

Other Options

State complaints are not the only way to resolve disputes. You can:

- Contact the ND Department of Public Instruction, Office of Special Education at 1.866.741.3519 or 701.328.2277.
- Ask the local special education unit for assistance.
- Seek help with early dispute resolution from Pathfinder Services of ND.
- Ask for a Facilitated IEP.
- Ask for Mediation.
- Consider a Due Process Hearing.

Early Dispute Resolution

If you...

- Have read one thing about parent rights but feel you have been told something different.
- Believe the IEP is not working but aren't sure how to find what you need.
- Tried to resolve the problem locally and can't get a solution.
- Have questions or are unclear about what steps to take next.

Then please contact...



 701.837.7500

 info@pathfinder-nd.org

 <http://pathfinder-nd.org>

Dispute Resolution in
North Dakota



Using the ND State Written Complaint Process to Resolve Disputes



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Creating Pathways
For North Dakotans



What is a Written Complaint?

You may disagree with a decision regarding your child's eligibility for special education and related services or believe the services in your child's IEP are not being provided.

If this happens, you can:

- Try to resolve the concern at the local level.
- Think about what your child needs, not just what you want.
- Contact the building principal in writing with your concerns.
- Contact your Special Education Director in writing with your concerns.
- Ask for a meeting to discuss your concerns. Be open and willing to trust others.

★ IMPORTANT ★

Be aware that this brochure does not contain all the details regarding the mediation process. A complete description of the NDDPI *IDEA Special Education Written State Complaint* process is located at:

<http://psnd.co/pdf/res/728.pdf>

How Do I File a Written Complaint?

Follow These Steps

- Write your complaint in a letter or use a state form. Date it.
<https://www.nd.gov/dpi/sites/www/files/documents/SFN%20Forms/SFN58618.pdf>
- Clearly state what part of the law (IDEA) isn't being followed.
- Tell what the school did or did not do that was a violation.
- Give the facts on which your complaint is based with dates and details.
- Include only violations that happened within one year of the date you file.
- Include the name and address of the student, the name of the school they attend and your contact information.
- Include a statement of what you believe needs to happen to resolve the violation.
- Include relevant documents that support your claim.

Sign and send the completed state form or a letter with documents to:

ND Dept. of Public Instruction
Office of Special Education
600 E. Blvd. Ave., Dept. 201
Bismarck, ND 58505-0440

What Happens Next?

Know What to Expect

- Both you and the school will be notified when a letter is received.
- The school will be given a chance to draft a formal response.
- If you agree with a proposed solution you can withdraw the complaint in writing.
- The NDDPI will interview people, write letters, review records, or conduct on-site investigations.
- You will receive a report with the findings. The report may state:
 - o No violations were found
 - o Violations were found
 - o The problem was resolved
- If violations are found, the school will be required to correct the problem in a timely manner.

