

September 17, 2025

To: Independent School District Administrators

From: Manuel Quinto-Pozos

Texas American Federation of Teachers (Texas AFT) General Counsel

RE: Teacher disciplinary action, contract action and TEA reporting in response to First Amendment activity

Dear Administrator,

It has come to the attention of the Texas American Federation of Teachers (Texas AFT), a labor organization representing teachers and other school district employees throughout the state, that certain school districts in Texas have been placing teachers and other employees on leave pending investigation and making reports to the Texas Education Agency in retaliation for making posts on social media outside their official school district duties and commenting on matters of public concern.

Namely, these educators and employees have been expressing public sentiments, widely shared by the American and international public, regarding the recent assassination of a public figure. Such comments fall squarely within the protections of the First Amendment, and the First Amendment prohibits governmental entities, such as public school districts in Texas, from taking any disciplinary or employment actions against their employees in retaliation for those free speech activities. See, e.g., *Pickering v. Board of Education*, 391 U.S. 563 (1968), *Connick v. Myers*, 461 U.S. 138 (1983), *Garcetti v. Ceballos*, 547 U.S. 410 (2006), *Rankin v. McPherson*, 107 S. Ct. 2891 (1987).

To the extent that school districts believe that they are required to report such social media posts to the Texas Education Agency, such belief is mistaken, despite the Commissioner of Education's recent pronouncements suggesting the contrary. Such reports, in addition to violating the First Amendment, are not required by state law. Senate Bill 571, which was signed into law and, on September 1, 2025, went into effect, does not require school administrators to report teachers or employees to TEA as a result of non-threatening posts on social media. The list of conduct that requires reports to TEA is contained in Section 22A.051(a)(1) through .051(a)(5). The list does not include anything remotely resembling teacher or employee social media posts.

Texas AFT respectfully requests that you proceed with caution and that you not succumb to public and political pressure and paranoia. Texas AFT will vigorously defend the rights of its members against unwarranted and opportunistic political attacks by overzealous influencers, politicians and public school officials.

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**Minutes RBM 10/07/25**



Dear Superintendents,

TEA has been made aware of some Texas public school educators that have posted and/or shared reprehensible and inappropriate content on social media related to the assassination of Charlie Kirk. These educators' comments do not reflect the vast majority of Texas teachers who are dedicated practitioners that work diligently to serve the more than 5.5 million impressionable young minds in our classrooms.

In response to such posts, I am referring all documentation of educators that have proliferated such vile content to TEA's Educator Investigations Division. Such posts could constitute a violation of the Educators' Code of Ethics, and each instance will be thoroughly reviewed to determine whether sanctionable conduct has occurred and staff will investigate accordingly.

While the exercise of free speech is a fundamental right we are all blessed to share, it does not give carte blanche authority to celebrate or sow violence against those that share differing beliefs and perspectives. Mr. Kirk was a father and a husband, and tragically, his children no longer have their father, and his wife no longer has her spouse. As a father and husband myself, and as someone devoted to the education of children, it is heartbreakingly.

If you are made aware of additional instances of inappropriate content being shared, it should be reported to the agency through TEA's Misconduct Reporting Portal.

I commend the swift action taken by the leadership of the districts that employ these educators. Respect is a core tenet of what we teach and reinforce to our students, and together, we can ensure that such values continue to be reflected in our Texas public schools.

In service,

A handwritten signature in black ink, appearing to read "Mike Morath".

Mike Morath

Commissioner of Education

The State of Texas

## **Resolution in Opposition to School Vouchers and in Support of Public Education in Texas**

**Submitted by:** Rio Grande Valley Central Labor Council

**To:** Texas AFL-CIO Constitutional Convention

**Date:** 26 June 2025

**WHEREAS**, the Texas Legislature has passed a school voucher program that diverts public taxpayer dollars away from neighborhood public schools and into unregulated private and religious institutions; and

**WHEREAS**, school voucher schemes have historically failed to produce better academic outcomes and disproportionately harm rural communities, low-income students, students with disabilities, and communities of color by siphoning funds away from the public schools they rely on; and

**WHEREAS**, the overwhelming majority of Texas students—over 90%—are educated in public schools, which are already underfunded and facing a severe teacher shortage crisis; and

**WHEREAS**, Texas public school employees, many of whom are union members, continue to face low wages, difficult working conditions, and rising political attacks on their profession; and

**WHEREAS**, the Texas AFL-CIO has long stood in solidarity with educators, school staff, and working families to fight for equitable, fully funded, high-quality public education for all children; and

