



TEXAS  
CIVIL RIGHTS  
PROJECT

# High School Voter Registration in Texas:

Grassroots Activism Pushes Progress, Despite  
Continued Failings of State Officials

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JULY 2019

JAMES SLATTERY

*Senior Staff Attorney, Texas Civil Rights Project*

## Acknowledgements

The Texas Civil Rights Project's work in this area is part of an incredible group effort, and we are so pleased to thank our partners in this work. First, we are so grateful for the backing of the Democracy Fund—their support of this work is invaluable. Our partners in the Own Our Vote Coalition—comprised of more than two dozen grassroots Texas organizations—work tirelessly every day to register students to vote, provide voter education to thousands of Texas, and make the high school voter registration law work when the state refuses to do the same. Also, the Own Our Vote Advisory Council has been instrumental in this work over the last year in providing advice and support to this effort. We owe so many thank yous to Dr. Jim Henson and Dr. Joshua Blank of Strategic Research Associates, LLC, for their tremendous work analyzing the data sets that form the basis of this report. We have been blessed to have Katya Ehresman, a rising junior at the University of Texas-Austin, be a vital part of our team, without whom there would be no report. Lastly, we send so much praise to the tireless work of all of the superintendents, principals, teachers, parents, students, and volunteers who work hard each day, with limited resources and recognition, to teach and empower the next generation of voters. We can't thank them enough.

## About the Texas Civil Rights Project

We are Texas Lawyers for Texas Communities. The Texas Civil Rights Project believes in a state where everyone can live with dignity, justice, and without fear. In its twenty-nine year history, TCRP has brought thousands of strategic lawsuits and spearheaded advocacy to protect and expand voting rights, challenge injustices in our broken criminal justice system, and advance racial and economic justice for historically marginalized communities.

TCRP's Voting Rights Program tackles the systemic issues that suppress democratic participation in Texas—from voter registration to the moment when an individual casts their ballot. Through litigation and advocacy, TCRP fights to turn the tide on the state's abysmal voting rights record by removing barriers to voter registration, supporting grassroots voter mobilization efforts, and opposing new attempts to suppress voting.

[www.texascivilrightsproject.org](http://www.texascivilrightsproject.org)

Michael Tigar Human Rights Center  
1405 Montopolis Drive  
Austin, TX 78741



# Table of Contents

|           |  |
|-----------|--|
| <b>1</b>  | Foreword                                     |
| <b>3</b>  | Executive Summary                            |
| <b>5</b>  | The Law in Texas: How it's Supposed to Work  |
| <b>6</b>  | TCRP's Latest Compliance Findings & Analysis |
| <b>23</b> | Conclusion                                   |

# Foreword

There are many things that make Texas unique: our size, our history, our barbecue. One aspect of Texas that I'm most proud of is a visionary state law that seeks to promote engagement by our youngest citizens in our democracy—the high school voter registration law, which requires every Texas high school to offer voter registration to students at least twice each school year. It embodies a fundamental Texas value, that our democracy is stronger when more people participate.

Sadly, as this report and others by the Texas Civil Rights Project detail extensively, the high school voter registration law has up to now been more vision than reality. We must do more to ensure that schools have the tools and support they need to bring students into the democratic process. And we should rightly celebrate the hard work of educators, grassroots organizations, students, and community volunteers to close the gap in registering young people.

The next election will be a landmark event for our country: it will be the first time that people born in the 21st Century will be able to vote for President of the United States. If empowered to participate ahead of time, through compliance with Texas's high school voter registration law, these new voters could immediately inject new energy, ideas, and activism into our democracy. But the effect of full compliance could be even more profound, as civic engagement in one area (for instance, by voting in elections) often leads to participation in other areas (such as volunteering in local community organizations that do important work outside of politics). Bringing young people into the democratic process now could have a profound impact on the health of our civil society throughout the lifespan of this rising generation, extending well into the second half of this century.

We know that voting is habitual—people who start voting earlier in life are more likely to become a regular voter. Further, and perhaps just as importantly, voting is “contagious,” with parents more likely to vote if their young adult children do so. It's well past time for Texas to make high school voter registration a full reality in this state.



Representative Celia Israel  
House District 50



# Voting is Contagious

HIGH SCHOOL VOTER REGIS  
STATEWIDE CONVENI

# Executive Summary

For six years, the Texas Civil Rights Project (TCRP), working with allies such as the Lawyers' Committee for Civil Rights Under Law and the Texas Organizing Project, has led the fight to boost compliance with a Texas law that requires every public and private high school in the state to distribute voter registration applications to eligible students at least twice each school year. Enacted in 1985, that law has the potential to make Texas a leader in youth registration and turnout.

But as we have detailed in two previous reports, compliance has been nowhere near a majority of schools. Our first detailed report, published in 2017 and covering the 2016 elections, found that only 14% of public schools with at least 20 seniors had taken the first step toward compliance under the law (ordering registration forms from the Secretary of State). In our second, most recent report, published last year and covering October 2016-February 2018, we found compliance had improved considerably to 34% of schools—a remarkable improvement but still a failing grade in any classroom.

Since our last report, TCRP and more than two dozen of our grassroots partners formed the Own Our Vote effort to help close the gap in compliance, by sharing information and best practices, organizing together in our communities, and empowering educators and students with the resources they need to make the law a reality. As this report demonstrates, that grassroots activism paid dividends in 2018, with the rate of compliance rising statewide and showing a dramatic surge in the five most populous counties.

As with our prior reports, our findings are based on a Public Information Act request sent to the Texas Secretary of State seeking copies of all requests for voter registration forms by high schools, in this case from the close of voter registration for the 2018 primary election (March 2018) to the close of voter registration for the 2018 general election (October 2018). To that data set, we have added data provided from our grassroots partners identifying the schools in which they conducted voter registration drives in partnership with school officials.

## **Our key findings include:**

- We verified that 38% of public high schools in Texas with 20 or more seniors either requested voter registration forms from the Secretary of State or conducted a voter registration drive among their students in partnership with a grassroots organization (or both). This is a four percentage point increase from the compliance rate we reported last year and a 24 percentage point increase from the compliance rate we reported in 2017.
- We have also been able to verify requests for high school voter registration forms from 27 private schools—a notable increase from the two private schools we verified in our 2018 report and the zero private schools we verified in our 2017 report.
- The new rates show a sharp increase in compliant schools in our main urban areas, which have been the focus of our Own Our Vote campaign and account for more than 40% of the Grade 12 population in Texas. During the 2016 election, none of the five largest counties had more than 12% of their high schools request voter registration forms. But the



compliance rate (comprising both direct requests for forms and voter registration drives in partnership with grassroots organizations) in those counties for 2018 were: Bexar County: 59%; Dallas County: 47%; Harris County: 57%; Tarrant County: 54%; and Travis County: 68%.

- This surge was driven by grassroots activism, by community organizations and the students themselves, along with heroic efforts by educators.
- But the deficiencies noted in prior reports remain. Specifically, the statewide compliance rate is still too low due to anemic efforts by the Secretary of State to make this issue a priority. The Secretary must take steps to affirmatively provide voter registration forms to schools without waiting for the schools to contact him first; implement new forms of outreach and training to ensure that schools understand how to comply with the law; and implement a tracking mechanism to publicly acknowledge schools that are complying and assist those falling short.

