



Washington Office of Superintendent of
PUBLIC INSTRUCTION

REPORT TO THE LEGISLATURE

Placement of Students at Authorized Entities (Nonpublic Agencies – NPAs)

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Authorizing Legislation: RCW 28A.155.250

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EXECUTIVE SUMMARY

The Office of Superintendent of Public Instruction (OSPI) has an ongoing responsibility under [RCW 28A.155.090](#) to ensure that certain entities, known as nonpublic agencies (NPAs), are authorized to provide services to students eligible to receive special education services.

Under this authority, OSPI has established minimum standards to annually authorize and reauthorize entities as NPAs and continually monitor compliance with minimum contract requirements and procedural safeguards for school district placements at an NPA. OSPI, to this end, also has a complaint process for any individual to report noncompliance with local, state, or federal laws or alleged violations of student rights by NPAs.

OSPI is required under [RCW 28A.155.250](#) to submit an annual report to the Legislature regarding such activities related to the placement of students receiving special education services at authorized NPAs.

The information provided in this report covers activities related to the 2024-2025 school year and the 2025 authorization cycle for NPAs.



INTRODUCTION

Federal law, the Individuals with Disabilities Education Act (IDEA), requires states to have a process for ensuring that students eligible to receive special education services, who are placed in or referred to a private school or facility by a public school district or other public agency, are provided special education and related services in conformance with a properly formulated Individualized Education Program (IEP), at no cost to parents/guardians; are provided an education that meets state standards; and retain all the rights of an eligible student served by a school district in the state of Washington ([34 CFR §300.146](#)).

A public school district, in some instances, may determine that it cannot provide free appropriate public education (FAPE) for a student with a disability within their district. In partnership with the student's family and teachers, as part of the IEP process, the IEP team may decide that the student would be best served in a private school or facility better suited to meet the student's unique needs.

OSPI has a duty under [RCW 28A.155.090](#) to ensure that certain private entities (schools/facilities) – known collectively as nonpublic agencies (NPAs) – are authorized to provide services to students who are eligible to receive special education services. Even when a student is being served by an NPA, however, the student's public school district remains responsible for ensuring that the student is provided FAPE as required by law.

Terminology

The term NPA refers to "authorized entities" under [RCW 28A.300.690](#) which includes:

- A private school approved by the Washington State Board of Education under [RCW 28A.305.130](#);
- A private entity within the state of Washington with the appropriate licensure to operate;
- Any other public or private out-of-state entity.

Any entity included on the list of approved NPAs means that they have been authorized by OSPI to contract with school districts to provide a program of special education for students with disabilities. A "program of special education" means that the student's educational placement is at an NPA for the purposes of receiving special education services.

ANNUAL NPA STATUS AUTHORIZATION

OSPI reviews all authorized NPAs at the completion of each school year to ensure each NPA continues to meet status requirements for contracting with public school districts to provide special education services to students.

The full criteria for NPA status authorization are outlined under [RCW 28A.300.690](#) and in the Washington Administrative Code (WAC) [392-172A-04080 through WAC 392-172A-04110](#).¹

Each authorized NPA submits an annual renewal application to OSPI at the end of the school year (June 30th). Annual NPA status renewal includes at least one site visit from a contracting public school district. Each year, however, some NPAs are due for reauthorization based on their three/five year authorization cycle. For reauthorization, OSPI conducts a full review of applicable regulations for continued NPA status, including an onsite visit in conjunction with a contracting public school district, whenever possible.

**As of September 2025,
there are 83 NPAs
currently authorized by
OSPI for the 2025-26
school year.**

As of September 2025, there are currently 83 authorized locations with NPA status in good standing for the start of the 2025-2026 school year; 41 NPAs are located in Washington and the remaining 42 are located out-of-state. The OSPI Special Education Division continues to make information regarding currently authorized NPAs available to all public school districts and the general public on its [website](#).

