North Dakota
Department of Public Instruction
Office of Specially Designed Services

Annual Report for IDEA
Dispute Resolution
July 1, 2024 – June 30, 2025

Levi Bachmeier, State Superintendent
ND Department of Public Instruction
600 E Boulevard Avenue, Dept. 201
Bismarck, ND 58505-0440
https://www.nd.gov/dpi

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, 2024– JUNE 30, 2025

SCHOOL YEAR	FIEP REQUEST(S) (SUCCESSFULLY COMPLETED)	MEDIATION REQUEST(S) (SUCCESSFULLY COMPLETED)	COMPLAINT INVESTIGATION REQUEST(S) (INVESTIGATED)	DUE PROCESS COMPLAINT NOTICE REQUEST(S) (DISMISSED)
7/1/24 – 6/30/25	7 (0)	7 (3)	15* (7**)	0 (0)
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, 2024– JUNE 30, 2025

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

- One request, the district chose not to participate in facilitation.
- One request, the parent chose not to participate in facilitation.
- One request resulted in the student being on a 504 Plan.
- One request, the district met with the parents and resolved the issues without facilitation.
- One request resulted in the parent withdrawing the FIEP request.
- One request the team met, but it did not result in the successful completion of the IEP.
- One facilitation did not occur because the parent revoked special education services and decided to homeschool their child.

Seven requests for ***Mediation*** were received:

- Three requests resulted in the parties signing a Mediation Agreement.
- Two requests the parties withdrew the Mediation Requests
- One request did not result in the parties signing a Mediation Agreement.
- One request resulted in NDDPI informing the parents to file the mediation request with the OCR.

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

- Seven requests met the criteria, and an investigation was completed.
    - *****One request was filed in the 2023-2024 school year, but the outcome is reported in the 2024-2025 school year or this federal reporting period.
- One complaint request resulted in the parent withdrawing the *Request for Complaint Investigation.*
- Two complaint requests did not meet the requirements for filing a complaint, and the parent was offered the option to resubmit.
- Four complaint **requests** did not **meet** the requirements for filing a complaint, and the parent was referred to the USDE or OCR.
- *****One request met the criteria and is currently being investigated (the outcome of the allegation will be reported in the 2025-2026 Annual Report).

Request for a ***Due Process Complaint Notice***:

- No ***Due Process Complaint Notices*** were received during the July 1, 2024 – June 30, 2025, reporting period.

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, 2024 – JUNE 30, 2025
PARENT (P) & SCHOOL (S)

DATE FIEP REQUEST RECEIVED/FILED BY	ISSUE(S)	MEETING DATE(S)	OUTCOME
6/10/2025 Parent (P) & Assistant Director of SPED Unit (S)	1. Identification/evaluation (P&S)	N/A	It was determined that the student was on a 504 Plan.
4/21/2025 Parent (P) & Special Education Director (S)	1. Placement (P&S) 2. Identification/evaluation (P&S) 3. Implementation of IEP (P&S)	5/12/2025	The team met, but it did not result in the successful completion of the IEP.
3/17/2025 Parents (P)	1. Services (P&S)	N/A	The parents notified NDDPI that they felt an agreement was reached with the school during the IEP meeting; therefore, the FIEP request was closed.
2/28/2025 Parent (P)	1. Other (P) *(On 3/5/2025, the parent filed a Complaint Request.)*	N/A	The parent withdrew the FIEP request.
12/09/2024 Parent (P) & Special Education Director (S)	1. Present levels of education performance (P&S) 2. Services (P&S) 3. Adaptations/accommodations (P&S) 4. Progress Monitoring (P&S) 8. Implementation of IEP (P&S)	1/14/2025	The facilitation meeting did not occur as the parent revoked special education services and will homeschool the child.
11/27/2024 Special Education Director (S)	1. Other (S)	N/A	The parents chose not to participate in facilitation
8/1/2024 Parents (P)	1. Goals (P) 2. Other (P) 3. Adaptations/accommodations (P) 4. Discipline/Behavior (P) 5. Implementation of IEP (P)	N/A	The district chose not to participate in facilitation.