In short, our coalition has made tremendous progress ensuring registration opportunities for Texas high schoolers, but much work remains. As we head into the 2019-2020 school year, we will supercharge our Own Our Vote campaign and redouble our efforts in schools, while also considering new legal strategies to compel the Secretary of State to fulfill his obligations under the law.

# The Law in Texas: How it's Supposed to Work

For over 35 years, Texas law has required high schools, both public and private, to offer voter registration to eligible students twice a school year.<sup>1</sup> As we have discussed briefly in our How to Guide from 2017<sup>2</sup>, and in detail in compliance reports from 2017<sup>3</sup> and 2018<sup>4</sup>, too many Texas students do not receive the opportunity they are legally supposed to receive. Instead, the Texas Secretary of State (SOS)—the official charged with ensuring compliance with this law—fails to make the vision behind this law a reality.

As can be read in more detail in our 2017 and 2018 reports, the law should work as follows:

- The principal of each high school, or the principal's designee, is designated by law as the high school deputy registrar (HSDR).<sup>5</sup> As detailed below, he or she has a legal obligation to offer registration opportunities twice each year to eligible students.
- Under SOS's regulations, the HSDR must request a sufficient number of voter registration forms.<sup>6</sup> As is discussed more thoroughly below, this unnecessary and easily changed hurdle represents a key obstacle to full implementation of the law.
- The HSDR must offer voter registration applications to eligible students at least twice per school year, along with a notice explaining how the students may deliver the applications.
- Students may choose to return voter registration forms to the HSDR; then, the HSDR must review the applications for completeness, give assistance upon request, and collect them for delivery to the county voter registrar.<sup>7</sup>
- Alternatively, students may give their voter registration form to a Volunteer Deputy Registrar (VDR) for turning into the county voter registrar.<sup>8</sup>
- Or students may deliver their form in person or by mail to their county voter registrar.<sup>9</sup>
- 30 days after the voter registration form is submitted to the voter registrar, the student is registered.
- The student votes during the next election in which they are eligible!

Frustratingly, for students, parents, and organizations alike, this is all too often not the way the law is implemented.



# TCRP's Latest Compliance Findings & Analysis

As with our prior rounds of research, TCRP submitted a Public Information Act request to the Texas Secretary of State for copies of all voter registration request forms submitted by high school principals—the first step that high schools must take in complying with the high school voter registration law. Our request covered registration conducted from February 7, 2018-October 9, 2018, the period of time following the one covered in our most recent report published last year. That time frame covers the entire time period to register to vote for the November 2018 general elections, thereby providing one snapshot of schools' efforts to register students in advance of the midterms.

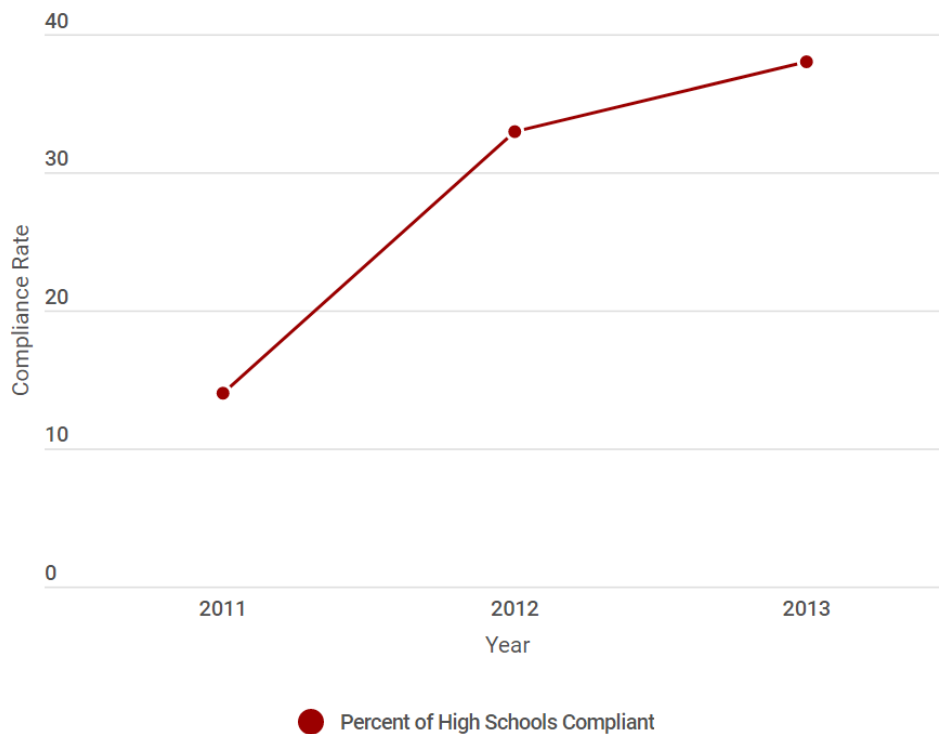
To that data set, TCRP added a new one: voter registration drives in high schools conducted by our grassroots partners participating in the Own Our Vote initiative. Many high schools partner with local civic engagement groups, who provide experienced volunteer deputy registrars to register students for the first time and offer civic education programs to teach these young adults about the rights and duties of being a voter. This information was not previously available because the Secretary of State refuses to take adequate steps to track high school registration activities. With the formation of the Own Our Vote initiative, TCRP has been able to compile, analyze, and report that data for the first time.

## **Compliance Figures for 2018**

For this time period, we verified voter registration activities at 38% of Texas public high schools with more than 20 seniors. This is a four percentage point increase from the compliance rate we reported last year and a 24 percentage point increase from the compliance rate we reported in 2017.

Our compliance rate is comprised of high schools that requested forms with the Secretary of State (22%), benefitted from a partner group initiated registration drive (11%), or both (5%). We have also been able to verify requests for high school voter registration forms from 27 private schools—a notable increase from the two private schools we verified in our 2018 report and the zero private schools we verified in our 2017 report.

