

Senate Bill 12 Compliance Certification Review for the HISD School Board

Background

Senate Bill 12 from the 89th Texas Legislative Session addressed parental rights in public education and requires school districts to certify compliance with provisions of the Texas Education Code concerning instruction, and diversity, equity, and inclusion duties. The applicable certification requirement is established by [Texas Education Code 39.008](#).

Certification of Senate Bill 12 Compliance Process

Harleton ISD is on schedule to meet the September 30 deadline for Senate Bill 12 compliance. The administration conducted a comprehensive review of district policies, procedures, and practices to ensure alignment with the requirements of the legislation.

The Superintendent is presenting the Board of Trustees with a comprehensive report outlining the policies and procedures evaluated and any actions taken, if necessary, to ensure district compliance. Additionally, Harleton ISD will certify to the Texas Education Agency (TEA) that the district is in compliance with Texas Education Code §11.005, concerning prohibited diversity, equity, and inclusion duties, and Texas Education Code §28.0022, concerning instructional requirements and prohibitions.

The completed certification will identify the policies and procedures required by Texas Education Code 11.005(c) and 28.0022(h), describe how district employees and contractors are notified of those policies and procedures, and identify existing policies, programs, procedures, or training that needed revision, as necessary, to ensure compliance.

Additional information is available in the Texas Education Agency's [To the Administrator Addressed correspondence](#) and the [TEA compliance certification template](#).

Compliance Actions Necessary

- Review the requirements of Senate Bill 12 and the related provisions of the Texas Education Code.
- Review and implemented the applicable TASB policy updates and local policy recommendations.
- Review relevant local regulations, handbooks, administrative procedures, and existing local policy language.
- Provide the applicable policies and procedures to district employees and contractors and document how notice is provided.
- Post the required public notice concerning the School Board meeting at which the certification was considered.

- Obtain approval of the completed certification from the Harleton ISD Board of Trustees.
- Submit the completed certification electronically to TEA through AskTED.

Relevant Policies and Procedures

Harleton ISD reviewed the applicable TASB Numbered Updates 119, 122, 126, and 127 and the related local policy recommendations. The following policy language and legal framework documents were reviewed and incorporated as applicable to the district's certification.

Policy	Relevancy	Numbered Update
Section 2 of TEA's Compliance Certification Template [11.005(c) and 28.0022(h)]		
BJCF(LOCAL) Superintendent: Nonrenewal	Engaging in or assigning prohibited DEI duties or instructional activities prohibited by law is included among the reasons the superintendent's contract may be nonrenewed.	127
BT(LEGAL) Prohibition on Diversity, Equity, and Inclusion Activities	The legal framework addresses Senate Bill 12's prohibition on DEI activities and includes relevant definitions, prohibited activities, and certification requirements.	126
CJ(LEGAL) and CJ(LOCAL) Contracted Services	The provisions reflect that contractors may not engage in or assign instructional activities prohibited by law or DEI duties prohibited under Senate Bill 12. Violations may result in termination of the contract.	126
DF(LEGAL) Termination of Employment	The legal framework addresses the prohibition on DEI duties and prohibited classroom instruction.	126
DFBB(LOCAL) Term Contracts: Nonrenewal	Engaging in or assigning prohibited DEI duties or instructional activities prohibited by law is included among the reasons a term-contract employee may be nonrenewed.	126
DH(LOCAL) Employee Standards of Conduct	The policy includes sections concerning prohibited classroom instruction or activities and prohibited diversity, equity, and inclusion duties.	126

Policy	Relevancy	Numbered Update
Section 3 of TEA's Compliance Certification Template [39.008, 11.005, and 28.0022]		
BJA(LEGAL) Superintendent: Qualifications and Duties	The legal framework includes information concerning the certifications that must be provided to TEA.	126
BT(LEGAL) Prohibition on Diversity, Equity, and Inclusion Activities	The legal framework addresses Senate Bill 12's prohibition on DEI activities and includes relevant definitions, prohibited activities, and certification requirements.	126
CDC(LEGAL) Other Revenues: Gifts and Solicitations	A district may not accept private funding to develop, purchase, or select curriculum materials or to provide teacher training or professional development related to a concept listed in Texas Education Code 28.0022(a)(4)(A).	119
CJ(LEGAL) and CJ(LOCAL) Contracted Services	The provisions reflect that contractors may not engage in or assign instructional activities prohibited by law or DEI duties prohibited under Senate Bill 12. Violations may result in termination of the contract.	126
CMD(LEGAL) Equipment and Supplies Management: Instructional Materials Care and Accounting	When providing instructional materials for the required curriculum and grade levels, the district protects students from obscene or harmful content as required for compliance with Texas Education Code 28.0022.	126
CQA(LEGAL) Technology Resources: District, Campus, and Classroom Websites	The legal framework includes the requirement to post notice at least seven days before the meeting at which the certification of compliance with Texas Education Code 11.005 and 28.0022 is discussed.	126
DG(LEGAL) Employee Rights and Privileges	Teachers may not be compelled to discuss a widely debated and currently controversial issue of public policy or social affairs and may not be disciplined based on an allegation that they did so while using SBOE-approved instructional materials and teaching with fidelity.	122

Policy	Relevancy	Numbered Update
EMB(LEGAL) Miscellaneous Instructional Policies: Teaching About Controversial Issues	The legal framework includes the requirements established by Texas Education Code 28.0022.	126
FOA(LEGAL) Student Discipline: Removal by Teacher or Bus Driver	A teacher may not remove a student from class based on a single incident when the student is reasonably discussing certain debated and controversial topics subject to Texas Education Code 28.0022.	126

Additional Policies and Procedures Necessary for Review

In addition to the policies listed above, Harleton ISD reviewed relevant local regulations, handbooks, procedures, and existing local policy language, including the following as applicable:

- Policy AE- Educational Philosophy
- Policy CH- Purchasing and Acquisition
- Policy CV- Facilities Construction
- Policy DEA- Compensation and Benefits: Compensation Plan
- Policy FDA- Admissions: Interdistrict Transfers
- Policy FDB- Admissions: Intradistrict Transfers and Classroom Assignments
- Student Code of Conduct
- Student Handbook
- Employee Handbook
- Purchasing administrative regulations and related processes

All policies, handbooks, and administrative regulations were found to be in compliance with the language and mandates of the Senate Bill 12 Legislation.