

***ND Dept of Public Instruction
Office of Special Education***

***Annual Report for
Dispute Resolution
July 1, 2009 – June 30, 2010***

Dispute Resolution Management History

	IEP FACILITATION REQUESTS (COMPLETED)	MEDIATION REQUESTS (COMPLETED)	COMPLAINT INVESTIGATION REQUESTS (COMPLETED)	DUE PROCESS HEARING REQUESTS (COMPLETED)
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)

Complaint Investigation: July 1, 2009 – June 30, 2010

FILED BY	DATE OF RECEIPT OF COMPLAINT	ISSUES	VIOLATION Y/N	DATE OF REPORT TO COMPLAINANT
P&A Advocate (for parent)	6/04/10 (1 st submission) 6/24/10 (2 nd submission)	Did the school: 1. Fail to conduct an initial evaluation? 2. Identify the student with a disability? 3. Conduct an adequate evaluation? 4. Review existing evaluation data? 5. Consider parent input in determination of eligibility?	Withdrew Complaint Investigation	Requested Mediation (Meeting held on 9/03/10) Requested Facilitation (Meeting held on 9/17/10)
P&A Advocate (for parent)	6/01/10 (1 st submission) 6/24/10 (2 nd submission)	Did the school: 1. Fail to consider ESY? 2. Fail to implement the LRE specified in IEP?	1. No 2. Yes	Due: 8/24/10 Sent: 8/24/10

*** Due Process Hearing: July 1, 2009 - June 30, 2010***

There were no due process hearing, expedited due process hearing requests, or resolution meetings held during the 2009-2010 school year.

Requests for Mediation: July 1, 2009 – June 30, 2010

DATE REQUEST RECEIVED		DISPUTE ISSUE(S)	FILED BY	OUTCOME
1	5/20/10	<ol style="list-style-type: none"> 1. Primary handicapping condition 2. LRE 3. Transportation/housing costs 	School District	Family chose not to mediate but agreed to complete IEP thru facilitated meeting.
2	1/28/10	<ol style="list-style-type: none"> 1. Para support 2. Behavior support 	Parents	Parents went through IEP Facilitation and no longer wish to pursue Mediation.

Requests for IEP Facilitation: July 1, 2009 - June 30, 2010

DATE OF REQUEST	ISSUE(S)	MEETING DATE(S)	RESULTS
5/12/10	<ol style="list-style-type: none"> 1. Services 2. Communication 3. Adapt./accommodations 4. Discipline & behavior 5. Implementation of IEP 	5/27/10	Facilitation resulted in successful development of IEP
5/10/10	<ol style="list-style-type: none"> 1. Placement 2. Assistive Technology 	5/24/10	Facilitated IEP was successful; team will be doing an addendum. The parent will be talking to [the school].
5/12/10	<ol style="list-style-type: none"> 1. Placement 2. Goals 3. Related Services 	5/26/10	Facilitation resulted in successful development of IEP.
4/22/10	<ol style="list-style-type: none"> 1. Other 	9/07/10 & 9/22/10 & 12/16/10	IEP has been finalized except for the behavior plan. The [school] asked for additional information and delayed the meeting until 12/16/10 (the entire IEP will be finalized at that time).
3/11/10	<ol style="list-style-type: none"> 1. Placement 2. LRE 	4/14/10 & 5/06/10	Facilitation was unsuccessful due to [the school advocate or attorney present]. Per [the school advocate or attorney], parents are requesting a new neutral facilitator.

2/05/10	<ol style="list-style-type: none"> 1. Services 2. Transition 3. Adaptations/accommodations 	3/08/10 & 4/20/10	Transition assessment need to occur with annual goals being developed after review of info from assessments.
2/12/10	<ol style="list-style-type: none"> 1. Adaptation/accommodations 2. Services 3. Assistive Technology 4. Discipline/behavior 5. Implementation of IEP 	2/17/10	IEP Review (not full meeting) school provided parent with full-time para.
12/23/09	<ol style="list-style-type: none"> 1. Placement 2. Full-time para 	2/17/10	Developed a mutually agreed upon transition plan & IEP.
11/13/09	<ol style="list-style-type: none"> 1. LRE 	NA	District reported that parents moved students to another school.
10/08/09	<ol style="list-style-type: none"> 1. Behavior/discipline issues 	11/05/09 & 11/24/09	Facilitation resulted in successful development of IEP.

TABLE 7

REPORT OF DISPUTE RESOLUTION UNDER PART B, OF THE
INDIVIDUALS WITH DISABILITIES EDUCATION ACT
2009-10

SECTION A: WRITTEN, SIGNED COMPLAINTS	
(1) Total number of written, signed complaints filed	3
(1.1) Complaints with reports issued	2
(a) Reports with findings of noncompliance	1
(b) Reports within timeline	2
(c) Reports within extended timelines	0
(1.2) Complaints pending	0
(a) Complaints pending a due process hearing	0
(1.3) Complaints withdrawn or dismissed	1
SECTION B: MEDIATION REQUESTS	
(2) Total number of mediation requests received through all dispute resolution processes	2
(2.1) Mediations held	1
(a) Mediations held related to due process complaints	0
(i) Mediation agreements related to due process complaints	0
(b) Mediations held not related to due process complaints	1
(i) Mediation agreements not related to due process complaints	0
(2.2) Mediations pending	0
(2.3) Mediations withdrawn or not held	1
SECTION C: DUE PROCESS COMPLAINTS	
(3) Total number of due process complaints filed	0
(3.1) Resolution meetings	0
(a) Written Settlement agreements reached through resolution meetings	0
(3.2) Hearings fully adjudicated	0
(a) Decisions within timeline (include expedited)	0
(b) Decisions within extended timeline	0
(3.3) Due process complaints pending	0
(3.4) Due process complaints withdrawn or dismissed (including resolved without a hearing)	0

SECTION D: EXPEDITED DUE PROCESS COMPLAINTS (RELATED TO DISCIPLINARY DECISION)	
(4) Total number of expedited due process complaints filed	0
(4.1) Resolution meetings	0
(a) Written settlement agreements	0
(4.2) Expedited hearings fully adjudicated	0
(a) Change of placement ordered	0
(4.3) Expedited due process complaints pending	0
(4.4) Expedited due process complaints withdrawn or dismissed	0