



**Del Valle Independent School District
Board of Trustee Meeting**

Agenda Item: TEC 39.008 Certification of Compliance with Certain Laws	
Date:	August 11, 2026
Category:	Action
Background Information: Senate Bill 12 (89th Texas Legislature) added Texas Education Code (TEC) §39.008, which requires each school district to annually certify to the Texas Education Agency (TEA) its compliance with TEC §§11.005 and 28.0022. The certification must be approved by a majority vote of the Board of Trustees at a public meeting that provides an opportunity for public testimony and must be submitted electronically to TEA by September 30. The certification includes information regarding required policies and procedures, notification of employees and contractors, changes made to ensure compliance, and any resulting cost savings. Action: The Board of Trustees is asked to approve the District's annual Senate Bill 12 compliance certification as required by Texas Education Code §39.008 and authorize the Superintendent to submit the Board-approved certification to the Texas Education Agency in accordance with statutory requirements. Approval is required to ensure the District fulfills its legal obligation to certify compliance and meet the state's annual submission deadline.	
Fiscal Implications:	Is there a cost? No ▾ Amount: \$ Funding Source:
Exhibit or Presentation:	Presentation Exhibit
Student Outcome Goals:	N/A
Presenter: Dr. Mark Cantú, Deputy Superintendent of Governance and Education Services	
Administration Recommendation: Approve the certification requirement to comply with TEC 39.008.	

TEC 39.008: Certification of Compliance with Certain Laws

Purpose of Certification



- Purpose: Certify District compliance with applicable statutory requirements per Texas Education Code §39.008
- Annual approve certification for submission to TEA
- Public meeting must provide an opportunity for public testimony
- Must be submitted electronically to TEA by September 30
- Superintendent authorized to complete required submission

District Policies



- BJA(LEGAL) —Superintendent: Qualifications and Duties
- BJCF(LOCAL) —Superintendent: Nonrenewal
- BT(LEGAL) — Prohibition on Diversity, Equity, and Inclusion Activities
- CDC(LEGAL) — Other Revenues: Gifts and Solicitations
- CJ(LEGAL) and (LOCAL) — Contracted Services
- CMD(LEGAL) —Equipment and Supplies Management: Instructional Materials Care and Accounting
- CQA(LEGAL) — Technology Resources: District, Campus, and Classroom Websites

District Policies



- DF(LEGAL) — Termination of Employment
- DFBB(LOCAL) — Term Contracts: Nonrenewal
- DG(LEGAL) — Employee Rights and Privileges
- DH(LOCAL) — Employee Standards of Conduct
- EMB(LEGAL) — Miscellaneous Instructional Policies: Teaching About Controversial Issues
- FOA(LEGAL) — Student Discipline: Removal by Teacher or Bus Driver

District Compliance and Implementation



DEL VALLE
INDEPENDENT SCHOOL DISTRICT

- Policies and procedures are maintained to address applicable statutory requirements
- Employees and contractors are provided required notices and expectations
- District practices are aligned with adopted policy and applicable law
- The District has reviewed current policies and procedures for compliance
- Any necessary updates or implementation actions were addressed through the District's normal policy and administrative processes

Action to be Taken



The Board of Trustees is asked to approve the District's annual Senate Bill 12 compliance certification as required by Texas Education Code §39.008 and authorize the Superintendent to submit the certification to the Texas Education Agency by the required deadline.

Thank you!

TEC §39.008: Certification of Compliance with Certain Laws Required

Section 1: School System Information

Name of School District or Charter School: Del Valle ISD

County-District Number (CDN): 227-910

Superintendent/CEO Name: Dr. Matthew Gutierrez

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.

Del Valle ISD has fully complied with both TEC §11.005 and TEC §28.0022 through adoption of the following recommended policy updates from TASB: 127 on the July 21, 2026: BJCF(LOCAL) 126 - Approved on January 20, 2026: CJ(LOCAL), DFBB(LOCAL), DH(LOCAL) plus 11 (LEGAL) updates. Two additional TASB policy updates addressed (LEGAL) policies pertaining to TEC §28.0022: Update 122 - Approved on January 23, 2024 and Update 119. We reviewed several other policies (AE, CH, CV, DEA, FDA, and FDB) to ensure they were in compliance. We verified that our Student Code of Conduct did not require any updates by utilizing the updated model document provided by TASB. We added the sections "Prohibition on Diversity, Equity, and Inclusion" and "Prohibited Classroom Instruction" to our 2026-2027 Del Valle ISD Employee Handbook using the recommended language provided by TASB. Employees are being notified of the new restrictions via the 2026-2027 Employee Handbook. The handbook will be sent to all employees including the new sections responding to SB 12. Employees are required to verify electronically that they received it. We are communicating the restrictions to contractors through an updated Agreement for independent Contractor Services and an updated Vendor Packet.

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.

N/A

Section 4: Cost Savings

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

Total cost savings: \$ 0.00

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

Section 5: Board Approval

Date of Board/Governing Body Meeting: August 11, 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: _____

Date: _____

SWORN TO AND SUBSCRIBED before me on this _____ day of _____, 20____.

Notary Public, State of Texas