

By: Campbell

S.B. No. 2263

A BILL TO BE ENTITLED

AN ACT

relating to reporting of costs incurred by school districts in litigation or resolution of special education cases.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.024 to read as follows:

Sec. 29.024. LITIGATION COSTS. (a) A school district shall provide information each year to the agency regarding the amount expended by the district for legal representation in litigating special education cases, including cases using alternative dispute resolution procedures.

(b) The information reported must include:

(1) the total amount spent by the district on legal fees for private attorneys retained to represent the district;

(2) the amount spent by the district on legal fees for private attorneys retained to represent the district in cases using alternative dispute resolution procedures, including individualized education program facilitation under Section 29.019; and

(3) the amount spent by the district, if any, to pay the salary of one or more attorneys employed by the district solely to provide legal services to the district in litigating special education cases, including cases using alternative dispute resolution procedures.

1        (c) For each category described by Subsection (b), a  
2 district must also report the amount expended on a per-student  
3 basis, which is the amount that results from dividing the total  
4 amount by the number of students who received special education  
5 services from the district during the applicable year.

6        (d) The commissioner may adopt rules necessary to implement  
7 this section.

8        SECTION 2. This Act takes effect September 1, 2019.