North Dakota
Department of Public Instruction
Office of Specially Designed Services

Annual Report for IDEA
Dispute Resolution
July 1, 2023 – June 30, 2024

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If you have any questions concerning the information in this report, feel free to contact the NDDPI at (701) 328-2277.

DISPUTE RESOLUTION MANAGEMENT HISTORY
JULY 1, 2023– JUNE 30, 2024

SCHOOL YEAR	FIEP REQUEST(S) (SUCCESSFULLY COMPLETED)	MEDIATION REQUEST(S) (SUCCESSFULLY COMPLETED)	COMPLAINT INVESTIGATION REQUEST(S) (INVESTIGATED)	DUE PROCESS COMPLAINT NOTICE REQUEST(S) (DISMISSED)
7/1/23 – 6/30/24	8 (4)	4 (1)	19*(13**)	1 (1)
7/1/22 – 6/30/23	3 (2)	5 (3)	10* (4)	3 (1)
7/1/21 – 6/30/22	8 (7)	6 (1)	8 (4)	2*(1)
7/1/20 – 6/30/21	4 (3*)	3 (2)	8 (6)	2 (0)
7/1/19 – 6/30/20	6 (1*)	4 (1)	10 (3)	1 (1)
7/1/18 – 6/30/19	7 (8)	5 (3)	11 (4)	2 (2)
7/1/17 – 6/30/18	4 (3)	3 (1)	12 (4)	0 (0)
7/1/16 – 6/30/17	8 (6)	2 (1)	10 (4)	2 (1)
7/1/15 – 6/30/16	15 (6)	3 (0)	4 (3)	1(0)
7/1/14 – 6/30/15	11 (10)	6 (5)	5 (1)	2 (2)
7/1/13 – 6/30/14	5 (2)	2 (0)	3 (1)	4 (4)
7/1/12 – 6/30/13	2	3	6 (3)	0 (0)
7/1/11 – 6/30/12	10 (5)	4 (3)	2 (0)	0 (0)
7/1/10 – 6/30/11	8 (5)	2 (1)	4 (3)	1 (1)
7/1/09 – 6/30/10	10 (8)	2 (0)	3 (2)	0 (0)
7/1/08 – 6/30/09	7 (6)	1 (1)	1 (1)	0 (0)
7/1/07 – 6/30/08	8 (7)	1 (0)	3 (3)	0 (0)
7/01/06– 6/30/07	3 (3)	3 (3)	3 (3)	0 (0)
7/1/05 – 6/30/06	4 (4)	3 (5)	8 (8)	2 (2)
7/1/04 – 6/30/05	N/A	4 (4)	3 (3)	1 (1)
7/1/03 – 6/30/04	N/A	1 (1)	11 (11)	0 (0)

DISPUTE RESOLUTION SUMMARY
JULY 1, 2023– JUNE 30, 2024

Eight requests for ***IEP Facilitation*** were received:

- Four requests resulted in the successful completion of the IEP**.**
- One request the district chose not to participate in facilitation.
- One request the district met with the parent and resolved the issues without facilitation.
- One request the team met but did not result in the completion of the IEP.
- One facilitation did not occur because the IEP meeting was not held this year.

Four requests for ***Mediation*** were received:

- Two requests did not result in the parties signing a Mediation Agreement.
- One request resulted in the parties signing a Mediation Agreement.
- One request resulted in the parents choosing not to participate in mediation but instead chose to file a *Request for a State Complaint Investigation*.

Nineteen requests for ***Complaint Investigation*** were received:

- Thirteen requests met the criteria, and an investigation was completed.
    - ****One request was filed and counted in the 2022-2023 school year, but the outcome was completed and reported in the 2023-2024 school year or federal reporting period.
- Three complaint requests resulted in the parents withdrawing the *Request for Complaint Investigation.*
- One request resulted in the parents submitting a *Request for a Systemic Complaint Investigation* but was dismissed due to it not meeting the requirements for filing a systemic complaint.
- One complaint request did not meet the requirements for filing a complaint and the parent was offered the option to resubmit.
- ***One request met the criteria and is currently being investigated (the outcome of the allegations will be reported in the 2024-2025 Annual Report).

One Request for an ***Expedited Due Process Complaint Notice*** was received:

- One request resulted in the parties reaching a resolution agreement. The agreement resolved the disputed issues and issued a Notice of Dismissal.

