BRAZOSPORT INDEPENDENT SCHOOL DISTRICT
Regular Meeting of the Board of Trustees
November 16, 2026

BOARD:	Action
SUBJECT:	Consideration and Adoption of Resolution Approving Contingent Fee Legal Services Contract, including Findings Needed for Submission of Contingent Fee Legal Services Agreement and Request for Expedited Review by the Texas Attorney General
BOARD POLICY:	BAA (Legal)
DISTRICT GOAL:	BISD will provide a rigorous and relevant learning experience to ensure that every student will B*Future-Ready
FISCAL NOTE:	None

Background Information:

- On October 11, 2022 the Federal Judicial Panel on Multidistrict Litigation created MDL No. 3047 involving various defendants such as Meta Platforms, Inc., Instagram LLC, Snap, Inc., TikTok, Inc., ByteDance, Inc., YouTube LLC, Google LLC, and Alphabet Inc. Plaintiffs allege defendants' social media platforms are defective products that in turn cause various damages, and further, the tech firms knew their product was having a negative effect on the nation's youth's mental health, but they proceeded to reap handsome profits in conscious disregard for the harms occurring. The case seeks to recover the costs that are incurred by school districts in implementing student technology separation efforts, increased mental health counseling costs, and expenses related to educating students with limitations caused by social media.

- All federal cases in the nation have been transferred to the Northern District of California before Judge Yvonne Gonzalez Rogers for disposition. Any new federal cases in the nation must be filed in or transferred to this venue.

- The MDL Court has divided the proceedings into three main groups of litigants against all defendants, and each has a separate leadership structure. Each group has filed a distinct master complaint alleging various causes of action and damages. Motions to Dismiss have been filed and, in some cases, ruled upon. The three litigant groups are:
    1. Personal Injury Plaintiffs,
    2. Local Government and School District, and
    3. State's Attorneys General.

- Concurrently, there is a nearly identical proceeding in California JCCP 5255 related to whether a social media company may maximize its own benefit and advertising revenue at the expense of the health of that company's minor users.

- The first JCCP bellwether trial began in late January in California state court and involves claims by a young woman who alleges that social media platforms were designed in ways that fostered compulsive use and contributed to mental health harms. Meta CEO Mark Zuckerberg, along with other corporate representatives, has testified about platform design, youth safety measures, and algorithmic features.

- The School District Master Complaint alleges just two causes of action:

    1. Public Nuisance: unreasonable interference with a right common to the general public and behavior that unreasonably interferes with the health, safety, peace, comfort, or convenience of the general community; and
    2. Negligence: Defendants knew or should have known that by operating their social media platforms in ways that caused compulsive use and addiction, thereby knowingly inflicting severe mental health harms on minors - including students in Plaintiffs' schools - there was an unreasonable risk of invading Plaintiffs' interest in providing an adequate education, public facilities, mental health, counseling, and other social and disciplinary services.

Administrative Considerations:

- The administration recommends that the Board adopt a Resolution Approving Contingent Fee Legal Services Contract, including Findings Needed for Submission of Contingent Fee Legal Services Agreement and Request for Expedited Review by the Texas Attorney General

Communication Deployment:

- Board Meeting Minutes

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Respectfully submitted,

Danny Massey
Superintendent