

**WASHINGTON STATE
OFFICE OF ADMINISTRATIVE HEARINGS**

In the matter of:

Seattle School District

Docket No. 04-2025-OSPI-02514

**FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND FINAL ORDER**

Agency: Office of Superintendent of
Public Instruction

Program: Special Education

Cause No. 2025-SE-0053

A due process hearing was held before Administrative Law Judge (ALJ) Niles McDonald on May 29 and 30, 2025, via videoconference. The Parents of the Student whose education is at issue¹ appeared and represented themselves. The Seattle School District (District) was represented by Susan Winkelman, attorney at law. Also present was Rachel Disario, Senior Assistant General Counsel for the District.

STATEMENT OF THE CASE

Procedural History

The District filed a due process hearing request (Complaint) on April 4, 2025. The matter was assigned to ALJ Marek Falk on April 8, 2025. A prehearing conference was scheduled for April 21, 2025. On April 19, 2025, the Parents requested a continuance of the April 21, 2025, prehearing conference. The prehearing conference was rescheduled to April 29, 2025. The prehearing conference was held before ALJ Falk on April 29, 2025, where a readiness hearing was set for May 15, 2025, and the due process hearing was set for May 29 and 30, 2025. On May 6, 2025, the case was reassigned to ALJ McDonald.

The readiness hearing was held on May 15, 2025. The due process hearing was held as scheduled on May 29 and 30, 2025.

Due Date for Written Decision

The due date for a written decision in this case is thirty (30) calendar days after the close of the record. Initially, post-hearing briefs were due on July 3, 2025, but on motion of the District this was extended to July 15, 2025. The record closed when the

¹ To ensure confidentiality, names of parents and students are not used.

parties timely filed post-hearing briefs on July 15, 2025, and the due date for the written decision is August 14, 2025.

EVIDENCE RELIED UPON

Exhibits Admitted:

District's Exhibits: D2-D20

Parents' Exhibits: P1-P3, P6-P7, P10, P11-P14, P15

D11 is a more complete version of P3, containing additional pages. However, both versions of the document were admitted to facilitate the Parents presentation, as they prepared notes based upon P3.

Witnesses Heard (in order of appearance):

Melissa Hoang, School Psychologist

Erica Burnell, District Occupational Therapist

The Student's Mother (Mother)

Marisa Schlemper, Board Certified Behavior Analyst (BCBA) Program Supervisor, for the Parents

Bradley Garrison, District Special Education Case Manager

Amy Begley, District Speech Language Pathologist

Madison Feddersen, Dartmoor Seattle Campus Manager, for the Parents

Jeffery Hanson, District Instructional Assistant

Heather Schwindt, Parents' Non-Attorney Advocate

ISSUES

The issue for the due process hearing was:

Whether the District's March 20, 2025, reevaluation of the Student was appropriate, and if not, whether the Parents are entitled to an independent educational evaluation (IEE) at public expense.

FINDINGS OF FACT

In making these Findings of Fact, the logical consistency, persuasiveness and plausibility of the evidence has been considered and weighed. To the extent a Finding of Fact adopts one version of a matter on which the evidence is in conflict, the evidence adopted has been determined more credible than the conflicting evidence. A more

detailed analysis of credibility and weight of the evidence may be discussed regarding specific facts at issue.

Some of the evidence presented was hearsay, which is a statement made outside of the hearing used to prove the truth of what is in the statement. In administrative hearings, hearsay evidence is admissible if, in the judgment of the presiding officer, “it is the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs.” Revised Code of Washington (RCW) 34.05.452(1). An ALJ may not base a finding of fact exclusively on hearsay evidence unless the ALJ determines that doing so “would not unduly abridge the parties’ opportunities to confront witnesses and rebut evidence.” RCW 34.05.461(4). To the extent any findings of fact are based on hearsay, it is determined that such findings did not unduly abridge the parties’ opportunity to confront witnesses and rebut evidence.

Background

1. The Student is currently [REDACTED], is in the 9th grade, and lives and attends school in the District. D11 p.7.² At all times relevant to this proceeding, the Student attended Ballard High School (BHS). Additionally, at all times relevant to this proceeding, the Student attended Dartmoor Academy (Dartmoor), a non-public agency (NPA), during the school year. D11 p.7. Dartmoor provides approximately half of the Student’s classes and Specially Designed Instruction (SDI). D11 p.12.
2. The Student does not have a disciplinary record. D11 p.12.
3. The Student underwent a private evaluation in November 18, 2018, and received diagnoses of Mild Neurocognitive Disorder Due To Another Medical Condition (epilepsy), Generalized Anxiety Disorder, and Specific Learning Disorder with impairment in Written Expression. D11 p.7.
4. The Parents initiated a special education referral in December 2018. D11 p.7. The Student initially qualified for special education on March 27, 2019, under the category of Specific Learning Disabilities, with a recommendation for SDI in social/behavioral and written language. D11 p.7.

² The hearing transcript is cited as “Tr.” with references to the page of the cited testimony. For example, a citation to “Tr. p. 80” is to the testimony at page 80 of the transcript. Exhibits are cited by party (“P” for Parents, “D” for District), exhibit number, and page number. For example, a citation to “D1 p.5” is to the District’s Exhibit 1 at page 5.

5. In December 2020, the Student underwent another private psychological evaluation, from which the Student received diagnoses of autism spectrum disorder, Specific Learning Disorder with impairments in Reading and Writing (also referred to as Dyslexia), and Generalized Anxiety Disorder. D11 p.7.

6. On March 15, 2022, a reevaluation, conducted by the District, changed the Student's eligibility category from Specific Learning Disabilities to Autism, with recommendations for SDI in social/behavior, written language, and study skills, as well as a communication consultation and occupational therapy support. D11 p.7.

2025 Reevaluation

7. In January 2025, the District began planning for the Student's triennial reevaluation and sought the Parents' consent. D2 p.3. The consent form for the 2025 reevaluation stated that the District would include in its reevaluation an examination of the Student's general background, existing data, medical-physical needs, and general education report. D3 p.1. The reevaluation would include an age-appropriate transition assessment. D3 p.1. The reevaluation would also assess the Student in areas of study/organization, social/behavior, communication, motor, and written language. D3 p.1.

8. The Parents consented to the reevaluation as offered and did not suggest any additional areas for the reevaluation. D3 p.3.

