

***North Dakota***  
***Department of Public Instruction***  
***Office of Special Education***

***Annual Report for I.D.E.A.***  
***Dispute Resolution***  
***July 1, 2011 – June 30, 2012***

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

### Dispute Resolution Management History

| SCHOOL YEAR      | IEP FACILITATION REQUESTS (COMPLETED) | MEDIATION REQUESTS (COMPLETED) | COMPLAINT INVESTIGATION REQUESTS | COMPLAINT INVESTIGATION REQUESTS THAT MET IDEA REGULATIONS (INVESTIGATION COMPLETED) | DUE PROCESS HEARING REQUESTS (COMPLETED) |
|------------------|---------------------------------------|--------------------------------|----------------------------------|--|--|
| 7/1/11-6/30/12   | 10 (5)                                | 4 (3)*                         | 2                                | 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)                                    |
| 9/1/04-8/30/05   | N/A                                   | 4 (4)                          | 3 (3)                            |  | 1 (1)                                    |
| 9/1/03-8/30/04   | N/A                                   | 1 (1)                          | 11 (11)                          |  | 0 (0)                                    |

\*Four requests for mediation were received. In one of these situations the other party did not agree to mediation. Three requests were received near the end of the 2011-12 school year and the parties were unable to mediate until after the June 30, 2012 timeframe for this federal reporting period.

### Complaint Investigation: July 1, 2011 – June 30, 2012

| FILED BY | DATE OF RECEIPT OF COMPLAINT | ISSUES   | VIOLATION Y/N | DATE OF REPORT TO COMPLAINANT |
|----------|------------------------------|--|---------------|-------------------------------|
| Parent   | 4/23/2012                    | 1. Services (P)<br><br>Complaint investigation request did not include proposed resolution of issues identified and sufficient fact to support allegations of violation. | N/A           | N/A                           |

| FILED BY | DATE OF RECEIPT OF COMPLAINT | ISSUES   | VIOLATION Y/N | DATE OF REPORT TO COMPLAINANT |
|----------|------------------------------|--|---------------|-------------------------------|
| Parent   | 4/18/2012                    | 1. Services (P)<br>2. Transition (P)<br>3. Other–Level of service offered (P)<br><br>Complaint investigation request did not have the necessary components & did not propose a resolution of issues. (Note: The FIEP held on 5/16/12 satisfactorily addressed the issues in this request.) | N/A           | N/A                           |

(D) District (P) Parent & (S) School

### **Due Process Hearing: July 1, 2011 – June 30, 2012**

There were no due process hearings, expedited due process hearing requests, or resolution meetings held during the 2011-2012 school year.

### **Requests for Mediation: July 1, 2011 – June 30, 2012**

Four requests for mediation were received. In one of these situations the other party did not agree to mediation. Three requests were received near the end of the 2011-12 school year and the parties were unable to mediate until after the June 30, 2012 timeframe for this federal reporting period.

| DATE REQUEST RECEIVED | DISPUTE ISSUE(S)  | FILED BY             | OUTCOME  |
|-----------------------|---|----------------------|--|
| 6/29/2012             | 1. Additional direct service (P)<br>2. Placement (P)<br>3. LRE services (P) (S) | Parent               | The mediation meeting was scheduled with parties for 8/28/12.  |
| 5/3/2012              | 1. Placement(P) (S)<br>2. Appropriate supports(P)<br>3. Service plan(S)         | Elementary Principal | The mediation meeting was scheduled with parties for 8/7/2012. |

|           |  |                            |   |
|-----------|--|----------------------------|---|
| 4/20/2012 | <ol style="list-style-type: none"> <li>1. Identify communication styles that are productive in nature. (S)</li> <li>2. Effective communication. (P)</li> <li>3. Clarify roles &amp; resp. of foster parent &amp; school personnel. (S)</li> <li>4. Very specific &amp; well defined IEP goals. Team members that will assist in ensuring current &amp; effective supports are being provided to meet student needs. (P)</li> </ol> | Special Education Director | The mediation meeting was scheduled with parties for 8/20/2012.   |
| 2/28/2012 | We feel we have tried to provide programming that meets the student needs & parent expectations. The parent indicates in off-handed remarks that we have fallen short on meeting those expectations. (D)   | Special Education Director | The local Special Education Unit submitted the mediation request after the parent did not respond to the Unit's FIEP request. |

