

SPECIAL EDUCATION COMMUNITY COMPLAINT (SECC) NO. 24-02

PROCEDURAL HISTORY

On January 3, 2024, the Office of Superintendent of Public Instruction (OSPI) received and opened a Special Education Community Complaint from the parent (Parent) of a student (Student) attending the Seattle School District (District). The Parent alleged that the District violated the Individuals with Disabilities Education Act (IDEA), or a regulation implementing the IDEA, regarding the Student's education.

On January 3, 2024, OSPI acknowledged receipt of this complaint and forwarded a copy of it to the District superintendent the same day. OSPI asked the District to respond to the allegations made in the complaint.

On January 19, 2024, OSPI received the District's response to the complaint and forwarded it to the Parent January 22, 2024. OSPI invited the Parent to reply.

On February 13, 2024, the OSPI complaint investigator invited the Parent to provide additional information relevant to this complaint. OSPI did not receive additional information from the Parent.

OSPI considered all information provided by the Parent and the District as part of its investigation. It also considered the information received.

SCOPE OF INVESTIGATION

This decision references events that occurred prior to the investigation period, which began on January 4, 2023. 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.

ISSUES

1. Whether, since January 4, 2023, the District followed referral and/or child find procedures following the Parent's request for a special education evaluation?
2. Whether the District conducted a comprehensive special education evaluation of the Student and made an appropriate eligibility determination in May/June 2023?
3. Whether the District issues prior written notice per WAC 392-172A-05010, documenting the Parent's request to assess auditory processing?
4. Whether the District responded to the Parent's request for education records related to the evaluation per WAC 392-172A-05190?

LEGAL STANDARDS

Child Find: School districts must conduct child find activities calculated to locate, evaluate, and identify all students who are in need of special education and related services, regardless of the

severity of their disability. Child find activities shall extend to students residing within the school district boundaries whether or not they are enrolled in the public school system; except that students attending nonprofit private elementary or secondary schools located within the school district boundaries shall be located, identified and evaluated consistent with WAC 392-172A-04005. School districts will conduct any required child find activities for infants and toddlers, consistent with the child find requirements of the lead agency for Part C of the IDEA. Child find activities must also be calculated to reach students who are homeless, wards of the state, highly mobile students with disabilities, such as homeless and migrant students and students who are suspected of being a student with a disability and in need of special education, even though they are advancing from grade to grade. WAC 392-172A-02040.

To accomplish this, each district must implement policies and procedures that describe the methods it will use to conduct child find activities. 34 CFR §300.111; WAC 392-172A-02040(3). "[T]he child find duty 'is triggered when the [school district] has reason to suspect a disability, and reason to suspect that special education services may be needed to address that disability.'" *Dep't of Educ., State of Haw. v. Cari Rae S.* 35 IDELR 90 (U.S. District Ct HI, 2001) (quoting *Corpus Christi Indep. Sch. Dist.* 31 IDELR 41 (SEA TX 1999)). A disability is "suspected" when a school district "has notice that the child has displayed symptoms of that disability." *Timothy O. v. Paso Robles Unified Sch. Dist.*, 822 F.3d 1105, 1119 (9th Cir. 2016). See also, *Pasatiempo v. Aizawa*, 103 F.3d 796, 803 (9th Cir. 1996) ("The informed suspicions of parents, who may have consulted outside experts, should trigger the statutory protection.")

Initial Evaluation – Specific Requirements: The purpose of an initial evaluation is to determine whether a student is eligible for special education. 34 CFR §300.301; WAC 392-172A-03005(1). A school district must assess a student in all areas related to his or her suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor ability. The evaluation must be sufficiently comprehensive to identify all of the student's special education and related services needs, whether or not they are commonly linked to the disability category in which the student has been classified. No single measure or assessment as the sole criterion is used for determining a student's eligibility or determining an appropriate educational program for the student. If a medical statement or assessment is needed as part of a comprehensive evaluation, the district must obtain that statement or assessment at their expense. In conducting the evaluation, the evaluation team must use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student. 34 CFR §300.304; WAC 392-172A-03020. When interpreting the evaluation for the purpose of determining eligibility, the district team must document and carefully consider information from a variety of sources. 34 CFR §300.306; WAC 392-172A-03040.