MEDIATION REQUESTS: JULY 1, 2024 – JUNE 30, 2025
PARENT (P) & SCHOOL (S)

MEDIATION FILED BY	DATE FILED	ISSUE(S)	OUTCOME
Parent (P)	5/14/2025	1. LRE (P) *(On 5/13/2025, the parent filed a Complaint Request.)*	The parent withdrew the request for mediation.
District Principal (S) & Parent (P)	3/14/2025	1. Not following the IEP and failure to provide the parent with a copy of the IEP. (S&P) *(On 3/5/2025, the parent filed a Complaint Request.)*	The mediation meeting resulted in a signed mediation agreement.
Parent (P) & School Principal (S)	3/13/2025	1. LRE (P&S)	The mediation meeting resulted in a signed mediation agreement.
Parent (P) & Special Education Director (S)	3/4/2025	1. LRE (P&S)	The mediation meeting resulted in a signed mediation agreement.
Parents (P) & Special Education Director (S)	2/25/2025	1. LRE (P)	The parent withdrew the request for mediation.
Parents (P)	1/23/2025	1. Discrimination (P)	The NDDPI informed the parents to file the mediation request with the OCR.
District Superintendent (S) & Parents (P)	1/21/2025	1. Provision of appropriate services. (S&P)	The mediation meeting did not result in a signed agreement.

COMPLAINT INVESTIGATION REQUESTS: JULY 1, 2024 – JUNE 30, 2025
PARENT (P) & SCHOOL (S)

COMPLAINT FILED BY	DATE FILED	ALLEGATION(S)	INVESTIGATE Y/N	VIOLATION Y/N RECOMMENDATION(S)	REPORT DATE
Parents	5/27/2025	1. Whether the district properly implemented the student's IEP and/or behavior intervention plan (BIP), and if not, whether the student was denied FAPE. (P)	Currently being investigated.	*Complaint outcome will be reported in the 2025-2026 federal reporting period.	N/A
Parent	5/13/2025	1. Failure to educate the student in the least restrictive environment. (P) *(The parent withdrew the mediation & the complaint request.)*	N/A	N/A	N/A
Parent	4/24/2025	1. Whether the school failed to implement the behavioral interventions outlined in the student's IEP and BIP, thereby contributing to the student's conduct and disciplinary actions, and if so, whether this failure resulted in a denial of FAPE. 2. Whether the school unilaterally changed the student's placement in violation; when a teacher obtained a restraining order that barred the student from attending school, and if so, whether this resulted in a denial of FAPE. (P)	Yes Investigated	1. No, Violation 2. Yes, Violation	6/23/2025
Parent	4/11/2025	1. Whether the district provided the accommodations listed in the student's IEP, and if so, whether the student was denied FAPE. 2. Whether the district properly responded to the alleged bullying incidents of the student, and if not, whether the student was denied FAPE. 3. Whether the district afforded the parent an opportunity to be present and participate in the IEP meeting(s) by scheduling the IEP meeting(s) at a mutually agreed time & place. (P)	Yes Investigated	1. Yes, Procedural Violation 2. No, Violation 3. Yes, Procedural Violation	5/30/2025
Parents	3/31/2025	*NDDPI determined that the parents' complaint did not meet the requirements for filing a state complaint. The Civil Rights Protection Against Retaliation document was sent to the parent.*	N/A	N/A	N/A
Parents	3/24/2025	1. Whether the school failed to comply with its child find duty under the IDEA to identify, locate, and evaluate the student as a student with a disability in need of special education services and related services, and if so, whether the failure resulted in a denial of FAPE. 2. Whether the school failed to conduct an initial evaluation in conformity with the procedural and substantive requirements of the IDEA in determining that the student is not a student with a disability in need of special education and related services in light of the child needs: and if not, whether the failure resulted in a denial of FAPE by: a. failing to conduct the initial eval in a timely manner, b. failing to consider all information, diagnoses, records, and opinions of outside professionals, c. predetermining eligibility. (P)	Yes Investigated	1. No, Violation 2. No, Violation	5/21/2023

