

SPECIAL EDUCATION COMMUNITY COMPLAINT (SECC) NO. 24-80

PROCEDURAL HISTORY

On May 30, 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 Hoquiam 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 May 30, 2024, OSPI acknowledged receipt of this complaint and forwarded a copy of it to the District superintendent on June 5, 2024. OSPI asked the District to respond by June 21, 2024, to the allegations made in the complaint.

On June 21, 2024, OSPI received the District's response to the complaint and forwarded it to the Parent on June 24, 2024. OSPI invited the Parent to reply by July 5, 2024.

On June 21, 2024, OSPI requested additional information from the Parent, the Parent responded, and the information was shared with the District on the same date.

On July 9, 2024, the OSPI complaint investigator requested assistance from the District to access linked documents the District had provided as part of their complaint response. The District responded the same day providing access.

OSPI considered all information provided by the Parent 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 June 1, 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. Did the District address the Parent's requests and the Student's behavior needs in developing the Student's individualized education program (IEP) according to WAC 392-172A-03110 during the 2023–24 school year?
2. Did the District implement the Student's accommodations in conformity with the Student's IEP according to WAC 392-172A-03105 during the 2023–24 school year?

LEGAL STANDARDS

IEP Development: When developing each child's individualized education program (IEP), the IEP team must consider the strengths of the child, the concerns of the parents for enhancing the education of their child, the results of the initial or most recent evaluation of the child, and the

academic, developmental, and functional needs of the child. 34 CFR §300.324(a). WAC 392-172A-03110.

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 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).

IEP Implementation: At the beginning of each school year, each district must have in effect an IEP for every student within its jurisdiction served through enrollment who is eligible to receive special education services. 34 CFR §300.323(a); WAC 392-172A-03105(1). A school district must develop a student's IEP in compliance with the procedural requirements of the IDEA and state regulations. 34 CFR §§300.320 through 300.328; WAC 392-172A-03090 through 392-172A-03115. It must also ensure it provides all services in a student's IEP, consistent with the student's needs as described in that IEP. 34 CFR §300.323; WAC 392-172A-03105.

Parent Request for IEP Meeting: When a parent or district believes that a required component of a student's IEP should be changed and requests an IEP meeting, the district must conduct an IEP meeting if it believes that the change may be necessary to ensure the provision of FAPE. IDEA, 64 Fed. Reg. 12,475, 12,476 (March 12, 1999) (Appendix A to 34 CFR Part 300, Question 20).

Behavior: When considering special factors unique to a student, the IEP team must consider the use of positive behavioral interventions and supports, as well as other strategies, to address behavior in the case of a student whose behavior impedes the student's learning or that of other. WAC 392-172A-03110(2)(i).

Functional Behavioral Assessment (FBA): An FBA focuses on identifying the function or purpose behind a child's behavior. Typically, the process involves looking closely at a wide range of child-specific factors (e.g., social, affective, environmental). Knowing why a child misbehaves is directly helpful to the IEP team in developing a behavioral intervention plan (BIP) that will reduce or eliminate the misbehavior. *Questions and Answers on Discipline Procedures* (OSERS June 2009) (Question E-2). The FBA process is frequently used to determine the nature and extent of the special education and related services that the child needs, including the need for a BIP, which includes behavioral intervention services and modifications that are designed to address and attempt to prevent future behavioral violations. *Letter to Janssen*, 51 IDELR 253 (OSERS 2008).

Behavioral Intervention Plan (BIP): A BIP is a plan incorporated into a student's IEP if determined necessary by the IEP team for the student to receive FAPE. The BIP, at a minimum, describes: the pattern of behavior(s) that impedes the student's learning or the learning of others; the

instructional and/or environmental conditions or circumstances that contribute to the pattern of behavior(s) being addressed by the IEP team; the positive behavioral interventions and supports to reduce the pattern of behavior(s) that impedes the student's learning or the learning of others and increases the desired prosocial behaviors and ensure the consistency of the implementation of the positive behavioral interventions across the student's school-sponsored instruction or activities; and the skills that will be taught and monitored as alternatives to challenging behavior(s) for a specific pattern of behavior of the student. WAC 392-172A-01031.

