

SPECIAL EDUCATION COMMUNITY COMPLAINT (SECC) NO. 24-32

PROCEDURAL HISTORY

On March 11, 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 **[REDACTED]** 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 March 11, 2024, OSPI acknowledged receipt of this complaint and forwarded a copy of it to the District superintendent on March 12, 2024. OSPI asked the District to respond to the allegations made in the complaint.

On March 13 and 14, 2024, OSPI received the District's response to the complaint and forwarded it to the Parent on March 18, 2024. OSPI invited the Parent to reply.

On April 5, 2024, OSPI interviewed the Parent.

On April 9, 2024, OSPI requested additional information from the District and the District provided the additional information and documentation the same day. OSPI forwarded the additional information to the Parent on April 10, 2024.

OSPI considered all information provided by the Parent and the District as part of its investigation. It also considered the information received and observations made by the complaint investigator during the interviews.

SCOPE OF INVESTIGATION

This decision references events that occurred prior to the investigation period, which began on March 12, 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.

In the complaint and during the investigation, the Parent also raised concerns about the District's harassment, intimidation, bullying (HIB) investigation process and bias in that process. Any references to these processes are included for context and continuity. OSPI does not have authority through the Special Education Community Complaint process to investigate allegations of discrimination. The Parent was provided with information regarding other avenues to address those concerns when OSPI opened the investigation.

ISSUE

1. Whether the District followed individualized education program (IEP) meeting procedures on or around April 27, 2023, including ensuring Parent participation and addressing concerns around behavior/requests around the behavioral intervention plan (BIP)?

LEGAL STANDARDS

Parent Participation in IEP Development: The parents of a child with a disability are expected to be equal participants along with school personnel, in developing, reviewing, and revising the individualized education program (IEP), for their child. This is an active role in which the parents (1) provide critical information regarding the strengths of their child and express their concerns for enhancing the education of their child; (2) participate in discussions about the child's need for special education and related services and supplementary aids and services; and (3) join with the other participants in deciding how the child will be involved and progress in the general curriculum and participate in State and district-wide assessments, and what services the agency will provide to the child and in what setting. Individuals with Disabilities Education Act (IDEA), 64 Fed. Reg. 12,472, 12,473 (March 12, 1999) (Appendix A to 34 CFR Part 300, Question 5).

Development for a Student with Behavioral Needs: In developing, reviewing and revising each student's IEP, the team must consider the use of positive behavioral interventions and supports and other strategies to address the student's behavior. 34 CFR §300.324(a)(2); WAC 392-172A-03110(2). This means that in most cases in which a student's behavior impedes his or her learning or that of others, and can be readily anticipated to be repetitive, proper development of the student's IEP will include positive behavioral interventions, strategies, and supports to address that behavior. IDEA, 64 Fed. Reg. 12,475, 12,479 (March 12, 1999) (Appendix A to 34 CFR Part 300, Question 38). A functional behavioral assessment (FBA) and behavioral intervention plan (BIP) must be used proactively, if an IEP team determines that they would be appropriate for a child. For a child with a disability whose behavior impedes his or her learning or that of others, and for whom the IEP team has decided that a BIP is appropriate, the IEP team must include a BIP in the child's IEP to address the behavioral needs of the child. *Questions and Answers on Discipline Procedures* (OSERS June 2009) (Question E-1 and E-2).

FINDINGS OF FACT

2022–23 School Year

1. During the 2022–23 school year, in November 2022, the Student was found eligible for special education services under the category of developmental delay. The Student was in the third grade.
2. The Student enrolled in the District in February 2023.
3. As context, the Parent shared in an interview that the Student has experienced trauma and anxiety attacks that the school system has not recognized or reflected in his IEPs. The Parent noted that the behavioral health agency supporting them when they lived in the District had diagnosed the Student with "adjustment disorder", but that this was not an appropriate diagnosis, especially given the trauma experienced by the Student.
4. The Student's transfer IEP from a previous school district was developed in December 2022 and provided the Student with goals and specially designed instruction in social/emotional

(emotional regulation, coping/sensory strategies), behavior (following directions, being in location, staying safe at school), math, writing, and reading. The IEP included accommodations, some related to social/emotional and behavior, such as ability to debrief with a trusted adult, breaks, sensory items, preferential seating, and daily incentive/positive reinforcement tracking.

