Sands Consolidated Independent

School District

PO Box 218 Ackerly, TX 79713
432-217-2637 (School)
432-225-8228 (Fax)

Wayne Henderson
Superintendent

Lenny Morrow
Principal

Amy Grumbles
Business Manager

NOTICE TO EMPLOYEES, CONTRACTORS, VENDORS, and SERVICE PROVIDERS

DATE: October 15, 2026
TO: All District Employees, Contractors, Independent Service Providers, and Vendors
FROM: Office of the Superintendent
SUBJECT: Prohibitions against Discrimination and Diversity, Equity, and Inclusion (DEI) Activities

This memorandum serves as notice to all employees, contractors, vendors and service providers of Sands CISD of important changes in state law and district policy prohibiting the consideration of race, sex, color, or ethnicity in connection with Sands CISD operations and decision making. All district employees, contractors, vendors and service providers are required to review this memorandum in its entirety, disseminate its contents to all personnel assigned to Sands CISD accounts and maintain operations in strict conformity with Sands CISD policy. Execution of services under any current or future district agreement serves as an acknowledgement of, and consent to, these contractual conditions.

I. Discrimination Prohibited

Sands CISD prohibits discrimination on the basis of race, color, national origin, religion, sex or disability. Additionally, Texas Education Code § 11.005 and Sands CISD policy prohibit Sands CISD employees, contractors, vendors, and service providers from performing, carrying out or assigning certain responsibilities or job duties at, for, or on behalf of Sands CISD. This notice clarifies Sands CISD policy prohibiting the consideration of race, sex, color or ethnicity in Sands CISD operations and decision making.
Consistent with Texas Education Code § 11.005, Sands CISD prohibits certain activities related to Diversity, Equity and Inclusion (DEI) initiatives. Sands CISD's policies may be accessed online at: https://sands.esc17.net. Employees, contractors, vendors and service providers are charged with complying with all District policies while providing services to the District.

II. Diversity, Equity and Inclusion Duties Defined

Diversity, equity, and inclusion ("DEI") duties prohibited by District policy are any action, role, or practice that involves the following:

1. Influencing Employment Practices: Any effort designed to influence hiring, recruitment, promotion. or general employment practices with respect to race, sex, color or ethnicity, unless strictly necessary to maintain compliance with established state or federal antidiscrimination statutes.

2. Promoting Differential Treatment: Proactively promoting differential treatment of individuals, or providing special or exclusive benefits to individuals, solely on the basis of race, color, or ethnicity.

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3. Developing Protected-Class Programming: Developing, implementing, structuring, or delivering policies, operating procedures, professional training, educational activities, or

instructional programs that reference race, color, ethnicity, gender identity, or sexual orientation. Exceptions exist for student recruitment collaborations involving historically black colleges and universities, or as otherwise mandated by state or federal law.

4. Compelling DEI Statements: Compelling, requiring, inducing, or soliciting any prospective or current employee, contractor, service provider or vendor to submit a diversity, equity, and inclusion statement, or granting preferential consideration or advantage to any individual based on the provision or substance of such a statement.

III. District Policies

The following District policies are of particular importance in regulating the Sands CISD's prohibition against DEI duties:

1. Board Policy BT (LEGAL): Provides that except as explicitly required by state or federal law, Sands CISD shall not assign DEI duties to any person and must proactively prohibit independent contractors from engaging in such activities.

2. Board Policy CJ (LEGAL) and (LOCAL): These policies govern contracted services and provide that a District contract is subject to termination if a contractor or vendor intentionally or knowingly engages in DEI duties or assigns such duties to another individual. It further establishes the appeal process through which an affected contractor may appeal an adverse contract action.

3. Board Policy DH (LOCAL): Outlines employee standards of conduct, including the prohibition against engaging in or delegating to another DEI duties.

4. Board Policy DIA (LEGAL): Requiring the Superintendent to certify to the Commissioner of Education the District's compliance with TEC Sections 39.008, 11.005 and 28.0022.

5. Board Policy CMD (LEGAL): Regarding the acquisition of instructional materials.

6. Board Policy DF (LEGAL): Providing for the appropriate discipline, including termination, of a district employee or contractor who intentionally or knowingly engages in or assigns to another person prohibited diversity, equity, and inclusion duties.

7. Board Policy DG (LEGAL): Providing that a teacher may not be compelled to discuss a widely debated and currently controversial issue of public policy or social affairs.

8. Board Policy BJCF (LOCAL): Providing violation of the District's prohibition against engaging in or delegating to another DEI duties is a ground for Superintendent contract nonrenewal.

9. Board Policy EMB (LEGAL): Addressing the teaching of controversial topics, and prohibiting instruction, guidance, activities, or programming regarding sexual orientation and gender identity to students.

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IV. Consequences for Violation of Policies

Employees and District contractors are on notice that violation of these District policies may result in disciplinary action, up to and including termination of employees, or termination of third-party contracts with vendors and service providers:

Mandatory Termination of Contracts: Policy CJ (LOCAL) provides that any intentional or knowing violation of these prohibitions constitutes a material breach of contract. If the District determines through administrative review or inquiry that a contractor has intentionally or knowingly engaged in DEI duties, assigned DEI duties to another individual, or conducted prohibited instruction or guidance, the violation shall result in the termination of the contract. Penalties for violating the District's policies apply to all contractors, vendors and service providers, regardless of whether the prohibited act was committed by an executive officer, a staff employee, or a third-party agent acting on behalf of the contracting entity.

Employee Discipline: Employees who violate the District's policies and standards of professional conduct may be subject to discipline, up to and including possible termination of employment.

V. Certain Practices Exempted

Policy BT (LEGAL) explicitly clarifies that these prohibitions do not apply to, restrict, or modify several core educational and commercial functions. Contractors and employees may safely engage in the following activities without violating Sands CISD's anti-discrimination policies:

1. Historically Underutilized Businesses (HUBs): The policy does not limit or prohibit Sands CISD from actively contracting with historically underutilized businesses in accordance with applicable Texas procurement statutes.

2. Commemorative and Holiday Instruction: Contractors may acknowledge, reference, or teach the historic significance of state and federal holidays, or celebrate federally designated commemorative months, provided the curriculum aligns with the Texas Essential Knowledge and Skills (TEKS) frameworks.

3. Constitutional Protections: Nothing in these guidelines shall be construed to infringe upon or affect a student's core constitutional rights under the First Amendment to the United States Constitution or Article I, Section 8, of the Texas Constitution.

4. Academic Achievement and Data Reporting: Data collection, standard monitoring, or state reporting are not impacted by the District's policies. Practices, procedures, or programs designed to eliminate unlawful discriminatory patterns, address academic achievement gaps, or enhance postgraduate student success are not impacted by these policies. These programs are structured and implemented entirely without regard to race, sex, color, or ethnicity.

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Thank you for your attention to these important policy changes. Anyone wishing to receive a printed copy of any or all the policies referenced in this memorandum may access the policies from the district's online policy or by contacting the Superintendent's office.

Sincerely,

Wayne Henderson
Superintendent
Sands CISD