Minnesota Department of Education

Special Education

Litigation Costs

FY 2012
Report
To the
Legislature

As required by
Minnesota Statutes 2012
Section 125A.75
Subdivision 9

COMMISSIONER:

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Special Education

Litigation Costs

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

Cost of Report Preparation

The total cost for the Minnesota Department of Education (MDE) to prepare this report was approximately $100.00. 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, section 3.197, which requires that at the beginning of a report to the legislature, the cost of report preparation must be provided.

SPECIAL EDUCATION LITIGATION COST REPORT – FISCAL YEAR 2012

Minnesota Statutes, section 125A.75, Subdivision 9 (2012), 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, 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 one special district, 16 independent districts, one charter school and one education district reported total special education litigation costs of $135,790.75 for Fiscal Year 2012.

Table One: Special Education Litigation Cost Summary as of January 15, 2013

District Number	District Type	District Name	Amount
6	3	South St. Paul Public School District	2,891.90
11	1	Anoka-Hennepin Public School District	29,565.82
13	1	Columbia Heights Public School District	352.00
112	1	Eastern Carver County Public School	1,436.40
199	1	Inver Grove Heights Schools	8,564.00
271	1	Bloomington Public School District	4,048.20
279	1	Osseo Public School District	172.60
309	1	Park Rapids Public School District	912.00
466	1	Dassel-Cokato Public School District	7,091.55
535	1	Rochester Public School District	7,457.73
621	1	Mounds View Public School District	646.50
719	1	Prior Lake-Savage Area Schools	12,626.17
720	1	Shakopee Public School District	23,728.53
763	1	Medford Public School District	456.00
833	1	South Washington County School District	26,184.00
834	1	Stillwater Area Public School District	5,000.00
885	1	St. Michael-Albertville School District	416.25
4193	7	College Preparatory Elementary	3,709.10
6027	61	Minnesota Valley Education District	532.00
TOTAL SPECIAL EDUCATION LITIGATION COSTS AS REPORTED			**$135,790.75**