

## **SPECIAL EDUCATION COMMUNITY COMPLAINT (SECC) NO. 23-147**

### **PROCEDURAL HISTORY**

On October 24, 2023, the Office of Superintendent of Public Instruction (OSPI) received and opened a Special Education Community Complaint from the uncle<sup>1</sup> (Complainant) of a Student attending the [REDACTED] School District (District). The Complainant alleged that the District violated the Individuals with Disabilities Education Act (IDEA), or a regulation implementing the IDEA, regarding the Student's education.

On October 24, 2023, OSPI acknowledged receipt of this complaint and forwarded a copy of it to the District superintendent on October 25, 2023. OSPI asked the District to respond to the allegations made in the complaint.

On November 9, 2023, OSPI received the District's response to the complaint and forwarded it to the Complainant on the same day. OSPI invited the Complainant to reply.

On November 13, 2023, OSPI requested additional information from the District. The District provided the information on November 14, 2023, and OSPI forwarded it to the Complainant on November 19, 2023.

On November 14, and December 4, 2023, OSPI interviewed the Guardian.<sup>2</sup>

On November 19, 2023, the Complainant requested an extension of time to reply to the District's response. OSPI granted an extension from November 22 to November 29, 2023.

On November 21, 2023, OSPI interviewed the Student's principal and case manager.

On November 25 and 30, 2023, OSPI requested additional information from the Complainant. The Complainant never responded.

On November 25 and 30, 2023, OSPI requested additional information from the District. The District responded on December 4, 2023, and OSPI forwarded that information to the Complainant on the same day.

On November 30, 2023, the Complainant submitted his reply to the District's response. OSPI forwarded it to the District on the same day.

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<sup>1</sup> The Complainant is the Student's uncle, and the Guardian is the Student's grandmother. The Guardian also provided information for this case, and filed a previous complaint related to this Student's education (SECC 23-129).

<sup>2</sup> The Complainant did not respond to OSPI's request for an interview.

On November 30, 2023, OSPI requested additional information from the Guardian. She responded on December 2 and 4, 2023, and that information was forwarded to the District on December 4, 2023.

On November 30 and December 4, 2023, OSPI requested additional information from the District, and received it on December 4, 2023, and forwarded it to the Complainant on the same day.

On December 4, 2023, OSPI received additional information from the Guardian, and forwarded it to the District on the same day.

OSPI considered all information provided by the Complainant, Guardian, and the District as part of its investigation.

### **SCOPE OF INVESTIGATION**

This decision references events that occurred prior to the investigation period, which began on October 25, 2022. These references are included to add context to the issues under investigation and are not intended to identify additional issues or potential violations, which occurred prior to the investigation period.

### **ISSUE**

1. Per WAC 392-172A-02110, did the District follow proper restraint procedures during the 2022–23 school year after October 25, 2022, including using restraint only when there was an imminent likelihood of serious harm, and following all reporting, documentation, and other requirements?

### **LEGAL STANDARDS**

Restraint: Restraint as defined in RCW 28A.600.485 means: Physical intervention or force used to control a student, including the use of a restraint device to restrict a student’s freedom of movement. WAC 392-172A-01162.

Restraint Conditions: Restraint device shall be used only when a student’s behavior poses an imminent likelihood of serious harm.

Follow-up and Reporting Requirements: School districts must follow the documentation and reporting requirements for any use of isolation or restraint consistent with RCW 28A.600.485. WAC 392-172A-02110. Following the release of a student from the use of restraint or isolation, the school must implement follow-up procedures. These procedures must include: reviewing the incident with the student and the parent or guardian to address the behavior that precipitated the restraint or isolation and the appropriateness of the response; and reviewing the incident with the staff member who administered the restraint or isolation to discuss whether proper procedures were followed and what training or support the staff member needs to help the student avoid similar incidents. Any school employee, resource officer, or school security officer who uses isolation or restraint on a student during school-sponsored instruction or activities must

inform the building administrator or building administrator's designee as soon as possible, and within two business days submit a written report of the incident to the district office.

The written report must include, at a minimum, the following information: the date and time of the incident; the name and job title of the individual who administered the restraint or isolation; a description of the activity that led to the restraint or isolation; the type of restraint or isolation used on the student, including the duration; whether the student or staff was physically injured during the restraint or isolation incident and any medical care provided; and any recommendations for changing the nature or amount of resources available to the student and staff members in order to avoid similar incidents.