9. The District conducted the reevaluation of the Student from January to March, 2025. D4. Most of the reevaluation was completed by Melissa Hoang, the school psychologist.³ D11. As part of the evaluation, Ms. Hoang reviewed existing data and records, including the Student's initial special education referral, the March 2019 initial special education evaluation, the March 2022 reevaluation, as well as private evaluations from November 2018 and December 2020. D11 p.7. Ms. Hoang also included a review of the Student's grades and attendance at BHS for the 2024-2025 school year in her review. D11 p.12. See "9th Grade Semester 1 Grades" below.

³ Ms. Hoang attended the University of Washington and earned a dual bachelor's in psychology and sociology. She also received a graduate degree from Central Washington University in school psychology. Ms. Hoang is an educational staff associate with the National Association of School Psychology. Ms. Hoang has completed eleven years of employment as a school psychologist, two with Ballard High School, four with Franklin-Pierce School District, and five with Tukwila School District, at various age levels. Tr. p. 41-42 (Hoang).

9TH GRADE SEMESTER 1 GRADES

PERIOD	CLASS	GRADES
1	DARTMOOR SCHOOL	
2		
3		
4	HS Study Skills	A
5	Photography	A
6	Algebra 1A	A-

GRADES QUARTER 3

PERIOD	CLASS	CURRENT GRADES
1	DARTMOOR SCHOOL	
2		
3		
4	HS Study Skills	A
5	Independent Living	A
6	Algebra 1B	B+

ATTENDANCE (AS OF 02/28/2025)

SCHOOL YEAR	GRADE	ATTENDANCE RATE
2024-2025 (current)	9	90.5%

10. Ms. Hoang contacted the Student's private BCBA, Marisa Schlemper,⁴ prior to conducting any assessments to determine if she needed to prepare any special accommodations for the student. D4 p.6-8. Ms. Schlemper shared that the Student "has a hard time discussing her strengths and weaknesses and often shuts down and can raise her voice" and that this was "good for you to see" and "good data for the eval for you." D4 p.6. Similarly, Ms. Hoang reached out to the Student's teachers regarding the Student's behaviors and any useful accommodations. D4 p. 8-13.

Age Appropriate Transition Assessment

11. Ms. Hoang completed an age-appropriate transition assessment of the Student. D11 p.11. This included a career cluster quiz which placed the Student's top three career areas as information technology, arts and audio/video technology, and manufacturing. D11 p.11. The transition assessment included an interview, where the

⁴ Ms. Schlemper graduated from Concordia College with an undergraduate degree in psychology and neuroscience. She completed a master's in education at the University of Washington. Ms. Schlemper is a board certified behavior analyst through the Behavior Analyst Certification Board and with Washington State. She currently works as a program supervisor and clinical operations manager for Sum of Learning, a private Applied Behavior Analysis (ABA) company. Tr. p. 167-168 (Schlemper).

Student reported she wanted to take a gap year after high school before attending college. D11 p.11. She also stated she learns best with visuals and the ability to have hands on experience. D11 p.11. The Mother stated on a questionnaire that the Student's challenges included low tolerance for non-preferred activities, a lack of study and organization skills, and low motivation to transition from immediate preferred activities to long-term goals. D11 p.11. Ms. Hoang noted in the transition assessment that the Student's needs included additional processing time, reminders of expected and unexpected social behaviors, reminders of upcoming changes to her routine, and continued behavioral support. D11 p.11. She also noted the Student needs to develop and practice using coping skills when experiencing dysregulation and stress and that she needs to build executive functioning to attend to tasks, self-monitor, and plan ahead. D11 p.11.

Reevaluation of Medical-Physical Needs

12. As part of the 2025 reevaluation, the District examined the Student's medical-physical status. D11 p.17. This section of the reevaluation was conducted by Elizabeth Guynes, a school nurse. D11 p.17. Ms. Guynes possesses a Bachelor of Science in Nursing and is a registered nurse. D11 p.17. Ms. Guynes examined the Student's medical history, and noted the Student's diagnoses of Autism, Anxiety, and Seizure Disorder. D11 p.18-19. Ms. Guynes also conducted an assessment of the Student's hearing and vision, which the Student passed with the exception of some slight near-sightedness. D11 p.19.

13. Ms. Guynes' evaluation included an assessment of the potential educational implications of the Student's medical-physical conditions, noting that seizures, autism and anxiety could impact all academic areas, and noting the Student should receive academic accommodations if eligible. D11 p.18-19. The assessment noted that the Mother had suggested the Student suffers from dyslexia and that her "delay in ELA skills have prevented her from fully participating in science, history, and other subjects." D11 p.18.

Reevaluation of Communication

14. As part of the 2025 reevaluation, District speech language pathologist (SLP) Amy Begley⁵ evaluated the Student's communication. D11 p.14. Ms. Begley reviewed the

⁵ Ms. Begley has earned a bachelor's degree in English and Philosophy and a master's degree in communicative disorders. Ms. Begley is certified as a speech pathologist with the national regulatory body for the industry, the American Speech-Language-Hearing Association, and holds an educational staff associate certification. She has worked as a speech pathologist for 24 years, and has worked for Seattle Public Schools since 2010. Ms. Begley worked previously for Kent School District and ran a San-Francisco based private practice. Tr. p. 266-268 (Begley).

Student's records, including her Autism diagnosis and previous reevaluation results and recommendations. D11 p.14. Ms. Begley also considered student and teacher input and formal observation. D11 p.14. She found that the Student's receptive and expressive language and articulation were age appropriate, and that the Student's fluency, vocal quality, pitch, and loudness were within normal limits. D11 p.14.

15. Ms. Begley administered the Dynamic Assessment of Social Emotional Learning (DASEL), a non-standardized and informal assessment measuring a student's social and emotional abilities based on rating scales, checklists, family/teacher questionnaires. D11 p.14. The DASEL collected input from the Student, the Mother, and teachers. D11 p.14-17. The DASEL provides a comprehensive profile of a student's ability to self-regulate, self-advocate, understand perspectives, solve problems, and other key areas of social learning. D11 p.14. Ms. Begley used professional judgement in administering the DASEL to the Student instead of a standardized test, because standardized testing may not have been appropriate for an autistic student as standardized tests in this area often assume the taker is neurotypical and would provide inaccurate results for neurodivergent test takers. Tr p.274 (Begley).

