

State of Texas

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County of Harris

**HOUSTON HEIGHTS HIGH 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 October 7th, 2025, 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 October 7th 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:

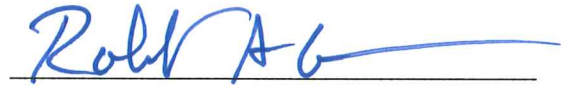
SECTION 1. The Board of Directors hereby resolves to approve the Exhibit B compliance information presented by the Superintendent at the public meeting of the Board of Directors held on October 7th and finds that the Houston Heights High School is in full compliance with Texas Education Code Sections 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 HOUSTON HEIGHTS HIGH SCHOOL, ON THE 7th DAY OF October 2025.

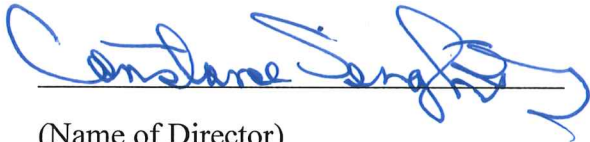
Members Voting in Favor of Resolution:



(Name of Director)



(Name of Director)



(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 October 7th, 2025, which Resolution is in full force and effect and has not been revoked or amended.

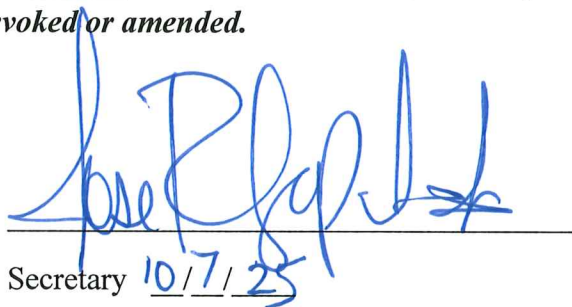

Secretary 10/7/25

Exhibit A

Board Meeting Agenda Posting

**NOTICE OF MEETING
OF THE BOARD OF DIRECTORS
FOUNDATION FOR RECOVERING YOUTH, INC.**

October 07, 2025

Notice is hereby given that a Meeting of the Board of Directors
of the Foundation for Recovering Youth will be held on the 7th day of October at 5:30 pm
at 1777 Walker St, Houston, TX 77010

1. **Call to Order**
2. **Hearing of Citizens**
3. **Approve minutes of the August 13th, 2025 Board meeting.**
4. **Business Manager report on Charter FIRST rating.**
5. **Discuss, consider, and approve a board resolution in support of certification of compliance with TEC sections 11.005 and 28.0022**
6. **Discuss, consider, and approve extending the current lease by 63 months (ending 02/01/2031).**
7. **Status Report from Erica McCready, Superintendent. Items to be discussed include:**
 - i. **Student enrollment data**
 - ii. **Other items deemed appropriate by the Superintendent**
13. **Adjournment to closed or executive session pursuant to Texas Government Code Section 551.071 of the Open Meetings Act, for the following purposes:**
 - A. **Personnel:**
 1. Consider and approve teaching assignments for all instructional staff, new teachers for current vacancies, administrative staff, office personnel and custodial staff.
 - B. **Legal:**
 1. Consultation with legal counsel concerning matters on which the attorney's duty to the school under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with the Texas Open Meetings Laws
14. **Closed or Executive Session Authority**

If during the course of the Board meeting covered by this Notice, the Board should determine that a closed or executive session of the Board should be held or is required in relation to any item included in this Notice, then such closed or executive meeting of session as authorized by Sections 551.071, 551.072, 551.073, 551.074, 551.082, 551.083, and 551.084 of the Texas Government Code (the Open Meetings Act) will be held by the Board at that date, hour and place given in this notice or as soon after the commencement of the meeting covered by this Notice as the Board may conveniently meeting in such closed or executive session.

Should any final action, final decision, or final vote be required in the opinion of the board with regard to any matter considered in such closed or executive session, then such final action, final decision, or final vote shall be at either:

- (a) the open meeting covered by this Notice upon the reconvening of this public meeting, or
- (b) at a subsequent public meeting of the Board upon Notice thereof, as the Board shall determine.