The Student had a behavioral intervention plan (BIP) that targeted the following behaviors: following directions, unsafe behaviors (pushing, kicking, throwing), and leaving the classroom without permission.

5. During what the Parent described as a "family visit" to the elementary school as the Student was enrolling, the Parent shared that she requested "culturally competent special education services"; shared that the Student's school in another state was willing to provide consultation and provide the Student access to a Native language class so the Student could receive bilingual education; and shared that the Student's behavioral health providers would provide consultation and support.
6. A February 27, 2023 email from the Student's case manager/special education teacher to the Parent, introducing herself, also described several of the supports and accommodations that she would be implementing with the Student, including a visual schedule, break card, and daily check in sheet.
7. On March 8, 2023, the Student's IEP team met to hold a transfer review meeting. The documentation indicated the team determined it would accept the current evaluation and IEP, and provide comparable services based on the previous district IEP until a new District IEP was developed.
8. On March 9, 2023, there was an incident where another student hit the Student and the Student felt bullied by a group of students. The Parent stated she was concerned that no one notified her of this incident, until the Student told her, and that no one at the District seemed to show concern. The Parent ultimately reported this as a harassment, intimidation, and bullying (HIB) incident.

Following this incident, the Parent stated the Student was upset, felt anxious and frustrated, and did not feel supported.

Complaint Investigation Timeline Began March 12, 2023

9. A March 16, 2023 email to the Parent indicated a meeting was held and a "support and safety plan" was created for the Student. The email included next steps, such as connecting regarding counseling supports and working to ensure the Student had a peer to have lunch with. The support plan included the following:

The purpose of this plan is to understand [Student's] needs and the best ways to support [Student] while here at [school]. This support plan has been created by a Team of support people including parent, counselor, parent partner, WISE support, and administration. The strategies listed below are intended to outline how to best help [Student] communicate, interact, and feel supported.

- Peer lunch 2X a week to build social connections
- Movement breaks during the day
- Nature Breaks
- Breathing exercises to help center (warrior breathing)
- Relate to OT
- BIP to support
- Culturally Relevant Toys during therapy to help students talk
- Positive Social Expectation visuals (small rewards, token system)
- Transparent communication
- Toys that help with motor (building toys, multi-sensory objects)
- Visual supports
- Emotional Regulation support with colors [Student] identifies (can also add feeling words to the colors to help others identify how [Student] reports he's feeling)
- Legos
- Snack breaks for energy

These strategies will be used in whole or part by staff who engage with [Student] throughout the school day. This list can be modified as needed or as [Student's] needs change.

10. On March 24, 2023, a staff person completed a "suicide intervention form" related to statements the Student made and the staff determined there was a low risk, but followed up with the Student, Parent, and special education case manager.
11. Regarding this form, the Parent stated in an interview that she felt the District was attempting to create a false picture of the Student and his needs.
12. Also, on March 24, 2023, the case manager emailed the Parent a copy of the transfer IEP and requested the Parent complete a "Parent input" form to include in the amended IEP.
13. Emails from around March 24, 2023, indicated the District expressed that it welcomed partnering with the Student's WISE team and worked to get signed releases of information from the Parent so that the District could communicate with outside providers and partners.
14. On March 28, 2023, the case manager emailed the Parent, stating:

I wanted to send you a quick email to let you know that [Student] was really tired this morning and actually fell asleep in the quiet corner in the resource room. After he woke up I asked him why he was so tired and he told me it was because he went to bed late last night because after you fell asleep he stole your phone and used your finger to unlock it so he could play games on it. I didn't ask for any details and I didn't continue the conversation as I felt it would be more appropriate for you to have the conversation with him directly at home. I just wanted to pass on the information so that you were aware of what he said.

The Parent stated in an interview that she felt this email was racially charged and unprofessional, and that the District was trying to create an unfair and untrue profile of the Student and his needs. The Parent stated that following this, the Student was seen by his pediatrician and was having trouble sleeping due to allergies. The Parent also stated that the

incident described by the teacher did not happen, that the Student cannot unlock her phone, and that the Student has his own phone with child settings.