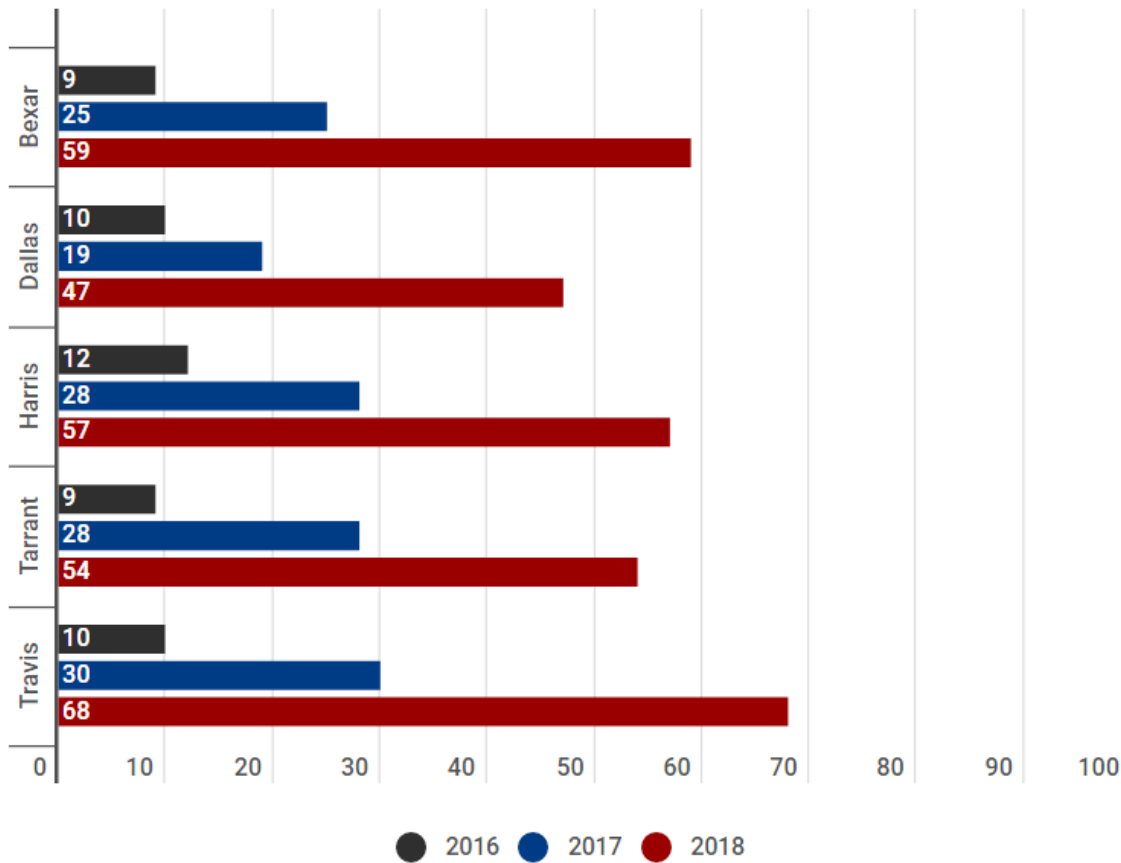
Figure 1. Compliance Figures from 2016-2018



Notably, the new rates show a sharp increase in compliant schools in our main urban areas, which have been the focus of our **Own Our Vote** campaign. During the 2016 election, none of the five largest counties had more than 12% of their high schools request voter registration forms. The compliance numbers have increased by multitudes:

- Bexar County: 59%
- Dallas County: 47%
- Harris County: 57%
- Tarrant County: 54%
- Travis County: 68%

Figure 2. Increase in High School Compliance Rate from 2016-2018

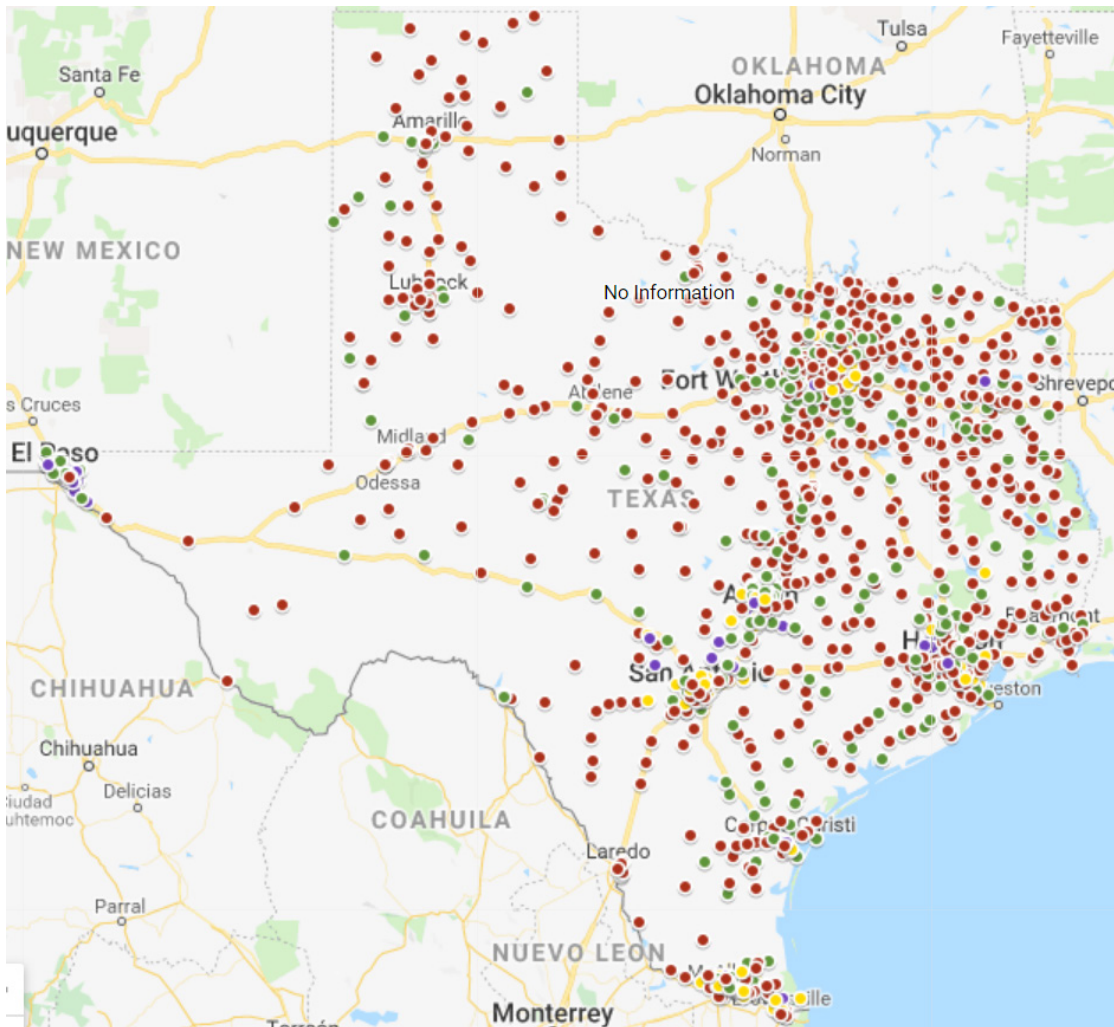


Last year, we debuted a Google map available online that visually displayed which schools have requested high school voter registration forms from the Secretary pursuant to the law, and those schools for which we have not been able to verify compliance. We have updated the map to reflect this more recent data, including voter registration drives conducted in partnership with grassroots organizations:

- Green: schools that directly requested voter registration forms from the Secretary of State
- Yellow: schools that partnered with a grassroots organization to register students
- Purple: schools that both directly requested voter registration forms from the Secretary of State and partnered with a grassroots organization to register students
- Red: schools for which we have been unable to verify voter registration status

If you work at a school that is offering voter registration to students, we'd love to hear from you! Because the Secretary of State refuses to track which schools are complying with the high school voter registration law, we rely on self-reporting by schools and grassroots organizations (along with raw data from the Secretary of State) to build our map. To contact us, please email [info@texascivilrightsproject.org](mailto:info@texascivilrightsproject.org).