Program Modifications: An IEP must include a statement of the program modifications that will be provided to enable the student to: advance appropriately toward attaining his or her annual IEP goals; be educated and participate with other students, including nondisabled students in educational activities; and participate, if appropriate, in general education classroom, extracurricular, and nonacademic activities. 34 CFR §300.320(4); WAC 392-172A-03090(1)(d).

FINDINGS OF FACT

Background Information

1. At the start of the 2023–24 school year, the Student was eligible for special education services under the category of developmental delay, was in the first grade, attended a District elementary school, and his January 31, 2023 individualized education program (IEP), developed in a previous Washington district, was in effect.
2. The Student transferred to the District from another district within the state. The Student had a current evaluation from the previous district, dated January 30, 2023, and a current IEP, dated January 31, 2023.
3. The Student's January 31, 2023 IEP included annual goals in social/emotional (maintaining personal space, using words to have needs met), math (counting, number recognition), reading (identifying letters by name and sound, comprehension), writing (letter writing), communication (articulation, expressive language), and occupational therapy (prewriting shapes, scissors skills, letter formation), with written progress reporting at the semester. The Student's January 31, 2023 IEP provided the Student with the following specially designed instruction (SDI) in a special education setting:
 - Reading: 51 minutes/daily (to be provided by special education staff)
 - Writing: 15 minutes/daily (to be provided by special education staff)

The IEP provided the following SDI in a general education setting:

- Social/emotional: 40 min/daily (to be provided by special education staff)
- Math: 30 min/daily (to be provided by special education staff)

The IEP included the following related services in a special education setting:

- Communication/speech therapy: 30 minutes/week (to be provided by special education staff)
- Occupational therapy (OT): 30 min/week (to be provided by special education staff)

The IEP included an accommodation for preferential seating and indicated the Student would spend 80% of his time in a general education setting.

2023–24 School Year

4. The District's 2023–24 school year began on September 5, 2023.
5. On September 14, 2023, the District initiated a check-in/check-out system with the Student, facilitated by the "whole child coach" staff member of the school. The system included the expectation of respecting adults and "keeping hands and feet to myself and staying in my seat," and occurred in the morning, afternoon, and during specialist time. District documentation indicated that data was routinely collected throughout the school year with a revision of the checklist occurring in May 2024.
6. On October 12, 2023, the District held a meeting to discuss the Student's transfer paperwork, inclusive of reviewing a current evaluation and IEP.
7. Also, on October 12, 2023, following the transfer review meeting, the District provided a prior written notice (PWN) to the Parent, proposing to provide comparable special education services based on a review of the Student's evaluation, dated January 30, 2023, and IEP, dated January 31, 2023. SDI would be provided in reading, written language, math, and social/emotional, along with related services in speech and OT. The District indicated they were accepting the evaluation/eligibility results and the current IEP from the previous Washington district.
8. On October 17, 2023, the District contacted the Parent by phone to discuss the Student's transfer review and the District's proposal to continue to provide comparable services as outlined in the January 2023 IEP. The Parent agreed to the District's proposal to continue services, though she declined to participate in a 'transfer review' meeting.
9. On October 18, 2023, on behalf of the Parent, the Student's community therapist emailed the District concerns about the Student's "negative behaviors" at school and indicated an interest in collaborating to support the Student as well as the Parent. The therapist suggested a meeting to focus on communication. District staff, the Parent, and community therapist agreed to meet on October 23, 2023.
10. On October 20, 2023, the District provided the Parent with a PWN, accepting the prior district's evaluation report and eligibility determination and initiating special education services under the category of developmentally delayed with services in reading (basic reading, comprehension), writing (written expression), math (applications, calculations), and social/emotional.
11. On October 25, 2023, the Parent emailed the school principal and the community therapist, as to why she was not contacted after two behavioral incidents involving the Student. The principal responded the same day that the school's whole child coach was asked to call the

Parent to follow up on the bus incident. The principal also indicated he would talk with the Student's special education and general education teachers about the incident that involved "punching." The principal also tried to contact the Parent by phone, but was not able to reach her. The PE teacher also talked with the Parent regarding the incident that occurred in PE.