The principal or principal's designee must make a reasonable effort to verbally inform the student's parent or guardian within twenty-four hours of the incident, and must send written notification as soon as practical but postmarked no later than five business days after the restraint or isolation occurred. If the school or school district customarily provides the parent or guardian with school-related information in a language other than English, the written report under this section must be provided to the parent or guardian in that language. RCW 28A.600.485. WAC 392-172A-02110.

Written Report to Parent: Within 5 business days, written notification must be sent to the Parent. OSPI has found that the "written notification" to parents is the same as the "written report" sent to the District—meaning, the written notification to the parent must include: date and time of the incident; the name and job title of the individual who administered the restraint or isolation; a description of the activity that led to the restraint or isolation; the type of restraint or isolation; duration; whether the student or staff was physically injured during the incident, any medical care provided; and any recommendations for changing the nature or amount of resources available to the student and staff. RCW 28A.600.485. WAC 392-172A-02110.

## **FINDINGS OF FACT**

### **2022–23 School Year**

1. On October 19, 2022, the Student's IEP team met, developed an IEP, and the Student's IEP went into effect on October 21, 2022. The Student was eligible for special education services under the eligibility category emotional behavioral disability (EBD).
2. October 20, 2022, the Student attended her first day of school for the 2022–23 school year. The Student was a fourth grader at a District elementary school.
3. October 25, 2022 is the starting date for this complaint's investigation timeline.
4. On November 9, 2022, the Student's teacher (teacher 1) and the principal signed a "Restraint/Isolation Report." According to the report, on November 8, 2022, at 1:25 pm, the Student eloped off school campus, which would have resulted in imminent risk of serious harm to self or others. This report also stated, "student walked into the classroom, broke from reality,

non-responsive.”<sup>3</sup> The Student was restrained using a “one-person floor seated stability hold” for five minutes by teachers 1 and 2 (report does not provide staff titles). No injuries were reported.

The principal was notified of the incident within 24 hours, and a report was sent to the District within 24 hours. The Student’s Guardian was notified of the incident at 4 pm on November 8, 2022.

The case manager emailed the Guardian on November 9, 2022, and the box marked “Reviewed the incident with the student and/the parent/guardian within 2 business day” was marked “y” for yes.

The box marked “Within 2 business days, assembled relevant team members...and determined whether additional training or support is needed?” was marked “y” for yes.

On November 9, 2022, teacher 1 and the principal signed a “Restraint/Isolation Report.” According to the report, on November 9, 2022, at 1:30 pm, the Student eloped off school campus, which would have resulted in imminent risk of serious harm to self or others. The Student was restrained using a one-person floor seated stability hold for ten minutes by teachers 1 and 2 (report does not provide staff titles). No injuries were reported.

The principal was notified of the incident within 24 hours, and a report was sent to the District within 24 hours. The Guardian was notified of the incident at 1:40 pm on November 9, 2022.

The case manager emailed the Guardian on the same day and the box marked “Reviewed the incident with the student and/the parent/guardian within 2 business day” was marked “y” for yes.

The box marked “Within 2 business days, assembled relevant team members...and determined whether additional training or support is needed?” was marked “y” for yes.

5. Also, on November 9, 2022, the case manager emailed the Guardian.
6. On November 15, 2022, the Student was emergency expelled.
7. On November 16, 2022, the case manager sent an internal District email:  
[Student] has been on campus for a total 15 days, 6 of which were half days per district calendar. She has eloped on 7 of those 15 school days.<sup>4</sup> Each time she eloped, I made sure that either [the principal] & I or [teacher 1] & I took [the Student] to the car when she was picked up. I personally spoke with [Guardian/Complainant] to explain what had happened prior to, during, and after elopement. 2 of those days [Complainant] picked up so I spoke

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<sup>3</sup> Documentation showed there were other instances when the Student attempted to elope and other behavior strategies were used to address the elopement; in other words, restraint was not used.