Figure 3. Map of all Texas High Schools in compliance or noncompliance with the state's high school voter registration law.



- No Information
- Yes, forms requested from Secretary of State
- Yes, partner group registration drive
- Yes, forms requested from Secretary of State and partner group registration drive

To see the full map, please visit: [www.texascivilrightsproject.org/hsvr](http://www.texascivilrightsproject.org/hsvr)

These numbers tell two stories.

First, a clear trend has emerged over the long term of increasing compliance with the high school voter registration law, whether by schools themselves taking steps to register students or through partnerships with grassroots organizations. But that trend is tempered by significant variations within the short term, during which schools' compliance rates can see-saw higher or lower.

What accounts for these twin trends that are sometimes at odds with each other? A number of factors feed into the long term rise in high school voter registration, in particular 1) increased civic engagement by young adults, 2) a surge in registration drives by grassroots organizations in the Own Our Vote coalition, and 3) bolstered efforts by schools themselves to learn about and comply with the high school voter registration law.

In contrast, one factor above all helps to explain why compliance is still not yet widespread or sustained: the Secretary of State's leadership failure. For years, the Office of the Secretary has refused to make compliance with the high school voter registration law a consistent and clear priority, to provide schools with the tools they need to register students, and to track which schools are complying. Until the Secretary makes this issue an urgent priority, students will suffer, particularly those located in areas outside of the reach of our Own Our Vote coalition.

### **Students' Efforts to Become Civically Engaged**

The students themselves helped turn around the voter registration numbers in Texas. As we entered 2018, young adults were already primed to be activated and brought into the democratic process. In a wide ranging study on youth civic engagement in 2018, the Center for Information & Research on Civic Learning and Engagement (CIRCLE) reported large, positive increases in young adults' views on political participation and civic engagement since the 2016 election:

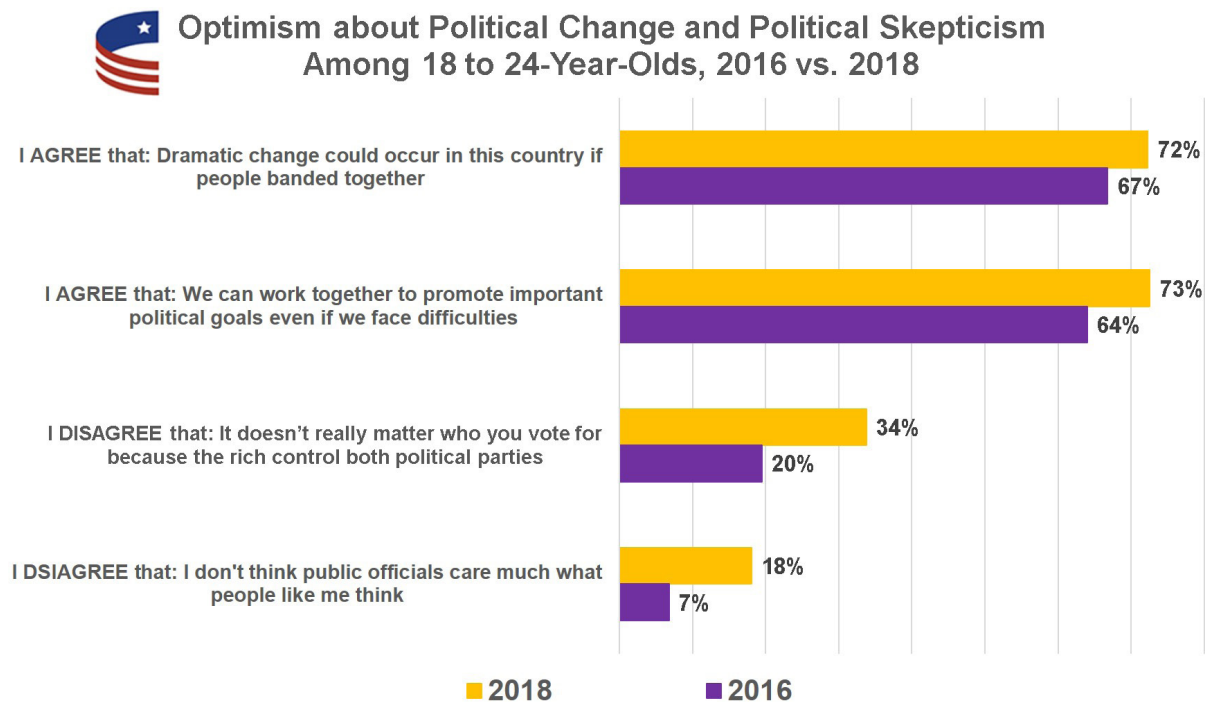
- 72% of young adults agreed that “dramatic change could occur in this country if people banded together,” up from 67%
- 73% of young adults agreed that “We can work together to promote important political goals even if we face difficulties,” up from 64%
- 34% of young adults disagreed with the statement that “it doesn't really matter who you vote for because the rich control both political parties,” up from 20%
- 18% of young adults disagreed with the statement that “I don't think public officials care much what people like me think,” up from 7%.<sup>10</sup>

“One reason for that renewed sense of optimism,” CIRCLE explained, “may be that young people see they are not alone, and our data suggest that they are beginning to see themselves as part of a rising, politically engaged generation,” noting that “[a] vast majority, 81%, believe that as a group, young people have the power to change things in this country.”<sup>11</sup>

Key to that activation is a sense that young people must engage in the political process to correct the mistakes of their elders: “These findings point to an emerging ‘community’ of young people of various backgrounds coming together to make positive change, and defining themselves in opposition to older generations who they believe have failed them.”<sup>12</sup> Majorities of young people report believing “that older generations have not thought about young people's future . . . and have not done enough to secure their future.”<sup>13</sup>



Figure 4. Youth Civic Engagement Poll, 2016 v. 2018 (CIRCLE)



Source: Tisch College's CIRCLE 2018 Pre-Election Poll

If a desire to take ownership of their future was the spark for renewed youth civic activism, the school shooting at Marjory Stoneman Douglas High School in Parkland, Florida in February 2018 helped to channel that energy into democratic participation specifically. Outrage over the murder of 17 students at the school quickly spawned the March for Our Lives in Washington, DC on March 24, 2018, and in other cities across the United States, calling for gun control reforms. After the protests, the March for Our Lives organizers quickly set to work promoting youth voter registration at high schools and colleges in an effort to leverage their momentum into electing candidates that support their proposed policies.<sup>14</sup>

The March for Our Lives soon linked with an already existing and growing network of youth activists, including those affiliated with organizations like United We Dream, Black Lives Matter, the Sunrise Movement, and others, that helped translate this rising generation's hunger for change into registering new voters.<sup>15</sup> Although this might make it seem like a purely progressive phenomenon, the rise in youth civic activism touched both sides of the ideological spectrum, with the president of Pennsylvania's York County Republicans telling *The New York Times* that they had noticed the same trend in their organization's own voter registration efforts.<sup>16</sup>

Figure 5. March for Our Lives Photos



Source: Flickr



Source: Phil Roeder



Source: Fibonacci Blue

The files produced by the Secretary of State in response to TCRP's Public Information Act request also provide a glimpse into how eager students were to begin participating in our democracy. An email from Gilmer ISD records a request for 50 voter registration forms in September 2018 so that the student council at the local high school could conduct a voter registration drive the following week. A high school student at a different school emailed the Secretary's Office because they and a friend were "wondering if and how we could register kids at our school to vote in the upcoming elections," explaining that they were "excited to get our friends and fellow students registered to vote."