12. Also, on October 25, 2023, the Student's community therapist emailed the special education teacher and principal, noting the increased "problematic behaviors" at school and described how their agency could help the Student emotionally regulate during a crisis. She offered the support of herself and another counselor to support the Student during behavioral crises, and to help "bridge the gap" in communication with the Parent.
13. On October 27, 2023, the school's whole child coach responded to the Parent regarding the two incidents on October 25, 2023. The whole child coach met twice daily with the Student through a check-in/check-out process at the beginning and end of the day. She outlined the process for communicating with the Parent and community therapists when there is a major incident. The process included calling the Parent, followed by the community therapists. If she was unable to reach anyone by phone, she would send an email. If the concern is a minor incident, the two therapists and the Parent will be emailed. The coach went to share there was a minor incident that morning when the Student hit the paraeducator working with them.
14. On October 30, 2023, the whole child coach, following the agreed upon procedures for minor incidents, sent an email to the Parent and the community therapists regarding unsafe behavior on the playground, the Student kicking windows, and the Student not following directions. She also opted to call and talk with the Parent about the Student's day.
15. On November 8, 2023, the principal spoke with the Parent regarding behavioral issues that occurred at school that day and on the bus when she came to pick him up at school. Due to unsafe behavior on the playground, the school would be developing a structured recess for the Student to help them learn safety expectations. There was also a bus referral written that day for punching another student, with the principal issuing the Student a three-day suspension from the bus.
16. Also, on November 8, 2023, the Parent wrote to the school team that she believed a 1:1 paraeducator was included in the Student's IEP from the previous school district and asked that the team confirm a 1:1 paraeducator would be assigned to the Student starting the next day.
17. On November 13, 2023, the special education director responded to the Parent regarding her request for a 1:1 paraeducator. He stated that he had reviewed both the Student's evaluation and IEP and that the documents from the previous school district did not include 1:1 paraeducator support for the Student, neither as a related service nor as an accommodation. He suggested that the IEP team meet and review the IEP and "potentially amend goals so they clearly identify what skills are to be taught to address the behaviors of concern." He also suggested an IEP meeting be held to discuss the needs of the Student at the elementary school.

18. The Parent responded to the special education director and school team members on November 13, 2023, restating that she believed that a 1:1 paraeducator was included in the Student's current IEP.
19. On November 17, 2023, the District provided a PWN to the Parent, proposing to initiate a functional behavioral assessment (FBA) and to use the data collected through the assessment process to develop an appropriate behavioral intervention plan (BIP) for the Student.
20. On November 18, 2023, the Parent signed consent for the FBA.
21. On December 5, 2023, the District sent a meeting notice, inviting the Parent to a meeting scheduled for December 12, 2023, to discuss the results of the FBA. The Parent responded on December 5, 2023, that she could attend.
22. Following the FBA meeting, the District sent an invitation on December 6, 2023, inviting the Parent to a meeting to develop a BIP for the Student scheduled for December 7, 2023. The Parent responded on December 6, 2023, that she could attend.
23. The BIP, developed on December 7, 2023, identified the target behavior of aggression to be addressed based on observational data collected by the FBA team. The specific intervention strategies included in the BIP to support the Student were: 1) daily check-ins to review appropriate choices and behaviors; 2) access to a calm-down room when needed; 3) breaks when needed to regulate; 4) review of daily schedule with the Student to facilitate understanding of emotional status; and 5) use of a visual chart to teach appropriate expression of feelings. The positive behavior reinforcement plan includes praise and attention from staff, earning time to play video games, and earning a small reward (e.g., toy, sticker chart).
24. Following the BIP development meeting, the District provided the Parent a PWN on December 12, 2023, proposing to initiate the BIP addressing the Student's behavioral concerns through the implementation of appropriate behavioral goals and positive behavioral supports. Specifically, the District stated that the BIP would support the Student with learning appropriate behavior for the school environment.
25. On January 22, 2024, the District invited the Parent to the annual IEP meeting scheduled for January 29, 2024, with the Parent responding she could attend.
26. The IEP meeting was held on January 29, 2024, with the Parent, special education teacher, principal, community therapist, speech language pathologist (SLP), and OT. The general education was appropriately excused as she was out ill.
27. The Student's January 29, 2024 IEP included annual goals in social/emotional (personal space, initiating appropriate verbal interactions), math (counting, number recognition) reading (identifying letters by name and sound, comprehension), writing (all letters), communication (final consonant articulation, use of 'is/are'), and OT (handwriting), with written progress

reporting at the trimester. The Student's January 29, 2024 IEP provided the Student with the following SDI in a special education setting:

