

## **SPECIAL EDUCATION CITIZEN COMPLAINT (SECC) NO. 20-72**

### **PROCEDURAL HISTORY**

On June 12, 2020, the Office of Superintendent of Public Instruction (OSPI) received a Special Education Citizen Complaint from the parent (Parent) of a student (Student) attending the Tumwater School District (District). The Parent alleged that the District violated the Individuals with Disabilities Education Act (IDEA), or a regulation implementing the IDEA, with regard to the Student's education.

On June 17, 2020, OSPI acknowledged receipt of this complaint and forwarded a copy of it to the District Superintendent on the same day. OSPI asked the District to respond to the allegations made in the complaint.

On June 25, 2020, OSPI requested additional information from the Parent. On July 20, 2020, OSPI received the information from the Parent and forwarded the information to the District on July 21, 2020.

On June 30, 2020, the District requested an extension of time to respond to the complaint. OSPI granted the extension to July 14, 2020.

On July 15, 2020, OSPI received the District's response to the complaint and forwarded it to the Parent on the same day. OSPI invited the Parent to reply. The Parent did not reply.

OSPI considered all of the information provided by the Parent and the District as part of its investigation.

### **ISSUE**

1. Did the District implement the Student's individualized education program (IEP) during the March 2020 through June 2020 school facility closures?

### **LEGAL STANDARDS**

**IEP Implementation:** At the beginning of each school year, each district must have in effect an individualized education program (IEP) for every student within its jurisdiction 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. Each school district must ensure that the student's IEP is accessible to each general education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation. 34 CFR §300.323; WAC 392-172A-03105.

"When a school district does not perform exactly as called for by the IEP, the district does not violate the IDEA unless it is shown to have materially failed to implement the child's IEP. A material failure occurs when there is more than a minor discrepancy between the services provided to a disabled child and those required by the IEP." *Baker v. Van Duyn*, 502 F. 3d 811 (9th Cir. 2007).

During the COVID-19 school facility closures, as students received general education instruction and student support services, districts must provide students with disabilities with the special education services—related services and specially designed instruction—supporting a free appropriate public education (FAPE). The U.S. Department of Education Office for Civil Rights (OCR) and Office for Special Education and Rehabilitative Services (OSERS) indicated the "exceptional circumstances" presented during the school facility closures caused by COVID-19 "may affect how all educational and related services and supports are provided" to students with disabilities. There is not an expectation that IEP services would be delivered exactly as the IEP states. *Questions and Answers: Provision of Services to Students with Disabilities During School Facility Closures for COVID-19* (OSPI March 24, 2020); *Supplemental Fact Sheet Addressing the Risk of COVID-19 in Preschool, Elementary and Secondary Schools While Serving Children with Disabilities* (OCR/OSERS March 21, 2020) ("It is important to emphasize that federal disability law allows for flexibility in determining how to meet the individual needs of students with disabilities...during this national emergency, schools may not be able to provide all services in the same manner they are typically provided...The determination of how FAPE is to be provided may need to be different in this time of unprecedented national emergency...FAPE may be provided consistent with the need to protect the health and safety of students with disabilities and those individuals providing special education and related services to students.")

While there was not an expectation that districts implemented a student's IEP as written during school closures caused by COVID-19 in spring 2020, districts must have had a plan for how students with disabilities were to receive a FAPE, including the provision of special education. *Questions and Answers* (OSPI, March 24, 2020); *Questions and Answers* (OSPI, May 5, 2020). See also, *Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outbreak* (U.S. Department of Education, March 13, 2020) ("SEAs, LEAs, and schools must ensure that to the greatest extent possible, each student with a disability can be provided the special education and related services identified in the student's IEP developed under the IDEA"). All schools were expected to have begun providing educational services for all students by March 30, 2020, which OSPI termed "Continuous Learning 2020." OSPI Bulletin 024-20 (March 23, 2020).