New Application Materials

OSPI recently updated the NPA annual renewal and three/five-year reauthorization application materials for the 2024-2025 cycle. The Annual NPA Renewal Application was launched for the first time as a web-based form for all authorized NPAs to complete. The updated annual process also now includes a number of resources for public school districts and authorized NPAs to use; including annual renewal and three/five-year reauthorization checklists, a [Nonpublic Agency Annual Onsite Review Visit Report](#), and templates for various supplemental student data reports.

These updates to the annual renewal and three/five-year reauthorization processes were based, in part, on feedback from public school district special education administrators and private school/facility administrators, as well as a report completed by Dynamic Education Consulting & Solutions (Appendix A). The study, entitled *Nonpublic Agencies Process Review: Research Synthesis*, examined how other states have designed their processes for ensuring that students receiving

¹ At the time of this report, the OSPI Special Education Division has filed a CR 101 – Preproposal Statement of Inquiry ([WSR 25-21-067](#)) on the subject of possible rulemaking to amend WAC 392-172A-04080 through WAC 392-172A-04110 in order to bring these rules into alignment with Engrossed Second Substitute Senate Bill (E2SSB) 5315 (2023).



special education services who are placed in or referred to a private school or facility by a public school district or other public agency are provided special education and related services in conformance with a properly formulated IEP.

OSPI intends to utilize the information it has gathered from this study, and the ongoing feedback provided by partners in the field, to continue developing and refining the overall NPA authorization process. A web-based initial NPA application, for example, is currently in the final stages of development to launch during the next school year.

NPA Field Guide

OSPI has recently released on its [website](#) the new [Nonpublic Agency \(NPA\) Field Guide, Guidance for Special Education Administrators](#).

This field guide was developed to primarily support public school district personnel in understanding their placement and oversight responsibilities when students receive special education services at an authorized NPA. The guide, however, is available to the general public as a resource for understanding when an NPA placement is appropriate, how to navigate the placement process in Washington, and how to ensure compliance with state special education regulations.

OSPI utilized information gathered from various sources in the development and creation of the NPA Field Guide. Dynamic Education Consulting & Solutions completed a study, entitled *Nonpublic Agencies Process Review: Research Synthesis* (Appendix A), on behalf of OSPI that examined how other states have designed their processes for ensuring that students receiving special education services who are placed in or referred to a private school or facility by a public school district or other public agency are provided special education and related services. OSPI also regularly convened a panel of experienced public school district administrators and consulted with private school/facility administrators in the development of this manual. The result is a resource that can be used as a roadmap for navigating decisions by IEP teams considering a private placement to meet a student's needs for special education services.

OSPI intends to regularly update the NPA Field Guide as additional best practices are identified and advances are made within the overall NPA authorization process.

STUDENT PLACEMENT DATA

The student placement data contained in this report is based on the November 2024 annual federal special education child count, reflecting NPA placements at the start of the 2024-2025 school year, the most recent year for which current placement data is available.

Total Enrollment Count

The total enrollment count of students placed at NPAs as of November 2024 was 615 students; representing 0.004% of the total [PK-21 student enrollment count](#)² of students with IEPs (165,763 students). The following tables detail the population of students with IEPs placed at NPAs with the amount of change over the previous reporting year.

Table 1: Students at NPAs by IDEA Disability Category

Disability Category	In-state	Out-of-state	Total	Change Over Prior Year
Autism	205	27	232	+25
Communication Disorders	-	-	-	-2
Deaf-Blindness	1	-	1	+1
Deafness	31	-	31	+3
Developmental Delays	14	1	15	+4
Emotional/Behavioral Disability	66	22	88	-13
Health Impairment	111	16	127	+18
Hearing Impairment	40	-	40	+12
Intellectual Disability	5	-	5	-4
Multiple Disabilities	41	14	55	+10
Specific Learning Disability	15	4	19	+7
Traumatic Brain Injury	-	-	-	-
Visual Impairment	1	1	2	+1
Total	530	83	615	+62

Source: November 2024 Federal Child Count.

