Mathis ISD

Diversity, Equity, and Inclusion TASB POLICY DEI Provisions for Vendors

Note: All pages must be completed by Potential District Vendors

PROHIBITION ON DIVERSITY, EQUITY, AND INCLUSION DUTIES - REQUIRED FORM

In 2025, the Texas Legislature adopted Senate Bill 12, which added section 11.005 to SECTION 3. Subchapter A, Chapter 11, of the Education Code, among other changes. Effective September 1, 2025, the bill implements Diversity, Equity, and Inclusion (DEI) related provisions and requirements for school district contractors, including:

- Prohibition of DEI duties: School districts are not allowed to assign any DEI duties, as defined in the law, to contractors.
- Ban on DEI statements: School districts cannot request or evaluate DEI statements from contractors during the hiring or selection process.
- Training and programs: Contractors are prohibited from developing or implementing training or programs that reference protected characteristics such as race, ethnicity, or gender identity, except under specific, limited circumstances.

Applicable bill section text:

Sec. 11.005. PROHIBITION ON DIVERSITY, EQUITY, AND INCLUSION DUTIES.

(a) In this section, "diversity, equity, and inclusion duties" means:

(1) influencing hiring or employment practices with respect to race, sex, color, or ethnicity except as necessary to comply with state or federal antidiscrimination laws;

(2) promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity;

(3) developing or implementing policies, procedures, trainings, activities, or programs that reference race, color, ethnicity, gender identity, or sexual orientation except:

(A) for the purpose of student recruitment efforts by colleges and universities designated as historically black colleges and universities in collaboration with school districts or open-enrollment charter schools; or

(B) as necessary to comply with state or federal law; and

(4) compelling, requiring, inducing, or soliciting any person to provide a diversity, equity, and inclusion statement or giving preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement.

(b) Except as required by state or federal law, a school district:

(1) may not assign diversity, equity, and inclusion duties to any person; and

(2) shall prohibit a district employee, contractor, or volunteer from engaging in diversity, equity, and inclusion duties at, for, or on behalf of the district.

(c) A school district shall adopt a policy and procedure for the appropriate discipline, including termination, of a district employee or contractor who intentionally or knowingly engages in or assigns to another person diversity, equity, and inclusion duties. The district shall provide a physical and electronic copy of the policy and procedure to each district employee or contractor.

d) The policy and procedure adopted by a school district under Subsection (c) must ensure that an employee or contractor receives adequate due process and an opportunity to appeal disciplinary actions, including termination, in the same manner provided for other disciplinary actions.

(e) Nothing in this section may be construed to:

(1) limit or prohibit a school district from contracting with historically underutilized businesses or businesses owned by members of a minority group or by women in accordance with applicable state law;

(2) limit or prohibit a school district from acknowledging or teaching the significance of state and federal holidays or commemorative months and how those holidays or months fit into the themes of history and the stories of this state and the United States of America in accordance with the essential knowledge and skills adopted under Subchapter A, Chapter 28;

(3) affect a student's rights under the First Amendment to the United States Constitution or Section 8, Article I, Texas Constitution;

(4) limit or prohibit a school district from analyzing school-based causes and taking steps to eliminate unlawful discriminatory practices as necessary to address achievement gaps and differentials described by Section 39.053; or

(5) apply to:

(A) classroom instruction that is consistent with the essential knowledge and skills adopted by the State Board of Education;

(B) the collection, monitoring, or reporting of data;

(C) a policy, practice, procedure, program, or activity intended to enhance student academic achievement or postgraduate outcomes that is designed and implemented without regard to race, sex, color, or ethnicity; or

(D) a student club that is in compliance with the requirements of Section 33.0815.

Additionally, Senate Bill 12, added Subsection (h) SECTION 22. Section 28.0022, of the Education Code. Effective September 1, 2025, the District is required to provide a physical and electronic copy of the policy and procedure to each district or school employee or contractor. An electronic copy of the policy and procedure can be accessed here: https://pol.tasb.org/PolicyOnline/PolicyDetails?key=947&code=BT#legalTabContent. Should the contractor require a physical copy of the policy and procedure, please contact the Mathis ISD Administration at 361-547-3378 and the District will mail a physical copy at no charge to the contractor.

Applicable bill section text:

(h) A school district or open-enrollment charter school shall adopt a policy and procedure for the appropriate discipline, including termination, of a district or school employee or contractor who intentionally or knowingly engages in or assigns to another person an act prohibited by this section. The district or school shall provide a physical and electronic copy of the policy and procedure to each district or school employee or contractor.

For access to full bill text: https://capitol.texas.gov/tlodocs/89R/billtext/html/SB00012F.htm

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The Vendor certifies that they have been informed of the SB2 language and requirements regarding DEI, and received a copy of the District's policies and procedures in compliance with this bill. The vendor certifies that it does not and will not engage in DEI duties at, for, or on behalf of the District and if the vendor does so, the vendors contract/s (including purchase orders) are subject to termination.

_____	_____
Authorized Representative (Print Name)	Title
_____	_____
Authorized Representative (Signature)	Date

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PROHIBITION ON CERTAIN ACTIVITY BY VENDOR - REQUIRED FORM

In 2025, the Texas Legislature adopted House Bill 210, which added section 11.067 to SECTION 1. Subchapter C, Chapter 11, of the Education Code. Effective September 1, 2025, the law severely limits the ability of Board Member-owned businesses to contract with their school districts. The Vendor commits a criminal offense if it receives a contract from the school and any Board Member or Board Member's family member (2nd degree of consanguinity) has a substantial interest in the business - more than 10% ownership or profits from that business. It also provides for Vendor criminal liability if the Vendor gave or promised a Board Member a gift valued at $250 or more.

For a current list of Mathis ISD Board Members, please visit:
https://www.mathisisd.org/district-information/board-of-trustees

Full bill text:

Sec. 11.067. PROHIBITION ON CERTAIN ACTIVITY BY VENDOR.

(a) In this section, "vendor" means a company, individual, contractor, subcontractor, or professional services provider with whom a school district or open-enrollment charter school enters into an agreement, contract, memorandum of understanding, interlocal agreement, fee schedule, retainer, or similar instrument for goods or services.

(b) A vendor that bids on or receives a contract from a school district or an open-enrollment charter school commits an offense if any individual serving on the board of trustees or governing body of the district or school:

(1) has a substantial interest in the vendor or a subcontractor hired by a vendor;

(2) is related in the second degree by consanguinity or affinity, as determined under Chapter 573, Government Code, to an individual who has a substantial interest in the vendor; or

(3) has received or has been promised a gift or in-kind services with a value of more than $250.

(c) An individual has a substantial interest in a vendor if the individual:

(1) owns more than 10 percent of the voting interest in the vendor; or

(2) has a direct or indirect participating interest by shares, stock, or otherwise, regardless of whether voting rights are included, in more than 10 percent of the profits, proceeds, or capital gains of the vendor.

(d) An offense under this section is a Class C misdemeanor, except that a second offense under this section is a Class B misdemeanor, a third offense under this section is a Class A misdemeanor, and a fourth or subsequent offense under this section is a state jail felony.

(e) Notwithstanding Subsection (d), any offense under this section is a state jail felony if the vendor directly or indirectly through a third party compensated the individual serving on the board of trustees or governing body of a school district or open-enrollment charter school with money, gifts, or in-kind services as consideration for the district or school entering into a contract with the vendor.

The Vendor certifies that they have been informed of the HB210 language, requirements, and penalties.

_____	_____
Authorized Representative (Print Name)	Title
_____	_____
Authorized Representative (Signature)	Date