16. When asked to complete the self-report form for the DASEL, the Student initially reported that she was uncomfortable stating qualities she loved about herself. D11 p.14-15 After support from her BCBA, the Student was able to endorse several strengths/abilities. D11 p.14-15. She reported that she was a visual and kinesthetic learner; was honest, loyal, and reliable; could remain focused on topics of interest; and had a good sense of humor. D11 p.14-15. The Student also rated her social communication skills in the areas of perspective-taking, self-advocacy, and emotions and feelings (see image below). D11 p.15.

Perspective Taking:

- I have at least one trusting person I can talk to about things - **YES**
- Can state why a person feels a certain way - **SOMETIMES**
- I usually understand what someone else is thinking - **SOMETIMES**
- After a disagreement, I can reflect on what the person might be thinking - **NOT REALLY**

Self-Advocacy:

- I know my strengths and what supports I need - **SOMETIMES**
- I ask for help and accommodations in class - **SOMETIMES**
- I manage my routine/schedule without needing help - **NOT REALLY**
- I ask for different ways of communicating when speaking is too hard - **NOT REALLY**
- I prefer to not make eye contact - **SOMETIMES**
- I prefer to communicate without using my voice - **NOT REALLY**
- I ask for a break when I am feeling overwhelmed - **SOMETIMES**
- I enjoy helping others - **SOMETIMES**

Emotions and Feelings:

- I express to others how I am feeling - **SOMETIMES**
- I have at least 3 strategies to help keep my body calm - **NOT REALLY**
- I have someone to go to when things get hard - **SOMETIMES; DEPENDS ON ENVIRONMENT**

17. Ms. Begley had the Mother complete the DASEL caregiver input form to obtain information regarding Student's areas of strength and challenges. D11 p.15-16. The Mother reported the Student was brave and resilient, and that despite being faced with a difficult set of circumstances in middle school, came through with a strong sense of self and quality self-advocacy skills. D11 p.15. Concerning challenges, the Mother reported the Student's primary coping strategy was taking breaks, and that she wanted the Student to develop a broader set of tools and strategies to regulate her emotions before leaving a situation. D11 p.15. The Mother also reported that she wanted the Student to develop perspective-taking and self-advocacy skills to recognize signs of dysregulation, so she could use strategies and communicate her needs in a pro-social way, rather than taking a break. D11 p.15. Ms. Begley also had the Mother rate the Student's communication skills in the areas of perspective-taking, self-advocacy, and emotions and feelings. D11 p.16. The Mother identified Student's strengths as identifying strengths and challenges and expressing dissent. D11 p.16.

18. Ms. Begley had Ms. Schlemper, Jeff Hanson,⁶ and Ximing Huang,⁷ an instructional assistant, complete the DASEL teacher input forms to obtain information about Student's communication skills in the classroom and other settings outside of the speech office. D11 p.16-17. Mr. Hanson reported that Student was a hard worker who understood when she needed to take a break and then return to a problem she was stuck on. D11 p.16. He reported that Student could become impatient when listening to a topic that was not of interest to her and often interrupted and returned to her preferred activity when that occurred. D11 p.16. Ms. Schlemper reported that the Student's strengths were resilience, intelligence, humor, and engagement, and that the Student was averse to discussing personal information. D11 p.16. She reported that the Student was great at self-advocating in the moment, but would benefit from learning how to advocate for future or past tasks, such as when she was absent. D11 p.16. All three reported that the Student always participated in class, worked successfully in small groups, connected with classmates, and identified when she felt dysregulated and sought support. D11 p.16.

19. Ms. Begley recommended the Student continue to be eligible for Supplementary Aids and Services (SAS) in Communication. D11 p.17 and Tr. p. 274 (Begley).

⁶ Mr. Hanson works for the District as a paraeducator and works with the Student in their study skills class. Tr. p. 287 (Hanson). There was no testimony and is no record to Mr. Hanson's educational background.

⁷ Ms. Ximing Huang is an instructional assistant for the District. Ms. X. Huang did not appear at hearing to provide testimony and there is no evidence as to her educational background.

Reevaluation of Occupation Therapy Needs

20. As part of the 2025 reevaluation, Occupational Therapist (OT) Erica Burnell⁸ conducted an occupational therapy evaluation on March 3, 2025. D11 p.19-20. This evaluation included a review of the Student's file, observations, informal skill assessments, and input from the Student's educational team and the Mother. D11 p.19-22. This evaluation covered both motor skills and sensory. D11 p.21-22.

21. During the 2019 initial evaluation, the evaluation team determined the Student's writing challenges were not due to fine motor deficits. D11 p.22. Ms. Burnell determined the Student was still not demonstrating any new fine motor challenges for the 2025 reevaluation. D11 p.22. Ms. Burnell also reviewed the Student's 2022 reevaluation, history of occupational therapy services and supports, educational placements, and medical diagnoses. D11 p.20-22. She also reviewed the Student's learning environment and supports at the time of the evaluation. D11 p.20-22.

22. Ms. Burnell interviewed the Student as part of her evaluation. D11 p.20. The Student reported that BHS was less stressful than other schools, that she enjoyed time with peers, and wanted to increase her time at BHS the following school year. D11 p.20. The Student reported no participation issues due to sensory concerns. D11 p.20. The Student's teachers reported that she was enjoying her time at BHS, showing progress overall, and doing very well academically. D11 p.20. They reported that Student needed support with school skills, such as note-taking, and social skills. D11 p.20-21. Student's behavior team reported that Student was requiring less support at times, such as during algebra class. D11 p.20-21.

23. Ms. Burnell also interviewed the Mother, who reported that the family was very thankful for the progress Student had made and that she was so well-supported and successful at BHS. D11 p.20. The Mother expressed concern about Student's fine motor skills inhibiting her ability to take notes, particularly during the following school year when she would have classes that required significantly more writing, but did not report any other motor-related concerns. D11 p.20.

24. To assess the Student in the area of sensory processing, Ms. Burnell obtained input from the Student's teachers and providers. D11 p.21. Bradley Garrison⁹ reported

⁸ Ms. Burnell received a bachelor's degree in occupational therapy from Wesleyan University and a graduate degree in occupational therapy from the University of Washington. Ms. Burnell is a licensed occupational therapist in Washington State and is employed as an occupational therapist for Seattle Public Schools. She has worked with Seattle Public Schools for three years. Tr. p. 111-112 (Burnell).

