

Deadline: September 30, 2026

Annual requirement

WHAT THIS REQUIRES

The timeline for certifying compliance with SB 12 under TEC 39.008 is soon. By **September 30, 2026**, school districts and charter schools must certify to TEA, by board vote, that they have adopted policies and procedures requiring appropriate discipline for **employees** and **contractors** under two provisions of the Texas Education Code:

- **TEC § 11.005(c)** — prohibits engaging or assigning Diversity, Equity, and Inclusion duties.
- **TEC § 28.0022(h)** — prohibits engaging in or assigning actions prohibited under this section.

Both TEC 11.005 and 28.0022 require that policies and procedures be provided to both employees and contractors. TEA has published an electronic form to certify compliance, and a list of relevant TASB policy amendments addressing these sections is available for reference.

WHAT YOU NEED TO DO

- 1 Prepare a draft certification statement.
- 2 Place the certification item on the board meeting agenda and post it on the district website at least seven days before the meeting.
- 3 Hold the board meeting with an opportunity for public comment.
- 4 Board votes to adopt the certification statement.
- 5 File the certification statement with TEA through AskTED on or before September 30, 2026.
- 6 Begin preparations to repeat this process next year. (Yearly requirement)

RESOURCES

- TEA electronic certification form: [Senate Bill 12 – Annual Certification of Compliance with Certain Laws](#)
- Relevant TASB policy list amended for TEC 11.005 & 28.0022 — see provided Exhibit A.
- Detailed compliance checklist — see provided Exhibit B.

EXHIBIT A – REQUIRED TASB POLICIES

The TASB Policies that are required under both TEC § 11.005(c) and TEC § 28.0022(h) are listed below.

POLICY CODES & AMENDMENT UPDATES

- | | |
|------------------------------------|---------------------------------|
| • BJA(LEGAL) update 126 | • DF(LEGAL) update 126 |
| • BJCF(LOCAL) update 126 | • DFBB(LOCAL) update 126 |
| • BT(LEGAL) update 126 | • DG(LEGAL) updates 119 and 122 |
| • CDC(LEGAL) update 119 | • DH(LOCAL) update 126 |
| • CJ(LEGAL) AND (LOCAL) update 126 | • EMB(LEGAL) update 126 |
| • CMD(LEGAL) update 122 | • FOA(LEGAL) update 126 |

These policy codes reflect TASB's current legal/local framework as referenced in the district's policy manual. Confirm each code against your district's adopted policy set before certifying compliance, as local numbering may vary by district.

EXHIBIT B – DETAILED COMPLIANCE CHECKLIST

Step-by-step items supporting the certification process under TEC § 39.008.

TEC § 39.008 CERTIFICATION CHECKLIST

- ☐ Notice the School Board Meeting at least seven days and three business days before the meeting that the Board will certify compliance with TEC 39.008.
- ☐ Allow for public testimony at the School Board Meeting before or during Board consideration of certification of compliance with TEC 39.008.
- ☐ Prepare draft TEC 39.008 certification statement.
- ☐ Have the board vote to adopt a TEC 39.008 certification statement.
- ☐ Transmit TEC 39.008 certification statement electronically through AskTED to TEA before September 30, 2026.
- ☐ Begin preparing for next year's TEC 39.008 statement.

TEC § 11.005 & 28.0022 POLICY CHECKLIST

- ☐ Review policies concerning TEC 11.005 and 28.0022 to ensure that they are up-to-date.
- ☐ Gather all relevant TEC 11.005 and 28.0022 policies and procedures.
- ☐ Make sure that policies and procedures have been sent electronically to all employees and contractors and that they have at least been given the opportunity to pick up hard copies of policies and procedures.
- ☐ If you have not already done so, consider altering training and programs to include TEC 11.005 and 28.0022.
- ☐ Identify any changes to trainings and programs that have been made to ensure employees and contractors are informed of the TEC 11.005 and 28.0022 requirements.
- ☐ Review if cost savings have resulted.