<sup>4</sup> During these other instances when the Student attempted to elope, other behavior strategies besides restraint were used to address the elopement.

with him. The other 5 times I spoke with [Guardian] directly. That is 7 in person conversations with family re: elopement. We've also had 3 conferences between the IEP meeting and now- on Thurs 10/20 (in person with [Student]), Thurs 10/27 (Zoom, just adults), and Mon 11/14 (in person, just adults). I have spoken on the phone with [Guardian] on at least 6 occasions (maybe more?), sometimes with [Student] and I together on speaker phone. I also called her on Thurs 11/10 re: half days and had a 10 minute phone conversation with her. Prior to Monday 11/16, I sent 13 emails to [Guardian] and have received 11 emails from her. Each of these emails has been detailed. You all have seen/participated in the communication this week, so I am not including that here.

8. On November 18, 2022, the manifestation determination meeting was held. The team determined it would initiate an FBA upon receipt of the Guardian's consent and stated that the Student could "return to school as soon as possible."<sup>5</sup>
9. A PWN, dated November 18, 2022, mentioned a discussion between the parties regarding the possibility of a modified school day as the Student tended to elope in the afternoons, or tutoring services. The Guardian was not supportive of a half-day schedule, so the team decided to convene another IEP meeting to discuss the supports and options further and determine next steps.
10. A facilitated IEP meeting was held on April 17, 2023, with the team agreeing that the Student would be served in a 1:1 setting at a nonpublic agency (NPA), and that the Student would be added to the waitlist for another school. The Guardian was provided a PWN following the facilitated IEP meeting in which the agreement to amend the IEP included: daily home to school communication between adults only; that the 1:1 assistant would attend general PE with the Student; an annual meeting with staff to share key components of the Student's disability would be held; and to amend the IEP to update the District's offer of FAPE (e.g., 1:1 NPA setting, the Student added to waitlist at another school).
11. The District made the referral of the Student to the NPA on April 26, 2023, with a signed release of information by the Guardian, and the NPA responded they were scheduling a site visit with the Guardian.
12. On May 16, 2023, the NPA advised that it had identified a teacher to work 1:1 with the Student for 20 hours per week. After scheduling difficulties were resolved, the Student began attending the NPA on June 1, 2023, with transportation provided by the District.

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<sup>5</sup> On September 25, 2023, OSPI opened SECC 23-129, which involved the same Student and District. SECC 23-129 investigated whether the District: ensured the Guardian could provide input into the Student's IEP; implemented the Student's IEP; followed the proper manifestation determination procedures; provided educational services during the Student's suspensions; and appropriately determined the Student's placement. On November 16, 2023, OSPI issued a decision in SECC 23-129. This decision ordered the District to provide the Student compensatory education and required the District to provide written guidance to staff on the provision of educational services during periods of disciplinary removal. OSPI notes that some facts in this decision are pulled from SECC 23-129 to provide context and continuity regarding the issue under investigation here.

13. On September 1, 2023, the NPA informed the District that they were no longer able to provide services to the Student, as they did not have a teacher or case manager available to meet the Student's needs. The District communicated this with the Guardian and informed the Guardian of the possibility of another program that may be able to meet the Student's needs.
14. The District was unsuccessful in finding an alternative program available to meet the Student's needs as of the filing of the complaint in SECC 23-129 on September 22, 2023.

### **2023–24 School year**

15. The District's 2023–24 school year began on September 6, 2023.
16. At the start of the 2023–24 school year, the Student continued to be eligible for special education services under the category of EBD and was in the fifth grade. The Student's October 2022 IEP was in effect.
17. The Complainant filed a complaint with OSPI on October 24, 2023, that alleged, in part:  
Last year my niece [the Student] attended [a District school] for a very short time. She is diagnosed with schizophrenia. During this time, she was accused of running out of her classroom and sometimes off campus.

On three of these occasions, I picked her up from [the District school]. On all three occasions, I was witness to [the Student] being physically restrained. For two of the incidents, she had both of her hands bent at the wrist by an adult on either side of her. For the other incident, she was face down on the concrete with staff surrounding her and hands on. On all three of these occasions, [the Student] showed no signs of resisting and had a very calm demeanor but was also extremely frightened.

...

When I arrived to pick up [the Student], no one provided me with any sort of written incident report.

18. On November 9, 2023, the District responded to the complaint as follows:  
Complainant alleges that he picked Student up three times from school following incidents of elopement. He further states that he witnessed Student being restrained. Complainant was not present during either of the incidents of restraint that occurred on November 8 and November 9. Staff instead reported that Complainant arrived at school after Student had deescalated. Complainant further alleges that Student was 'restrained' while walking to his vehicle when he was there to pick Student up. Student was not restrained, however, and instead elected to link arms with staff while walking to the car. Complainant also states that he was not provided with restraint documentation when he picked Student up from school, however, Complainant is not Student's legal guardian. As Student's legal guardian, Guardian was instead provided notice of the two incidents of restraint.