⁹ Bradley Garrison is a special education teacher for the District. He possesses a Washington State teacher certification, with endorsements in special education and reading. He attended the University

no unmet sensory needs. D11 p.21. The Student's behavior team similarly reported that her sensory processing skills were well accommodated at BHS. D11 p.21. Student reported that she felt comfortable at BHS, her sensory challenges and supports were going well, and she was not experiencing any further needs that were not already well supported. D11 p.21. Ms. Burnell also observed Student in class for 40 minutes. D11 p.21. During the observation, Student sat quietly, fully participated in class, and wore noise-blocking headphones. D11 p.21. After Student finished reading an assigned article, she completed the written assignment before most other students. D11 p.21.

25. Ms. Burnell reviewed a writing assignment that Student completed in February 2025 to assess Student's fine motor skills. D11 p.21. The Student's teacher reported that she completed the assignment, which included quite a bit of reading, during one class period and with time to spare. D11 p.21. Ms. Burnell was able to read the full sample with "slight extra effort." D11 p.21. The Student's writing included varying line placement with some letters floating above the line, inconsistent spacing between words, frequent phonetic spelling, and missing punctuation, but despite those issues, Ms. Burnell believed the Student's thoughts were clearly conveyed and answered the question before her. D11 p.21.

26. Ms. Burnell also obtained input from Student's teachers and providers about her handwriting. D11 p.21. Mr. Garrison reported that Student's writing was legible. Ms. Conaway,¹⁰ a special education teacher to the student, and Mr. Hanson reported that it was mostly legible. D11 p.21. Mr. Hanson reported that Student's misspellings took effort to read. D11 p.21. Ms. Conaway reported that Student was slow to finish writing notes in class. D11 p.21. Mr. Garrison, Ms. Conaway and Mr. Hanson all said that the Student's challenge with notes was that she tried to write down every word, which was not an efficient note-taking strategy. D11 p.21. Mr. Hanson shared that the Student's struggles spelling certain words slowed her down as well. D11 p.21. The education team at BHS reported no concerns specifically related to fine motor abilities, such as the ability to type, flip pages in a book, or use a writing utensil, computer mouse, touchscreen, or other classroom tools. D11 p.22.

27. After evaluating the Student's participation, sensory processing, and functional fine motor skills, Ms. Burnell recommended no occupational therapy services, and concluded that the Student demonstrated no barriers to school participation and

of Washington where he received a bachelor's degree, and received a master's in special education from Boise State University. Tr p. 241 (Garrison). He has worked as a special education teacher for seven years.

¹⁰ Ms. Conaway did not appear at hearing to provide testimony and there is no record as to her education or professional history.

occupational engagement due to sensory processing or fine motor skills. D11 p.20-22. Ms. Burnell found that the Student's challenges were due to learning disability in written expression, spelling issues, and uncontrolled notetaking, rather than underlying fine motor deficits. D11 p.22. Ms. Burnell recommended the Student receive SDI in efficient notetaking strategies and a copy of the teacher's notes as needed as an accommodation, and recommended the Student practice identifying and highlighting key information in those notes to help her learn how to efficiently take notes. D11 p.22. Ms. Burnell further recommended the Individualized Education Program (IEP) team consider incorporating visuals and hands-on activities, alternative options for written tasks like scribing, speech-to-text, audio recordings or verbal expression, and additional preparation time for in-class activities when needed. D11 p.22.

Reevaluation of Social/Behavior Needs

28. As part of the 2025 reevaluation, Ms. Hoang examined the Student's social/behavior needs. D11 p.22. Ms. Hoang administered two assessments, the Behavioral Rating Inventory of Executive Function – Second Edition (BRIEF-2) and the Behavior Assessment System for Children – Third Edition (BASC-3). D11 p.29.

29. The BRIEF-2 assesses executive function behaviors in the home and school, and can be used for children with or without learning and attentional disorders. D11 p.22. The BRIEF-2 was administered both to examine the student's Social/Behavior ability and to assess her Study/Organizational skills (see Study/Organizational skills section below.) D11 p.23. The Student's performance on the Behavioral Regulation Index and Emotional Regulation section of the BRIEF-2 was reviewed by Ms. Hoang in her evaluation of the Student's Social/Behavior needs. D11 p.23.

30. The Behavioral Regulation Index and Emotional Regulation portions of the BRIEF-2 were completed by the Student and the Student's photography teacher,¹¹ who had known her for five months. D11 p.23. On the validity index, their ratings were in the acceptable range. D11 p.23. The teacher's ratings produced scores in the clinically elevated range on the emotional regulation index and the self-monitor, shift, and emotional scales. D11 p.23-24. The teacher's ratings produced scores in the potentially clinically elevated range on the behavioral regulation index and inhibit scale. D11 p.23-24. Student's ratings produced scores in the potentially clinically elevated range on the behavioral regulation and emotional regulation indexes and the inhibit, self-monitor, and shift scales and in the mildly elevated range on the emotional control scale. D11 p.23-24.

¹¹ The photography teacher is not identified in the record and there is no record as to their professional background or education.

31. The BRIEF-2 was administered by Ms. Hoang, who has experience administering the assessment. Tr. p.49 (Hoang). Ms. Hoang administer the BRIEF-2 in accordance with the instructions from the producers of the assessment. Tr. p. 51 (Hoang).

32. The BASC-3 assesses personality and behavioral adjustment in the home and at school, comparing a student against their peers, based on observation. D11 p.24. The BASC-3 was completed by the Mother. D11 p.24. The BASC-3 assesses externalizing problems, internalizing behaviors, emotional disturbance, and pro-social skills. D11 p.25. The Mother's ratings produced scores in the average range on the externalizing problems, internalizing problems, behavioral symptoms, and adaptive skills indexes and all scales, except functional communication and anxiety, which were in the at-risk range. D11 p.24-26.

33. The BASC-3 was administered by Ms. Hoang in accordance with the instructions from the producers of the assessment. Tr. p. 51 (Hoang).

34. Ms. Hoang also requested and reviewed teacher feedback regarding the Student's social behaviors in class. D11 p.26-27. The Student's Study Skills and Algebra teachers¹² both reported the Student very frequently initiated social interactions with peers and maintained appropriate spatial boundaries, often developed and maintained friendships, used eye contact when listening or speaking, asked for help from staff and peers when needed, and used language typical of peers. D11 p.26-27. However, the Study Skills teacher reported the Student seldom demonstrated understanding of nonverbal cues and seldom varied conversational topics to suit the listener. D11 p.26-27.

35. Ms. Hoang also examined the Student's progress toward IEP goals for the 2024-2025 school year, which demonstrated significant progress in communicating the need for breaks in a pro-social tone, some progress in identifying frustration triggers, some progress in self-advocacy to peers, some progress in self-advocacy to adults, and some progress in managing frustrations. D11 p.27-28.

