

State of Texas

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§

County of (GREGG)

§

(East Texas Charter School)

**BOARD RESOLUTION IN SUPPORT OF CERTIFICATION OF COMPLIANCE WITH
TEXAS EDUCATION CODE SECTIONS 11.005 AND 28.0022**

WHEREAS, Texas Education Code Section 39.008 requires open enrollment charter school superintendents to certify to the Texas Education Agency ("TEA") by September 30th of each year that the open-enrollment charter school is in compliance with Section 11.005 of the Texas Education Code (Prohibition on DEI Duties) and with Section 28.0022 of the Texas Education Code (Certain Instructional Requirements and Prohibitions); and

WHEREAS, Texas Education Code Section 12.104(b)(3)(Z) specifies that Section 11.005 applies to open-enrollment charter schools and Texas Education Code 28.0022 specifies that it applies to open-enrollment charter schools; and

WHEREAS, the Board of Directors held a public meeting on (9/14/2026) that included an opportunity for public testimony on this matter and for which notice was posted on the school's Internet website at least seven days before the date on which the board meeting was held; and

WHEREAS, a copy of the board meeting notice is attached hereto as Exhibit A to this resolution; and

WHEREAS, during the (9/14/2026) board meeting, the Superintendent presented to the Board of Directors the compliance information captured in Exhibit B to this resolution.

BE IT THEREFORE RESOLVED THAT a majority of the members of the Board of Directors at a lawfully called meeting pursuant to the Texas open meetings law hereby adopts the following resolutions:

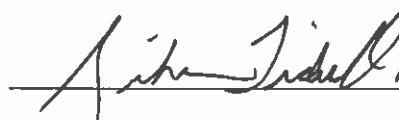
SECTION 1. The Board of Directors hereby resolves to approve the Exhibit B compliance information presented by the Superintendent at the public meeting of the Board of Directors held on (9/14/2026) and finds that the (East Texas Charter School) is in full compliance with Texas Education Code Sections 11.005 and 28.0022.

SECTION 2. The Superintendent is hereby directed to certify compliance with Texas Education Code Sections 11.005 and 28.0022 by submitting a completed certification form to TEA in the manner and means directed by TEA. The Board of Directors understands that TEA must post the completed certification on the TEA's Internet website.

(Signature Page Follows)

PASSED AND APPROVED BY THE MAJORITY OF MEMBERS OF THE BOARD OF DIRECTORS OF (East Texas Charter School), ON THE 14th DAY OF SEPTEMBER 2026.

Members Voting in Favor of Resolution: Castillo, Lopic, McDonald, O'Neal, Tidwell


Mike Tidwell
(Name of Director)


Terry Lopic
(Name of Director)


Shane McDonald
(Name of Director)

CERTIFICATION

The undersigned, being the Secretary of the Charter Holder, hereby certifies that the foregoing represents a true copy of a Resolution of the Directors of the Corporation, duly held on September 14, 2026, which Resolution is in full force and effect and has not been revoked or amended.


Secretary 9/14/2026

Sec. 1. DEFINITIONS

In this policy, “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.

Texas Education Code § 11.005(a).

Sec. 2. PROHIBITION ON DIVERSITY, EQUITY, AND INCLUSION DUTIES

Except as required by state or federal law, East Texas Charter School:

1. May not assign diversity, equity, and inclusion duties to any person; and
2. Prohibits an East Texas Charter School employee, contractor, or volunteer from engaging in diversity, equity, and inclusion duties at, for, or on behalf of East Texas Charter School.

Texas Education Code § 11.005(b).

Sec. 3. EMPLOYMENT ACTION

An East Texas Charter School employee or contractor who intentionally or knowingly engages in or assigns to another person diversity, equity, and inclusion duties is subject to disciplinary consequences in accordance with East Texas Charter School’s Employee Handbook, up to and including termination.

An East Texas Charter School employee or contractor who receives discipline under this Policy may appeal the disciplinary consequence under East Texas Charter School’s employee grievance procedure or termination grievance procedure, whichever is applicable.

Texas Education Code § 11.005(d).

Sec. 4. LIMITATIONS

This policy does not:

1. Limit or prohibit East Texas Charter School 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 East Texas Charter School 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 Texas Essential Knowledge and Skills;
3. Affect a student's rights under the First Amendment of the United States Constitution or Section 8, Article I, Texas Constitution;
4. Limit or prohibit East Texas Charter School from analyzing school-based causes and taking steps to eliminate unlawful discriminatory practices as necessary to address achievement gaps and differentials described by Texas Education Code § 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 Texas Education Code § 33.0815.