The student population at NPAs remains relatively constant from year-to-year and covers a wide range of disability categories, with Autism, Emotional/Behavioral Disability, and Health Impairment continuing to be the most prevalent. The majority of students (530 out of 615) placed with an NPA

² At the time of the November 2024 federal child count, students receiving special education services had a right to potentially receive FAPE through age 21 ([WAC 392-172A-02000](#)). Future federal child count data will reflect recent changes enabling students to potentially receive special education services through age 22.



are located in-state, with a smaller portion (83) attending out-of-state. The out-of-state student population placed at an NPA has increased slightly over the previous year (from 71 to 83).

Table 2: Students at NPAs by Federal Race Category

Disability Category	In-state	Out-of-state	Total	Change Over Prior Year
American Indian/Alaskan Native	7	1	8	-
Asian	30	1	31	-6
Black/African American	54	11	65	+18
Hispanic/Latino of any race(s)	82	4	86	+14
Native Hawaiian/Other Pacific Islander	-	-	-	-4
Two or More Races	49	8	57	+12
White	308	60	368	+28
Total	530	83	615	+62

Source: November 2024 Federal Child Count.

The student population at NPAs consistently consists of diverse racial and ethnic groups, with White students continuously reported as the largest group year-over-year.

Table 3: Students at NPAs by Gender

Disability Category	In-state	Out-of-state	Total	Change Over Prior Year
F	146	20	166	+6
M	376	64	440	+57
X	8	1	9	-1
Total	530	83	615	+62

Source: November 2024 Federal Child Count.

The student population at NPAs continues to contain a significantly higher proportion of male students (440) compared to female students (166).

Additional Disaggregated Student Data

The following tables detail the additional required disaggregated data on the students included in the November annual federal special education child count. These data reflect the information validated³ by OSPI Student Information for the most recent school year in which complete disaggregated data is available.

Academic Progress

The following table represents one measure of academic progress – the two most recent state assessments – of the 591 validated records included in the November 2024 annual federal special education child count.

The following state tests reported below include:

- Smarter Balanced Assessments (SBA): English language arts (ELA) and math tests in grades 3-8 and 10 are required for federal and state accountability. The high school ELA and math assessments can also be used to meet a student's graduation pathway requirement.
- Washington – Access to Instruction and Measurement (WA-AIM): ELA, math, and science alternate assessments in grades 3-11 for students with significant cognitive disabilities documented in their IEP are required for federal and state accountability. The high school ELA and math assessments can be used to meet a student's graduation pathway requirement.

Table 4: Participation in State Assessments by Students Placed at NPAs During the 2024-2025 School Year

NPA Student Count for 2024-2025 School Year	Number of Students	Percentage of Students	Change Over Prior Year
Students who took either WA-AIM or SBA during the 2023-2024 test administration period	155	26.2%	+6.2%
Students who took either WA-AIM or SBA during the 2024-2025 test administration period	181	30.6%	+8.6%
Students who took the same test (either WA-AIM or SBA) during both test administration periods in the same test subjects	83	14.0%	+4.0%
Students who took either WA-AIM or SBA during the 2023-2024 test administration period but not in 2024-2025 test administration period	67	11.3%	+1.3%

³ The data sources in this report reflect different collection timelines and purposes. The federal special education child count is a snapshot taken on November 1 each year to meet IDEA reporting requirements. OSPI Student Information data are updated on an ongoing basis and include additional validation processes applied after the snapshot date. As a result, totals may differ across these sources.



NPA Student Count for 2024-2025 School Year	Number of Students	Percentage of Students	Change Over Prior Year
Students who took either WA-AIM or SBA during the 2024-2025 test administration period but not in 2023-2024 test administration period	93	15.7%	+3.7%

Source: Education Data System (EDS) Special Education Reporting Application in combination with Comprehensive Education Data and Research System (CEDARS) data.

These data confirm an overall increase in the participation of students placed at NPAs in state assessments (from 22% to 30.6%). This increased participation is a welcomed development since the student population placed at NPAs is rather dynamic and includes grades which are not required to participate in state assessment (kindergarten through second grade) as well as students in grades for whom participation in state assessment is not linked to a graduation pathway (grades 3–8). Full participation in state assessments from every student placed at an NPA should not be expected. OSPI, however, remains committed to exploring how to further disaggregate student assessment data by grade level and the location of each NPA in future reports.