15. Initially, an IEP meeting was scheduled for April 20, 2023, but was rescheduled for April 27, 2023, to ensure all necessary IEP team members could attend. The original agenda for the meeting included discussion of the Student's speech/language development and fine motor needs, dyslexia screening results, whether an IEP amendment was needed, and a request for counseling.
16. On April 18, 2023, the Parent emailed regarding the IEP meeting agenda. The Parent stated she was not requesting counseling, rather she was requesting to meet the school's social worker. The Parent sent input for the IEP and requested the District "collaborate with WISE...to align education supports and crisis plans/drills to center my child's safety and quality of learning environment" and stated she wanted a "break down of how you and your staff will align to support a behavioral plan. Please define appropriate loss of preferred activities."

The Parent input document included her thoughts on the Student's "target problem behaviors"; objectives, including increasing the Student's compliance with social expectations, increasing the Student's strategies and independence, and decreasing incidents of power struggles, among other goals; alternative behaviors to teach; positive reinforcement; collaboration between WISE, Parent, and teacher staff; home interventions; and sensory and safety needs.

In other emails on April 18, 2023, the Parent stated that her priority for a meeting was discussing the Student's safety and that they did not need to discuss the IEP or revising the IEP.

17. An April 20, 2023 letter from the District to the Parent indicated the Parent had reported concerns that the Student was being harassed by other students in March 2023. The District's documentation showed it investigated the Parent's HIB allegation, that the Parent disagreed with the findings (no harassment, intimidation or bullying was found, although student misconduct occurred and next steps were taken to address the student misconduct), and that the Parent appealed the District's determination. The District's letter also indicated a discrimination investigation was, at that time, under investigation as well.¹
18. Prior to the April 27, 2023 meeting, there were numerous emails between District staff and between District staff and the WISE team members regarding scheduling the IEP meeting and discussing agenda topics for the meeting. The Parent clarified that "the primary focus" for the meeting should be the Student's "safety and concerns/issues keeping him from going to school to get an education." The Parent stated, "Once we have a solid plan; we can move forward with the IEP." A WISE team member reiterated that and stated, "If we can all agree

¹ Documentation indicated a discrimination investigation was completed on May 7, 2023, and a letter sent to the Parent regarding the investigation on May 22, 2023.

that IEP won't be discussed at this meeting and we can use this time to focus on safety concerns then [Parent] can make the time work."

19. The District provided information that:

A Safety Plan is an administrative document that is outside the scope of the IEP team; however, the District determined that there was value discussing the same in the IEP team context to the extent that the discussion around the same might eventually get back to if a new FBA is needed and/or if the BIP needed to be updated as well as serving as a venue to discuss offering parent training and counseling given what staff were experiencing and what was memorialized in [Student's] educational records...

20. On April 25, 2023, a WISE team member sent the Parent's agenda for the IEP meeting, which included:

- "Discuss supports/tools you have used to keep [Student] safe?"
- "Discuss what has worked/What did not work?"
- "Discuss who para educator is currently and what that role looks like supporting [Student] [sic]?"
- "Discuss suggestions/ideas to avoid using [Student's] verbiage against him and his family"
- "We are worried as a family that the school team doesn't have our best interest; what are ways the school team can improve this?"
- "How can we move from these concerns/issues and make it successful for [Student] and family moving forward?"

21. On April 27, 2023, the Student's IEP team met. In addition to the Parent and District staff, including three special education providers, multiple members of the Student's WISE team, and multiple Parent advocates attended the meeting.

The meeting was scheduled for 90 minutes, and the agenda provided by the District included:

- Introductions
- Action Items
 - Crisis plan
 - FBA/BIP
 - WIDA
 - SLP Consultation
- OT Services
- If there is time
 - Safety health plan
 - IEP goal review
- Other
 - Reoccurring meeting

22. The Parent shared that, in the April 27, 2023 meeting, she asked the case manager about the March 28, 2023 email and that the case manager left the IEP meeting about 15 minutes into the meeting, crying.