Figure 6. Online VR Order Form for Use by the HSVDR and Email Request

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**From:** [REDACTED] [REDACTED]  
**Sent:** Friday, August 31, 2018 6:43 PM  
**To:** Elections Internet <[Elections@sos.texas.gov](mailto:Elections@sos.texas.gov)>  
**Subject:** Looking to Register Students at High School

Hello, my name is [REDACTED] and I am a student at [REDACTED]. My friend [REDACTED] and I were wondering if and how we could register kids at our school to vote in the upcoming elections. Our plan was to set up a table during the lunch periods and assist students who are eligible for registering. So I have several questions:

Are there any requirements for assisting people in the voter registration process? Age requirements? (I am 18 and [REDACTED] is 17)

If we are allowed to, are there any rules that we should follow or any training we should receive?

Lastly, what resources will we be given to provide to people? (registration forms, stickers, etc.)

We are excited to get our friends and fellow students registered to vote and look forward to your response.

Thank you,  
[REDACTED]

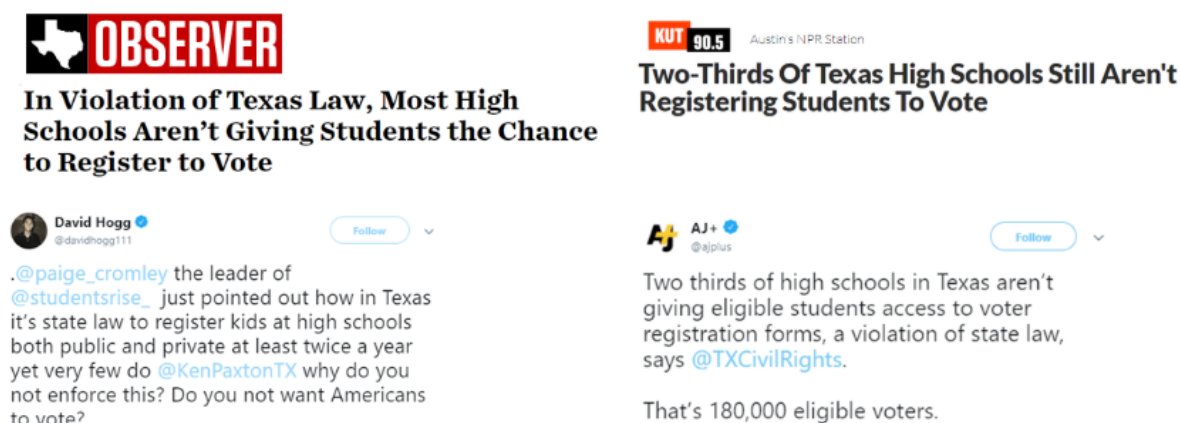
## The Own Our Vote Initiative's Efforts to Register Students

Texas already had a robust constellation of established and new civic engagement groups heading into the 2018 election that were focused on high school voter registration. But that network of groups came together well in advance of the midterms to plan and coordinate student registrations on a scale never before attempted in Texas. Efforts by this network of nongovernmental groups are a key reason for the progress in high school voter registration rates.

TCRP, in collaboration with the Texas Youth Power Alliance and Children's Defense Fund-Texas, hosted the first ever annual statewide summit on high school voter registration in June 2018. The summit brought together dozens of the grassroots organizations that were actively—but separately—registering high school students in Texas. The summit connected them with each other for the first time, promoted the sharing of ideas and best practices between them, and established a framework for them to plan together a combined effort to register as many students as possible.

In part to facilitate these joint efforts, TCRP published an updated report on compliance with the high school voter registration law in the summer of 2018, showing that the percentage of schools that requested voter registration forms from the Secretary of State more than doubled since TCRP began advocacy on this issue in 2016 and analyzing the factors that continue to hinder the law's operation. These reports are not just research projects: they also directly spur greater compliance with the high school voter registration law, by promoting awareness of the law and pressuring stakeholders to make greater efforts to register students. We were able to leverage the release of each prior report into substantial press coverage in major news outlets and a surge in conversation on social media. Our report on the 2016 election resulted in the Secretary of State starting a program to collect and publish online pledges by school superintendents that they would work toward 100% compliance with the law, a key factor behind an upswing in compliance noted in our last report.

Figure 7. Media about TCRP's Report on Low HSVR Compliance



For instance, as reflected in an email produced to TCRP in response to our Public Information Act request, a concerned resident of McAllen emailed the Secretary of State's Office after reading news coverage of our July 2018 report. He wrote that he found the state's lack of compliance "deeply disturbing" and asked "what I can do to increase young adult turnout in my area." Similarly, the same week that TCRP released our July 2018 report, a school counselor in Bulverde emailed SOS: "I recently read in the newspaper that school[s] should be passing out voter registration card forms to students twice a year. To achieve that, can you please send me 40 voter registration cards and I will distribute them to my voting age students?"

### Figure 8. Voter Registration Emails from Residents and High School Counselors

**From:** [REDACTED] [mailto:  
**Sent:** Thursday, August 09, 2018 12:18 AM  
**To:** Elections Internet <[Elections@sos.texas.gov](mailto:Elections@sos.texas.gov)>  
**Subject:** Increasing voter turnout

Hi, my name is [REDACTED] and I live in McAllen, a city in the Rio Grande Valley. I recently read an article from the [Texas Observer](#) that peaked my interest, stating that "Most students in the Rio Grande Valley, a majority-minority region, aren't getting voter registration forms at school." Of course, I found this deeply disturbing how involved we are in Texas politics, and how little stronghold we have over the game. I would like to know what I can do to increase young adult turnout in my area.  
Thank you.

**From:** [REDACTED]  
**Sent:** Friday, August 03, 2018 3:06 PM  
**To:** Elections Internet <[Elections@sos.texas.gov](mailto:Elections@sos.texas.gov)>  
**Subject:** Bulk voter registration card forms

Hello !

I am a counselor at [REDACTED] in [REDACTED]. I recently read in the newspaper that school should be passing out voter registration card forms to students twice a year.

To achieve that, can you please send me 40 voter registration cards and I will distribute them to my voting age students.

Thank you.

Serving with joy,  
[REDACTED]  
[REDACTED]  
[REDACTED]

#10226  
8/3/18  
Reg Mail

Determined to build on these efforts, TCRP also launched new initiatives in the middle of 2018 to push these efforts forward. First, simultaneous with its July 2018 report, TCRP released our online map (referenced above) of high school compliance. This map had two primary goals: 1) making it easier for election officials, school employees, and members of the community to identify where gaps in coverage remain and 2) giving public recognition to those schools that are working hard to register students.

