



Public Hearing

Senate Bill 12

Annual Certification of Compliance

August 3, 2026

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What is Senate Bill 12?



Passed by the 89th Texas Legislature

Relating to parental rights in public education, instructional requirements/prohibitions, DEI duties, and student clubs.

Prohibits DEI duties and certain instruction

Codified at TEC §11.005 (Prohibition on Diversity, Equity, and Inclusion Duties) and TEC §28.0022 (Certain Instructional Requirements and Prohibitions).



Creates a new annual certification requirement

Under TEC §39.008, school districts and open-enrollment charter schools must annually certify compliance with these specified laws.



Requires public board approval and state transparency

The superintendent must certify to TEA by September 30 each year that the district is in compliance, and TEA is required to post each certification received on its website.



**TEC–Texas Education Code, DEI–Diversity, Equity, and Inclusion*

Parental Rights and Student Clubs

- Senate Bill 12 restricts instruction/support related to gender identity, prohibits student organizations focused on sexual orientation or gender identity, and requires parental consent for routine health services.

Prohibition of Diversity, Equity, and Inclusion Duties

- **Prohibits districts from assigning or permitting DEI duties:**
 - A district may not assign DEI duties to any person, and must prohibit employees, contractors, and volunteers from engaging in DEI duties.
- **Requires a mandatory discipline policy:**
 - A district must adopt a policy for appropriate discipline, including termination, of any employee or contractor who intentionally or knowingly engages in or assigns DEI duties (DH LOCAL).

Prohibition of Diversity, Equity, and Inclusion Duties

- **Requires proactive employee notice:**
 - A district must provide every employee a physical and electronic copy of that discipline policy and procedure.

Certain Instructional Requirements and Prohibitions

- **Restricts instruction in certain divisive concepts:**
 - Staff may not require or teach as part of a course that one race or sex is superior to another, that a person is inherently racist/sexist because of race or sex, that a person bears guilt for others' actions based on shared race or sex, or that meritocracy and work ethic are racist concepts.
- **Governs controversial public policy discussion:**
 - Teachers cannot be compelled to discuss a widely debated, controversial issue of public policy, but if they choose to, they must present it objectively and free from political bias.

Certain Instructional Requirements and Prohibitions

- **Protects student discussion and existing curriculum:**
 - Districts cannot punish students who bring up these topics themselves, and nothing in the section limits teaching the state's required curriculum (TEKS).

Annual Certification of Compliance Requirement

- The superintendent must certify to TEA, no later than September 30 each year, that the district is in compliance with TEC §39.008 and the underlying laws.
- The certification must be board-approved before submission.
- The district uploads a board-approved certification document addressing all applicable statutory requirements.
- TEA is required to post every certification it receives on the agency's website.

**TEA–Texas Education Agency*

What the District is Required To Do

- **Document employee notification:** the District is required to document how employees and contractors were notified of these policies and procedures.
- **Compile a record of changes:** the District is required to compile descriptions of any changes made to existing policies, programs, procedures, or trainings to come into compliance, along with any associated cost savings.
- **Prepare and submit board-approved certification:** the District is required to prepare a certification of compliance, obtain board approval, and submit it to TEA no later than September 30th.

*TEA–Texas Education Agency

Next Steps

- **Board action item tonight:** the Board is asked to consider and approve the District's certification of compliance with Senate Bill 12.
- **Certification submission:** upon approval, the District will submit the certification to TEA ahead of the September 30 deadline.
- **Employee notification:** the District will distribute the discipline policy and procedure to all employees in both physical and electronic form.
- **Public posting:** once submitted, the certification will be posted by TEA on its website as part of the state's public compliance record.



Public Comments

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