According to the Parent, staff said the meeting had to continue and that there was no other special education teacher at the meeting. The Parent stated she felt like it was an unsafe environment, and that the principal raised an "allegation" that the Student was throwing books in the classroom. The Parent stated that she had never been notified of such behavior concerns previously and had not been provided documentation that there was a behavior incident.

The Parent, in her complaint, alleged that the District did not follow proper IEP meeting procedures when the Student's case manager "walked out" of the Student's IEP meeting and failed to support the Student's behavior needs.

23. The District stated the Student's case manager did leave the meeting as she felt "attacked" regarding the March 28, 2023 email. The District stated:

No action was taken with respect to the FBA, BIP, or IEP after this meeting because ultimately the team never discussed the same because that is not what [the Parent] wanted to discuss. She instead wanted to discuss the March 28 email and her displeasure with [the case manager] for sending the same. Ultimately, the meeting became about bettering communication.

24. On April 28, 2023, the Parent emailed the case manager and asked, since the case manager left the meeting, what the Parent should "expect or hope to see with support for my son's special education and safety needs?"

The District's special education director (director) responded and shared outcomes from the April 27, 2023 meeting, including:

1. The general education teacher will develop a communication notebook to support communication between home and school. Should a situation warrant further collaboration and support, the team agreed to communicate it in the following manner.
 - a. This is what we are seeing ____.
 - b. Describe the behavior observed.
 - c. The team responded by ____.
2. [Occupational Therapist], will provide the general education teacher with fidgets that are accessible to [Student] within the classroom and educational settings.
3. [Staff] will plan to attend [elementary school] on Tuesday when [Student] returns to school and collaborate with [general education teacher] and others on the team, as indicated.

25. On May 1, 2023, the Parent emailed the director regarding the IEP meeting and shared the following concerns, summarized:

- Technology was not fully functional and remote attendees could not speak.
- The case manager walked out of the meeting.
- The principal stated the Student "had an incident throwing books and saying things that made others feel uncomfortable and was unnecessary for them to see and hear that interaction" and asked the Parent how the Student should be helped in such a situation even though the Parent is not a "behaviorist."
- That staff did not support WISe working with the Student.

The Parent stated she communicated that the Student had a "need for further diagnosis" and that his BIP and IEP needed to be strengthened.

26. The District's legal counsel responded to the Parent's May 1, 2023 email as follows:

School staff report that two individuals attended the meeting via Teams, the technology issue with Teams was fixed at the beginning of the meeting, and before the meeting proceeded, it was confirmed that everyone could hear each other...

Could you please clarify as to if you are asking the [District] to conduct a new Functional Behavior Assessment because you are concerned about the appropriateness of the existing [BIP]? Or are you just asking the [District] to consider additional feedback on the existing BIP...

There is no staffing issue that is impacting your children at their current school and there is absolutely no concern with respect to the staff wanting to serve [Student]. However, it sounds like there is a communication concern between you and your child's special education teacher where both of you are unhappy with how the other is communicating with the other. I encourage you to work with [principal and executive director] directly on how to facilitate more successful communication moving forward...

The Parent responded with an email directed to the District superintendent, wherein she expressed concerns that the Student was not being supported, that the District was unwilling to collaborate with the WISE team, that the District was treating the Student's behavior needs as "crisis support" instead of supporting the underlying needs and addressing behaviors. The Parent stated she felt singled out at the meeting.

27. On May 5, 2023, the District proposed to the Parent that they schedule an IEP meeting on May 11, 2023, to address attendance, discuss whether an FBA was warranted, and discuss any other concerns.

In response, the Parent sent a letter to the principal, summarizing why the Student had been absent and her concerns. This included concerns about the case manager's March 28, 2023 email and what the Parent believed was the District raising "accusations of behavior" and accusations of the Student "being problematic." The Parent noted that the District did not include the Student's WISE team for a threat assessment or mental health assessment following the District's statements that the Student made suicidal comments. Overall, the Parent stated she was concerned for the Student's safety and that was why he was not attending school. In a second letter to the principal, the same day, the Parent reiterated similar concerns and outlined the following services she thought the Student could benefit from, including: strategies and supports to address behavior, supplementary aids and services, psychological services from WISE, and parent counseling and training.

