

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



North Dakota Department of Public Instruction
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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) Complaint investigation request did not include proposed resolution of issues identified and sufficient fact to support allegations of violation.	N/A	N/A
Parent	4/18/2012	1. Services (P) 2. Transition (P) 3. Other–Level of service offered (P) 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) 2. Placement (P) 3. LRE services (P) (S)	Parent	The mediation meeting was scheduled with parties for 8/28/12.
5/3/2012	1. Placement(P) (S) 2. Appropriate supports(P) 3. Service plan(S)	Elementary Principal	The mediation meeting was scheduled with parties for 8/7/2012.
4/20/2012	1. Identify communication styles that are productive in nature. (S) 2. Effective communication. (P) 3. Clarify roles & resp. of foster parent & school personnel. (S) 4. Very specific & well defined IEP goals. Team members that will assist in ensuring current & effective supports are being provided to meet student needs. (P)	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 Parent	1. Services (P) 2. Transition (P) 3. Other (P) Level of services offered.	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 Parents	1. Full IEP Review (P&S)	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 Parent	1. Present levels of education performance (P/S) 2. Services (P/S) 3. Goals (P/S) 4. Identification/Eval. (S) 5. Adaptations/Accomm. (P) 6. Related Services (P/S) 7. Progress Reporting (P) 8. Discipline/Behavior (P/S) 9. Implementation of IEP (P)	5/7/12 & 5/14/12	Successful FIEP in all issues.
4/4/2012 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 P&A	1. Services (P) 2. Transition (P) 3. Related Services (P)	N/A	The District and Unit agreed to provide a new case manager for the child.
2/8/2012 Parent	1. Services (P/S) 2. Other-Due Process Res. session to resolve eligibility for IDEA/IEP (P/S) 3. Implementation of IEP (P/S)	2/16/2012 & 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 Parent	1. Services (P/S) 2. Transition (Pre-K) (P/S) 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 Elementary Principal	1. Placement (P/S) 2. Services (P) 3. Goals (P) 4. Adapt. Accomm. (P) 5. Related Services (P) 6. Discipline/Behav. (P) 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.

<p>1/30/2012</p> <p>Parent</p>	<p>1. Paraprofessional (P) 2. Discipline/Behav. (P) 3. Other (Did not reach impasse – may need assistance with behavior plan). (S)</p>	<p>2/23/2012</p>	<p>Successful FIEP. Recommendation to hire a paraprofessional. Behavioral Analyst provided insight & strategies to implement when addressing student's challenging behavior issue.</p>
<p>12/14/2011</p> <p>Parent</p>	<p>1. Goals (P/S) 2. Community outings (P/S)</p>	<p>1/27/2012 (Initial date)</p> <p>3/13/2012 (Rescheduled due to weather)</p>	<p>IEP successfully completed. Community outings were removed from the IEP & will be revisited next year when student attends a middle school setting.</p>

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