**WHEREAS**, school vouchers undermine public accountability, enable discrimination against students and families, and represent a coordinated effort to privatize and profit from our public education system; and

**WHEREAS**, educators, labor unions, and community allies across the state have expressed strong opposition to vouchers and are mobilizing to protect our schools and democracy;

**THEREFORE, BE IT RESOLVED**, that the Texas AFL-CIO unequivocally opposes the school voucher program recently enacted in Texas and supports its full repeal through legislative, legal, and electoral means; and

**BE IT FURTHER RESOLVED**, that the Texas AFL-CIO will work in coalition with affiliated unions, educators, parents, students, and advocacy organizations to support pro-public education candidates, mobilize union members, and educate the public about the harmful impacts of school vouchers; and

**BE IT FINALLY RESOLVED**, that the Texas AFL-CIO reaffirms its commitment to defending public education as a public good, advancing education equity, and standing with the educators and school employees who make learning possible every day.



# TOGETHER WE ARE STRONGER

BROWNSVILLE EDUCATORS STAND TOGETHER



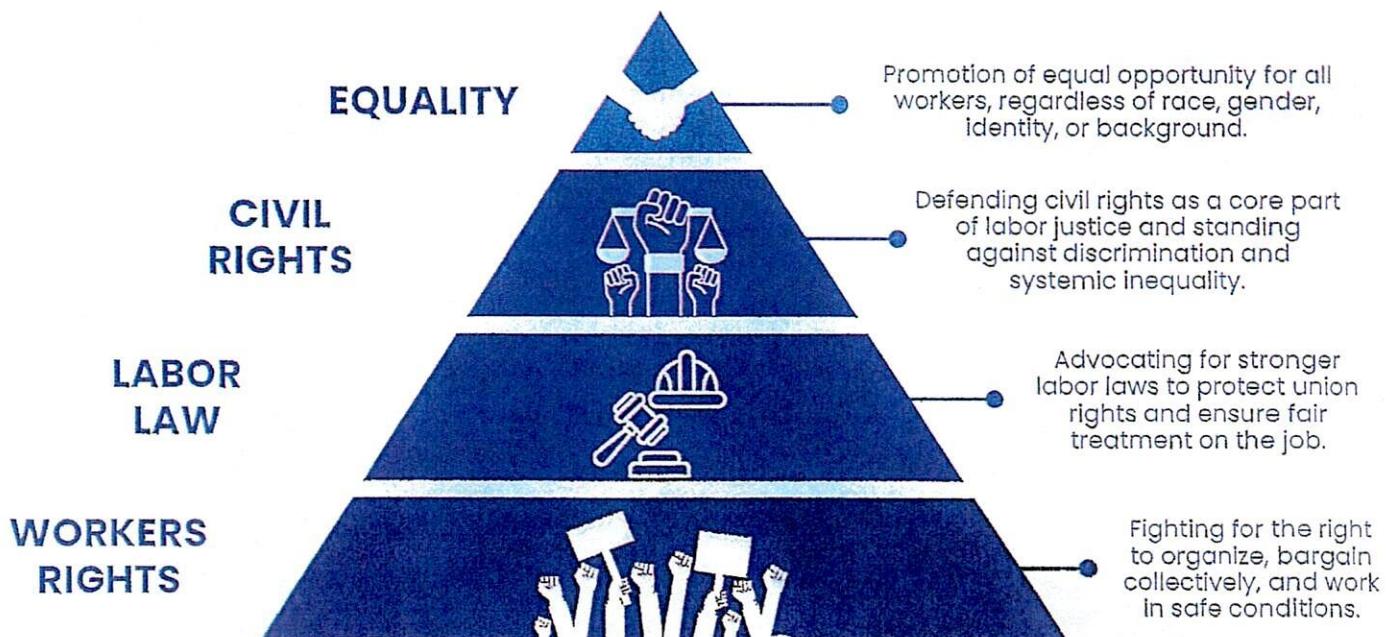
## BEST AFT is Proudly Affiliated with the AFL-CIO

The American Federation of Labor and Congress of Industrial Organizations is the largest federation of unions in the United States, representing over 12.5 million workers. The AFL-CIO brings together dozens of national and international labor unions to advocate for workers' rights, fair wages, and social and economic justice.

