

North Zulch ISD has adopted procedures to ensure compliance with Texas Education Code §§11.005(c) and 28.0022(h). These procedures apply to all District employees, contractors, volunteers, vendors, and third-party providers when acting at, for, or on behalf of the District.

1. Prohibition on Diversity, Equity, and Inclusion Duties — TEC §11.005

No District employee, contractor, volunteer, or vendor may intentionally or knowingly engage in, assign, require, or direct another person to perform diversity, equity, and inclusion duties as prohibited by TEC §11.005, except as required by state or federal law.

For District purposes, prohibited conduct includes assigning or performing duties that:

- influence hiring or employment practices based on race, sex, color, or ethnicity, except as necessary to comply with antidiscrimination law;
- promote differential treatment or special benefits based on race, color, or ethnicity;
- develop or implement policies, procedures, trainings, activities, or programs referencing race, color, ethnicity, gender identity, or sexual orientation, except as allowed by law;
- require or solicit a diversity, equity, and inclusion statement or give preferential consideration based on such a statement.

Nothing in this procedure prohibits classroom instruction aligned to the TEKS, required compliance with state or federal law, collection or reporting of data, lawful efforts to address unlawful discrimination, recognition of state or federal holidays or commemorative months, student speech protected by law, or District programs designed to improve student academic achievement or postsecondary outcomes without regard to race, sex, color, or ethnicity. These statutory exceptions are reflected in TEC §11.005(e).

2. Certain Instructional Requirements and Prohibitions — TEC §28.0022

No District employee, contractor, volunteer, vendor, or third-party provider may intentionally or knowingly engage in or assign another person to engage in conduct prohibited by TEC §28.0022.

District procedures prohibit, among other things:

- compelling a teacher to discuss a widely debated and currently controversial issue of public policy or social affairs;
- discussing such issues in a politically biased manner when a teacher chooses to address them;

- requiring, grading, or awarding credit for student political activism, lobbying, social policy advocacy, public policy advocacy, or similar service-learning activities prohibited by statute;
- requiring inculcation in concepts prohibited by TEC §28.0022(a)(4), including concepts related to race, sex, blame, superiority, moral character, meritocracy, the 1619 Project, or the founding principles of the United States;
- accepting private funding to develop curriculum, purchase or select curriculum materials, or provide professional development related to prohibited concepts.

Nothing in this procedure limits instruction in the TEKS, reasonable student discussion, lawful student speech, community charitable projects, approved CTE/P-TECH internships that do not involve lobbying or advocacy, or simulations of governmental processes allowed by TEC §28.0022.

3. Review, Reporting, and Investigation

Any suspected violation shall be reported to the Superintendent or designee. The Superintendent or designee shall review the concern, gather relevant documentation, interview involved individuals as appropriate, and determine whether the conduct was intentional or knowing.

Before discipline is imposed, the employee or contractor shall receive notice of the alleged violation and an opportunity to respond. Employee discipline shall be handled consistently with District policy, contract rights, grievance procedures, and applicable due process requirements. Contractor violations may result in corrective action, removal from District work, contract remedies, nonrenewal, or termination consistent with the contract and applicable law.

4. Discipline and Corrective Action

An employee or contractor who intentionally or knowingly engages in, assigns, or directs another person to engage in conduct prohibited by TEC §11.005 or TEC §28.0022 may be subject to appropriate discipline, up to and including termination of employment or termination of contract.

Possible corrective actions include written directive, retraining, removal of noncompliant materials or activities, reassignment of duties, contract notice of default, suspension of access to students or facilities, nonrenewal, or termination.

5. Documentation

The District shall maintain documentation of:

- the adopted procedures;
- employee and contractor notification;
- signed or electronic acknowledgments;

- training records;
- reported concerns and resolutions;
- any policy, program, procedure, or training changes made for compliance.