36. In her conclusion, Ms. Hoang recommended SDI in social, emotional, and behavioral skills, and suggested such SDI focus on the Student's frustration tolerance, problem solving skills, pro-social self-advocacy, and self-monitoring of behaviors and emotions. D11 p.28. Ms. Hoang found the Student had grown significantly in the classroom, but still demonstrated difficulty with behavioral and emotional regulation. D11 p.28.

¹² These teachers' identities do not appear in the record, and there is no evidence to their professional background or education.

Reevaluation of Study/Organizational Needs

37. As part of the 2025 reevaluation, the District examined the Student's study/organizational needs. D11 p.29. Ms. Hoang conducted this section of the reevaluation. D11 p.29.

38. The BRIEF-2 was administered both to examine the student's Social/Behavior ability and the Student's Study/Organizational skills (see Social/Behavior skills section above.) D11 p.29. The Student's performance on the Cognitive Regulation Index was reviewed by Ms. Hoang in her evaluation of the Student's Study/Organizational needs. D11 p.29.

39. To assess the Student's study/organizational needs, Ms. Hoang administered the BRIEF-2. D11 p.29. Ms. Hoang had the Student's photography teacher and the Student complete a rating scale for the BRIEF-2. D11 p.29-30.

40. On the BRIEF-2, the Student's ratings produced scores in the clinically elevated range on the global executive composite, cognitive regulation index, and plan/organize scale, and the potentially clinically elevated range on the task completion and working memory scales. D11 p.29-30. The photography teacher's ratings produced scores in the average range on the plan/organize, task-monitor, and organization of materials scales, the clinically elevated range on the initiate and working memory scales, mildly elevated range on the cognitive regulation index, and potentially clinically elevated range on the global executive composite. D11 p.29-30.

41. Ms. Hoang also examined the Student's progress toward IEP goals, which demonstrated some progress in note taking and some progress in using a planner system. D11 p.30. Ms. Hoang found the Student's deficits in study/organizational skills continued to impact her educational progress. D11 p.30.

42. In her conclusion, Ms. Hoang recommended SDI in study and organization skills, and suggested such SDI focus on the Student's task initiation and completion, problem solving strategies, organization of information and materials, and attention strategies. D11 p.30.

Reevaluation of Written Language Needs

43. As part of the 2025 reevaluation, Ms. Hoang evaluated the Student's written language needs. D11 p.31. This included reviews of the Student's 2022 reevaluation, which showed she had refused to participate in testing for the evaluation. D11 p.31.

44. Ms. Hoang attempted to administer the Weschler Individual Achievement Test-Fourth Edition (WIAT-4). D11 p.31. The Student attempted the WIAT-4 on February 7, 2025. D11 p.31. During the first section of the evaluation, which tests sentence composition, she threw the test across the room and yelled at Ms. Hoang to leave when faced with corrective feedback. D11 p.31. Corrective feedback is a mandatory part of the assessment. D4 p.5. Ms. Hoang asked the Student to ask nicely, in response to which she yelled that she never got what she wanted when she was nice, ordered Ms. Hoang to leave the room, and told her she never wanted to see her again. D11 p.31.

45. In response to the Student's refusal of the WIAT-4, Ms. Hoang contacted Ms. Schlemper, requesting feedback on how best to proceed with the Student. D4 p.5. Ms. Schlemper suggested the feedback was likely the trigger that caused the Student to melt down, but that she was impressed the Student attempted the assessment at all. D4 p.5.

46. Ms. Schlemper agreed to have the Student's Behavior Technician (BT)¹³ follow up with the Student to see if she would participate in another assessment, and suggested Ms. Hoang offer the option of skipping the corrective feedback, if possible. D4 p.5.

47. Following Ms. Schlemper's advice, Ms. Hoang attempted to have the Student complete a non-standardized writing assessment on February 11, 2025, to be administered by the Student's instructional assistant, Jeffery Hanson. D11 p.31; Tr p.289-209 (Hanson). Per Student's request, this test was to be administered during the Student's Study Skills class. D11 p.31. The Student refused the assessment, demanding time at home to research the topic of the prompt before writing. D11 p.31. On February 14, 2025, the Student's instructional assistant again attempted to administer the non-standardized writing assessment, which the Student again refused. D11 p.31.

48. In response to the Student's repeated refusal of the non-standardized writing assessment, Ms. Hoang requested feedback on the Student's writing skills from teachers at Dartmoor. D11 p.31. Dartmoor provided teacher feedback from the Student's English and World History instructors. D11 p.31. Dartmoor also provided a recent sample of the Student's writing. D11 p.31-32. Ms. Hoang reviewed the feedback from Dartmoor and the writing sample in making her recommendation. D11 p.32.

49. Ms. Hoang also reviewed the Student's progress on IEP goals for the 2024-2025 year, which addressed pre-planning strategies when given multi-paragraph

¹³ There is no record as to this BT's identity or professional/educational background.

writing assignments on a preferred topic and completing written assignments on non-preferred topics. D11 p.32. The IEP goal showed some progress on outlining, and some progress on writing on nonpreferred topics. D11 p.32.

50. Ms. Hoang believed that her evaluation was sufficient to make a recommendation regarding SDI in written language in spite of the Student refusing the WIAT and non-standardized testing. Tr. p. 56 (Hoang). Ms. Hoang believed she had sufficient data based on file review, feedback from Dartmoor, and the Student's refusals regarding assessments. Tr p.55-56 (Hoang).

51. Ms. Hoang noted that the Student refuses to participate in writing assessments, and that this is an ongoing issue for her. D11 p.32. Ms. Hoang determined the Student continued to demonstrate need for SDI in written language. D11 p.32.

52. The March 2025 reevaluation determined the Student still qualified for special education services under the category of Autism. D11 p.8. The reevaluation recommended SDI in written language, social/behavior, and study/organizational skills, and supplementary aids and services in communication. D11 p.9.

2025 Reevaluation Meeting

53. A reevaluation meeting was initially scheduled for March 6, 2025, but was rescheduled to March 20, 2025, because Ms. Hoang neglected to invite the Dartmoor staff. D11 p.2-3, Tr. p. 103 (Hoang).