THE * NOTED ON THE DISPUTE RESOLUTION MANAGEMENT HISTORY CHART INDICATES THE DISPUTE WAS FILED AND COUNTED IN THE CURRENT SCHOOL YEAR BUT THE OUTCOME WAS COMPLETED AND REPORTED IN THE NEXT SCHOOL YEAR OR FEDERAL REPORTING PERIOD.

FIEP REQUESTS: JULY 1, 2023 – JUNE 30, 2024
PARENT (P) & SCHOOL (S)

DATE FIEP REQUEST RECEIVED/FILED BY	ISSUE(S)	MEETING DATE(S)	OUTCOME
4/26/2024 Parent (P)	1. Present levels of educational performance (P) 2. Goals (P) 3. Other (P) 4. Adaptations/accommodations (P) 5. Assistive Technology (P) 6. Progress Reporting (P) 7. Discipline/behavior (P) 8. Implementation of IEP/BIP Behavior Data (P)	N/A	The district chose not to participate in facilitation.
4/22/2024 Parent (P) & District Superintendent (S)	1. Services (P&S) 2. Goals (P&S) 3. Adaptations/accommodations (P&S) 4. Discipline/behavior (P&S) 5. Implementation of IEP (P&S)	5/15/2024	Facilitation resulted in the successful completion of the IEP.
4/10/2024 Parent (P) & Special Education Director (S) & District Principal (P)	1. Identification/Evaluation (P&S) 2. Services (P&S) 3. Goals (P&S) 4. Adaptations/accommodations (P&S) 5. Implementation of IEP (P&S)	5/20/2024	Facilitation resulted in the successful completion of the IEP.
2/15/2024 Parent (P)	1. Adaptations/accommodations (P) 2. Implementation of IEP (P)	N/A	The facilitation did not occur because the IEP meeting was not held this year.
12/11/2023 Parent (P)	1. Placement (P) 2. Identification/evaluation (P) 3. Present levels of educational performance (P) 4. Services (P) 5. Goals (P) 6. Related Services (P) 7. Progress Monitoring (P) 8. Implementation of IEP (P)	N/A	The district met with the parent and resolved the issue(s) without facilitation.
11/13/2023 Parent (P) & Special Education Director (S)	1. Implementation of IEP (P&S)	12/8/2023	Facilitation resulted in the successful completion of the IEP.
10/5/2023 Parents (P) & Special Education Director (S)	1. Adaptations/accommodations (P&S) 2. Related Services (P&S) *(On 10/2/2023, the parent filed a Request for State Complaint Investigation and a Mediation Request on 11/22/2023.)*	11/9/2023	The team met but did not result in the completion of the IEP.
8/10/2023 Parent (P) & Special Education Director (S)	1. Placement (P&S) 2. Present levels of educational performance (P&S) 2. Services (P&S) 3. Goals (P&S) 4. Adaptations/accommodations (P&S) 5. Related Services (P&S) 6. Progress Reporting (P&S) 7. Discipline/behavior (P&S) 8. Implementation of IEP (P&S)	9/5/2023, 11/7/2023, & 11/29/2023	Facilitation resulted in the successful completion of the IEP.

MEDIATION REQUESTS: JULY 1, 2023 – JUNE 30, 2024
PARENT (P) & SCHOOL (S)

MEDIATION FILED BY	DATE FILED	ISSUE(S)	OUTCOME
Parent (P) & Special Education Director (S)	4/9/2024	Related services, location of services, team members, FBA, and LRE. (P&S)	The mediation meeting did not result in a signed mediation agreement.
Parents (P) & Special Education Director (S)	1/31/2024	Issues related to IEP services. (P&S) *(On 1/16/2024, the parents submitted a Request for State Complaint Investigation).*	The mediation meeting did not result in a signed mediation agreement.
Parents (P) & Special Education Director (S)	1/30/2024	Failure to implement accommodations in the IEP. (P&S) *(On 2/20/2024, the parents submitted a Request for State Complaint Investigation).*	The parents chose not to participate in mediation and decided to submit a *Request for State Complaint Investigation*.
Parent (P) Special Education Director (S)	11/22/2023	Nursing services for the student. (P&S)	The mediation meeting resulted in a signed mediation agreement.