The evaluation must comply with the IDEA's procedural requirements. A group that includes qualified professionals selected by the district must use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student, including information provided by the parent, in order to determine if the student is eligible for special education and the content of the student's IEP, including information related

to enabling the student to be involved in and progress in the general education curriculum, or for a preschool child, to participate in appropriate activities. 34 CFR §300.304(b); WAC 392-172A-03020(2). A student will not receive special education and related services unless he or she is qualified for those services under one or more of the eligibility criteria established by WAC 392-172A-01035.

Prior Written Notice: Written notice must be provided to the parents of a student eligible for special education, or referred for special education a reasonable time before the school district: (a) Proposes to initiate or change the identification, evaluation, or educational placement of the student or the provision of FAPE to the student; or (b) Refuses to initiate or change the identification, evaluation, or educational placement of the student or the provision of FAPE to the student. The notice must include: (a) a description of the action proposed or refused by the agency; (b) an explanation of why the agency proposes or refuses to take the action; (c) a description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action; (d) a statement that the parents of a student eligible or referred for special education have protection under the procedural safeguards and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained; (e) sources for parents to contact to obtain assistance in understanding the procedural safeguards and the contents of the notice; (f) a description of other options that the IEP team considered and the reasons why those options were rejected; and (g) a description of other factors that are relevant to the agency's proposal or refusal. 34 CFR 300.503; WAC 392-172A-05010.

Parents' Access Rights to Student Records: Districts must permit the parents of a student eligible for special education to inspect and review, during school business hours, any educational records relating to the student that are collected, maintained, or used by the district. The district must comply with a request promptly and before any meeting regarding an individualized education program (IEP), hearing, or resolution session relating to the identification, evaluation, educational placement of the student, or provision of a free appropriate public education (FAPE) to the student, including disciplinary proceedings. The district must respond in no more than 45 calendar days after the request has been made. The right to inspect and review educational records includes: the right to a response from the district to a reasonable request for explanations and interpretations of the records; the right to request that the district provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising their right to inspect and review the records; and the right to have a representative of the parent or adult student inspect and review records. 34 CFR §300.613; WAC 392-172A-05190.

FINDINGS OF FACT

2022–23 School Year

1. During the 2022–23 school year, the Student attended a high school (high school A) in the District. At that time, the Student was not receiving special education services. The Student had a history of receiving special education services and had been exited from special education in 2019.

2. The District's 2022–23 school year began on September 14, 2022.
3. The complaint investigation timeline began on January 4, 2023.
4. On February 12, 2023, the Parent sent an email to the District, outlining their concerns regarding the Student's education. The Parent provided an overview of the Student's challenges, including community disruptions in the school environment, the COVID-19 pandemic, and attendance challenges. The Parent explained that challenges had impacted the Student socially and academically, and that the Student needed additional support.
5. On February 13, 2023, the District responded, suggesting that a transfer to a different school might assist the Student. The District inquired if the Parent felt that would address the Student's needs or if they had other requests.
6. On February 14, 2023, the Parent expressed interest in exploring a school transfer, and requested that the District conduct a special education evaluation of the Student. The District forwarded the Parent's request internally as part of the discussion to schedule a meeting and consider along with the District's ongoing 504 review for the Student.
7. On February 15, 2023, the District sent an email to the Parent with a prior written notice, acknowledging the request and inquiring about scheduling a meeting to discuss areas of assessment.
8. On March 10, 2023, the Parent met with the District to discuss evaluation planning for the Student. The District issued a prior written notice on the same date, documenting the outcome of the meeting and the District's decision refusing to evaluate the Student for special education. The District reasoned that the Student's academic struggles were due to missing instruction because of absenteeism. The District further documented its intent to continue with the Student's 504 plan, initiate a school transfer, and explore modifications to the Student's curriculum and schedule.
9. On March 20, 2023, the Parent sent an email to the District, expressing concerns with the refusal to evaluate the Student, observing that the Student's 504 plan was expired, seeking an updated 504 plan, and reiterating the need for a special education evaluation.
10. The District scheduled a 504 reevaluation meeting for the Student for April 6, 2023.
11. On April 24, 2023, the Parent again requested that the District evaluate the Student for special education.
12. On May 11, 2023, the District sent staff at high school B an email, reporting that due to the Student's excessive absenteeism, the District was unable to conduct assessments to determine the Student's needs.