54. The reevaluation meeting took place on March 20, 2025, via Teams. D11 p.1. The Mother attended the meeting and brought along Ms. Schlemper and Heather Schwindt,¹⁴ a non-attorney family advocate. D11 p.1. Jenelle Johnson,¹⁵ a Non-Public Agency Manager for Dartmoor, and Madison Feddersen,¹⁶ the Campus Manager for Dartmoor's Seattle campus, attended. D11 p.1 and Tr. p. 220, 231 (Feddersen). Ms. Hoang, Ms. Burnell, Ms. Begley, Mr. Garrison, and Ms. Conaway, were all present for

¹⁴ Ms. Schwindt works as a non-attorney advocate. Ms. Schwindt possesses no degrees. Ms. Schwindt is certified in the Wired for Reading program, which supports student literacy. Ms. Schwindt is not familiar with the administration of the WIAT or any other diagnostic assessments. Ms. Schwindt has not observed the Student during the school year. Ms. Schwindt has never drafted an IEP. Tr. p. 332-336 (Schwindt). Ms. Schwindt's position requires no formal certification classes and has no licensing requirements. Tr. p. 337 (Schwindt).

¹⁵ Ms. Johnson did not appear at hearing to provide testimony and there is no records as to her education or professional history.

¹⁶ Mx. Feddersen uses they/them pronouns and prefers the honorific of Mx. Mx. Feddersen did not provide testimony as to their education or professional history.

the meeting. D11 p.1. Elaine Parnell,¹⁷ a program specialist for the District, and David Fort,¹⁸ an administrator for the District, were also in attendance. D11 p.1.

55. The team discussed the assessment results, which showed that Student struggled to initiate tasks promptly, follow multi-step instructions, remember to complete tasks, and plan ahead. D11 p.8. They discussed the Student's struggles to inhibit behaviors, self-monitor the impact of her behavior, transition between tasks, and control her emotions. D11 p.8. They also found her delays in written expression substantially impair the Student's ability to complete school work, share ideas, or demonstrate knowledge. D11 p.8. Regarding communication, the group discussed that delays in pragmatic communication skills substantially impair the Student's ability to complete school work, ask for help, advocate for herself, and communicate with staff and peers in a clear, fluent manner. D11 p.8.

56. At the end of the March 20, 2025 reevaluation meeting, Ms. Hoang, Ms. Burnell, Mr. Garrison, Ms. Conaway, and Ms. Begley agreed with the recommendations of the reevaluation. D11 p.1. Mx. Feddersen did not disagree with the results of evaluation, nor with the non-standardized assessment of the Student's writing. Tr. p. 232-233 (Feddersen). The Mother was the only party that disagreed with the recommendations of the reevaluation. D11 p.1 and p.10.

Mother's Disagreement

57. The Mother did not disagree with the recommendation that the Student receive SDI in written language, but disagreed with the testing performed during the evaluation. D11 p.33. The Mother dissented in writing and requested an IEE at public expense on March 23, 2025. D11 p.33. She felt that the evaluation was insufficient in scope to identify all the Student's special education and related service needs. D11 p.33. The Mother felt the IEP team would not be able to sufficiently craft an appropriate IEP for the Student, and that the reevaluation did not accurately report the Student's academic strengths and weakness. D11 p.33. The Mother's concern was largely that testing regarding written expression and written language was insufficient to properly assess the Student's need in this category. Tr. p. 155 and 157 (Mother). She believes that different staff could achieve better results in administering tests or could administer different tests to determine the Student's needs. D11 p.34, Tr. p. 155-156

¹⁷ Ms. Parnell did not appear at hearing to provide testimony and there is no record as to her education or professional history.

¹⁸ Mr. Fort did not appear at hearing to provide testimony and there is no record as to his education or professional history.

(Mother). The Mother particularly believed that Dartmoor would have greater success administering writing assessments. Tr. p. 155-156 (Mother).

CONCLUSIONS OF LAW

Jurisdiction and Burden of Proof

1. The Office of Administrative Hearings (OAH) has jurisdiction over the parties and subject matter of this action for the Superintendent of Public Instruction as authorized by 20 United States Code (USC) §1400 *et seq.*, the Individuals with Disabilities Education Act (IDEA), Chapter 28A.155 Revised Code of Washington (RCW), Chapter 34.05 RCW, Chapter 34.12 RCW, and the regulations promulgated under these provisions, including 34 Code of Federal Regulations (CFR) Part 300, and Chapter 392-172A Washington Administrative Code (WAC).
2. The District bears the burden of proof in this matter. RCW 28A.155.260(1). In a due process hearing, the burden of proof is a preponderance of the evidence. RCW 28A.155.260(3).

The IDEA and FAPE

3. Under the IDEA, a school district must provide a free and appropriate public education (FAPE) to all eligible children. In doing so, a school district is not required to provide a “potential-maximizing” education, but rather a “basic floor of opportunity.” *Bd. of Educ. of Hendrick Hudson Central Sch. Dist. v. Rowley*, 458 U.S. 176, 197 n.21, 200-201 (1982).
4. In *Rowley*, the U.S. Supreme Court established both a procedural and a substantive test to evaluate a state's compliance with the IDEA. The first question is whether the state has complied with the procedures set forth in the IDEA. The second question is whether the individualized education program developed under these procedures is reasonably calculated to enable the child to receive educational benefits. “If these requirements are met, the State has complied with the obligations imposed by Congress and the courts can require no more.” *Rowley*, 458 U.S. at 206-07.
5. Procedural safeguards are essential under the IDEA, particularly those that protect the parent’s right to be involved in the development of their child’s educational plan. *Amanda J. v. Clark County Sch. Dist.*, 267 F.3d 877, 882 (9th Cir. 2001). Procedural violations of the IDEA amount to a denial of FAPE and warrant a remedy only if they:

(l) impeded the child’s right to a free appropriate public education;

(II) significantly impeded the parents' opportunity to participate in the decision-making process regarding the provision of a free appropriate public education to the parents' child; or

(III) caused a deprivation of educational benefits.

20 USC §1415(f)(3)(E)(ii); WAC 392-172A-05105(2); 34 CFR §300.513(a)(2).

6. "To meet its substantive obligation under the IDEA, a school must offer an IEP reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances." *Endrew F. v. Douglas County Sch. Dist. RE-1*, 580 U.S. 386, 399 (2017).

Independent Educational Evaluations (IEE)

7. Parents of a student eligible for special education have the right to obtain an IEE, an evaluation conducted by a qualified examiner who is not employed by the school district, at district's expense. WAC 392-172A-05005(1); 34 CFR 300.502. Parents are entitled to only one IEE at public expense each time the school district conducts an evaluation with which the parents disagree. WAC 392-172A-05005(2); 34 CFR 300.502(b)(5). If a parent requests an IEE, a district must either ensure that an IEE is provided at no cost to the parent without unnecessary delay or initiate a due process hearing within 15 calendar days to show that the district's evaluation is appropriate. WAC 392-172A-05005(2)(c).

