

# Special Education Litigation

## Statutory and/or Budget Language

Of the amounts provided in this subsection (1)(a), \$465,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for office of the attorney general legal services related to special education related litigation.

## Purpose

Due to several cases taking significant resources from OSPI and the Attorney General’s office, the need for additional funding to cover the legal costs was needed.

## Description of Services Provided

Pursuant to state law, the Attorney General provides legal representation to OSPI. In 2023 and 2024, OSPI was involved in multiple special education lawsuits. Two of them took significant resources, *N.D. v. Reykdal*, and *Fairfax Hospital (dba NW SOIL) v. OSPI*. The services included all aspects of legal representation. This involved representing OSPI in the United States District Court for the Western District of Washington, the 9<sup>th</sup> Circuit Court of Appeals, Thurston County Superior Court, and the Office of Administrative Hearings. This also involved negotiations with opposing counsel.

## Criteria for Receiving Services and/or Grants

The funds had to be used for legal services related to special education litigation

## Beneficiaries in the 2023-24 School Year

<b>Number of School Districts</b>	0
<b>Number of Schools</b>	0
<b>Number of Students</b>	0
<b>Number of Educators</b>	0
<b>Other</b>	0

## Are Federal or Other Funds Contingent on State Funding?

No

## State Funding History

Fiscal Year	Amount Funded	Actual Expenditures
2024	\$465,000	\$0



## Number of Beneficiaries Per Fiscal Year (e.g. School Districts, Schools, Students, Educators, Other)

Fiscal Year	Number of Beneficiaries
2024	0

## Programmatic Changes Since Inception (If Any)

None

## Program Evaluation or Evaluation of Major Findings

Litigation costs are rising and the need for additional funding in the future should be considered.

## Major Challenges Faced by the Program

Unpredictability of when we will face litigation.

## Future Opportunities

When making budget proposals, consider the increased costs of litigation.

## Other Relevant Information

None.

## Schools/Districts Receiving Assistance

[Click here to see a list of all OSPI grant recipients in the 2024 Fiscal Year.](#)

## Program Contact Information

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