...

[Case manager] sent an email to Guardian following the restraint that occurred on November 9 discussing the nature of the incident and advising Guardian of the restraint. ... As such, District staff provided Guardian both written and verbal notification of the November 9, 2022 restraint incident.

With respect to the incident on November 8, 2022, the restraint reporting form indicates that Guardian was notified of the restraint via email on November 9. ... The District has been unable to locate the email that was sent to Guardian regarding the November 8 incident. Although it cannot locate this email, Guardian was made aware of the restraint through verbal discussions. The District, therefore, submits that any lack of written notification was harmless under the circumstances as Guardian was aware of the restraint, and the record establishes that staff were working closely with Guardian regarding Student's behaviors. Staff also were aware of these reporting requirements as demonstrated by the restraint documentation and email communication following the November 9, 2022 incident.

19. On November 14, 2023, in a short telephone conversation, the Guardian informed OSPI that she did not receive any written incident reports from the District regarding the restraints.

20. On November 21, 2023, OSPI interviewed the Student's case manager and the principal. The case manager expressed that she spoke to the Guardian multiple times and sent at least one email daily. Both the principal and case manager expressed that during the two restraint incidents, the Student appeared to "have a break from reality" and after the two restraint incidents occurred, they tried to talk to the Student, but the Student had no memory of the incidents.<sup>6</sup> Regarding the "linking" of arms with the Student, the case manager said that teacher 1 would put her hand in her pocket or on her hip and the Student would then link her arm with the teacher's bent elbow. According to case manager, at no time during this "linking" was the Student's movement restrained.

21. On November 25, 2023, OSPI emailed the Complainant as follows:

Your complaint alleges:

On three of these occasions, I picked her up from [school]. On all three occasions, I was witness to [the Student] being physically restrained. For two of the incidents, she had both of her hands bent at the wrist by an adult on either side of her. For the other incident, she was face down on the concrete with staff surrounding her and hands on. On all three of these occasions, [the Student] showed no signs of resisting and had a very calm demeanor but was also extremely frightened.

1. What were the dates and times of these three restraints?
2. Where on the school grounds did this take place? For example, parking lot or classroom?

OSPI also sent its November 25, 2023 questions to the District, and included the following message, "...would you be able to provide...the dates that the [Complainant] picked up the student from school, and provide...the videos of those pick-ups?"

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<sup>6</sup> According to the case manager and principal, the Student did not seem aware of what was happening when she eloped, and after the elopements, the Student would ask "What happened? Why I am here?" The case manager and principal stated they had to be very careful reviewing the incidents with the Student because those reviews trigger her.

22. On November 30, 2023, the Complainant submitted his reply<sup>7</sup> to the District's response. The reply stated in part:

I have seen and read the final report regarding the guardian's Complaint (SECC 23-129) that was filed. I am astounded by the lack of caring and support that has been given to the guardian in handling the events described in her Complaint.

...

Because of the school district and OSPI responses that were given to the guardian's complaint, I feel that it is a waste of time to write a response to the district's response to my original complaint.

23. On December 4, 2023, OSPI interviewed the Guardian and received an email from the Guardian that contained the following paragraph:

The arm restraints described by Student -- and witnessed by [Complainant] and me when we arrived for early pick-up -- did not happen at first (during October) to the best of my recollection. If you are checking videos, I would check for 11/7, 11/8, 11/9, 11/15 at pick-up time, or rather just before pick-up time when Student was walked to the car.

The Guardian also sent District records to OSPI that showed that on November 7, 2022, the Student was picked up from school at about 1:45 pm by the Guardian; on November 8, 2022, the Student was picked up by the Guardian at about 1:45 pm; on November 9, 2022, the Student was picked up from school at about 2:15 pm by the Complainant. The records show that on November 15, 2022, the Student was emergency expelled at 10:50 am, but it does not show who picked up the Student.

In her December 4, 2023 interview, the Guardian described the "arm-linking" very similar to how the "arm-linking" was described by the District's staff during their November 21, 2023 interview. The Guardian also stated that the District staff was holding the Student's hand during the "arm-linking".

