



**Special Education Litigation Costs**

**Fiscal Year 2017**

**Report to the Legislature**

**As required by Minnesota Statutes,**

**section 125A.75, Subdivision 9**

**COMMISSIONER:**

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## **Cost of Report Preparation**

The total cost for the Minnesota Department of Education (MDE) to prepare this report was approximately \$228. 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 2016, section 3.197, which requires that at the beginning of a report to the Legislature, the cost of preparing the report must be provided.

## **Legislative Charge**

Minnesota Statutes, 2015, 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 February 1 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 1, 2017.

## **Introduction**

The Minnesota Department of Education (MDE) created a Uniform Financial Accounting and Reporting (UFARS) code dimension to monitor special education litigation costs. Entities reporting financial data to MDE 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.”

This report is notification to legislative committees based upon data compiled on February 1, 2017, and under statutory authority in Minnesota Statutes, section 125A.75, Subdivision 9.

## **Analysis**

Table 1 shows that at the time of this report (February 1, 2017), 24 independent school districts, two charter schools, two education districts, and one special education cooperative reported total special education litigation costs of \$273,952.23 for Fiscal Year 2016. One of the school districts reported special education litigation costs in Object Code 306 in error (see explanation below).

## Conclusion

**Table 1: Special Education Litigation Cost Summary as of February 1, 2017**

District Name	District Number	District Type	Amount (\$)
ANOKA-HENNEPIN PUBLIC SCHOOL DISTRICT	11	1	65,548.89
SPRING LAKE PARK PUBLIC SCHOOLS	16	1	1,620.00
WACONIA PUBLIC SCHOOL DISTRICT	110	1	1,312.74
BRAINERD PUBLIC SCHOOL DISTRICT	181	1	360.00
HASTINGS PUBLIC SCHOOL DISTRICT	200	1	87.00
RED WING PUBLIC SCHOOL DISTRICT	256	1	3,800.00
HOPKINS PUBLIC SCHOOL DISTRICT	270	1	1,550.00
BLOOMINGTON PUBLIC SCHOOL DISTRICT	271	1	10,565.50
EDINA PUBLIC SCHOOL DISTRICT	273	1	8,482.93
OSSEO PUBLIC SCHOOL DISTRICT	279	1	16,764.03
CALEDONIA PUBLIC SCHOOL DISTRICT	299	1	740.00
PARK RAPIDS PUBLIC SCHOOL DISTRICT	309	1	160.00
WILLMAR PUBLIC SCHOOL DISTRICT	347	1	61.50
ROCHESTER PUBLIC SCHOOL DISTRICT	535	1	19,521.13
MOUNDS VIEW PUBLIC SCHOOL DISTRICT	621	1	5,125.50
NORTH ST. PAUL-MAPLEWOOD OAKDALE DISTRICT	622	1	4,200.00
PRIOR LAKE-SAVAGE AREA SCHOOLS	719	1	4,423.32
SHAKOPEE PUBLIC SCHOOL DISTRICT	720	1	4,593.45
NEW PRAGUE AREA SCHOOLS	721	1	5,067.75
ROCORI PUBLIC SCHOOL DISTRICT	750	1	26,212.13
MAHTOMEDI PUBLIC SCHOOL DISTRICT	832	1	11,846.13
SOUTH WASHINGTON COUNTY SCHOOL DISTRICT	833	1	47,041.84
DELANO PUBLIC SCHOOL DISTRICT	879	1	2,961.00
AREA SPECIAL EDUCATION COOPERATIVE	997	52	1,500.00
PAIDEIA ACADEMY CHARTER SCHOOL	4141	7	3,784.00
DAVINCI ACADEMY	4185	7	269.50
MINNESOTA VALLEY EDUCATION DISTRICT	6027	61	18,304.90
BENTON-STEARNES EDUCATION DISTRICT	6383	61	5,348.00
<b>Special Education Litigation Costs - Subtotal</b>			<b>\$271,251.24</b>

School District 885 reported special education litigation costs in Object Code 306 in error.

District	District Number	District Type	Amount (\$)
ST. MICHAEL-ALBERTVILLE SCHOOL DISTRICT	885	1	2,700.99
<b>Special Education Litigation Costs - Total Reported</b>			<b>\$273,952.23</b>

## Bibliography

Minnesota Department of Education Data Bridge Database for School Year 2015-2016