



**SPECIAL
EDUCATION
LITIGATION COSTS
FISCAL YEAR 2010**

As of June 30, 2010

**REPORT
TO THE
LEGISLATURE**

**As required by
Minnesota Statutes,
Section 125A.75, Subd. 9**

COMMISSIONER:

Dr. Brenda Cassellius

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**Report
To the
Legislature**

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February 4, 2011

**As required by
Minnesota Statutes,
Section 125A.75, Subd. 9**

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Upon request, this report can be made available in alternative formats.

ESTIMATED COST OF PREPARING THIS REPORT

This report provides information that the Minnesota Department of Education already collects as part of its normal business functions. The cost information reported below does not include the cost of gathering and analyzing the data but rather is limited to the estimated cost of actually preparing this report document.

Special funding was not appropriated for the costs of preparing this report.

The estimated cost incurred by the Minnesota Department of Education in preparing this report is \$136.

SPECIAL EDUCATION LITIGATION COST REPORT FISCAL YEAR 2010

Minnesota Statutes, 2010, section 125A.75, subdivision 9, states:

(a) By November 30 of each year, a school district must annually report the district's special education litigation costs, including attorney fees and costs of due process hearings, to the commissioner of education, consistent with the Uniform Financial Accounting and Reporting Standards.

(b) By January 15 of each year, the commissioner shall report school district special education litigation costs to the house of representatives and the senate committees having jurisdiction over kindergarten through grade 12 education finance.

This report is notification to legislative committees based upon data compiled on February 4, 2011.

Introduction

In response to the statutory requirement, the department created a new Uniform Financial Accounting and Reporting (UFARS) code to monitor special education litigation costs. Entities reporting financial data to the department of education are requested to use object code 306 for special education litigation costs. The definition of the account code in the UFARS manual is as follows:

Include all Special Education expenditures incurred for time spent by legal counsel in consideration of litigation, during litigation and in post-litigation work, including appeals and discussions regarding potential appeals. Costs should include the legal fees associated with a request for a due process hearing whether or not it settles the issue, and any expense incurred when seeking counsel in consideration of filing.

Special Education Litigation Cost Summary

Table One shows at the time of this report (February 4, 2011) that 14 districts, 1 special district and school, and 1 intermediate district and school reported a total of \$111,682. After further review of the data provided by the entities it was determined that 3 districts had incorrectly reported litigation costs under the wrong category. Therefore, the special education litigation costs were reduced by \$18,611. The adjusted total special education litigation costs totaled \$93,071 for Fiscal Year 2010 (as February 4, 2011).

Table One: Special Education Litigation Cost Summary as of February 4, 2011

DST	TYPE	DESCRIPTION	AMOUNT
6	3	SOUTH ST. PAUL PUBLIC SCHOOL DIST.	\$ 2,044.90
13	1	COLUMBIA HEIGHTS PUBLIC SCHOOL DIST	252.90
11	1	ANOKA-HENNEPIN PUBLIC SCHOOL DIST.	27,432.03
112	1	EASTERN CARVER COUNTY PUBLIC SCHOOL	6,699.35
115	1	CASS LAKE-BENA PUBLIC SCHOOLS	17,438.23
271	1	BLOOMINGTON PUBLIC SCHOOL DISTRICT	19,251.00
279	1	OSSEO PUBLIC SCHOOL DISTRICT	642.50
347	1	WILLMAR PUBLIC SCHOOL DISTRICT	500.00
466	1	DASSEL-COKATO PUBLIC SCHOOL DIST.	2,399.00
621	1	MOUNDS VIEW PUBLIC SCHOOL DISTRICT	12,710.79
719	1	PRIOR LAKE-SAVAGE AREA SCHOOLS	691.46
720	1	SHAKOPEE PUBLIC SCHOOL DISTRICT	5,594.76
761	1	OWATONNA PUBLIC SCHOOL DISTRICT	3,240.00
833	1	SOUTH WASHINGTON COUNTY SCHOOL DIST	11,278.22
917	6	INTERMEDIATE SCHOOL DISTRICT 917	7.00
2165	1	HINCKLEY-FINLAYSON SCHOOL DISTRICT	1,500.00
		TOTAL SPECIAL EDUCATION LITIGATION COSTS AS REPORTED	<u>\$111,682.14</u>
		RECONCILING ITEMS PER THE DISTRICT	
		CODED AS SPECIAL EDUCATION LITIGATION COSTS IN ERROR	
112	1	EASTERN CARVER COUNTY PUBLIC SCHOOL	1,165.50
115	1	CASS LAKE-BENA PUBLIC SCHOOLS	17,438.23
917	6	INTERMEDIATE SCHOOL DISTRICT 917	7.00
		TOTAL ADJUSTED SPECIAL EDUCATION LITIGATION COSTS	<u>\$ 93,071.41</u>