13. On May 12, 2023, the Parent sent an email to the District, asking for an update on the Student's 504 reevaluation. The Parent reiterated the Student's need for special education evaluation and stated that they were waiting for consent forms for the special education evaluation.
14. On May 15, 2023, the District internally observed that the Student's attendance and mental health needs had significantly increased to the point where 504 accommodations could no longer meet the Student's needs.
15. On May 18, 2023, one of the District's school psychologists emailed the Parent with a consent form to begin the special education evaluation of the Student. The "Consent for Initial Evaluation" indicated the intended areas for evaluation included math, general education, medical-physical, reading, written language, and social/behavior concerns.
16. On May 18, 2023, the Parent met with the District to discuss ways to encourage the Student's engagement at school. As a result of that meeting, the District agreed to pay for tutoring over the summer.
17. On May 22, 2023, the District noted that as part of the Parent's consent for evaluation, that the Parent indicated "Receptive & Expressive Pragmatic Language, Assistive Technology, Secondary Transition and Auditory Processing" as additional areas of assessment. The District indicated to the school psychologist that this likely necessitated the inclusion of a speech language pathologist (SLP) as part of the evaluation team.
18. The District noted that the due date for the evaluation was June 26, 2023.
19. On May 24, 2023, the Parent sent an email to the District, asking about the evaluation process, and whether an SLP and occupational therapist (OT) would reach out to the family as part of the evaluation process. The Parent also provided additional information on the Student's academic struggles.

The school psychologist responded, providing additional detail regarding the evaluation process and responding to the Parent's questions about the involvement of additional specialists with the Student's evaluation.

20. On May 25, 2023, the Parent sent an email to the District with concerns regarding various individuals involved with the Student's evaluation potentially having incorrect information or incorrect dates relevant to the proposed evaluations.
21. On May 30, 2023, the school psychologist sent the Parent a reminder to ensure that the Student attended school on May 31, 2023, to participate in assessments for the evaluation. The psychologist noted that the deadline to complete the evaluation was September 21, 2023.
22. On June 2, 2023, the Parent sent an email to the District with concerns that the SLP assigned to the Student's evaluation reported that they would be unable to complete an auditory processing evaluation for the Student. The Parent also expressed concerns regarding the psychologist assigned to the matter due in part to the timeline for completing the evaluations

quoted to the Parent was September 21, 2023. The Parent further stated their concern that the District was not handling the matter with the necessary urgency.

23. On June 12, 2023, the District emailed the Parent, explaining which assessments could be conducted as part of the Student's special education evaluation, and which may fall into the category of medical or clinical assessments.
24. On June 15, 2023, the Parent sent a three-page document to the District, introducing the Student and describing the Student's strengths and areas of academic and social concern.
25. On June 22, 2023, the school psychologist reported having completed the Student's evaluation.
26. On June 27, 2023, the District noted that while most of the evaluation was completed, some evaluators, such as the OT and SLP, did not have time to add their results to the evaluation report sent to the Parent.
27. On June 30, 2023, the Parent sent an email to the psychologist, requesting records related to the evaluation that are not protected by copyright, including but not limited to assessment score sheets, notes, and work samples reviewed as part of the Student's evaluation.

The school psychologist responded and sent the Parent a draft copy of the Student's evaluation report. The Parent requested copies of the Student's education records related to the evaluations performed.