Second, TCRP spearheaded the launch of the Own Our Vote campaign in September 2018, a combined effort by more than twenty partners to register students ahead of the November elections: AACT Now, Children's Defense Fund Texas, the Civics Center, Common Cause Texas, Deeds Not Words, Ignite, Inspire US, Jolt, Las Comadres Para Las Americas, Lawyers' Committee for Civil Rights under Law, Leadership for Educational Equity, League of Women Voters Texas, Lone Star Justice Alliance, March to the Polls, Mi Familia Vota, MOVE Texas, OCA-GH, Spread the Vote, Student Voter Initiative, Students Rise, Texas Educators Vote, Texas Freedom Network, Texas NAACP, Texas Organizing Project, Unidos US, VoteRiders, and Voto Latino.

Figure 9. Own Our Vote Coalition Partners





We also established an Advisory Council of leading Texans committed to bringing visibility to the importance of high school voter registration and pushing it to the forefront of public discourse:

- *Former State Senator Wendy Davis*
- *Harris County Commissioner Rodney Ellis*
- *Former Houston Mayor Annise Parker*
- *Liz Lambert, Founder of the Bunkhouse Group*
- *Tim League, Founder & CEO of Alamo Drafthouse Cinema*
- *SaulPaul, Musician*
- *Kelsey Tasch, rising high school senior*
- *Paige Cromley, rising high school senior*

As part of that campaign, TCRP published toolkits for school officials and volunteers to guide them step-by-step on how to register students under the law.

**Figure 10. Own Our Vote Toolkits**



**OWN OUR VOTE**  
Principals & Teachers' High School Voter  
Registration Toolkit



**OWN OUR VOTE**  
Student & Parent Toolkit

### **Hard Work by School Officials to Comply With the Law**

Finally, improving compliance would be impossible without the strenuous efforts by school district officials, principals, administrators, and teachers to implement the law. As in past years, the data we received from the Secretary of State contained not just requests from schools for forms, but heartfelt emails from educators expressing their dedication to ensuring their students can vote at the first opportunity. As one teacher who emailed the Secretary asking for voter registration forms explained, “I stress the importance of being an active voter and I want to make sure [the students I teach] are all registered to vote for the coming election this year and beyond.”

## Figure 11. High School Teacher's Email for Voter Registration

[REDACTED]  
Elections  
From: [REDACTED]  
Sent: Friday, August 10, 2018 1:35 PM  
To: Elections Internet <[Elections@sos.texas.gov](mailto:Elections@sos.texas.gov)>  
Subject: Voter Registration Cards  
Good Afternoon,  
My name is [REDACTED] and I am a teacher at [REDACTED]. I am emailing you to request voter registration cards for the seniors that I teach. I stress the importance of being an active voter and I want to make sure they are all registered to vote for the coming election this year and beyond.  
Thank you for your attention. I look forward to hearing from you soon.  
--  
[REDACTED]  
**World Geography and Honors Geography**  
**Government/Economics**  
[REDACTED]

Numerous other emails not merely request forms, but also ask detailed questions about how to designate other school officials as deputy registrars, whether school officials can review completed registration forms to help students identify errors or omissions, how to submit completed forms back to election officials, whether “virtual schools” are subject to the law, and whether there is any training available to school officials on the law’s requirements. They show that schools want to do right by their students, and are making enormous efforts to comply with the law.

### The Secretary of State’s Failure to Take Common Sense Steps to Improve Compliance

And yet, for all of this good news and progress, the data make clear that we are still far from anything approaching an acceptable level of compliance with the high school voter registration law. While the overall compliance rate is higher than our last report in 2018, the percentage of individual schools that themselves requested forms during this most recent time frame was basically flat, edging down slightly from 28% to 27%. The percentage of schools that received forms from their school districts—rather than direct requests from schools to the Secretary of State—crashed from 6% to nearly zero. The reason that compliance improved between 2017 and 2018 is the energetic efforts of grassroots organizations to conduct voter registration drives in Texas high schools, which affected 11% of Texas high schools.

What keeps hindering the high school voter registration from being fully implemented? Since TCRP began researching this issue more than five years ago, it has been evident that responsibility for the state’s failure to fully implement the high school voter registration law lies with one official in particular: the Texas Secretary of State. The Secretary’s interest in pushing for compliance with this law has been halting and minimal, at best, often seemingly motivated more by an effort to dodge bad headlines than actually ensuring that our young people become registered to vote. **Whether intentional or through mere neglect, the Secretary’s failure to make high school voter registration a priority suppresses the participation of young, eligible Texas voters.**

Sadly, the problems that have plagued this program in prior years continue unabated.

**First, the Secretary's efforts to inform high schools of their responsibilities continue to be grossly inadequate.** The Secretary communicates the requirements of the high school voter registration law to high school principals via a mass email to them at the beginning of each semester, with attachments to guide them through their responsibilities and to order voter registration forms. While this email does likely inform a substantial portion of Texas schools, there are still a significant number of schools that do not receive this email and its accompanying information. In addition, school officials regularly express confusion about the law's requirements and ask basic questions about how to order forms and provide them to students, strongly suggesting that the information provided—even when received—is not adequate.

A selection of emails sent from school officials to the Secretary of State's office prove this point. Consider:

- An August 2018 email from a school official asking how to obtain forms: "I would like to see about requesting the high school voter registration applications to use in the voter registration drive at my high school. Can someone please point me in the correct direction to obtain these applications?"
- A humanities and government teacher emailed the Secretary's Office asking how to get forms to designate someone other than the principal as a high school deputy registrar, and how to get the voter registration forms themselves.
- An Assistant Principal of a high school in Fort Worth indicated that they did not know how to order voter registration forms, despite the twice annual emails from the Secretary of State's Office informing them of the process.
- A new high school principal reached out to the Secretary's Office—instead of the Secretary's Office making an affirmative effort to reach out to him first—asking for information on what process he must follow to register students under the law.
- A designated representative emailed asking for "information to be active in registering our high school seniors by October."
- A principal asking "if there is any way I can get voter cards sent directly to our School."

**The documents provided by the Secretary reveal one possible major reason why so many school officials continue to express such confusion about the high school voter registration law: the Secretary's Office makes virtually no effort to update its records with the contact information of new school officials.** The Secretary's Office uses an email list of school officials provided by the Texas Education Agency ("TEA"), but when new school officials themselves reach out to the Secretary asking to be added to the list, the Secretary's Office refuses to do so. Instead, the Secretary puts the onus on school officials to reach out to the TEA and change their contact information with that agency first, rather than taking the simple step of simultaneously updating the Secretary's records so that school officials can receive this vital information on high school voter registration as soon as possible.

The inertia by which the Secretary's Office fails to take any effort to update its contact information can be seen in the below emails:

- An assistant principal asked that their school be added to the Secretary's list of schools for regular outreach on high school voter registration, explaining that "[w]e were not initially contacted by your office for this document and would like to request to be added to the list for next year." The Secretary's Office refused to add them to their contact list, saying that "[t]he Texas Education Association [sic] maintains the email list. You will need to contact them to be added. We get the list from them."
- An administrative assistant to a principal (both of whom were new to their jobs) asked for any future emails on high school voter registration to be sent to the principal's email address. But the Secretary's Office refused to correct their records to add the new principal's email address, again explaining that they rely solely on a list provided by TEA that they would not amend: "You will need to contact the Texas Education Association [sic] to have your email added. We get the email list from them."