24. The District's attorney responded to the allegations of restraint witnessed by the Guardian and the Complainant as follows, "I verified with the District that they do not have videos from that far back as the events occurred in November 2022. I am still looking for any other information regarding the actual pickups by [Complainant], but staff reported in the interview that the events [Complainant] described did not occur."

## CONCLUSIONS

**Issue 1: Isolation Reporting Requirements** – In the present case, the Complainant alleged that the Student was being inappropriately restrained and that no incident report was provided to the Complainant.

Restraint as defined in RCW 28A.600.485 means physical intervention or force used to control a student, including the use of a restraint device to restrict a student's freedom of movement.

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<sup>7</sup> The Complainant's reply did not address OSPI's November 25, 2023 questions.



Restraint shall be used only when a student's behavior poses an imminent likelihood of serious harm.

First, the Student's off-campus elopements on November 8 and November 9, 2022 was behavior that posed an imminent likelihood of serious harm and satisfied the standard for using restraint during these two incidents. Additionally, the November 8, 2022 incident report and District staff—during its November 21, 2023 interview—expressed that the Student appeared to be “experiencing a break from reality.” Information reviewed in the complaint indicated the Student had a diagnosis of schizophrenia and did not seem aware of what was happening when she eloped or during these incidents. Thus, OSPI finds that this presented a situation where serious harm could occur to the Student if she eloped and why, at times, other behaviors strategies were not effective in preventing an elopement. Although, importantly, the District noted there were instances where other strategies worked to redirect the Student, and also important, the District staff were in frequent communication with the Guardian around the elopement concerns.

Next, the applicable regulations require the following steps after a student is restrained or isolated.

Staff Responsibilities – A district employee who restrains or isolates a student must:

1. Inform the building administrator as soon as possible.
2. Submit a written report of the incident to the district office within two business days.

In the present case, the Student was restrained on November 8 and November 9, 2022. On November 9, 2022, separate reports were filed with the District for each of the incidents. These two incident reports were signed by teacher 1 and satisfy the two requirements just above.

Reporting Requirements – The written report must include:

1. The date and time of the incident.
2. The name and job title of the individual who administered the restraint or isolation.
3. A description of the activity that led to the restraint or isolation.
4. The type of restraint or isolation used on the student including the duration.
5. Whether the student or staff was physically injured during the restraint or isolation and any medical care provided.
6. Any recommendations for changing the nature or amount of resources available to the student and staff members in order to avoid similar incidents.

The two reports satisfied five of the six report requirements listed in the regulations. Although the District's reports provide a section that asks which staff members, including title, administered the restraint, the report did not provide the title of the staff involved in this incident. The reports did include the names of the staff involved. OSPI does not find this error represents a violation, but would like to remind the District that including the “job title of the individual who administered the restraint” is required by law.

Principal's Responsibilities – The principal must make a reasonable effort to:

1. Verbally inform the student's parent within twenty-four hours of the incident.

2. Send the parent written notice within five business days of the incident.<sup>8</sup>

“Written notification” to parents must be the same as the “written report” sent to the District—meaning, the written notification to the parent must include: date and time of the incident; the name and job title of the individual who administered the restraint or isolation; a description of the activity that led to the restraint or isolation; the type of restraint or isolation; duration; whether the student or staff was physically injured during the incident, any medical care provided; and any recommendations for changing the nature or amount of resources available to the student and staff.

In her interview, the Guardian stated that she never received incident reports from the District concerning the November 8 and 9 restraints. In their response, the District stated:

[Case manager] sent an email to Guardian following the restraint that occurred on November 9 discussing the nature of the incident and advising Guardian of the restraint. ... As such, District staff provided Guardian both written and verbal notification of the November 9, 2022 restraint incident.

With respect to the incident on November 8, 2022, the restraint reporting form indicates that Guardian was notified of the restraint via email on November 9. ... The District has been unable to locate the email that was sent to Guardian regarding the November 8 incident. Although it cannot locate this email, Guardian was made aware of the restraint through verbal discussions.

Based on the District’s response, OSPI finds a violation regarding sending the Guardian written notice of the restraint incidents for two reasons. First, the District did not provide any evidence to establish that the Guardian was provided written notice of the November 8, 2022 restraint incident. Second, upon review, the District’s email to the Guardian regarding the November 9, 2022 restraint incident does not satisfy the District’s responsibility of providing written notice to the Guardian in five days because that email does not contain the six elements that are required for the written reports. Based on this violation, as a corrective action, the District will be required to provide staff training on restraints and reporting requirements.

