



Special Education Litigation Costs

Fiscal Year 2013

Report

To the

Legislature

As required by

Minnesota Statutes,

section 125A.75, Subdivision 9

COMMISSIONER:

Brenda Cassellius, Ed. D.

Special Education Litigation Costs

January 2014

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Fiscal Year 3013

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Cost of Report Preparation

The total cost for the Minnesota Department of Education (MDE) to prepare this report was approximately \$140. Most of these costs involved staff time in analyzing data from surveys and preparing the written report. Incidental costs include paper, copying and other office supplies.

Estimated costs are provided in accordance with Minnesota Statutes 2011, section 3.197, which requires that at the beginning of a report to the Legislature, the cost of preparing the report must be provided.

SPECIAL EDUCATION LITIGATION COST REPORT

FISCAL YEAR 2013

Minnesota Statutes, 2013, 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 January 24, 2013.

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 that 16 districts, two charter schools and one special district reported total special education litigation costs of \$320,143.07 for Fiscal Year 2013.

Table One: Special Education Litigation Cost Summary as of January 15, 2014

District Number	District Type	District Name	Amount
11	1	Anoka-Hennepin Public School District	40,896.79
16	1	Spring Lake Park Public Schools	3,275.75
110	1	Waconia Public School District	3,623.91
112	1	Eastern Carver County Public School District	4,614.34
271	1	Bloomington Public School District	38,330.63
535	1	Rochester Public School District	58,232.27
621	1	Mounds View Public School District	266.50
622	1	North St Paul-Maplewood Oakdale District	4,200.00
717	1	Jordan Public School District	2,147.46
719	1	Prior Lake-Savage Area Schools	3,136.96
720	1	Shakopee Public School District	475.00
727	1	Big Lake Public School District	4,000.00
833	1	South Washington County School District	32,740.61
879	1	Delano Public School District	645.75
912	1	Milaca Public School District	273.60
938	52	Meeker And Wright Special Education	50,000.00
2176	1	Warren-Alvarado-Oslo School District	68,680.00
4025	7	Cyber Village Academy	3,993.00
4092	7	Watershed High School	610.50
n/a	n/a	Total Special Education Litigation Costs As Reported	\$320,143.07

Reconciling Item – Coded as Special Education Litigation Costs in Error

2176	1	Warren-Alvarado-Oslo School District	68,680.00
		Total Adjusted Special Education Litigation Costs	\$251,463.07