



Special Education Litigation Costs

Fiscal Year 2015

Report

To the

Legislature

As required by

Minnesota Statutes,

section 125A.75, Subdivision 9

COMMISSIONER:

Brenda Cassellius, Ed. D.

Special Education Litigation Costs

January 15, 2015

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Cost of Report Preparation

The total cost for the Minnesota Department of Education (MDE) to prepare this report was approximately \$ 189. 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 2014

Minnesota Statutes, 2014, 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 15, 2015.

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 at the time of this report (January 15, 2015), 19 independent districts and schools, one special district and school, and one charter school reported total special education litigation costs of \$496,531.69 for Fiscal Year 2014. After further review of the data provided by the entities, it was determined that one district had incorrectly reported litigation costs under the wrong category. Therefore, the special education litigation costs were reduced by \$30,000. The adjusted total special education litigation costs totaled \$466,531.69.

Table One: Special Education Litigation Cost Summary as of January 15, 2015

District Number	District Type	District Name	Amount (\$)
6	3	South St. Paul Public School District	3,816.25
11	1	Anoka-Hennepin Public School District	77,332.24
16	1	Spring Lake Park Public Schools	9,499.35
93	1	Carlton Public School District	24,866.33
110	1	Waconia Public School District	4,678.01
112	1	Eastern Carver County Public School District	66.30
252	1	Cannon Falls Public School District	135,152.61
271	1	Bloomington Public School District	10,678.48
273	1	Edina Public School District	8,086.00
279	1	Osseo Public School District	276.64
465	1	Litchfield Public School District	2,000.00
535	1	Rochester Public School District	22,333.76
719	1	Prior Lake-Savage Area Schools	17,094.17
720	1	Shakopee Public School District	7,031.98
728	1	Elk River Public School District	61.50
832	1	Mahtomedi Public School District	12,655.90
833	1	South Washington County School District	120,350.27
879	1	Delano Public School District	6,372.60
2165	1	Hinckley-Finlayson School District	2,421.90
2176	1	Warren-Alvarado-Oslo School District	30,000.00
4185	7	DaVinci Academy	1,757.40
		Total Special Education Litigation Costs As Reported	\$496,531.69

Reconciling Item – Coded as Special Education Litigation Costs in Error

District Number	District Type	District Name	Amount (\$)
2176	1	Warren-Alvarado-Oslo School District	30,000.00
		Total Adjusted Special Education Litigation Costs	\$466,531.69