The items listed in this notice may be considered in any order at the discretion of the Board of Directors or the Board President, items listed for closed session discussion may be discussed in open session, and items listed in this notice may be tabled and considered at a subsequent public meeting of the Board of Directors upon proper notice.

RECONVENE IN OPEN MEETING

15. Consider Approval of Agenda Items, including Closed Session Matter

Adjourn

Posted October 1, 2025 HHHS Lobby and <https://www.heightshs.org>

Erica McCreedy, School Superintendent

Exhibit B

Compliance Certification Information

A. Compliance with Texas Education Code Section 11.005(c).

- a. Policy Description: Board Policy 4.212 incorporates the essential elements of Section 11.005, including: the statutory definition of DEI duties, a prohibition against the assignment DEI duties, the circumstances under which disciplinary action may be taken against an employee or contractor who intentionally or knowingly engages in or assigns DEI duties, and the limitations of the DEI prohibitions as set forth in the statute.
- b. Manner of Notice: All employees and contractors were provided with both paper and electronic copies of Houston Heights High School Board Policy 4.212 and received training on the policy's intentions.
- c. Prior Policy or Program Changes: No prior policies, programs, procedures, or trainings were altered to ensure compliance with Section 11.005.
- d. Cost Saving Resulting from Compliance: The school has not realized any cost savings resulting from actions taken by the school to comply with Section 11.005.

B. Compliance with Texas Education Code Section 28.0022(h).

- a. Policy Description: Board Policy 4.213 incorporates the essential elements of the statute including: the prohibited classroom discussions and activities, the applicable exceptions to the prohibited classroom discussions and activities, the prohibition of penalties against students, the circumstances under which disciplinary action may be taken against an employee or contractor who intentionally or knowingly engages in conduct prohibited by the policy, and a requirement for the school to distribute the policy to each employee and contractor.
- b. Manner of Notice: All employees and contractors were provided with both paper and electronic copies of Houston Heights High School Board Policy 4.213 and received training on the policy's intentions.
- c. Prior Policy or Program Changes: No prior policies, programs, procedures, or trainings were altered to ensure compliance with this Section 28.0022.
- d. Cost Saving Resulting from Compliance: The school has not realized any cost savings resulting from actions taken by the school to comply with Section 28.0022.

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, HOUSTON HEIGHTS HIGH SCHOOL:

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

Education Code 11.005(b).

Sec. 3. EMPLOYMENT ACTION

A HOUSTON HEIGHTS HIGH 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 HOUSTON HEIGHTS HIGH SCHOOL’s Employee Handbook, up to and including termination.

A HOUSTON HEIGHTS HIGH SCHOOL employee or contractor who receives discipline under this Policy may appeal the disciplinary consequence under HOUSTON HEIGHTS HIGH SCHOOL’s 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 HOUSTON HEIGHTS HIGH 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 HOUSTON HEIGHTS HIGH 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 HOUSTON HEIGHTS HIGH SCHOOL 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).

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 HOUSTON HEIGHTS HIGH 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 HOUSTON HEIGHTS HIGH 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.

Education Code 28.0022(a).

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

Nothing in this Policy prohibits a teacher employed HOUSTON HEIGHTS HIGH SCHOOL from directing a classroom activity that involves students communicating with an elected official so long as HOUSTON HEIGHTS HIGH SCHOOL does not influence the content of a student's communication. *Education Code 28.0022(g).*

HOUSTON HEIGHTS HIGH 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). *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 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.

Education Code 28.0022(b).

Sec. 2. PENALTIES TO STUDENTS

FOUNDATION FOR RECOVERING YOUTH BOARD POLICY MANUAL

POLICY GROUP 4 – PERSONNEL

INSTRUCTIONAL REQUIREMENTS AND PROHIBITIONS

PG-4.213

HOUSTON HEIGHTS HIGH 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. *Education Code 28.0022(d)*.

Sec. 3. EMPLOYMENT ACTION

A HOUSTON HEIGHTS HIGH 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 HOUSTON HEIGHTS HIGH SCHOOL's Employee Handbook, up to and including termination. *Education Code 22.0022(h)*.

Sec. 4. DISTRIBUTION

HOUSTON HEIGHTS HIGH SCHOOL shall provide a physical and electronic copy of this Policy and any procedures related to this Policy to each employee or contractor. *Education Code 22.0022.(h)*.