The individualized special education services being provided to a student during the school facility closures as part of continuous learning, were to be documented in writing using a student's annual IEP, IEP amendment (particularly if services to be provided during the closure were significantly different from what the IEP indicated), prior written notice, or optional "Continuous Learning Plan" (CLP) or similar document. Districts had flexibility in how they chose to document decisions made in real-time. *Questions and Answers* (OSPI, April 13, 2020). Districts were encouraged to prioritize parent communication, including discussions of how special education services were to be provided during the closures. *Questions and Answers* (OSPI, May 5, 2020).

**Progress Reporting:** The purpose of progress reporting is to ensure that, through whatever method chosen by a school district, the reporting provides sufficient information to enable parents to be informed of their child's progress toward the annual IEP goals and the extent to which that progress is sufficient to enable the child to achieve those goals. *Amanda J. v. Clark County Sch. Dist.*, 267 F.3d 877, 882 (9th Cir, 2001) (parents must be able to examine records and information about their child in order to "guarantee [their] ability to make informed decisions" and participate in the IEP process). IEPs must include a statement indicating how the student's progress toward the annual goals will be measured and when the district will provide periodic reports to the parents on the student's progress toward meeting those annual goals, such as through the use of quarterly or other periodic reports concurrent with the issuance of report cards. 34 CFR §300.320(a)(3); WAC 392-172A-03090(1)(c).

### **FINDINGS OF FACT**

1. OSPI received the complaint from the Parent on June 12, 2020. The Parent, in her complaint, alleged the District failed "to make an appropriate education available to my child during the school closure" and that the District failed to provide the services of a board-certified behavior analyst (BCBA) and a 1:1 registered behavior technician (RBT) in accordance with the Student's individualized education program (IEP).

### **2018-2019 School Year**

2. The Student's June 17, 2019 IEP was in effect prior to the COVID-19 school facility closures. The Student's June 2019 IEP included annual goals in the areas of behavior management, adaptive behavior, social/emotional behavior, reading, and written language. The Student had difficulty in social groups and needed constant cues from adults to do his work to stay on task. Progress toward the annual goals was to be measured by informal and formal assessments and reported to the Parent on a quarterly basis. Progress monitoring also involved the BCBA and RBT:
  - District BCBA consultation with one time per week (with the possibility of bi-monthly meetings) with Parents and Parent BCBA for home/school coordination;<sup>1</sup>
  - Daily communication of the RBT report; and,
  - Monthly BCBA/Parent/IEP meeting.

The Student's IEP provided the Student with the following specially designed instruction and related services:

- Behavior management: 150 minutes, 5 days per week (provided by special education staff/RBT/paraeducator in a special education setting)
- Adaptive/self-help: 41 minutes, 5 days per week (provided by special education staff/RBT/paraeducator in a special education setting)
- Written expression: 30 minutes, 5 days per week (provided by special education staff in a special education setting)

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<sup>1</sup> In this investigation, the Parent stated the Student had not received private BCBA services for the "last two years" despite the IEP providing for a consultation between the District BCBA and the Parent BCBA. The Parent stated the District BCBA instead consulted directly with her.

- Social skills: 53 minutes, 5 days per week (provided by special education staff/RBT/paraeducator in a special education setting)
- Reading comprehension: 15 minutes, 5 days per week (provided by special education staff in a special education setting)
- Reading fluency: 15 minutes, 5 days per week (provided by special education staff in a special education setting)
- Behavior support specialist: 40 minutes, 4 times per week (provided by RBT/paraeducator in a general education setting)
- Behavior support specialist: 30 minutes, on Fridays (provided by RBT/paraeducator in a general education setting)
- Behavior support: 30 minutes, 5 days per week (provided at recess)

The Student's IEP provided for the following supplementary aids and services:

- Special transportation: 5 days per week
- Consultation between District BCBA and Parent BCBA: 20 minutes, 1 day per week (provided by the District BCBA and Parent BCBA)
- Contracted BCBA: 330 minutes, 4 days per week (provided by a BCBA in a special education setting)
- Special education paraeducator to cover duties for RBT breaks: 78 minutes, 5 days per week (provided by a special education paraeducator)

The Student's June 2019 IEP additionally provided the Student with the following accommodations and modifications:

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| <ul style="list-style-type: none"> <li>• Visual schedule as needed</li> <li>• Limited multiple choice</li> <li>• Scale of four emotional regulations visual support zones card</li> <li>• Chunking instructions</li> <li>• Presenting information in different forms (i.e., pictures)</li> <li>• Allow breaks</li> <li>• Cool down area to take breaks</li> <li>• Extra time to complete assignments</li> <li>• Extra time on tests/quizzes</li> <li>• Reinforcement preference data</li> </ul> | <ul style="list-style-type: none"> <li>• Reinforcement menu/token economy collection</li> <li>• Sensory tools/fidgets, access as appropriate, items such as weighted blanket, oral/motor tools (gum), tactile tools</li> <li>• Prize box</li> <li>• Natural rewards (i.e., walk through garden, walk to see principal, movement breaks, Lego room)</li> <li>• Adapted seating as needed</li> <li>• Adjustment to reinforcements, reinforcement schedule</li> </ul> |
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The IEP also included assistive technology for the Student (speech to text software and co-writer for word prediction), and staff training in de-escalation techniques for school personnel.

3. On June 21, 2019, the Student's IEP was amended to include specially designed instruction in math problem solving. The June 2019 IEP provided for five minutes, five days of week of math instruction provided by special education staff in a general education setting.

### **2019-2020 School Year**

4. During the 2019-2020 school year, the Student attended a District elementary school, was in the third grade, and was eligible for special education services under the category autism.

5. The District’s 2019-2020 school year began on September 4, 2019.
6. On March 13, 2020, the Washington Governor issued a proclamation, announcing the closures of all public and private K–12 school facilities in the state through April 24, 2020, due to the COVID-19 pandemic and resulting public health crisis.
7. Sometime after March 13, 2020, the District developed a continuous learning plan (CLP) for the Student. The CLP provided the following:

<b>Service</b>	<b>Initiation Date</b>	<b>Frequency</b>	<b>Location</b>	<b>Duration</b>	<b>Staff</b>
Behavior Management	3/16/20	5 days/week	Weekly activity packet	30 min	Special education teacher
Adaptive/Self-Help Skills	3/16/20	5 days/week	Weekly activity packet	30 min	Special education teacher
Written Expression	3/16/20	5 days/week	Weekly activity packet/Weekly Zoom Meeting	30 min	Special education teacher
Social Skills	3/16/20	5 days/week	Weekly activity packet/Weekly Zoom Meeting	30 min	Special education teacher
Reading Comprehension	3/16/20	5 days/week	Weekly activity packet/Weekly Zoom Meeting	30 min	Special education teacher
Reading Fluency	3/16/20	5 days/week	Weekly activity packet/Weekly Zoom Meeting	30 min	Special education teacher
Math Problem Solving	3/16/20	5 days/week	Weekly activity packet/Weekly Zoom Meeting	30 min	Special education teacher

8. According to the District, the BCBA and 1:1 RBT services were not included in the CLP. The District explained: “Because no students participated in general education recess or were educated in the general education setting during the school closure, this service was not necessary to support the Student in those settings...”<sup>2</sup>
9. When asked if at any time the Parent made a request to the District that the BCBA and 1:1 RBT services be provided to the Student, the Parent indicated no request was necessary because these services were “entitled” to according to the Student’s IEP.

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<sup>2</sup> Regarding the BCBA and RBT services, the District further stated: “...Consistent with OSPI’s guidance, the District will convene an IEP meeting once normal school operations resume to determine any services that may be necessary for Student at that time based on any effect the school facilities closure may have on his progress toward his IEP goals. The District will address any behavior needs and necessary behavior-related services at that IEP meeting.”

10. On March 13, 2020, the special education teacher emailed the Parent. According to the CLP, the teacher stated:

Packet was sent home for [Student] to complete during the first two weeks of closure. Contacted home to explain how I would provide services, including the weekly schedule of activities, as well as the Zoom meeting. Asked if there was anything that the family needed during this difficult time.

No response was noted to the inquiry if the family needed anything, including any request for training from the Parent.