COMPLAINT INVESTIGATION REQUESTS: JULY 1, 2024 – JUNE 30, 2025
PARENT (P) & SCHOOL (S)

COMPLAINT FILED BY	DATE FILED	ALLEGATION(S)	INVESTIGATE Y/N	VIOLATION Y/N RECOMMENDATION(S)	REPORT DATE
Parent	3/24/2025	*NDDPI determined that the parent's complaint did not meet the requirements for filing a state complaint because it related to a FERPA violation. It was recommended that the complaint request be filed with the USDE.*	N/A	N/A	N/A
Parent	3/18/2025	*NDDPI determined that the parent's complaint did not meet the IDEA requirements and recommended that the parent file with the USDE for review and possible investigation.*	N/A	N/A	N/A
Parent	3/5/2025	1. Whether the school denied the intrastate transfer student a FAPE by failing to provide comparable special education services or implement an IEP it independently developed, under the IDEA. 2. Whether the school failed to address bullying of a student, resulting in a denial of FAPE. (P)	Yes, Investigated	1. No, Violation 2. No, Violation	5/5/2025
Parent	3/3/2025	1. Whether the school violated the IDEA and denied the student a FAPE because the school: A. Failed to implement the student's IEP by failing to provide adult support when the student was not in the classroom. B. Failed to provide positive behavioral intervention and supports. C. Failed to provide the parent with a copy of the student's IEP until more than five weeks after the IEP team meeting in Jan. 2025. needs of the student in violation of IDEA. (P) *(On 3/14/2025, the parent filed a request for mediation.)*	Yes, Investigated	1. No, Violation	5/2/2025
Parent	1/17/2025	*NDDPI determined the parent's complaint request was insufficient and suggested resubmission to address the items identified that did not meet standards.*	N/A	N/A	N/A
Parent	10/23/2024	*NDDPI determined the parent's complaint request was insufficient and suggested resubmission to address the items identified that did not meet standards.*	N/A	N/A	N/A

COMPLAINT INVESTIGATION REQUESTS: JULY 1, 2024 – JUNE 30, 2025
PARENT (P) & SCHOOL (S)

COMPLAINT FILED BY	DATE FILED	ALLEGATION(S)	INVESTIGATE Y/N	VIOLATION Y/N RECOMMENDATION(S)	REPORT DATE
Parent	9/20/2024	1. Whether the school failed to provide accommodations in the student's IEP to address the student's needs related to her sleep disorder, including accommodations for absences and tardiness, in violation of the IDEA. 2. Whether the school improperly denied the parent's request to amend the student's education records related to unexcused absences in violation of IDEA. 3. Whether the school failed to send prior written notice of its decision not to provide accommodations for absences in violation of the IDEA. 4. Whether the school failed to allow meaningful parental participation by failing to consider the student's physician's recommendations regarding the student's sleep disorder, in violation of IDEA. (P)	Yes, Investigated	1. No, Violation 2. No, Violation 3. No, Violation 4. No, Violation	11/19/2024
Parents	9/17/2024	1. Whether the school failed to provide speech language services in conformity with the student's IEP in violation of the IDEA & thereby denied the student FAPE. 2. Whether the school failed to provide the parents with the prior written notice of the school's decision to change the student's speech language services from in person speech therapy to virtual speech therapy in violation of the IDEA and thereby denied the student a FAPE. (P)	Yes, Investigated	1. Yes, Violation 2. Yes, Violation	11/18/2024
Adult Student	8/1/2024	*NDDPI determined that the complaint request did not meet the requirements for filing a complaint under the IDEA and referred to OCR.*	N/A	N/A	N/A
Parent	6/25/2024	1. Did the school fail to implement the student's IEP by failing to provide the accommodations listed in the student's IEP and thereby deny a FAPE? (P)	Yes, Investigated	1. No, Violation **The complaint outcome was reported in the 2024-2025 federal reporting period.	8/23/2024