28. Also, on June 30, 2023, the school psychologist responded that all evaluations were completed and included in the report, and that the only section awaiting completion was the eligibility decision section, which would be completed when the team met to discuss eligibility. The psychologist further noted that the test scores could only be provided during the eligibility meeting due to copyright issues. Included with the email was a copy of the draft undated evaluation report.
29. On July 13, 2023, the Parent sent an email to the District, asking for copies of the Student's education records related to the evaluation. The Parent also observed that their understanding was that the evaluation team had not completed their work, specifically the SLP. The Parent further noted that they received the completed evaluation report on June 29, 2023, but not the accompanying education records previously requested.
30. In its response to this complaint, the District reported that the Parent's July 13, 2023 email requesting records was received by the District, but not forwarded to any staff responsible for responding to records requests. As a result of this complaint, the District reported that the issue was brought to their attention and the District was complying with the records request.

2023–24 School year

31. At the start of the 2023–24 school year, the Student attended a high school in the District.

32. The District's 2023–24 school year began September 6, 2023.
33. On September 7, 2023, the District held a meeting to review the Student's eligibility for special education. When the meeting was held, the District's school psychologist who completed the evaluation was not present.
34. On September 8, 2023, the District confirmed that the school psychologist who worked on the Student's evaluation was no longer under contract with the District, necessitating the assignment of a new school psychologist.
35. On September 22, 2023, the District sent an email to the Parent, acknowledging the Parent's request for an independent educational evaluation (IEE) and asking whether the Parent wanted the District to evaluate the Student or move forward with the IEE. On the same date, the District indicated by email to the Parent that the District would fund the IEE and provided the Parent with the criteria for selecting an evaluator.
36. On November 19, 2023, the Parent requested that the District provide a prior written notice regarding the IEE naming the selected providers.
37. On November 20, 2023, the District provided the Parent with prior written notice, proposing an IEE because the Student was previously found ineligible by the District, and a subsequent evaluation was not completed by the District. The IEE would include assessment in the areas of communication, occupational therapy, assistive technology, and the Student's overall needs.
38. On November 21, 2023, the Parent requested that the District amend the prior written notice to include assistive technology and secondary transition services.
39. On December 5, 2023, the District provided a revised prior written notice that included assistive technology and secondary transitions assessments.
40. As of the date of this decision, the IEE has not yet been completed. Based on information provided in the complaint, the District contracted with IEE providers in January 2024 and OSPI expects that the IEE is underway.
41. In its response to this complaint, the District proposed corrective actions, including funding the IEE, providing the Parent with requested records, and staff training.

CONCLUSIONS

Issue One: Child Find – The Parent alleged that since January 4, 2023, the District failed to follow referral and/or child find procedures following the Parent's request for a special education evaluation.

School districts must conduct child find activities calculated to locate, evaluate, and identify all students who are in need of special education and related services, regardless of the severity of

their disability. Child find activities shall extend to students residing within the school district boundaries whether or not they are enrolled in the public school system. Child find activities must also be calculated to reach students who are suspected of being a student with a disability and in need of special education, even though they are advancing from grade to grade. The child find duty is triggered when the school district has reason to suspect a disability, and reason to suspect that special education services may be needed to address that disability. Case law indicates that the informed suspicions of parents, who may have consulted outside experts, should trigger the statutory protection.

On February 12, 2023, the Parent requested that the District evaluate the Student for special education eligibility. The Student was previously found eligible for special education but was exited from special education in 2019. On March 10, 2023, after conducting evaluation planning, the District issued a prior written notice, declining to evaluate the Student. The District instead proposed to accommodate the Student's needs through a 504 plan. Then, on April 24, 2023, the Parent reiterated their request that the District evaluate the Student for special education eligibility. On May 11, 2023, the District observed that staff were frustrated in their attempts to evaluate the Student's 504 needs due to excessive absenteeism. By May 15, 2023, District staff observed that the Student's behaviors and needs exceeded the ability of a 504 plan to appropriately respond. On May 18, 2023, the District sent the Parent consent forms to begin evaluating the Student and received the Parent's consent forms on May 23, 2023. Thereafter, the District began the process to evaluate the Student.

