



September 7, 2026

Dear Thrive Center for Success Employee/Contractor:

The following "Prohibition on Diversity, Equity, and Inclusion Duties" policy is being distributed in accordance with a recent change to Texas Education Code Section 28.0022 and required by the passage of Senate Bill 12 during this most recent Texas legislative session. The law took effect September 1, 2025, and the Board of Directors recently approved this policy on August 29, 2025.

With the implementation of this new law, Thrive Center for Success is required to distribute this policy to its employees and contractors to provide notice of certain prohibitions against and appropriate discipline for any employee or contractor who intentionally or knowingly engages in or assigns to another person diversity, equity, or inclusion duties, as described by the policy.

We encourage you to review this policy to ensure you are in compliance with these new regulations. If there are any questions, please feel free to contact Mary Elizabeth Mueller at m.mueller@thrivesuccess.org.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth Goldsmith". The signature is fluid and cursive.

Elizabeth Goldsmith
Superintendent/CEO

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.

Education Code 11.005(a).

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

Except as required by state or federal law, Thrive Center for Success:

1. May not assign diversity, equity, and inclusion duties to any person; and
2. Prohibits a Thrive Center for Success employee, contractor, or volunteer from engaging in diversity, equity, and inclusion duties at, for, or on behalf of Thrive Center for Success.

Education Code 11.005(b).

Sec. 3. EMPLOYMENT ACTION

A Thrive Center for Success 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 Thrive Center for Success’ Employee Handbook, up to and including termination.

A Thrive Center for Success employee or contractor who receives discipline under this Policy may appeal the disciplinary consequence under Thrive Center for Success’ employee grievance procedure or termination grievance procedure, whichever is applicable.

Education Code 11.005(d).

Sec. 4. LIMITATIONS

This policy does not:

1. Limit or prohibit Thrive Center for Success 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 Thrive Center for Success 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 Thrive Center for Success from analyzing school-based causes and taking steps to eliminate unlawful discriminatory practices as necessary to address achievement gaps and differentials described by 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 Education Code 33.0815.

Education Code 11.005(e).