(D) District (P) Parent & (S) School

### Requests for IEP Facilitation: July 1, 2011 - June 30, 2012

| REQUEST DATE/FILED BY | ISSUE(S)   | MEETING DATE(S)     | RESULTS   |
|-----------------------|--|---------------------|---|
| 5/16/2012<br>Parent   | <ol style="list-style-type: none"> <li>1. Services (P)</li> <li>2. Transition (P)</li> <li>3. Other (P) Level of services offered.</li> </ol>  | N/A                 | Response from Unit (5/18/12 - did not agree to FIEP). Unit/district response was the child's ESY plan is in review status/team agreed. IEP is due for annual review in Jan. 2013. |
| 5/4/2012<br>Parents   | <ol style="list-style-type: none"> <li>1. Full IEP Review (P&amp;S)</li> </ol>   | 5/14/2012           | The District & Unit chose to have the IEP meeting without the facilitator. The Unit stated the meeting went very well.  |
| 4/16/2012<br>Parent   | <ol style="list-style-type: none"> <li>1. Present levels of education performance (P/S)</li> <li>2. Services (P/S)</li> <li>3. Goals (P/S)</li> <li>4. Identification/Eval. (S)</li> <li>5. Adaptations/Accomm. (P)</li> <li>6. Related Services (P/S)</li> <li>7. Progress Reporting (P)</li> <li>8. Discipline/Behavior (P/S)</li> </ol> | 5/7/12 &<br>5/14/12 | Successful FIEP in all issues.  |

|  |   |  |  |
|--|---|--|--|
|  | 9. Implementation of IEP (P)  |  |  |
| 4/4/2012<br>Special Education Director | The team didn't reach impasse at last IEP team meeting; however, it was just very difficult to agree. (D)   | N/A  | Parent did not submit a request for IEP Facilitation; Unit then submitted a Mediation Request on 2/28/2012.  |
| 2/9/2012<br>P&A                        | 1. Services (P)<br>2. Transition (P)<br>3. Related Services (P)   | N/A  | The District and Unit agreed to provide a new case manager for the child.  |
| 2/8/2012<br>Parent                     | 1. Services (P/S)<br>2. Other-Due Process Res. session to resolve eligibility for IDEA/IEP (P/S)<br>3. Implementation of IEP (P/S)                            | 2/16/2012 &<br>2/24/2012   | IEP written on 3-6-12 includes accommodations and ESY rather than a Sec. 504 plan. The family stated they would not proceed with a due process hearing at this time.   |
| 2/3/2012<br>Parent                     | 1. Services (P/S)<br>2. Transition (Pre-K) (P/S)<br>3. Related Services (OT/Speech/Trans.) (P/S)  | 3/27/2012  | Parent did not accept IEP and may request a due process hearing or submit a request for a Complaint Investigation. Family wanted additional direct service, transportation & consideration of the LRE (placement). |
| 1/30/2012<br>Elementary Principal      | 1. Placement (P/S)<br>2. Services (P)<br>3. Goals (P)<br>4. Adapt. Accom. (P)<br>5. Related Services (P)<br>6. Discipline/Behav. (P)<br>7. Implem. of IEP (P) | 3/12/2012  | Successful FIEP on all issues except placement. Parent may need more time and may pursue mediation on final issue.   |
| 1/30/2012<br>Parent                    | 1. Paraprofessional (P)<br>2. Discipline/Behav. (P)<br>3. Other (Did not reach impasse – may need assistance with behavior plan). (S)                         | 2/23/2012  | Successful FIEP. Recommendation to hire a paraprofessional. Behavioral Analyst provided insight & strategies to implement when addressing student's challenging behavior issue.                                    |
| 12/14/2011<br>Parent                   | 1. Goals (P/S)<br>2. Community outings (P/S)  | 1/27/2012<br>(Initial date)<br><br>3/13/2012<br>(Rescheduled due to weather) | IEP successfully completed. Community outings were removed from the IEP & will be revisited next year when student attends a middle school setting.  |

(D) District (P) Parent & (S) School