The Parent initially requested that the District evaluate the Student for special education in February. The District initially declined to assess the Student, hypothesizing that the Student's academic issues were caused by excessive absenteeism, without considering whether absenteeism was a symptom of an underlying disability. The District began the evaluation process for the Student in May, after District staff observed that the Student's 504 accommodations were insufficient to address the Student's needs. OSPI finds that the District should have begun the special education evaluation process earlier as it was on notice of the Student's disability and had information that the Student was potentially struggling at school. While the Student's absenteeism may have been a factor to consider, it was not necessarily a reason to delay an evaluation as the District did not consider the potential connection to the Student's disability. For these reasons, OSPI finds a violation and the District will be required to conduct training.

Issue Two: Initial Evaluation – The Parent alleged that the District failed to conduct a comprehensive special education evaluation of the Student. The Parent further alleged that the District failed to make an appropriate eligibility determination for the Student.

The purpose of an initial evaluation is to determine whether a student is eligible for special education. A school district must assess a student in all areas related to his or her suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor ability. The evaluation must be sufficiently comprehensive to identify all the student's special education and related services needs, whether or not they are commonly linked to the disability category in which the student has been classified. The evaluation must comply with the IDEA's procedural requirements. A group

that includes qualified professionals selected by the district must use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student, including information provided by the parent, in order to determine if the student is eligible for special education and the content of the student's IEP, including information related to enabling the student to be involved in and progress in the general education curriculum, or for a preschool child, to participate in appropriate activities. A student will not receive special education and related services unless he or she is qualified for those services under one or more of the eligibility criteria established by WAC 392-172A-01035.

The District began the process to evaluate the Student on May 22, 2023. During that time, the school psychologist working on the evaluation departed employment prior to completing the evaluation. When the team met on September 7, 2023, the school psychologist was not in attendance. The team did not reconvene after this date, leaving the Student's evaluation incomplete. Thus, OSPI finds that the District did not complete a comprehensive evaluation nor make an appropriate eligibility determination. OSPI finds a violation.

Subsequently, the District agreed to fund an independent educational evaluation (IEE) at the request of the Parent, which is in process. As corrective action, the District will hold an eligibility meeting following the completion of the IEE and conduct staff training on initial evaluation processes.

Issue Three: Prior Written Notice – The Parent alleged that the District failed to provide prior written notice addressing their request to assess the Student for auditory processing needs.

Written notice must be provided to the parents of a student eligible for special education, or referred for special education a reasonable time before the school district proposes or refuses to initiate or change the identification, evaluation, or educational placement of the student or the provision of FAPE to the student.

On May 22, 2023, the Parent returned the consent for evaluation. As part of the evaluation forms, the Parent indicated their interest in having the District evaluate the Student for auditory processing concerns. On June 2, 2023, the school psychologist reported that they would be unable to complete an auditory processing evaluation for the Student, although the District proposed other means to address the Parent's concerns regarding auditory processing. Because the eligibility process was not completed, the District did not issue a prior written notice, responding to the Parent's request. The District acknowledged that this should have been documented in a prior written notice. OSPI notes the District should have documented this in a prior written notice as it was declining to add a requested assessment to the evaluation. For this reason, OSPI finds a violation related to this specific instance of not providing prior written notice. The District will be required to provide training.

Issues Four: Parents' Access Rights to Student Records – The Parent alleged that the District failed to respond to requests for education records related to the evaluation.

Districts must permit the parents of a student eligible for special education to inspect and review, during school business hours, any educational records relating to the student that are collected, maintained, or used by the district. The district must comply with a request promptly and before any meeting regarding an IEP, hearing, or resolution session relating to the identification, evaluation, educational placement of the student, or provision of a FAPE to the student, including disciplinary proceedings. The district must respond in no more than 45 calendar days after the request has been made. The right to inspect and review educational records includes: the right to a response from the district to a reasonable request for explanations and interpretations of the records; the right to request that the district provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising their right to inspect and review the records; and the right to have a representative of the parent or adult student inspect and review records.

