



Special Education Litigation Costs

Report to the Legislature

As required by Minnesota Statutes, section **125A.75, subdivision 9**

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As requested by Minnesota Statutes, section 3.197: This report cost approximately \$238.52 to prepare, including staff time, printing and mailing expenses.

Upon request, this material will be made available in an alternative format such as large print, braille or audio recording.

Contents

Special Education Litigation Costs	1
For more information:	2
Legislative Charge	4
Introduction	4
Analysis	4
Conclusion	5
Table 1: Special Education Litigation Cost Summary as of January 2, 2018.....	5
School District 885 reported special education litigation costs in Object Code 306 in error.	6
Bibliography.....	6

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 January 2, 2018.

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 January 2, 2018, and under statutory authority in Minnesota Statutes, section 125A.75, subdivision 9.

Analysis

Table 1 shows that at the time of this report (January 2, 2018), 18 independent school districts, three charter schools, one education district, and one special education cooperative reported total special education litigation costs of \$370,443.10 for Fiscal Year 2017. One school district reported special education litigation costs in Object Code 306 in error (see explanation below).

Conclusion

Table 1: Special Education Litigation Cost Summary as of January 2, 2018

District Name	District Number	District Type	Amount (\$)
ANOKA-HENNEPIN	11	1	112,186.02
SPRING LAKE PARK	16	1	225.50
WACONIA	110	1	1,750.64
BRAINERD	181	1	3,034.00
HASTINGS	200	1	7,856.24
ALBERT LEA	241	1	1,012.00
BLOOMINGTON	271	1	27,240.74
EDINA	273	1	16,362.13
OSSEO	279	1	96,514.17
ROCHESTER	535	1	26,588.35
MOUNDS VIEW	621	1	12,068.50
JORDAN	717	1	102.50
PRIOR LAKE	719	1	16,440.30
SHAKOPEE	720	1	23,579.71
ROCORI	750	1	369.00
FOREST LAKE	831	1	12,664.64
MAHTOMEDI	832	1	45.00
SOUTHERN PLAINS ED. COOPERATIVE	915	52	1,502.50
LESUEUR-HENDERSON	2397	1	1,171.20
MINNESOTA TRANSITIONS CHARTER	4017	7	364.50
AFSA HIGH SCHOOL	4074	7	3,826.15
TWIN CITY ACAD. HIGH SCHOOL	4132	7	2,120.66
MINNESOTA VALLEY ED. DISTRICT	6027	61	3,111.15
Special Education Litigation Costs - Subtotal			\$370,135.60

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

District Name	District Number	District Type	Amount (\$)
ST. MICHAEL-ALBERTVILLE SCHOOL DISTRICT	885	1	307.50
Special Education Litigation Costs - Total Reported			\$370,443.10

Bibliography

Minnesota Department of Education Data Bridge Database for School Year 2016-2017