8. If the district initiates a due process hearing and the tribunal's final decision is that the district's evaluation is appropriate, the parent still has the right to obtain an IEE but not at public expense. WAC 392-172A-05005(3).

9. In this case, the Parents requested an IEE on March 23, 2025. D11 p.33. The District filed its initial hearing request on April 4, 2025, contesting the Parents request. This is 12 days after the Parent's request, and within the 15 days required by WAC 392-172A-05005(2)(c). As such, the District's hearing request was timely.

Evaluations

10. Evaluations and reevaluations must comply with the requirements in WAC 392-172A-03020. In conducting the evaluation, a "group of qualified professionals selected by the school 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" WAC 392-172A-03020(2)(a). The group must not use any single measure or assessment as the sole

criterion for determining eligibility or educational programming and must use technically sound instruments that may assess the relative contribution of cognitive, behavioral, physical, and developmental factors. WAC 392-172A-03020(2)(b) and (c). School districts must ensure assessments and evaluation materials are selected and administered so as not to be discriminatory on a racial or cultural basis, and are provided and administered in the student's native language. WAC 392-172A-03020(3)(a); see *also* 34 CFR §300.304.

11. Assessments must be administered by “trained and knowledgeable personnel” and “in accordance with any instructions provided by the producer of the assessments.” Students must be assessed “in all areas related to the suspected disability” and the evaluation must be “sufficiently comprehensive to identify all of the student’s special education and related service needs, whether or not commonly linked to the disability category in which the student has been classified.” WAC 392-172A-03020(3); see *also* 34 CFR §300.304(c).

12. Under WAC 392-172A-03025, as part of any evaluation or reevaluation, the team must review existing data on the student, including evaluations and information provided by the parents, current classroom-based, local, or state assessments, classroom-based observations, and observations by teachers and related services providers.

13. Additionally, the district must prepare and provide the parents with an evaluation report. WAC 392-172A-03035. The evaluation report must include, among other things, a statement of whether the student has a disability that meets applicable eligibility criteria, a recommendation as to what special education and related services the student needs, and the date and signature of each professional member of the group certifying that the evaluation report represents his or her conclusion. WAC 392-172A-03035(a), (d) and (f).

14. After the “administration of assessments and other evaluation measures,” the parent of the student and qualified professionals “determine whether the student is eligible for special education and the educational needs of the student.” WAC 392-172A-03040(1)(a).

15. A school district has thirty-five school days to complete an evaluation after it receives written consent to evaluate from the parent. WAC 392-172A-03015. A school district and a parent may agree to a different time period for completing the evaluation and may agree to extend the timeline for completing the evaluation. *Id.*

16. The IDEA does not give parents the right to dictate the areas in which a school district must assess a student as part of a special education evaluation. See *Letter to*

Unnerstall, 68 IDELR 22 (OSEP 2016); *L.C. v. Issaquah Sch. Dist.*, 2019 U.S. Dist. LEXIS 77834, 2019 WL 2023567 (W.D. Wash 2019)(citing *Avila v. Spokane Sch. Dist.* 81, 686 F. App'x 384, 385 (9th Cir. 2017)), *aff'd sub nom. Crofts v. Issaquah Sch. Dist.* No. 411, 2022 U.S. App. LEXIS 907 (9th Cir. 2022). Further, “[s]chool districts have discretion in selecting the diagnostic tests they use to determine special education eligibility.” *E.M. v. Pajaro Valley Unified Sch. Dist.*, 652 F.3d 999, 1003 (9th Cir. 2011), citing *Ford v. Long Beach Unified Sch. Dist.*, 291 F.3d 1086, 1088-89 (9th Cir. 2002).

17. Autism is defined as “a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three, that adversely affects a student's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences.” WAC 392-172A-01035(2)(a)(i).

18. An IEP team’s decision on whether a student is eligible for special education is not relevant to the question of whether the school district’s evaluation was appropriate. *A.S. v. Shoreline Sch. Dist.*, 2025 U.S. Dist. LEXIS 121802 *6 (W.D. Wash. 2025)

Appropriateness of Reevaluation

19. Before the District evaluated the Student, it obtained the Parents’ consent to evaluate and sent a prior written notice (PWN) to the Parents stating that it was planning to evaluate the Student in accordance with the referral and consent. WAC 392-172A-05105(2).

20. The District has shown that its evaluation was conducted by a group of qualified professionals. Ms. Hoang is a highly qualified and experienced school psychologist. She has bachelor’s degrees in psychology and sociology, and a graduate degree in school psychology. A nationally certified school psychologist, Ms. Hoang has been employed as a school psychologist for eleven years. There is no record as to the school nurse who completed the medical-physical evaluation, Ms. Guynes’s, professional background, but she is a registered nurse with a bachelor’s degree in nursing. Ms. Begley, who conducted the communication portion of the evaluation, has a bachelor’s degree in English and Philosophy, and a master’s degree in communicative disorders. Ms. Begley is a certified speech pathologist with an educational staff associate certification. She has worked in her industry for 24 years, the last 15 of which were with Seattle Public Schools. Erica Burnell, who conducted the occupational therapy evaluation, possesses a bachelor’s and a graduate degree in occupational therapy. She is a licensed occupational therapist in Washington and has worked for Seattle

Public Schools for three years. There is nothing in the record to indicate that the evaluation was conducted by unqualified laypeople. A preponderance of the evidence shows that the evaluators had the necessary training and experience.

21. The District has further established that the evaluation assessed the Student in all areas of suspected disability. The evaluation included assessments in all areas to which the Parents consented: an age appropriate transition assessment; a review of the Student's general background; an assessment of her motor skills; a review of existing data; an evaluation regarding study/organizational skills, written language, communication, and social/behavior needs; and a medical-physical evaluation. Moreover, the District's evaluation assessed the Student's functioning in the areas typically included in an evaluation to identify the educational impact of autism (social-emotional, communication, adaptive, sensory, and executive function). Finally, there is no evidence that the Parents or any District teachers or staff raised concerns that the Student needed to be assessed in any other areas.