28. Also, on May 5, 2023, the Parent withdrew the Student from the District and filed a declaration of intent to homeschool the Student.

29. In response to the complaint, the District stated:

The parent absolutely had the opportunity to fully participate in the IEP team meeting. The IEP team meeting was held specifically to address the concerns the parent had. The parent's...third-party providers were invited to and participated in the IEP meeting at her request. That included two separate advocates...It appeared that there was alignment among the entire team, to include the private providers and advocates.

...Based upon what [WISE providers] shared with the outside investigator for the discrimination complaint when they were interviewed, they believed that school staff was working hard to meet the needs of the student...

30. In an interview, the Parent shared that overall, what she wanted was for the District to provide the Student with supportive education, be understanding of the cultural context and the trauma experienced by the Student, and be collaborative with the Student's other supports

and providers like the WISE team. The Parent stated she had wanted to ensure that the Student had a solid behavior plan and a safety plan that incorporated collaboration with the behavioral health provider. The Parent also stated that the Student needed and was not provided instruction at his level and speech therapy. The Parent also emphasized that she wanted to work collaboratively with the District.

CONCLUSIONS

Issue: Parent Participation & Addressing Behavior Concerns – The Parent alleged that the District failed to support the Student’s behavior needs and did not follow proper IEP meeting procedures when the Student’s case manager “walked out” of the Student’s IEP meeting.

Addressing Behavioral Needs: In developing, reviewing, and revising each student’s IEP, the team must consider the use of positive behavioral interventions and supports and other strategies to address the student’s behavior. This means that in most cases in which a student’s behavior impedes his or her learning or that of others, and can be readily anticipated to be repetitive, proper development of the student’s IEP will include positive behavioral interventions, strategies, and supports to address that behavior. An FBA and BIP must be used proactively, if an IEP team determines that they would be appropriate for a child.

The Student transferred to the District in February 2023 with an IEP that included goals and specially designed instruction, in part in social/emotional (emotional regulation, coping/sensory strategies) and behavior (following directions, being in location, staying safe at school). The IEP included accommodations related to behavior, such as ability to debrief with a trusted adult, breaks, sensory items, and daily incentive/positive reinforcement tracking. And, the Student had a BIP that targeted the following behaviors: following directions, unsafe behaviors (pushing, kicking, throwing), and leaving the classroom without permission. The District stated and emails from the case manager supported that the Student was provided comparable services.

Upon investigation, the Parent’s concerns seem to stem from an incident on March 9, 2023, where another student hit the Student and the Student felt bullied by peers, and how the District responded to this incident.² Following this and throughout March and April 2023, the Parent raised and communicated concerns regarding the Student’s safety and needs.

On March 16, 2023, a meeting was held and a “support and safety plan” was created for the Student, which outlined next steps connected with special education services and collaboration with the Student’s WISE team. Another meeting, discussed further below, was held on April 27, 2023, for the express purpose of discussing the Student’s safety and support needs. Follow up and next steps from that meeting included agreement to increase communication, and further collaboration and consultation with staff. The District proposed holding another IEP meeting to

² OSPI notes that while outside the scope of the investigation, the District did respond to the Parents concerns by initiating a HIB investigation and discrimination investigation.

further address the Parent's concerns, which was ultimately not held because the Parent withdrew the Student from the District.

While the Parent alleged the District was attempting to create a false picture of the Student and his needs and the District was, according to the Parent, treating the Student's behavior needs as "crisis support" instead of supporting the underlying needs and addressing behaviors; OSPI finds that the District was appropriately responding to concerns that arose at school. For example, whether suicidal or not, school districts must take statements that implicate suicide seriously and respond. Here, the Student made statements, was assessed, and found to be a low risk. Further, the District took multiple actions to address the Parent's concerns and the Student's needs: the District held multiple meetings and planned to hold more; the District attempted to clarify if the Parent was requesting an FBA or whether she was giving input to amend the BIP; and the District included members of the WISe team, those providers contributed to the meeting agendas, and attended meetings.