COMPLAINT INVESTIGATION REQUESTS: JULY 1, 2023 – JUNE 30, 2024
PARENT (P) & SCHOOL (S)

COMPLAINT FILED BY	DATE FILED	ALLEGATION(S)	INVESTIGATE Y/N	VIOLATION Y/N RECOMMENDATION(S)	REPORT DATE
Parent	6/25/2024	1. Did the school fail to implement the student's IEP by failing to provide accommodations listed in the student's IEP and thereby deny a FAPE? (P)	*Currently being investigated.	The NDDPI will report the outcome of the complaint allegation in the 2024-2025 federal reporting period.	N/A
Parent	6/4/2024	*(The parent filed a Systemic Complaint. On 6/10/2024, the parent was notified the Request did not meet the requirements for filing a Systemic Complaint).*	N/A	N/A	N/A
Parent	5/22/2024	1. Did the school comply with the procedural requirements for conducting initial evaluations under the IDEA, and whether any procedural violations led to failure to provide a FAPE? (P) *(On 6/23/2024, parent withdrew the Complaint Request.)*	N/A	N/A	N/A
Parent	5/14/2024	*(The NDDPI determined that the parent's complaint did not meet the filing requirements. The parent was offered the option to resubmit.)*	N/A	N/A	N/A

COMPLAINT INVESTIGATION REQUESTS: JULY 1, 2023 – JUNE 30, 2024
PARENT (P) & SCHOOL (S)

COMPLAINT FILED BY	DATE FILED	ALLEGATION(S)	INVESTIGATE Y/N	VIOLATION Y/N RECOMMENDATION(S)	REPORT DATE
Parents	5/1/2024	1. Did the school fail to implement the student's IEP by failing to provide accommodations listed in the student's IEP, and if so, did the school deny a FAPE? (P)	Yes, investigated	Yes, violation	6/27/2024
Parents	4/22/2024	1. Did the school fail to conduct a manifestation determination, and if so, whether that failure deprived the student a FAPE? (P) 2. Did the school predetermine a change of placement that requires parents a meaningful opportunity to participate, and if so, whether that violation denied a FAPE? (P) 3. Did the school fail to provide adequate notice of the IEP meeting, and if so, whether that failure deprived the student of a FAPE? (P) 4. Did the school fail to implement the student's BIP, and if so, whether that failure deprived the student of a FAPE? (P)	Yes, investigated	1. No, violation 2. No, violation 3. No, violation 4. No, violation	6/21/2024
Parent	4/15/2024	1. Did the school fail to provide educational services after the student was removed from his current placement and if so, whether the student was denied a FAPE? (P) 2. Whether the change in the student's placement was a removal under the discipline procedures, and if so, whether the IEP team properly determined the interim alternative educational setting, so as to provide a FAPE? (P) 3. Did the school fail to return the student to the placement from which he was removed, and if so, whether the student was denied a FAPE? (P) 4. Did the IEP team determine the student's placement in conformity with the LRE provisions of the IDEA, so as to provide a FAPE? (P)	Yes, investigated	1. Yes, violation 2. Yes, violation 3. No, violation 4. No, violation	6/15/2024
Parents	4/11/2024	1. Did the school district fail to implement the student's IEP in responding to reports of bullying, and if so, did the school deny a FAPE? (P) 2. Did the school fail to implement the student's IEP and PBSP leading to a student's change of placement, and if so, did the school deny a FAPE? (P) 3. Did the school violate the IDEA and/or the student's IEP during the suspension & expulsion processes, and if so, did the school deny a FAPE? (P)	Yes, investigated	1. No, violation 2. No, violation 3. No, violation	6/5/2024

COMPLAINT INVESTIGATION REQUESTS: JULY 1, 2023 – JUNE 30, 2024
PARENT (P) & SCHOOL (S)