## Figure 12. Secretary of State's Refusals to Update Records

**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [Elections Internet](#)  
**Subject:** FW: High School Voter Registration Request  
**Date:** Friday, August 31, 2018 9:55:53 AM  
**Attachments:** [VoterRegistration2.pdf](#)

[REDACTED]  
We'll mail you the applications you requested. The Texas Education Association maintains the email list. You will need to contact them to be added. We get the list from them.

Thank you

[REDACTED]  
Elections

**From:** [REDACTED] [mailto:g] [REDACTED]  
**Sent:** Friday, August 31, 2018 9:34 AM  
**To:** Elections Internet <[Elections@sos.texas.gov](mailto:Elections@sos.texas.gov)>  
**Cc:** [REDACTED] <[REDACTED]>  
**Subject:** High School Voter Registration Request

Good Morning,

Please find attached the high school voter registration form request for our school. We were not initially contacted by your office for this document and would like to request to be added to the list for next year.

Best Regards,

**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [Elections Internet](#)  
**Subject:** High School Principals- h s deputy registrar program  
**Date:** Friday, September 07, 2018 7:39:15 AM  
**Attachments:** [MASS EMAIL--High School Principals \(1551\)--Information on the High School Deputy registrar program.msg](#)

[REDACTED]  
Please provide how many applications you need. You will need to contact the Texas Education Association to have your email added. We get the email list from them. Attached is the email that went out to the high school principals.

Thank you

[REDACTED]  
Elections

**From:** [REDACTED] [REDACTED]  
**Sent:** Thursday, September 06, 2018 4:35 PM  
**To:** Elections Internet <[Elections@sos.texas.gov](mailto:Elections@sos.texas.gov)>  
**Subject:**

We need to order some high school voter registration cards please. My principal, [REDACTED] and I are new to high school. You may send any future emails to his email address [REDACTED].

This is for [REDACTED]

Thanks,

It is not clear how often TEA's records are even actually updated. When TCRP attempted to email that same list to disseminate its voter registration toolkit to principals last fall, over 100 email addresses turned out to be invalid. Further, the total number of email addresses on the list is substantially smaller than the total number of high schools in the State of Texas.

In short, continuing to rely on these two mass emails (one in the Spring and one in the Fall) to educate schools about the high school voter registration law is clearly insufficient, and the Secretary's Office knows it yet does nothing to change it. Indeed, the Secretary's Office knows that a significant number of high schools in Texas are not receiving even the most basic information about the high school voter registration law, but refuses to take proactive steps to keep its records up to date.

**A second recurring failure by the Secretary that contributes to low compliance is his insistence that high schools must first request voter registration forms from the Secretary, rather than the Secretary simply mailing voter registration forms to schools to cut out this unnecessary bureaucratic hurdle.** Our review of the documents shows that this continues to be a critical obstacle to schools registering students, because they must first navigate their way through the request process and then wait for forms (which sometimes are then subject to substantial delays) all while working hard to educate students:

- Emails that document various technical snafus that occur when school officials attempt to request forms, thereby preventing schools from receiving voter registration forms for some additional period of time, such as an order form attached to an email not going through or an order form omitting the number of voter registration forms needed.

### Figure 13. Technical Snafus in Ordering Voter Registration Forms

**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [Elections Internet](#)  
**Subject:** FW: Request for Voter Registration Applications  
**Date:** Wednesday, May 23, 2018 2:06:53 PM

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[REDACTED]:  
I didn't receive the attachment for the voter registration applications. Please resend.  
Thank you  
[REDACTED]  
Elections

**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [Elections Internet](#)  
**Subject:** FW: High School Voter Registration Applications  
**Date:** Monday, October 22, 2018 4:03:03 PM

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[REDACTED]:  
I'm sorry I did not receive your fax. The fax number is correct. You might use our email to request applications at [elections@sos.texas.gov](mailto:elections@sos.texas.gov). I did receive an email from [REDACTED] and sent him 250 applications on 8/24/18.  
Thank you  
[REDACTED]  
Elections

**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [Elections Internet](#)  
**Subject:** FW: [REDACTED]  
**Date:** Friday, October 05, 2018 10:05:32 AM  
**Attachments:** [SOS High School Principal Order Form 2017.docx](#)

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[REDACTED]:  
Please provide the quantity of applications you need. The amount was left blank on the form.  
Thank you  
[REDACTED]



- A Social Studies Instructional Coach requesting voter registration cards, explaining that she first “went by the local court house and they gave me a few cards, but asked me to please contact your office for additional registration cards.”
- A VDR working with two local high schools told the Elections Division that the schools “prefer to pass out mail in forms” (not the Code 18 forms specific to high school voter registration). The VDR requested forms from the Secretary because she had attempted to get them from county election officials, but they were running low. The Secretary’s Office responded that the schools should be ordering the specific high school voter registration forms from them, and told the VDR to “have the high schools contact us if they didn’t receive our email.”
- A humanities and government teacher (the same one referenced above who had emailed the Secretary’s Office asking how to get voter registration forms) expressed confusion over where to find the forms, saying that “I looked on the votetexas.gov website, but I could not find them.” A couple of weeks later, the teacher emailed back that they still hadn’t received any voter registration forms, and that they needed forms ASAP because a student had just turned 18 and the deadline to register for the midterms was only a few days away.
- A high school counselor emailed saying she faxed a request for forms on August 27 but didn’t get any by October 22. The Secretary’s Office responded that they didn’t receive the fax even though the number given was correct. According to the email, it appears that the school’s US Government teacher was able to separately obtain forms by the voter registration deadline for the midterms.
- A VDR working with high schools to register students emailed the Secretary’s Office for 200 voter registration forms, saying that he attempted to get them from the county elections office “but they were running low.” The Secretary’s Office responded by explaining that schools “are required to order their own applications from us.” The VDR emailed back to point out how difficult it is for schools to affirmatively order forms given how many competing priorities they have at any given time: “Thank you for the information. I haven’t been doing this long but it seems to me the high schools are often burdened by day to day activities. While it is their job to order the forms and do the registration[,] my focus is on getting eligible voters registered. I am trying to work with the high schools to get them on board, but it is often a competition for resources. By providing the needed materials, even if it is not my job, the student’s right to vote is protected. By allowing procedure to take precedent the students lose.”

## Figure 14. VDR Blockage

From: [REDACTED]  
To: [REDACTED]  
Cc: Elections Internet  
Subject: Re: FW: Mail in voter registration card request  
Date: Thursday, September 13, 2018 11:42:57 AM

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[REDACTED]

Thank you for the information. I haven't been doing this long but it seems to me the high schools are often burdened by day to day activities. While it is their job to order the forms and do the registration my focus is on getting eligible voters registered.