While the Parent may disagree with some of the actions taken by the District and there were misunderstandings and challenges communicating³, OSPI finds that given the numerous communications and multiple meetings held in only two months of attendance in the District, the District addressed the Student's needs to the extent it was able and would have continued to attempt to address the Parent's concerns and the Student's needs had they remained in the District. OSPI finds no violation.

Parent Participation: The parents of a child with a disability are expected to be equal participants along with school personnel, in developing, reviewing, and revising the IEP, for their child. This is an active role in which the parents (1) provide critical information regarding the strengths of their child and express their concerns for enhancing the education of their child; (2) participate in discussions about the child's need for special education and related services and supplementary aids and services; and (3) join with the other participants in deciding how the child will be involved and progress in the general curriculum and participate in State and district-wide assessments, and what services the agency will provide to the child and in what setting.

Prior to the April 27, 2023 IEP meeting, there were several communications between the District, Parent, and other individuals, such as WISe team members supporting the Student about the meeting agenda. Based on the emails, it was clear the Parent wanted to focus on "safety and concerns" and not necessarily on amended or even discussing the IEP; in fact, a WISe team member wrote, "If we can all agree that *IEP won't be discussed* at this meeting and we can use this time to focus on safety concerns then [Parent] can make the time work." (Emphasis added). Thus, arguably the April 27, 2023 meeting was not an IEP meeting and special education regulations do not govern the situation. Regardless, the attendees at the meeting were the IEP team and the

³ For example, the Parent took issue with an email sent by the case manager and stated this email was an attempt to create an "unfair/untrue" profile of the Student and his needs; however, it is not clear the case manager intended the email this way and from the plain language of the email, the case manager was attempting to passing along information so that the Parent could decide how she wanted to address a concern.

meeting discussion still could have had implications for special education services and supports—the District noted that a “safety plan is an administrative document...outside the scope of the IEP team” but that the District “determined that there was value discussing the same in the IEP team context to the extent that the discussion around the same might eventually get back to if a new FBA is needed and/or if the BIP needed to be updated” and “serving as a venue to discuss offering parent training and counseling.”

The Parent’s primary concern with the meeting was that the special education teacher/case manager left about 15 minutes into the meeting. Generally, if a required team member becomes unavailable, excusal procedures should be followed or the meeting rescheduled. However, in this instance, OSPI does not find a violation for several reasons. First, multiple other special education providers working with the Student attended the meeting. Second, no action was taken, or decisions made with respect to amending the Student’s IEP, conducting an FBA, or amending a BIP; no special education decisions were made without the participation of the special education teacher. And third, following the meeting, the District and Parent continued to communicate regarding the Student’s needs, including the District attempting to clarify whether the Parent was requesting a new FBA, and the District proposed scheduling another IEP meeting to continue discussions. Ultimately, the second IEP meeting was not held because the Parent withdrew the Student on May 5, 2023, and filed a declaration of intent to homeschool.

The Parent also stated that she felt like the April 27, 2023 meeting was an “unsafe environment” and that again, the District staff were trying to create a false picture of the Student and his behaviors—for example, stating the Student was throwing books in the classroom when the Parent stated she had never been notified or provided documentation of such a behavior incident. While the Parent may not have felt comfortable in the meeting setting, it is not clear that this prevented her from participating. The Parent attended the meeting, raised concerns, and invited multiple meeting attendees, including WISe team members and parent advocates, who attended and participated. Additionally, OSPI finds it hard to see how the team could discuss both the Student’s safety and behavior support needs, without discussing potential behaviors the Student was exhibiting. While there should have been room for a discussion about what the Student’s behaviors meant or what behaviors were communicating, the team would need to be able to raise and discuss concerns like potential book throwing.

Finally, even assuming the Parent was not able to fully participate in the April 27, 2023 meeting, again and importantly no decisions were made regarding special education services, no services were denied, and the IEP was not amended. And the District continued to respond to the Parent’s concerns and proposed scheduling another IEP meeting.

Overall, OSPI finds that no special education regulations with respect to parent participation were violated by the District.

CORRECTIVE ACTION

STUDENT SPECIFIC:

None.

DISTRICT SPECIFIC:

None.

Dated this 6th day of May, 2024

Dr. Tania May
Assistant Superintendent of Special Education
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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.)