-ken-paxton-secures-injunction-against-denton-isd-illegal-electioneering>
- Office of the Attorney General of Texas (OAG). (2024f, March 13). *Attorney General Ken Paxton proposes new rule enhancing district attorney reporting requirements to promote accountability and rule of law* [Press release]. <https://www.texasattorneygeneral.gov/news/releases/attorney-general-ken-paxton-proposes-new-rule-enhancing-district-attorney-reporting-requirements>
- Osibamowo, T. (2024, September 24). *Frisco ISD settles illegal school electioneering lawsuit, but questions remain*. Denton Record-Chronicle. https://dentonrc.com/news/denton_county/frisco-isd-settles-illegal-school-electioneering-lawsuit-but-questions-remain/article_1b13febe-7abc-11ef-9fa7-33d202a51b3e.html
- Pearson, L. (2024, October 22). *Questions raise over flyer for pro-HISD bond featuring Highland Heights Elementary principal*. ABC13 News. <https://abc13.com/post/flyer-advocating-passing-proposed-44-billion-hisd-bond-features-highland-heights-elementary-school-principal/15455796/>
- Salhotra, P. (2024, April 7). *Two Denton school district principals indicted on charges of illegal electioneering*. The Texas Tribune. <https://www.texastribune.org/2024/04/07/texas-denton-principals-indictment-electioneering/>
- Sjoberg, B. (2024, March 5). *Attorney general sues Hutto ISD for electioneering*. Community Impact. <https://communityimpact.com/austin/pflugerville-hutto/education/2024/03/05/attorney-general-sues-hutto-isd-for-electioneering/>
- Staff Reports. (2024, March 1). *Aledo among several ISDs sued by OAG over illegal electioneering claims*. Weatherford Democrat. https://www.weatherforddemocrat.com/news/aledo-among-several-isds-sued-by-oag-over-illegal-electioneering-claims/article_911bb8e0-d846-11ee-89bd-fbe3e46115ce.html
- State of Texas v. Price et al.*, No. 24-1663-431 (2024). <https://www.texasattorneygeneral.gov/sites/default/files/images/press/Denton%20ISD%20Electioneering.pdf>

State of Texas v. Stephens, No. PD-1032-20 (2021). <https://cases.justia.com/texas/court-of-criminal-appeals/2021-pd-1032-20-0.pdf?ts=1639596466>

Texas Public Policy Foundation. (2024, October 22). *Politicking on the public dime*. <https://thecannononline.com/the-daily-cannon/politicking-on-the-public-dime>

Texas Secretary of State. (n.d.). *Important election dates 2024-2025*. Retrieved November 26, 2024, from <https://www.sos.state.tx.us/elections/voter/important-election-dates.shtml>

Turcios, C. [@Carlos_Turcios]. (2024, October 25). *#BREAKING: TX Crowley ISD Board President with board members and faculty held a rally with Far-Left org March to the [Post]*. X. https://x.com/Carlos__Turcios/status/1849892323741618261

Turkey-Quitaque ISD. (n.d.). *More VATRE information*. Retrieved November 26, 2024, from https://www.valleypatriots.com/vnews/display.v/ART/66e8ba3ae16bc?in_archive=1

Turkey-Quitaque ISD. (2024, October 25). *Vote FOR the VATRE, vota POR el VATRE*. Retrieved November 26, 2024, from <https://www.valleypatriots.com/vnews/display.v/ART/671bfbe640600>

Valley Patriot News. (2024a, October 30). [Image attached]. Facebook. <https://www.facebook.com/share/p/18B8dvnZF/>

Valley Patriot News. (2024b, October 31). [Image attached]. Facebook. <https://www.facebook.com/share/p/15QspiiCd/>

Valley Patriot News. (2024c, October 30). *1st Grade Says---* [Image attached]. Facebook. <https://www.facebook.com/share/p/1BM4yDdfE5/>

Valley Patriot News. (2024d, October 31). *2nd Grade says....* [Image attached]. Facebook. <https://www.facebook.com/share/p/1EJ9D9gBsy/>

Valley Patriot News. (2024e, November 1). *3rd Grade Says---* [Image attached]. Facebook. <https://www.facebook.com/share/p/1G2iVsigMU/>

Valley Patriot News. (2024f, November 1). *4th Grade says----* [Image attached]. Facebook. <https://www.facebook.com/share/p/1YAA2C83bs/>

Valley Patriot News. (2024g, November 4). *5th Grade Says---* [Image attached]. Facebook. <https://www.facebook.com/share/p/1828KcQwGG/>

Weatherford Democrat. (2024, May 7). *Aledo ISD, OAG reach agreement after district accused of illegal electioneering*. Yahoo News. <https://www.yahoo.com/news/aledo-isd-oag-reach-agreement-191400738.html>

Wilburn, C. (2024, July 25). *Huffman ISD superintendent banned from using district funds for political advocacy after Paxton lawsuit*. Houston Chronicle. <https://www.houstonchronicle.com/news/houston-texas/education/article/huffman-isd-electioneering-injunction-19596073.php>

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