COMPLAINT FILED BY	DATE FILED	ALLEGATION(S)	INVESTIGATE Y/N	VIOLATION Y/N RECOMMENDATION(S)	REPORT DATE
Parent	4/10/2024	1. Did the school comply with the procedural and substantive requirements of the IDEA when it determined that the student would attend for a shorter school day than peers; and if the school did not so comply, whether that failure resulted in a denial of a FAPE? (P) *(On 4/22/2024, the parent withdrew the Complaint Request.)*	N/A	N/A	N/A
Parent	3/27/2024	1. Did the school comply with its child find duty under the IDEA to identify, locate, and evaluate the student with a disability in need of special education & related services; & if not, whether the failure resulted in a FAPE? (P) 2. Did the school comply with the procedural & substantive requirements of the IDEA in determining that the student is not a student with a disability in need of sped & related services in light of the child's needs, and if not, whether the failure resulted in a denial of a FAPE? (P)	Yes, investigated	1. No, violation 2. No, violation	5/28/2024
Parent	3/15/2024	*(On 3/24/2024, the parent notified the NDDPI they were withdrawing the complaint request.)*	N/A	N/A	N/A
Parents	2/20/2024	1. Did the school deny a FAPE by failing to provide special education & related services tailored to the unique needs of the student in violation of IDEA? (P) *(On 1/30/2024, the parents submitted a Request for Mediation).*	Yes, investigated	Yes, violation	4/22/2024
Parent	2/8/2024	1. Did the district violate the IDEA Child Find mandate by not identifying & evaluating the student with behavioral problems & thereby denying a FAPE? (P)	Yes, investigated	No, violation	4/8/2024
Parent	1/16/2024	1. Did the student with a disability who was bullied denied a FAPE? (P) 2. Did the school disclose personally identifiable information to unauthorized parties without parental consent in violation of the confidentiality provisions of IDEA & FERPA? (P)	Yes, investigated	1. Yes, violation 2. No, violation	3/15/2024
Parents	1/16/2024	1. Did the school fail to implement the student's IEP by administering the NWEA district-wide math assessment without any accommodations listed in the student's IEP, and if so, did the school deny a FAPE? (P) *(On 1/31/2024, the parents submitted a Request for Mediation).*	Yes, investigated	Yes, procedural violation	3/15/2024

COMPLAINT INVESTIGATION REQUESTS: JULY 1, 2023 – JUNE 30, 2024
PARENT (P) & SCHOOL (S)

COMPLAINT FILED BY	DATE FILED	ALLEGATION(S)	INVESTIGATE Y/N	VIOLATION Y/N RECOMMENDATION(S)	REPORT DATE
Parent	12/11/2023	1. Did the school fail to implement the student's IEP by shortening the student's school day during the 2023-24 school year, and if so, did the school deny a FAPE? (P) 2. Did the school fail to implement the student's IEP by failing to provide the student's father with notices and communications as required under the IDEA, and if so, did the school deny a FAPE? (P)	Yes, investigated	1. No, violation 2. No, violation	2/7/2024
Parent	10/10/2023	1. Did the district violate the IDEA's child find mandate by not identifying & evaluating the student with behavioral problems & thereby denying a FAPE? (P)	Yes, investigated	Yes, violation	12/11/2023
Parent	10/2/2023	1. Did the district unilaterally amend the student's IEP in violation of the IDEA, and thereby deny a FAPE? (P) *(On 10/5/2023, parent/district jointly filed a Request for IEP Facilitation. On 11/22/2023, the parent/district jointly filed a Mediation Request.)*	Yes, investigated	Yes, procedural violation	12/1/2023
Parent	10/2/2023	1. Did the district unilaterally amend the student's IEP in violation of the IDEA, and thereby deny a FAPE? (P) *(The parent filed a Systemic Complaint Request. On 10/2/2023, the NDDPI notified the parent that the request did not meet the requirements for filing a systemic complaint.)*	N/A	N/A	N/A
Parent	6/26/2023	1. Did the school fail to implement the student's IEP by not providing the required minutes of one-on-one speech services during the 2022-23 school year, and if so, did the school deny a FAPE? (P) 2. Did the school fail to implement the student's BIP and/or IEP by not using a communication device and adhering to a rest break schedule, and if so, did the school deny a FAPE? (P) 3. Did the school fail to implement the student's IEP by not engaging in meaningful and regular communication with the parents, and if so, did the school deny a FAPE? (P)	Yes, investigated The complaint was filed and counted in the 2022-2023 school year, but the outcome was completed and reported in the 2023-2024 school year or federal reporting period.	1. No, violation 2. No, violation 3. No violation	8/24/2023

EXPEDITED DUE PROCESS COMPLAINT NOTICES: JULY 1, 2023– JUNE 30, 2024
PARENT (P) & SCHOOL (S)

COMPLAINT FILED BY	DATE FILED	ALLEGATION	RESOLUTION OUTCOME (DATE)	HEARING Y/N (DATE)	OUTCOME (REPORT DATE)
Parent	10/11/2023	Disagreement with the manifestation determination. (P)	On 10/272023, the parties executed a resolution agreement. The agreement resolved the disputed issues and issued a Notice of Dismissal.	N/A	N/A