- Social/emotional: 20 minutes/5x weekly (to be provided by special education staff)
- Math: 45minutes/5x weekly (to be provided by special education staff)
- Math: 30 minutes/5x weekly (to be provided by special education staff)
- Reading: 60 minutes/5x weekly (to be provided by special education staff)
- Reading: 30 minutes/5x weekly (to be provided by special education staff)
- Writing: 30 minutes/5x weekly (to be provided by special education staff)

The IEP included the following related services in a special education setting:

- Communication: 20 minutes/week (to be provided by special education staff)
- OT: 20 minutes/15 x yearly (to be provided by special education staff)

The IEP included the following accommodations:

- Preferential seating
- Alternate response options in the classroom and testing situations, including adult typing Student's oral response
- Break material into manageable parts
- Visual timer
- More time while the student is productive

The IEP included the following modifications:

- Reinforcement for earned activities
- Behavior visual schedule
- Check work frequently to ensure understanding

The IEP indicated the Student would spend 38% of his time in a general education setting.

28. On March 1, 2024, the Parent completed an out-of-district choice transfer request for the Student to remain at the District elementary school, though the Parent had moved to another school district.¹
29. On March 19, 2024, the District sent an invitation to the Parent to a meeting to discuss the Student's BIP scheduled for March 21, 2024. The Parent responded the same day that she could attend.
30. The District provided the Parent with a PWN on March 21, 2024, following the BIP meeting outlining the changes to the BIP, including an increased emphasis on replacement behaviors with positive reinforcement, as the original BIP was not as effective as the team wanted.
31. On April 12, 2024, the District invited the Parent to an IEP review meeting scheduled for April 18, 2024. The meeting was to review the Student's instructional needs, progress made on

¹ The District replied to the Parent by letter that the out-of-district transfer was denied and the principal emailed the Parent, offering to support a smooth transition to the new school district/school.

goals, as well as to consider a Parent request to homeschool the Student. The Parent responded the same day that she could attend.

32. At the April 18, 2024 IEP amendment meeting, the Parent and District discussed the progress the Student was making on social/emotional goals, as well as in the academic areas. The Student still required ongoing support for managing behavior appropriately and when not interested in following the requests or directions from staff. The Student had difficulty initiating schoolwork, unless supported by an adult and required support when leaving the classroom to transition to another area in the school. The team also discussed the Parent's request for the Student to attend school for half-day for the remainder of the 2023–24 school year and at the start of the 2024–25 school year.

33. The Student's amended IEP of April 18, 2024 IEP included: 1) the same annual social/emotional goals as the January 2024 IEP with one metric change (personal space, initiating appropriate verbal interactions); 2) the addition of behavioral goals (calming strategies, coping strategies); and 3) the same math, reading, writing, communication and OT goals; with written progress reporting at the trimester. The Student's amended IEP of April 18, 2024 provided the Student with the following specially designed instruction in a special education setting:

- Social/emotional: 20 minutes/5x weekly (to be provided by special education staff)
- Math: 45minutes/5x weekly (to be provided by special education staff)
- Math: 30 minutes/5x weekly (to be provided by special education staff)
- Reading: 60 minutes/5x weekly (to be provided by special education staff)
- Reading: 30 minutes/5x weekly (to be provided by special education staff)
- Writing: 30 minutes/5x weekly (to be provided by special education staff)

The IEP included the following related services in a special education setting:

- Communication: 20 minutes/week (to be provided by special education staff)
- OT: 20 minutes/15 x yearly (to be provided by special education staff)

The IEP included the following accommodations:

- Preferential seating
- Alternate response options in the classroom and testing situations, including adult typing Student's oral response
- Break material into manageable parts
- Visual timer
- More time while the student is productive
- Additional breaks
- 'Breaks are better' points chart
- Classroom job
- Check in/check out system
- Movement breaks
- Separate location as needed
- Texture fidgets/chew necklace
- Use of headphones

The IEP included the following modifications:

- Reinforcement for earned activities

- Behavior visual schedule
- Check work frequently to ensure understanding
- Behavior: adult proximity/increased monitoring
- Check in/check out system and 'breaks are better' points chart

The IEP indicated the Student would spend 38% of his time in a general education setting.