I am trying to work with the high schools to get them on board, but it is often a competition for resources. By providing the needed materials, even if it is not my job, the student's right to vote is protected. By allowing procedure to take precedent the students lose.

Enough forms were found to cover [REDACTED]. I'll keep looking for a source for [REDACTED].

Wish me luck!

[REDACTED]

On Wed, Sep 12, 2018 at 9:21 AM [REDACTED] <[REDACTED]> wrote:

[REDACTED]

The high schools are required to order their own applications from us. They have a special code for high school students. The principal is the deputy registrar for the school. Please have the high schools contact us if they didn't receive our email.

Thank you

[REDACTED]

Elections

From: [REDACTED] [mailto:[REDACTED]]  
Sent: Wednesday, September 12, 2018 7:40 AM  
To: Elections Internet <Elections@sos.texas.gov>  
Subject: Mail in voter registration card request

Good morning,

My name is [REDACTED] a VDR in Waller county. I am working with two local high schools ([REDACTED]) to help register students.

Both high schools prefer to pass out mail in forms. I attempted to get them from Waller County but they were running low.

**The Secretary's Office might have diagnosed these problems had it also implemented a process to track and publicly report which high schools are complying with the high school voter registration law, but the Secretary stubbornly refuses to do so, a third key reason why compliance remains low.** Doing so would enable the Secretary to investigate issues that keep the compliance rate low, and to follow up with those schools that aren't to ensure they are taking immediate and effective steps to come into compliance. Tracking and reporting compliance would also enable schools that are complying with the law to get the public credit and recognition they deserve.

It's not just grassroots organizations that believe a tracking mechanism would help. *School officials themselves are asking for the Secretary to track and report compliance:*

- In an email, a school district official asked for “written notice of our district compliance so that we may have it for our records.” Instead of straightforwardly confirming the school district's request to certify compliance, the Secretary's Office certified that the school district had signed Secretary Pablos' pledge initiative back in 2017 and was “therefore compliant”—even though merely signing the Secretary's pledge is not compliance under the law. The Secretary's Office furthermore made no effort to promise to certify their compliance in the future, explaining that they can consider themselves compliant “[a]s long as your District continues to distribute prescribed applications twice a year to students who are or who will be 18 years of age during the school year” and otherwise satisfy the law's requirements.

# Conclusion

We know that when the Secretary chooses to make high school voter registration a priority and takes aggressive steps to promote compliance, it gets results. In the fall of 2017, then-Secretary Pablos asked school superintendents to sign a pledge promising “100% commitment from my district’s high school principals to participating in the Texas Secretary of State’s High School Voter Registration Initiative” to improve compliance. Those who sign the pledge were then given credit for doing so on the Secretary’s website. As TCRP’s report last year found, that effort appeared to have some effect: we found a substantial increase in requests from school districts for high school voter registration forms during that time period.

But that effort was not renewed in 2018 and, as noted above, the percentage of schools that requested voter registration forms through their school districts fell to nearly zero. The cause and effect could hardly be clearer—when the Secretary leads on this issue, he or she can achieve significant improvement in compliance.

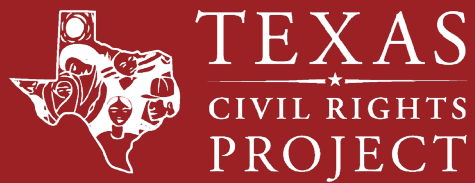
Therefore, as we have in the past, we continue to reiterate the proposals we made in previous reports, the evidence supporting their adoption only having grown over time:

- The Secretary must devise and implement additional outreach methods—including a standard training for schools available online—to comprehensively and effectively educate high schools about the requirements of the law. As part of those efforts, the Secretary must take proactive steps to ensure that its contact information for schools is fully up to date and continually updated.
- The Secretary must affirmatively mail voter registration applications to each high school in Texas at the beginning of every school year.
- The Secretary must undertake to track which high schools are complying with the law, following up with those that aren’t complying to ensure they are taking immediate and effective steps to come into compliance and publicly acknowledging those schools that are registering students under the law.

But we won’t stand idly by waiting for the Secretary to do his job. The Own Our Vote effort will double down on its efforts heading into this new election cycle with the goal of reaching every young Texan. We will support and nurture the growing grassroots movement for expanding democratic participation in the state. And we will continue pressing state leadership to make this law a priority, whether through advocacy or direct legal action, until the high school voter registration law becomes a reality in this state.

# Endnotes

1. Tex. Elec. Code § 13.046.
2. Texas Civil Rights Project, Texas High School Voter Registration: A How to Guide (2017), <https://texascivilrightsproject.org/wp-content/uploads/2018/02/HSVR-Guide.pdf>
3. Beth Stevens et al., The High School Vote: How Texas fails to engage the next generation of voters (Texas Civil Rights Project, 2017), <https://texascivilrightsproject.org/wp-content/uploads/2018/02/HSVR-Report.pdf>
4. James Slattery, High School Student Voter Registration: How Texas still fails to engage the next generation of voters (Texas Civil Rights Project, 2018), <https://texascivilrightsproject.org/wp-content/uploads/2018/07/2018-HSVR-Compliance-Report.pdf>
5. Tex. Elec. Code § 13.046.
6. Tex Admin. Code § 81.7.
7. Tex. Elec. Code § 13.046; Tex Admin. Code § 81.7.
8. Tex Admin. Code § 81.7.
9. Tex. Elec. Code § 13.046.
10. The Center for Information & Research on Civic Learning and Engagement, CIRCLE Poll: Ahead of 2018 Midterms, A New Generation Finds its Political Voice ¶ 7 (2018), <https://civicyouth.org/circle-poll-ahead-of-2018-midterms-a-new-generation-finds-its-political-voice/>.
11. Id. ¶ 2.
12. Id. ¶ 6.
13. Id.
14. Katie Zezima, Gun control advocates push to make voter registration the legacy of Parkland shooting, The Washington Post, April 21, 2018, [https://www.washingtonpost.com/national/gun-control-advocates-push-to-make-voter-registration-the-legacy-of-parkland-shooting/2018/04/21/e4f9bd8a-43d8-11e8-8569-26fda6b404c7\\_story.html?utm\\_term=.a09dd0030198](https://www.washingtonpost.com/national/gun-control-advocates-push-to-make-voter-registration-the-legacy-of-parkland-shooting/2018/04/21/e4f9bd8a-43d8-11e8-8569-26fda6b404c7_story.html?utm_term=.a09dd0030198).
15. Emily Witt, From Parkland to Sunrise: A Year of Extraordinary Youth Activism, The New Yorker, Feb. 13, 2019, <https://www.newyorker.com/news/news-desk/from-parkland-to-sunrise-a-year-of-extraordinary-youth-activism>; Dan Levin, They're Young and They Want Change. Now They're Ready to Vote for the First Time., The New York Times, Aug. 25, 2018, <https://www.nytimes.com/2018/08/25/us/pennsylvania-young-voters.html?smprod=nytcore-ipad&smid=nytcore-ipad-share>.
16. Levin, They're Young and They Want Change. Now They're Ready to Vote for the First Time.



[www.texascivilrightsproject.org](http://www.texascivilrightsproject.org)