For the 83 students placed at an NPA during the 2024-2025 school year for whom consistent data are available (i.e., taking the same test [either WA-AIM or SBA] in at least one subject area across two test administration periods), most students maintained their current score level from one testing period to the other (see, Tables 5 and 6 below).

Table 5: Change in Test Score Levels for Students Taking the Same Test (WA-AIM) in the Same Test Subjects Over Two Test Administration Periods

Test Administration Type	WA-AIM			
	ELA	% of Total	Math	% of Total
2 Levels Down	1	6.7%	1	7.1%
1 Level Down	3	20%	6	42.9%
No Change	11	73.3%	4	28.6%
1 Level Up	-	-	3	21.4%
2 Levels Up	-	-	-	-
Totals	15	100%	14	100%

Source: Education Data System (EDS) Special Education Reporting Application in combination with Comprehensive Education Data and Research System (CEDARS) data.

Table 6: Change in Test Score Levels for Students Taking the Same Test (SBA) in the Same Test Subjects Over Two Test Administration Periods

Test Administration Type	SBA			
	ELA	% of Total	Math	% of Total
2 Levels Down	2	3.4%	-	-
1 Level Down	6	10.3%	4	6.0%

Test Administration Type	SBA			
No Change	39	67.2%	42	70.0%
1 Level Up	5	8.6%	9	14.8%
2 Levels Up	6	10.3%	1	4.9%
3 Levels Up	-	-	2	3.3%
Totals	58	100%	61	100%

Source: Education Data System (EDS) Special Education Reporting Application in combination with Comprehensive Education Data and Research System (CEDARS) data.

These data indicate that while some students did show progress on state assessments, the majority of students placed at an NPA during the 2024-2025 school year with two consistent test results maintained their level of academic progress with some notable overall improvements for students taking the SBA in Math.

Graduation Rates

Graduation rates are based on a graduation year assigned to cohorts of students who start ninth grade together. Students who transfer into or out of a school district are added or removed from the cohort. If a student stop attending school, they are counted as a "dropout" for the purposes of the cohort. If students have met graduation requirements, they are counted as "graduates." If students do not graduate but are still attending, they are considered "continuing."

Students are tracked through their 7th year in high school; and students receiving special education services are entitled to free appropriate public education through age 21.⁴

Students placed at an NPA who have been reported at any time as a member of the Four Year, Five Year, Six Year, or Seven Year cohorts for the 2023-2024 school year are included.

Of the 525 validated student records indicating placement at an NPA for the 2023-2024 school year, 99 students are in the 2023-2024 graduation cohort represented below in Table 7.

Table 7: Graduation Rates of Students Placed at NPAs during 2023-2024 School Year

Graduation Cohort	Graduates	Continuing	Dropout
Four Year	40%	45%	15%
Four, Five Year	37%	58%	5%
Four, Five, Six Year	24%	59%	18%
Four, Five, Six, Seven Year	20%	60%	20%

Source: Education Data System (EDS) Special Education Reporting Application in combination with Comprehensive Education Data and Research System (CEDARS) data.

This snapshot shows that the majority of students placed at an NPA during the 2023-2024 school year within each graduation cohort have either graduated or are continuing students. These

⁴ See footnote 2 above.

figures, however, do not represent a complete picture of the graduation rates for students placed at NPAs. Longitudinal data over the course of at least four years is necessary to better understand graduation rates for students placed at NPAs. OSPI expects to be able to more accurately represent graduation rates over time in future reports.

Rates of Return

Table 8 below details the rates at which the validated records for students placed at an NPA during the 2023-2024 school year either continued at an NPA or returned to their resident school district (or another Washington school district).

