

Action Sheet

MEETING DATE:

September 23, 2026

AGENDA ITEM:

Discuss and consider action relating to Cause No. 25-CV-2117, State of Texas v. Galveston ISD, et al, In the 122nd District Court of Galveston County Texas, following remand of case from Federal Court.

The State of Texas filed the referenced lawsuit against the District and the Trustees, in their official capacities, seeking to enforce compliance with Tex. Educ. Code § 1.0041 (“SB10”), and its requirements to put up donated posters containing a specific form of the Ten Commandments in District classrooms. At the time, at least one Texas Federal District Court had ruled that SB10’s requirements were unconstitutional. The United States Court of Appeals reversed that District Court decision on April 21, 2026 in Case No. 25-50695, *Nathan v. Alamo Heights Independent School District*. The deadline for the Plaintiffs in that case to file a Petition for Writ of Certiorari appealing the Fifth Circuit Court of Appeals decision is August 19, 2026.

The referenced lawsuit was filed in November 2025. Shortly thereafter, the District filed pleadings to transfer the case to Federal District Court. On July 10, 2026, the Federal District Judge ordered that the case be “remanded,” or transferred back to the State District Court. The State of Texas has filed an application for a Temporary Injunction requiring the District to comply with Tex. Educ. Code § 1.0041 (“SB10”).

The Board of Trustees will consult with its legal counsel in Executive Session during this meeting, before this Agenda Item is taken up. This Agenda Item is included on the Agenda so that if Trustees wish to take action concerning this litigation following consultation with legal counsel, the Board may do so. Thus, there is no Recommendation for this Agenda Item.

RECOMMENDATION:

NONE

Matthew Neighbors Ed. D.

Superintendent