34. On May 2, 2024, the Parent and special education director met to discuss the Parent's request for the Student to attend school for half-day paired with the Parent homeschooling the Student for the remainder of the day. The special education director clarified this was a Parent request and not a recommendation of the District. He shared that the District was prepared to continue implementing the Student's IEP and BIP for full-day school attendance. The Parent was provided the District homeschool notification form that needed to be completed of her intent to homeschool the Student.
35. On May 17, 2024, the special education teacher met with the Parent to complete the amended IEP of April 18, 2024, and the Parent provided additional input related to goals and accommodations.
36. Also, on May 17, 2024, the District provided a PWN to the Parent following the IEP amendment meeting, the meeting between the Parent and the special education director, and a third meeting with the Parent that occurred that same day.

The PWN stated, "the District stands ready to provide a full day of services" for the Student and that the District did not agree with the half-day of school services and half-day of homeschooling the Parent requested. Additional information on the PWN included: 1) that the team reviewed Student progress and gains made the social/emotional and academic areas since January 2024; and 2) that the Student still required support for managing behavior and responding to demands. It was further noted that it was decided that the Student would continue full days at the school and that this decision would be reviewed at the beginning of the new school year.

37. On May 11, 2024, the District received a request from the Parent for 1:1 support for the Student, and an IEP meeting was scheduled for June 5, 2024, to discuss the request and Parent concerns.
38. On June 5, 2024, the District provided a PWN to the Parent, following the IEP meeting discussing her request for 1:1 support for the Student. Other concerns raised at the meeting included exclusion from PE, music, recess, and lunch. The PWN noted that the Student was given the choice to attend PE, though sometimes he indicated the noise level was too loud. However, the Student had the opportunity for gym time with other students in a small group setting. Related to music class, the Student also makes a choice whether to participate. The Student was also given the choice whether to eat in the lunchroom or in the classroom and the staff support the choice he made. The PWN also noted that a staff member is in "close proximity" to the Student throughout the school day. The Parent questioned exclusion of the

Student from a concert, and it was shared that the concert in question was performed by students in an after-school choir program. The Parent request for specific 1:1 support was rejected, as the Student was provided adult support on a rotating coverage basis throughout the school day.

39. The last day of school for the 2023–24 school year was June 18, 2024.

Accommodations Implementation

40. The Student's IEP, dated January 31, 2023, included the sole accommodation of 'preferential seating,' and was in effect until the annual IEP developed on January 29, 2024.

41. The Student's January 29, 2024 IEP included several more accommodations to help support the Student behaviorally. With the addition of calming and coping goals in this IEP, the team, with Parent involvement, focused on using a visual schedule and timer, in concert with the BIP developed in December 2023. The new accommodations also supported the Student academically: breaking material into manageable parts; checking work frequently to ensure understanding; and allowing the Student to respond in alternate ways to show learning.

42. The IEP team, with Parent participation, amended the Student's IEP in April 2024, and again addressed needed accommodations for the Student. The team added the accommodations of 1) offering additional breaks, 2) movement breaks, 3) opportunity to use a separate location, 4) texture fidgets and chew necklace, as well as 5) adult in proximity, and the 6) inclusion of a behavioral contract through the 'breaks are better'/check-in, check-out systems.

43. On June 21, 2024, in response to an OSPI request, the Parent provided information about missed accommodations. The Parent indicated she believed that the District removed the 1:1 paraeducator support from the Student's IEP that was developed in the previous district, and that 1:1 support was not added to the IEP developed in April 2024. The Parent was unsure about the implementation of preferential seating, use of headphones, or visual timer.

