

## **BILL ANALYSIS**

Senate Research Center  
89R25976 MEW-D

C.S.S.B. 111  
By: Hall  
Education K-16  
4/29/2025  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

When independent school districts and charter schools engage in litigation processes costing thousands of dollars, taxpayers are footing the bill on both ends. For example, if a parent files a due process complaint to resolve an issue at the local level related to receiving special education services, often a lengthy litigation process ensues. While parents pay out of pocket for legal representation, school districts use special education financial resources—derived from taxpayers—to cover their legal fees. Thus, a parent's tax dollars pay both the attorney arguing the case against the child and the school district's legal representation. School districts have spent thousands of dollars in legal fees without attendant transparency. Information about the total costs of the legal proceedings comes following the case's resolution and must be obtained via a formal public information request.

Legislative changes are necessary to reduce legal costs and increase transparency between taxpayers and public schools.

S.B. 111 would:

- Apply to due process complaints relating to violations of special education laws where the district may contract legal services of up to \$10,000 per case;
- Require notification from the district superintendent and a report on the case to the board of trustees when legal proceedings have reached 80 percent of allowable expenditures;
- Require board authorization to exceed \$10,000 in expenditures to continue the litigation;
- Require a district to update monthly on their website information regarding legal proceedings in which the district is engaged and the related costs;
- Require the Texas Education Agency (TEA) to publish and update monthly on its website the number of complaints statewide that exceeded \$10,000 in legal fees; and
- Require TEA to post disaggregated information on the statewide average and the average for each regional education service center of legal fees spent by school districts.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 111 amends current law relating to reporting by school districts regarding special education legal proceedings in which a certain amount of legal fees has been incurred by the district.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 44.903, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter Z, Chapter 44, Education Code, by adding Section 44.903, as follows:

Sec. 44.903. REPORTING ON SPECIAL EDUCATION LAWSUITS. (a) Provides that this section applies only to a due process complaint against a school district alleging a violation of federal or state special education laws.

(b) Requires a school district, each month, to post on the district's Internet website and submit to the Texas Education Agency (TEA) a report regarding each ongoing legal proceeding to which this section applies for which the district's legal fees exceed \$10,000, including the general subject matter of the proceeding and the total amount of legal fees incurred by the district for the proceeding as of the date on which the report is made.

(c) Prohibits a report required under Subsection (b) from including personally identifiable student information and requiring that it comply with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C Section 1232g).

(d) Requires TEA, each month, to compile and post on TEA's Internet website the information reported to TEA under Subsection (b) for the preceding month. Requires that the information be both aggregated statewide and disaggregated by district.

(e) Authorizes the commissioner of education to adopt rules as necessary to implement this section.

SECTION 2. Effective date: upon passage or September 1, 2025.