On June 30, 2023, the Parent sent the school psychologist an email, requesting records related to the Student's evaluation that were not restricted due to copyright. On June 30, 2023, the school psychologist responded, providing a draft of the evaluation report and explaining that all relevant data was contained in the report. On July 13, 2023, the Parent sent an email to the District's general email box, requesting records related to the Student's evaluation. The District reports that this email was not forwarded to an appropriate person who could respond to the request. As of the date of the District's response, the District was working to gather responsive educational records to provide to the Parent and/or provide the Parent the opportunity to review.

The District acknowledges that it did not respond to the Parent's request for records within the time required. As of the date of the District's response, it had not provided a response but was working to provide access to the records requested. For this reason, OSPI substantiates this allegation. As corrective action, the District will provide the Parent the requested records or set up a time to review records and provide training on this topic.

CORRECTIVE ACTIONS

By or before **March 8, 2024, March 29, 2024, and June 7, 2024**, the District will provide documentation to OSPI that it has completed the following corrective actions.

STUDENT SPECIFIC:

Eligibility Meeting Following IEE Completion

By or before **March 29, 2024**, the District will notify OSPI of the tentative timeline for completion of the IEE and OSPI will consider whether it will modify this corrective action plan with more specific dates.

Within 15 days of the completion of the IEE, the Student's evaluation group will meet. The evaluation group will include the Parents and the appropriate District staff, identified by the District. At the meeting, the group will determine if the Student is eligible for special education and whether the District needs to conduct any further assessments to support the development of the Student's IEP.

Within five days of the meeting, the District will provide OSPI with: i) a prior written notice, summarizing the group's discussion and decisions concerning the above matters; ii) a copy of the Student's special education determination; iii) any relevant meeting invitations; and iv) any other relevant documentation.

If the team finds the Student eligible for special education and does not develop an IEP at the above meeting, the team will meet within 30 days of the above meeting to develop the Student's IEP. The IEP team will also consider whether the Student requires compensatory education to address the delay in determining the Student eligible. The IEP team will put together a compensatory education plan for OSPI's review, potential modification, and approval.

Within five days of the meeting, the District will provide OSPI with: i) a prior written notice, summarizing the group's discussion and decisions concerning the above matters; ii) a copy of the Student's IEP; iii) a copy of the compensatory education plan; iv) any relevant meeting invitations; and v) any other relevant documentation.

Records

By or before **March 22, 2024**, the District will either provide the Parent with the records she has requested or schedule a time for the Parent to come review records with staff.

By or before **March 29, 2024**, the District will provide OSPI with documentation, confirming records have been provided or a meeting held.

DISTRICT SPECIFIC:

Training

The District, in cooperation and collaboration with a non-District employee (e.g., the ESD or other trainer), will co-develop and co-present a training on the below topics. The District will provide the trainer with a copy of this decision, SECC 24-02.

The following District staff will receive training: special education supervisors for the Student's school/region and the following at the Student's school: school psychologist, principal, assistant principal, and special education certified staff (teachers). The training will cover the following topics:

- Child Find – legal requirements and best practices for considering attendance concerns during the child find/referral process.
- Evaluation procedures, including timelines and best practices around District systems for evaluations that span school years and potential staff changes.
- Prior written notice requirements.
- Records requests requirements and District best practices.

The training will include examples.

By or before **March 8, 2024**, the District will notify OSPI of the name of the trainer and provide documentation that the District has provided the trainer with a copy of this decision for use in preparing the training materials.

By or before **March 29, 2024**, the District will submit a draft of the training materials for OSPI to review. OSPI will approve the materials or provide comments by April 12, 2024.

By **May 31, 2024**, the District will conduct the training regarding the topics raised in this complaint decision.

By **June 7, 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 27th day of February, 2024

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.)