

Compliance Certification Template

TEC §39.008: Certification of Compliance with Certain Laws Required

The template on the following pages is provided to assist Texas school systems in complying with the certification requirements under Texas Education Code [TEC] §39.008, as enacted by Senate Bill 12 (89th Texas Legislative Session). The completed certification must be approved by the governing body in a public meeting and submitted electronically through the AskTED application no later than September 30 of each school year to the Texas Education Agency (TEA).

This page is provided for informational purposes only and may be removed prior to submission.

TEC §39.008: Certification of Compliance with Certain Laws Required

Section 1: School System Information

Name of School District or Charter School: Excelsior ISD

County-District Number (CDN): 210906

Superintendent/CEO Name: Johnny Lewis

Certification School Year: 2026-2027

Section 2: Description of Required Policies and Procedures

Provide a description or attach a copy of the policies and procedures required by TEC, §§11.005(c) and 28.0022(h) and describe how employees and contractors were notified of these policies and procedures.

Excelsior ISD has implemented the policies and procedures required by TEC §§11.005(c) and 28.0022(h) through the district's 2026–2027 Employee Handbook and applicable Board policies. These policies address employee and contractor responsibilities related to instructional requirements, parental rights, prohibited instructional practices, and compliance with applicable state law and district policy. The district's SB 12 staff notification specifically communicated the requirement for policies and procedures addressing discipline for employees or contractors who intentionally or knowingly engage in prohibited conduct under TEC §28.0022.

Employees were notified of the applicable policies and procedures at the beginning of the 2026–2027 school year through written communication sent by email. The email directed all employees to review the attached Texas SB 12 legal updates and updated district policy information and informed employees that they were required to sign an acknowledgment confirming receipt of the updates.

The attached SB 12 Staff Update provided employees with information regarding parental rights, instructional requirements, human sexuality instruction, sexual orientation and gender identity instruction, Diversity, Equity, and Inclusion (DEI) duties, social transitioning, and student clubs and activities. Employees were instructed to review the updated Board policies, ensure instructional materials and activities complied with applicable requirements, follow district procedures regarding parental notification and consent, and consult with administration when questions regarding compliance arose.

Employees were required to complete and return an SB 12 acknowledgment form documenting receipt of the legal and policy updates.

The 2026–2027 Employee Handbook, SB 12 Staff Update, and employee acknowledgment documentation are provided as supporting documentation.

Contractors are required to comply with applicable district policies and procedures and state law while providing services to the district. The SB 12 notification also specifically addressed contractors in relation to prohibited DEI activities and directed individuals to consult with district administration when questions regarding compliance arise.

SB 12 Staff Information:

https://drive.google.com/file/d/1ZxpVV7ogyZ92thWKJs2l4Gm3DvuEqL_C/view?usp=sharing

2026-2027 Employee Handbook:

Section 3: Policy or Program Changes

Were any existing policies, programs, procedures, or trainings altered to ensure compliance with TEC, §§39.008, 11.005, and 28.0022? ☒ Yes ☐ No

If yes, describe or attach a copy of the changes below.

Relevant Policies and Procedures

Excelsior 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
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.	122
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.	119 and 122
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 Reviewed

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

- Policy AE or AEA — 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

Section 4: Cost Savings

Were there any cost savings resulting from actions taken to comply with TEC, §39.008? ☐ Yes ☒ No

Total cost savings: \$ _____

If yes, describe or attach a copy of the cost savings.

Section 5: Board Approval

Date of Board/Governing Body Meeting: _____ **Monday, September 14, 2026**

Meeting notice was posted on LEA website at least seven days in advance: ☒ Yes ☐ No

Public testimony opportunity provided during meeting: ☒ Yes ☐ No

Certification approved by majority vote: ☐ Yes ☐ No

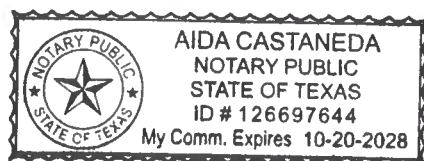
Section 6: Certification Statement

By signing below, the undersigned certifies that the information contained in this document is true and correct and that the district or charter school is in compliance with the requirements of Texas Education Code §§39.008, 11.005(c), and 28.0022(h).

Superintendent/CEO Signature: Johnny Leun

Date: 8/8/26

SWORN TO AND SUBSCRIBED before me on this 8th day of September, 2026.



[Signature]
Notary Public, State of Texas