

Senate Bill 12



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Senate Bill (SB) 12 of the 89th Legislative Session addressed parental rights in public education and requires certification of compliance with provisions of the Education Code regarding:

1. Parental consent for routine health care, mental health counseling, and club participation
2. Prohibitions regarding instruction related to sexual orientation or gender identity, and prohibition on encouraging social transitioning
3. Prohibition on student clubs or organizations based on sexual orientation or gender identity
4. Instruction prohibitions related to controversial topics
5. Prohibition on diversity, equity, and inclusion (DEI) initiatives and duties.

Not later than September 30 of each year, the superintendent of a school district shall certify to the Texas Education Agency (TEA) that the district is in compliance with Education Code 11.005 (prohibition on DEI duties) and Education Code 28.0022 (instructional requirements and prohibitions).

11.005 - Prohibition on Diversity, Equity, & Inclusion

(a) In this section, "**diversity, equity, and inclusion duties**" means:

- (1) influencing **hiring or employment practices** with respect to race, sex, color, or ethnicity except as necessary to comply with state or federal antidiscrimination laws;
- (2) promoting **differential treatment** of or providing **special benefits** to individuals on the basis of race, color, or ethnicity;
- (3) developing or implementing **policies, procedures, trainings, activities, or programs** that reference race, color, ethnicity, gender identity, or sexual orientation except:
 - (A) for the purpose of student recruitment efforts by colleges and universities designated as historically black colleges and universities in collaboration with school districts or open-enrollment charter schools; or
 - (B) as necessary to comply with state or federal law; and
- (4) **compelling, requiring, inducing, or soliciting** any person to provide a **diversity, equity, and inclusion statement** or **giving preferential consideration** to any person based on the provision of a diversity, equity, and inclusion statement.

(b) Except as required by state or federal law, a school district:

- (1) may not assign diversity, equity, and inclusion duties to any person; and
- (2) shall prohibit a district employee, contractor, or volunteer from engaging in diversity, equity, and inclusion duties at, for, or on behalf of the district.

11.005 - Prohibition on Diversity, Equity, & Inclusion

Except as required by state or federal law, a school district:

1. **may not assign diversity, equity, and inclusion duties** to any person; and
2. **shall prohibit a district employee, contractor, or volunteer from engaging in diversity, equity, and inclusion duties** at, for, or on behalf of the district.

A school district shall adopt a policy and procedure for the appropriate discipline, including termination, of a district employee or contractor who intentionally or knowingly engages in or assigns to another person diversity, equity, and inclusion duties. The district shall provide a copy of the policy and procedure to each district employee or contractor.

28.0022 - Certain Instructional Requirements & Prohibitions

For any course or subject, including an innovative course, for a grade level from kindergarten through grade 12:

1. a teacher **may not be compelled to discuss a widely debated and currently controversial issue of public policy or social affairs;**
2. a teacher who chooses to discuss a topic described by Subdivision (1) shall explore that topic **objectively and in a manner free from political bias;**
3. a school district, open-enrollment charter school, or teacher may not require, make part of a course, or award a grade or course credit, including extra credit, for a student's:
 - a. work for, affiliation with, or service learning in association with any organization engaged in:
 - i. lobbying for legislation at the federal, state, or local level, if the student's duties involve directly or indirectly attempting to influence social or public policy or the outcome of legislation; or
 - ii. social policy advocacy or public policy advocacy;
 - b. political activism, lobbying, or efforts to persuade members of the legislative or executive branch at the federal, state, or local level to take specific actions by direct communication; or
 - c. participation in any internship, practicum, or similar activity involving social policy advocacy or public policy advocacy; and

28.0022 - Certain Instructional Requirements & Prohibitions

4. a teacher, administrator, or other employee of a state agency, school district, or open-enrollment charter school may not:

- a. require or make part of a course inculcation in the concept that:
 - i. one race or sex is inherently superior to another race or sex;
 - ii. an individual, by virtue of the individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;
 - iii. an individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race or sex;
 - iv. an individual's moral character, standing, or worth is necessarily determined by the individual's race or sex;
 - v. an individual, by virtue of the individual's race or sex, bears responsibility, blame, or guilt for actions committed by other members of the same race or sex;
 - vi. meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race;
 - vii. the advent of slavery in the territory that is now the United States constituted the true founding of the United States; or
 - viii. with respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to the authentic founding principles of the United States, which include liberty and equality;
- b. teach, instruct, or train any administrator, teacher, or staff member of a state agency, school district, or open-enrollment charter school to adopt a concept listed under Paragraph (A); or
- c. require an understanding of the 1619 Project.

28.0022 - Certain Instructional Requirements & Prohibitions

A school district shall adopt a policy and procedure for the appropriate discipline, including termination, of a district employee or contractor who intentionally or knowingly engages in or assigns to another person activities related to controversial topics as described in 28.002. The district shall provide a copy of the policy and procedure to each district employee or contractor.

Certification of Compliance

The certification requires Districts to identify the policies and procedures required by Texas Education Code 11.005(c) and 28.0022(h) and to describe how employees and contractors were notified of these policies and procedures as well as existing policies, programs, procedures, or trainings that were altered to ensure compliance with Sections 11.005 or 28.0022.

TASB Numbered Policy Updates 119, 122, 126, and 127 include policies relevant to the compliance certification.

Next Steps

- Share these requirements with the Board
- Complete a process of review and revision of any relevant existing policies and/or procedures to ensure compliance, including:
 - Board Policy, including TASB Update 127
 - Student Code of Conduct
 - Student Handbook
 - Employee Handbook
 - Purchasing administrative regulations
- Train all staff on these requirements
- Include a notification with information for all contractors with SISD
- Take Board action on the certification of compliance on August 24, 2026
- Submit the Certification of Compliance to TEA no later than September 30
- Annually certify compliance with TEA

Questions & Comments