Table 8: Rates of Return for Students Placed at NPAs During the 2022-2023 School Year

School Year 2023-2024	Student Count	Percentage	Change Over Prior Year
Total Students Placed at NPA in School Year 2023-2024	525	100%	N/A
Students Placed at NPA in School Year 2023-2024 and School Year 2024-2025	319	60.8%	-1.2%
Students Placed at NPA in School Year 2023-2024 and Not Placed at NPA in School Year 2024-2025 Who Returned to a Washington Public School District in School Year 2024-2025	137	26.1%	-0.9%
Students Placed at NPA in School Year 2023-2024 and Not Placed at NPA in School Year 2024-2025 Who Did Not Return to a Washington Public School District in School Year 2024-2025 For Any Reason (e.g., Graduation; Private School; Moved Out-of-State, etc.)	32	6.1%	-4.9%

Source: Education Data System (EDS) Special Education Reporting Application in combination with Comprehensive Education Data and Research System (CEDARS) data.

These numbers indicate that for students placed at an NPA during the 2023-2024 school year, at least a quarter of them (26.1%) returned to a public school district by the following school year. This rate of return has remained rather constant for two years in a row (from 27%-26.1%). OSPI expects to be able to identify trends in the rates of return for students placed at NPAs over time in future reports.

Restraint/Isolation, Discipline, and Attendance

The following tables display data for students placed at an NPA during the 2024-2025 school year in the areas of restraint/isolation incidents, disciplinary actions, and regular school attendance.



Of the 591 validated student records with placement at an NPA during the 2024-2025 school year, 39 students (6.6%) have had restraint or isolation incidents reported. **This number is a decrease from the previous reporting year (from 13.2% to 6.6%).**⁵

The restraint and isolation data included in Table 9 below is based on incidents that occurred during each individual student's date range when they were placed at an NPA and were reported by the public school district that placed the student with the NPA. Of the 39 students involved in a restraint or isolation incident, individual students may have had more than one incident and/or type of incident during their placement at an NPA.

Table 9: Type and Frequency of Restraint/Isolation Incidents for Students Placed at NPAs During the 2024-2025 School Year

Incident Type	Incident Count	Frequency Rate
1 Person Restraint (basket, etc.)	18	5.2%
2+ Person Floor Restraint	11	3.2%
2+ Person Seated Restraint	39	11.2%
2+ Person Standing Restraint	22	6.3%
2+ Person Wall Restraint	4	1.1%
Bus/Car/Other Vehicle	4	1.1%
Classroom	42	12.1%
Closet, Locker Room or Other Non-Classroom, Non-Office Small Space	-	-
Designated Isolation Room	24	6.9%
Office (includes nurse, counselor, or main offices)	1	0.3%
Other Isolation	20	5.7%
Other Restraint - Mechanical	1	0.3%
Other Restraint - Physical	119	34.2%
Walking Restraint/Escort/Transport	42	12.1%
Weighted Blankets	1	0.3%
Total Number of Incidents	348	100%

Source: Education Data System (EDS) Special Education Reporting Application in combination with Comprehensive Education Data and Research System (CEDARS) data.

OSPI continues to explore how to further disaggregate student restraint/isolation data by grade level and the location of each NPA in future reports.

Discipline rates for students placed at an NPA during the 2024-2025 school year can be compared to the overall rate of exclusionary discipline for students enrolled in public schools in the State of Washington. Of the 591 students placed at an NPA during the 2024-2025 school year, just six

⁵ [2024 Legislative Report on the Placements of Students at Authorized Entities \(Nonpublic Agencies – NPAs\)](#), Page 12.



students (1%) have had exclusionary discipline reported. By comparison, according to the [OSPI State Report Card](#) for the 2023-2024 school year, the overall exclusionary discipline rate for students was 3.7%, and specifically for all students receiving special education services, the exclusionary discipline rate was 7.5%.

Table 10: Type and Frequency of Exclusionary Discipline⁶ for Students Placed at NPAs during 2024-2025 School Year

Incident Type	Incident Count	Frequency Rate
Emergency Removal	-	-
Expulsion	-	-
In-School Suspension	-	-
Long-Term Suspension	-	-
Short-Term Suspension	7	100%
Total Number of Incidents	7	100%

Source: Education Data System (EDS) Special Education Reporting Application in combination with Comprehensive Education Data and Research System (CEDARS) data.