Texas Education Code § 11.005(e).

Sec. 1. INSTRUCTIONAL REQUIREMENTS AND PROHIBITIONS

a) *Prohibited Discussions or Activities*

For any course or subject, including an innovative course, for a grade level from kindergarten through grade 12:

1. A teacher may not be compelled to discuss a widely debated and currently controversial issue of public policy or social affairs;
2. A teacher who chooses to discuss a topic described in subparagraph (1) shall explore that topic objectively and in a manner free from political bias;
3. Neither East Texas Charter School nor a teacher may require, make part of a course, or award a grade or course credit, including extra credit, for a student's:
 - a. Work for, affiliation with, or service learning in association with any organization engaged in:
 - i. Lobbying for legislation at the federal, state, or local level, if the student's duties involve directly or indirectly attempting to influence social or public policy or the outcome of legislation; or
 - ii. Social policy advocacy or public policy advocacy;
 - b. Political activism, lobbying, or efforts to persuade members of the legislative or executive branch at the federal, state, or local level to take specific actions by direct communication; or
 - c. Participation in any internship, practicum, or similar activity involving social policy advocacy or public policy advocacy; and
4. A teacher, administrator, or other employee of East Texas Charter School may not:
 - a. Require or make part of a course inculcation in the concept that:
 - i. One race or sex is inherently superior to another race or sex;
 - ii. An individual, by virtue of the individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;
 - iii. An individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race or sex;
 - iv. An individual's moral character, standing, or worth is necessarily determined by the individual's race or sex;
 - v. An individual, by virtue of the individual's race or sex, bears responsibility, blame, or guilt for actions committed by other members of the same race or sex;
 - vi. Meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race;
 - vii. The advent of slavery in the territory that is now the United States constituted the true founding of the United States; or
 - viii. With respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up

to the authentic founding principles of the United States, which include liberty and equality;

- b. Teach, instruct, or train any administrator, teacher, or staff member to adopt a concept listed under subparagraph (4)(a); or
- c. Require an understanding of the 1619 Project.

Texas Education Code § 28.0022(a).

This Policy does not limit the teaching of or instruction in the Texas Essential Knowledge and Skills. *Texas Education Code § 28.0022(e).*

Nothing in this Policy prohibits a teacher employed East Texas Charter School from directing a classroom activity that involves students communicating with an elected official so long as East Texas Charter School does not influence the content of a student's communication.

Texas Education Code § 28.0022(g).

East Texas Charter School may not accept private funding for the purpose of developing a curriculum, purchasing or selecting curriculum materials, or providing teacher training or professional development related to a concept listed in subparagraph (4)(a). *Texas Education Code § 28.0022(c).*

b) Exception

The prohibition against student courses, awards or grades, and extra credit described in Sec. 1(a)(3) above do not apply to a student's participation in:

1. Community charitable projects, such as building community gardens, volunteering at local food banks, or other service projects;
2. An internship or practicum:
 - a. For which the student receives course credit under a career and technology education program or under the P-TECH program established under Texas Education Code § 29.553; and
 - b. That does not involve the student directly engaging in lobbying, social policy advocacy, or public policy advocacy; or
3. A program that prepares a student for participation and leadership in this country's democratic process at the federal, state, or local level through the simulation of a governmental process, including the development of public policy.

Texas Education Code § 28.0022(b).

Sec. 2. PENALTIES TO STUDENTS

East Texas Charter School may not implement, interpret, or enforce any rule in a manner that would result in the punishment of a student for reasonably discussing the concepts described by Sec. 1(a)(4) in school or during a school-sponsored activity or have a chilling effect on reasonable student discussions involving those concepts in school or during a school-sponsored activity.
Texas Education Code § 28.0022(d).

Sec. 3. EMPLOYMENT ACTION

An East Texas Charter School employee or contractor who intentionally or knowingly engages in or assigns to another person an act prohibited by this Policy is subject to disciplinary consequences in accordance with East Texas Charter School's Employee Handbook, up to and including termination.
Texas Education Code § 28.0022(h).

Sec. 4. DISTRIBUTION

East Texas Charter School shall provide a physical and electronic copy of this Policy and any procedures related to this Policy to each employee or contractor.
Texas Education Code § 28.0022.(h).