



Austin Independent School District

Office of the General Counsel

DATE: August 16, 2005
TO: All High School Principals
THROUGH: Rosalinda Hernandez, Ph.D., Associate Superintendent
FROM: Mel Waxler, General Counsel *MW*
SUBJECT: Information About Non-Military and Military Options

It is recommended that campuses that display or provide access to information about military service also display or provide access to information about non-military options in a manner and location similar to that for military options.

There is currently no law or court decision that would require public schools in Texas to provide students with access to information about non-military, as well as military, options. However, the First and Fourteenth Amendments require that the District not discriminate against speech on the basis of viewpoint. An appellate court in another part of the country found that when schools create a forum for the military or its proponents, they must also provide equal access to those with opposing, non-military points of view. If such a case were to come before a court with jurisdiction over Texas, it is possible that a similar decision would be reached.

If you have any questions, please feel free to contact me directly.

pmc

cc: Pascal D. Forgione Jr., Ph.D., Superintendent
Karen Sperry, Chief of Staff