Data also shows that students who met the definition of regular attendance placed at an NPA during the 2024-2025 school year had a notably higher attendance rate (90.5%) when compared to the overall student attendance rate (72.7%) and attendance rate for all students receiving special education services (65.3%) during the 2023-2024 school year according to the [OSPI State Report Card](#) (see, Table 11 below).

Table 11: Regular Attendance Rate⁷ for Students Placed at NPAs during 2024-2025 School Year

School Year 2024-2025	Student Count	Frequency Rate
Total Students Placed at NPA in School Year 2024-2025	591	100%
Total Students Who Were Enrolled in an NPA for 90 or More Days	574	97.1%
Number of Students Meeting Definition of Regular Attendance	535	90.5%

Source: Education Data System (EDS) Special Education Reporting Application in combination with Comprehensive Education Data and Research System (CEDARS) data.

⁶ Definitions for each type of exclusionary discipline incident can be found under [WAC Section 392-400-025](#).

⁷ Regular attendance is defined as having, on average, less than two absences per month. It does not matter if the absences are excused or unexcused. An absence is defined as missing at least half the school day. This measure includes students that were enrolled for at least 90 days at any given school.

COMPLIANCE MONITORING

Summary of Recent Status Changes

OSPI has taken the following actions during the 2024-2025 school year with respect to the authorization status for certain NPAs.

Inactive Status

OSPI has created a new category of NPA status: Inactive Status. This status applies to an approved NPA in good standing with OSPI that is due for reauthorization but has not had a student placement from a public school district during the final year of its reauthorization cycle. OSPI has found, however, that public school district administrators continue to need and seek out reliable options for potential student placements. Inactive status allows OSPI to maintain contact with past partners that have successfully worked with public school districts so that such placement options could still be available for consideration. An Inactive NPA can be reinstated by following the standard reauthorization process with a sponsoring school district and OSPI. A list of currently inactive NPAs can be found on the OSPI NPA [website](#).

Revocation

OSPI revoked NPA status in November 2024 for Shrub Oak International School (Shrub Oak) due to significant concerns regarding the entity's ability to maintain compliance with authorization standards. OSPI's decision was based on the patterns of practice identified from information gathered through Shrub Oak's recent three-year reauthorization application; ongoing information provided by contracting public school districts; and information provided to OSPI during its onsite visit and ongoing monitoring. Shrub Oak has been removed from the authorized list and no longer maintains NPA status for the State of Washington.

Annual NPA Complaint Summary

OSPI received three new NPA complaints during the 2024-25 school year. This number represents a decrease in the number of complaints received from the previous school year.⁸ All three complaints involved NPAs located in Washington; there were no complaints involving NPAs located out of state.

The status of NPA complaint investigations at the time of this report are as follows:

- One complaint from 2024-2025 was not opened because the student involved was not placed at the NPA by a public school district and thus the complaint did not fall under the purview of NPA regulations.

⁸ OSPI received seven NPA complaints during the 2023-2024 school year. ([2024 Legislative Report on the Placements of Students at Authorized Entities \(Nonpublic Agencies – NPAs\)](#)).



- Two complaint investigations filed near the end of the 2024-2025 school year remain active and are currently under investigation.
- Investigations remaining from the end of the previous school year (2023-2024) involving out-of-state NPAs have been completed. No findings of noncompliance were issued.

CONCLUSION & NEXT STEPS

OSPI continues its oversight of authorized NPAs providing special education services to students in partnership with public school districts. Updates to the annual NPA renewal and reauthorization applications have helped streamline the administrative process and shift focus to the delivery of quality services and instruction to students. The release the new [Nonpublic Agency \(NPA\) Field Guide, Guidance for Special Education Administrators](#) also provides a greater level of support to school districts, families, and the general public regarding the use of private placements for special education services. OSPI looks forward to completing the rulemaking currently open for the 2025-2026 school year in order to better align state regulations with existing processes and reinforce the expectations for stronger public-private partnerships in the delivery of special education services.



APPENDIX A

Nonpublic Agencies Process Review: Research Synthesis

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