Post-Incident Meetings – Following a student’s release from restraint or isolation, the school must review the incident with:

1. The student and the parent to address the behavior that precipitated the restraint or isolation and the appropriateness of the response.
2. The staff member who administered the restraint or isolation to discuss whether proper procedures were followed and what training or support the staff member needs to help the student avoid similar incidents.

The case manager’s November 16, 2022 contemporaneous internal District email establishes that the District met with the Guardian regarding the restraint incidents. Additionally, in their OSPI interview, the case manager and principal expressed that they had to be very careful in how they

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<sup>8</sup> In addition, the Guardian may request educational records from the District, and the District must comply within 45 days. See WAC [Section 392-172A-05190](#).

reviewed the elopement incidents with the Student because the Student had no memory of the incidents, and they were concerned that reviewing the elopements with the Student could trigger the Student. Finally, in her interview, the principal expressed that each time there was a restraint, there were staff discussions on the procedures used and what support was needed to avoid similar incidents. Based on these facts, OSPI finds that the District satisfied its post-incident meeting responsibilities with the Student, Guardian, and its staff.

Other Concerns: Finally, the Complainant alleged that on three occasions when he picked the Student up from school, he witnessed the Student being physically restrained. Aside from the complaint itself, the Complainant did not provide additional detail regarding these alleged restraints. The Guardian also stated that she witnessed at least one of these restraints. The District's attorney responded to these allegations of restraint witnessed by the Guardian and the Complainant as follows, "I verified with the District that they do not have videos from that far back as the events occurred in November 2022. I am still looking for any other information regarding the actual pickups by [Complainant], but staff reported in the interview that the events [Complainant] described did not occur." OSPI interviewed the Guardian, and the restraint incident she witnessed was the "arm-linking" that occurred between the District staff and the Student as the staff walked with the Student when she was being picked up from school. Based on the descriptions of this "arm-linking" provided by District staff and the Guardian, the "arm-linking" incidents are not incidents of restraint as the Student's freedom of movement was not restricted. Aside from the documented restraint incidents, OSPI found no evidence of restraints occurring when the Student was picked up from school.

### **CORRECTIVE ACTION**

By or before **March 1, 2024** and **May 24, 2024**, the District will provide documentation to OSPI that it has completed the following corrective action.

#### **STUDENT SPECIFIC:**

None.

#### **DISTRICT SPECIFIC:**

The District will develop and conduct a training on the below topics. The training will be provided to all special education staff and administration at the Student's school and will cover WAC 392-172A-02110 and its reporting requirements.

By or before **March 1, 2024**, the District will submit a draft of the training materials for OSPI to review. OSPI will approve the materials or provide comments by March 12, 2024.

By **May 8, 2024**, the District will conduct the trainings regarding the topics raised in this complaint decision.

By **May 24, 2024**, the District will submit documentation that required staff participated in the training. This will include 1) a sign-in sheet from the training, and 2) a separate official human

resources roster of all staff required to attend the training, so OSPI can verify that all required staff participated in the training.

The District will submit a completed copy of the Corrective Action Plan (CAP) matrix, documenting the specific actions it has taken to address the violations and will attach any other supporting documents or required information.

Dated this 18th day of December, 2023

Dr. Tania May  
Assistant Superintendent of Special Education  
PO BOX 47200  
Olympia, WA 98504-7200

**THIS WRITTEN DECISION CONCLUDES OSPI'S INVESTIGATION OF THIS COMPLAINT**

IDEA provides mechanisms for resolution of disputes affecting the rights of special education students. This decision may not be appealed. However, parents (or adult students) and school districts may raise any matter addressed in this decision that pertains to the identification, evaluation, placement, or provision of FAPE to a student in a due process hearing. Decisions issued in due process hearings may be appealed. Statutes of limitations apply to due process hearings. Parties should consult legal counsel for more information about filing a due process hearing. Parents (or adult students) and districts may also use the mediation process to resolve disputes. The state regulations addressing mediation and due process hearings are found at WAC 392-172A-05060 through 05075 (mediation) and WAC 392-172A-05080 through 05125 (due process hearings.)