44. District documentation, such as the PWNs provided to the Parent, the BIP document, meeting notes, and discussion notes all indicate that the staff serving the Student were providing and offering the accommodations listed in the Student's IEP.

CONCLUSIONS

Issue 1: Parent Requests Regarding Student Behavior Needs – The Parent alleged the District did not address her requests or the Student's behavioral needs in the development of the IEP.

When developing an IEP for a student, the team must consider the strengths of the child, the concerns of the parents for enhancing the education of their child, the results of the initial or most recent evaluation of the child. In addition, the parents are expected to be equal participants in developing, reviewing and revising the IEP for their child. If either the parent or district feels that a component of the student's IEP should be changed and requests and IEP, the district must convene an IEP meeting.

In this case, the Student transferred into the District for the 2023–24 school year with a current IEP and evaluation, which were reviewed and accepted by the District. The District communicated with the Parent regarding the transfer review meeting and the decision of the team. The Student began the first grade in a general education classroom with special education services provided both in the general education and special education settings. Speech therapy and OT were also provided as related services.

To help the Student’s transition, a check-in/check-out system was implemented at the beginning and end of the day, supported by the whole child coach staff member. By mid-October, the Student was exhibiting behavioral challenges on the bus, in the classroom, and during recess, with the District responding with implementing a structured recess plan, and continued support by the whole child coach. Communication protocols were put in place to notify the Parent and community therapists supporting the Student and family about behavioral concerns that occurred at school.

By late fall, the District initiated an FBA to better understand the Student’s behavioral issues, followed by the development of a BIP that included positive behavioral strategies. The annual IEP meeting was held in January 2024, with increased special education services and accommodations for the Student. The team met again in April 2024, with a follow up meeting with the Parent to amend the IEP, which included the addition of two behavior goals and additional accommodations to support the Student emotional regulation, including the proximity of adult support. In May, the Parent requested a meeting to discuss a 1:1 paraeducator, her desire to homeschool the Student part-day, and concerns she had about potential exclusion of the Student from classes/activities. The District met with the Parent to discuss her concerns and came to a resolution for the remainder of the 2023–24 school year that the Student would remain full-time in school.

In summary, the Parent was invited to all meetings, discussing the Student’s program and participated in the development of the FBA, BIP, and IEP. In addition, staff members met with the Parent or communicated via telephone/email throughout the school year when requested by the Parent to discuss concerns. Therefore, OSPI finds no violation.

Issue 2: Implementation of the Student’s IEP Accommodations – The Parent alleged the District did not provide the Student’s accommodations as prescribed by the IEP.

An IEP must include a statement of any program accommodations or modifications that will be provided to enable the student to: advance appropriately toward attaining his or her annual IEP goals; be educated and participate with other students; and enjoy a meaningful and productive learning experiences based on their individual needs.

In this case, the IEP team, with Parent participation, addressed the Student’s behavioral and academic needs throughout the school year, beginning with the Student’s enrollment in the District for the 2023–24 school year. First, the school initiated a check-in/check-out process facilitated by the school’s whole child coach. Then when the Student had increasing behavioral difficulties in different school settings, the team initiated an FBA to determine the cause of the Student’s behavior and identify potential solutions to help the Student learn more appropriate

skills. This information informed the development of the BIP, as well as the development of the new annual IEP in January 2024. This IEP included increased special education services, as well as additional accommodations and modifications. Three months later, the IEP team amended the current IEP to include behavioral goals, in conjunction with the social/emotional goals, and added more positive strategies to support calming and coping skills. Necessary academic support was also addressed with additional accommodations and modifications added to the IEP, including providing the Student with the proximal adult support throughout the school day.

District documentation, such as the PWNs provided to the Parent, the BIP document, meeting notes, and discussion notes all indicate that the staff serving the Student were providing and offering the accommodations listed in the Student's IEP. Therefore, OSPI finds no violation.

CORRECTIVE ACTION

STUDENT SPECIFIC:

None.

DISTRICT SPECIFIC:

None.

Dated this 25th day of July 2024

Alyssa Fairbanks
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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.)