### What Does This Mean For You?

- **Stronger Representation**- As part of the AFL-CIO, BEST AFT members are backed by the nation's largest federation of labor unions.
- **More Bargaining Power**- Our connection amplifies our voice at the negotiating table for better pay, safer workplaces , and fair working conditions.
- **United for Justice**- From classrooms to communities, we're part of a larger movement fighting for economic justice, civil rights, and democracy.
- **Resources & Solidarity**- Access to training, legal support, political advocacy, and solidarity from a national network of unions.

### What We Care About:



# We Stand With 60+ National Unions

## Education

- American Federation of Teachers (AFT)
- American Federation of School Administrators (AFSA)
- California School Employees Association (CSEA)

## Arts, Entertainment, & Media

- Actors' Equity Association (AEA)
- American Federation of Musicians (AFM)
- American Guild of Musical Artists (AGMA)
- American Guild of Variety Artists (AGVA)
- Associated Actors and Artistes of America (4As)
- Screen Actors Guild-American Federation of Television and Radio Artists (SAG-AFTRA)
- The Guild of Italian American Actors (GIAA)
- Writers Guild of America, East (WGAE)
- International Alliance of Theatrical Stage Employees (IATSE)



## Sports Players' Associations

- Major League Baseball Players Association (MLBPA)
- Major League Soccer Players Association (MLSPA)
- National Hockey League Players' Association (NHLPA)
- NFL Players Association (NFLPA)
- National Women's Soccer League Players Association (NWSLPA)
- Professional Hockey Players' Association (PHPA)
- Women's National Basketball Players' Association (WNBPA)



## Public Safety

- International Association of Fire Fighters (IAFF)
- International Union of Police Associations (IUPA)

## Health Care

- National Nurses United (NNU)

## Agriculture

- Farm Labor Organizing Committee (FLOC)



## Construction & Skilled Trades

- International Union of Bricklayers and Allied Craftworkers (BAC)
- Operative Plasterers' and Cement Masons' International Association (OPCMIA)
- International Union of Elevator Constructors (IUEC)
- International Union of Operating Engineers (IUOE)
- International Union of Painters and Allied Trades (IUPAT)
- International Association of Heat and Frost Insulators (HFIU)
- United Union of Roofers, Waterproofers and Allied Workers
- United Association (UA - Plumbers & Pipefitters)
- Laborers' International Union of North America (LIUNA)
- International Brotherhood of Boilermakers (IBB)
- International Brotherhood of Electrical Workers (IBEW)
- Ironworkers (International Association of Bridge, Structural, Ornamental & Reinforcing Iron Workers)
- International Federation of Professional and Technical Engineers (IFPTE)



## Aviation & Transportation

- Air Line Pilots Association (ALPA)
- Association of Flight Attendants (AFA-CWA)
- American Train Dispatchers Association (ATDA)
- National Air Traffic Controllers Association (NATCA)
- Professional Aviation Safety Specialists (PASS)
- Transport Workers Union of America (TWU)
- Transportation Communications Union/IAM (TCU/IAM)
- International Association of Machinists and Aerospace Workers (IAM)
- Seafarers International Union (SIU)
- Marine Engineers' Beneficial Association (MEBA)
- International Organization of Masters, Mates & Pilots (MM&P)
- International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART)



## Public & Government Services

- American Federation of Government Employees (AFGE)
- American Federation of State, County and Municipal Employees (AFSCME)
- National Federation of Federal Employees (NFFE-IAM)
- National Postal Mail Handlers Union (NPMHU)
- Office and Professional Employees International Union (OPEIU)
- Service Employees International Union (SEIU)
- National Taxi Workers Alliance (NTWA)
- Plate Printers, Die Stampers and Engravers Union of North America (IPPDSPM&E)
- Utility Workers Union of America (UWUA)

## Postal & Communications

- American Postal Workers Union (APWU)
- National Association of Letter Carriers (NALC)
- National Postal Mail Handlers Union (NPMHU)
- Communications Workers of America (CWA)
- National Association of Broadcast Employees and Technicians (NABET-CWA)
- The Newspaper Guild (TNG-CWA)
- Printing, Publishing and Media Workers (PPMW-CWA)
- Industrial Union of Electronic Workers (IUE-CWA)



## Manufacturing, Industrial, & Food Processing

- United Steelworkers (USW)
- Glass, Molders, Pottery, Plastics & Allied Workers (GMP-USW)
- United Automobile, Aerospace & Agricultural Implement Workers (UAW)
- Bakery, Confectionery, Tobacco Workers and Grain Millers (BCTGM)
- United Food and Commercial Workers (UFCW)
- Retail, Wholesale and Department Store Union (RWDSU-UFCW)
- International Union of Allied, Novelty and Production Workers