22. In addition, the District used a variety of technically sound assessment tools and strategies to gather relevant information about the Student. In addition to standardized assessments and ratings scales, the evaluation included input from the Parents and the Student's teachers, and her private BCBA. The evaluation also included observations of the Student. In addition, the evaluation included a review of existing data including the Student's medical history; report card; attendance; discipline reports; and input from teachers, the Parents, and private providers.

23. Moreover, Ms. Hoang has experience administering the assessments used in this evaluation and complied with their testing requirements. All assessments were administered in English and there were no concerns that this was not the native language of the Student, the Parents, or the test administrator. Nor were there concerns that assessments administered as part of the evaluation discriminated against students of the Student's racial and cultural background.

24. When Ms. Hoang was not able to administer the writing tests as planned, she attempted to gain the best information available via alternative methods - first, by offering alternative, non-standardized tests, then by performing a review of existing data, reviewing writing samples, soliciting information from the Student's teachers at Dartmoor, examining the Student's grades, and generally taking every step available to her to assess the Student's needs. The record shows Ms. Hoang complied with WAC 392-172A-03020(2)(a) and WAC 392-172A-03020(2)(b) in administering a variety of assessments and sound forms of investigation.

25. The Parents argue Ms. Hoang did not take sufficient steps to engage with Dartmoor or review the material they submitted. This is not supported by the record, other than Ms. Hoang's initial failure to schedule the reevaluation meeting to accommodate Dartmoor staff, which was a harmless error that she rectified.

26. The record establishes that Ms. Hoang, an experienced school psychologist, was thoughtful in determining which assessment tools to use in order to obtain complete information about the Student's skills and functioning. Although the Parents disagree with the evaluation results, and have differing opinions about what tools should have been used to assess the Student, and what skills should have been assessed, there is no evidence or argument that Ms. Hoang was not qualified to determine the assessment tools used to obtain information about the Student's skills and functioning. The District has discretion to select the assessments they use in an eval, rather than the Parent. See *E.M. v. Pajaro Valley Unified Sch. Dist.*, 652 F.3d 999, 1003 (9th Cir. 2011), citing *Ford v. Long Beach Unified Sch. Dist.*, 291 F.3d 1086, 1088-89 (9th Cir. 2002).

27. The District has also shown that its evaluation of the Student was sufficiently comprehensive to determine all of her special education and related service needs. WAC 392-172A-03020(3). The evaluation included extensive information about the Student's skills and functioning for each assessment area. It included information from a variety of sources about the Student's communication skills, including pragmatic language, social-emotional skills, including emotional regulation, coping skills, and executive functioning; adaptive skills; and sensory processing. The results of standardized assessments and ratings scales, which indicated that the Student was demonstrating a number of failures to inhibit, particularly at school, was consistent with observations by teachers. Additionally, the Student was observed multiple times to provide information about her functioning in the classroom. The team found that Student's delays in written expression substantially impaired her ability to complete assignments, share her ideas, and demonstrate her knowledge. Based on the assessment tools the evaluators administered, the team was able to determine that Student continued to be eligible for special education services under the disability category of Autism and that she required SDI in study/organization skills, social/behavior, and written language, along with speech/communication consultation and occupational therapy support.

28. The Parents raise a number of reasons why they believe the evaluation was not sufficiently comprehensive, all pointing to one issue: they dispute the District's conclusion that the written language portion of the evaluation includes sufficient assessment data because the Student was incapable of completing a formal writing assessment. The IDEA does not require a reevaluation to include standardized

assessments. *Robert B. v. West Chester Area Sch. Dist.*, 2005 WL 2396968, at *5-6 (E.D. Penn. 2005). Rather, “reevaluations may be properly limited under the [IDEA] to a review of records, observations, curriculum-based measures and other non-standardized assessments when the child’s broad needs have already been established and when there is no evidence that the child’s needs have changed substantially.” *Id.* at *6. The record reflects that Ms. Hoang attempted multiple forms of review of the Student’s written language abilities. Multiple data points were used in the District’s assessment of the Student’s needs in this area. Additionally, no witness with any education, training, or qualification to evaluate such matters testified that the written language assessment required a standardized assessment to determine the Student’s needs. Further, there is no testimony from any qualified expert that the District’s reevaluation was insufficient to determine the Student’s IEP goals in written expression, or any other category, as the Parents contend.

29. While the Parents disagree with the District’s assessment of the Student’s needs, a preponderance of the evidence establishes the District’s evaluation of the Student was sufficiently comprehensive to determine her special education and related service needs.

30. In conclusion, the record demonstrates that the District fulfilled its obligation to conduct a comprehensive evaluation of the Student in all areas of suspected disability. The District has established by a preponderance of the evidence that the March 2025 reevaluation of the Student is appropriate. Consequently, the Parents are not entitled to an IEE at public expense.

ORDER

The Seattle School District’s March 2025 reevaluation is appropriate. The Parents are not entitled to an independent educational evaluation at public expense.

SERVED on the date of mailing.



Niles McDonald
Administrative Law Judge
Office of Administrative Hearings

Right To Bring A Civil Action Under The IDEA

Pursuant to 20 U.S.C. 1415(i)(2), any party aggrieved by this final decision may appeal by filing a civil action in a state superior court or federal district court of the United States. The civil action must be brought within ninety days after the ALJ has mailed the final decision to the parties. The civil action must be filed and served upon all parties of record in the manner prescribed by the applicable local state or federal rules of civil procedure. A copy of the civil action must be provided to OSPI, Legal Services, PO Box 47200, Olympia, WA 98504-7200. To request the administrative record, contact OSPI at appeals@k12.wa.us.

DECLARATION OF SERVICE

I declare under penalty of perjury under the laws of the State of Washington that true copies of this document were served upon the following as indicated:

Parents

[REDACTED]
[REDACTED]

via First Class Mail and
via E-mail

[REDACTED]
[REDACTED]

Andrew Jennings
Senior Assistant General Counsel
Seattle School District
PO Box 34165, MS 32-151
Seattle, WA 98124-1165

via E-mail
atjennings@seattleschools.org
dacamacho@seattleschools.org

Susan Winkelman
Pacifica Law Group LLP
401 Union St., Suite 1600
Seattle, WA 98101

via E-mail
susan.winkelman@pacificallawgroup.com
grace.mcdonough@pacificallawgroup.com

Dated August 5, 2025, at Spokane Valley, Washington.

Lan Le

Representative
Office of Administrative Hearings
16201 E. Indiana Avenue, Suite 3000
Spokane Valley, WA 99216

cc: Administrative Resource Services, OSPI