

- SUBJECT:** Prohibiting school districts from requiring charitable contributions
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 11 ayes — Eissler, Hochberg, Allen, Aycock, Dutton, Guillen, Huberty, Shelton, T. Smith, Strama, Weber
- 0 nays
- WITNESSES:** For — Lindsay Gustafson, Texas Classroom Teachers Association; (*Registered, but did not testify:* Amy Beneski, Texas Association of School Administrators; Jennifer Canaday, Association of Texas Professional Educators; Julie Shields, Texas Association of School Boards)
- Against — None
- DIGEST:** HB 1682 would prohibit a school district board of trustees or school district employee from directly or indirectly requiring or coercing any school district employee to:
- make a contribution to a charitable organization or in response to a fundraiser; or
 - attend a meeting called for the purpose of soliciting charitable contributions.
- The bill also would prohibit a school district board of trustees or school district employee from directly or indirectly requiring or coercing any school district employee to refrain from:
- making a contribution to a charitable organization or in response to a fundraiser; or
 - attending a meeting called for the purpose of soliciting charitable contributions.
- The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2011.

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SUPPORTERS
SAY:

HB 1682 would protect teachers and other school district employees from coercion by supervisors to make charitable contributions or to attend meetings at which charitable contributions were solicited. Such meetings can take time away from teaching activities, and the decision to make a charitable contribution should be a personal one. It would be unnecessary to define coercion in the bill because it has been defined in statute and in litigation.

OPPONENTS
SAY:

HB 1682 should define “coercion” and explicitly safeguard against subtle coercion, which could manifest in a school administrator pointing out repeatedly that a certain teacher was the only one not participating in a certain fundraiser.

NOTES:

During 2009 regular session, a similar bill, HB 4014 by Weber, was placed on the House General State Calendar, but no further action was taken.