11. As part of the investigation, OSPI asked the Parent if the District requested the Parent provide assistance in implementing the CLP and whether the Parent needed any training in assisting the Student. The Parent stated:

The teacher sent out weekly emails that included adaptive, social skills, behavior management, math, problem solving, reading comprehension, reading fluency and written expression that normally would be supported by a 1:1 RBT. This work was expected to be done by the student. In order to complete the work, student required 1:1 support from parents. No training was provided to parents.

OSPI also asked the Parent if any of the IEP services could not be implemented at home. The Parent stated:

Students IEP outlines a BCBA to support [the Student's] learning. Also includes an RBT 1:1 support for all IEP services, including special education, resource room, general education, recess, and specialist. RBT covers all hours of school day, and when not available, a paraeducator provides the support. None of this was provided during the closure.

The Parent also stated the District provided the Parent with a weekly behavior checklist to monitor the Student's progress each day. The checklist contained items, such as followed directions, stayed on task, and had a good attitude. The Parent stated she was not provided training on how to complete the checklist.

12. On March 23, 2020, OSPI issued guidance, instructing districts that while school facilities are closed and not providing traditional in-person instruction, education must continue. OSPI's guidance outlined the expectation that "continuous learning" would begin for all students by Monday, March 30, 2020.

13. On March 26, 2020, according to the Parent, the special education teacher called the Parent and followed with an email, asking about the Student's access to school supplies and if he needed a Chromebook. The Parent replied the Student did not need a computer or supplies.

14. On March 29, 2020, according to the Parent, the special education teacher emailed the Parent. The Parent stated the "home learning plan" that outlined plans for weekly Monday emails would include schedule, activities, and resources and motivational strategy for child. The Parent indicated she was told that "no new learning would occur" and everything was "optional."

15. On March 30, 2020, according to the CLP documentation, the special education teacher emailed the Parent the Monday morning schedule with the weekly assignment that was individualized for the Student.
16. The District was on spring break from April 6 to April 10, 2020.
17. On April 13, 2020, the special education teacher began the Zoom meetings and continued to send out weekly assignments. The documentation did not clarify whether the Zoom meeting was with the Student individually or his class. The District stated, "The special education held Zoom sessions four times per week, covering writing, math, reading, and social skills," which the Student "generally" attended.
18. From April 13 to June 19, 2020, the CLP documented that the special education teacher sent out a weekly schedule for Zoom meetings and assignments to the Parent. Out of the ten weeks of instruction, the Student participated in the Zoom meetings seven of the weeks, according to the CLP.
19. On April 6, 2020, the Governor extended the March 13, 2020 school facility closure directive through the remainder of the 2019-2020 school year.
20. Also, on April 6, 2020, OSPI issued guidance on Continuous Learning 2020, which included recommended guidelines for maximum student commitment each day to be 60 minutes for grades two and three.
21. On April 20, 2020, according to the Parent, the Parent informed the special education teacher that she was having difficulty with assisting the Student with activities that the District provided to him. The Parent informed the special education teacher that the Parents were working full time and unavailable to provide the necessary support to the Student. The Parent reported the family did not have access to a printer necessary to print out information to complete assignments. The communication log indicated the special education teacher responded to the Parent, but did not include the substance of the response.
22. On May 4, 2020, according to the District's communication log with the Parent, the Student began attending daycare, which would assist the Student in connecting to his zoom instruction.<sup>3</sup>
23. On May 6, 2020, the communication log stated the Parent reported the Student was not completing his general education work or attending his Zoom instruction, "as the work is too confusing and the daycare cannot help log in to Google Classroom." The log also indicated that the week's Zoom instruction in writing was canceled.

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<sup>3</sup> From March 25 to June 13, 2020, the District maintained a communication log with the Parent that documented communication with the Parent at least once a week and addressed any implementation problems.

24. On May 21, 2020, the communication log stated after weekly attempts by the special education teacher to email the Parent, the Parent informed the special education teacher the Student had been logging on the Zoom instruction and participating in group activities in reading. He also completed math problems during the math Zoom instruction. No other problems were noted.
25. On May 28, 2020, the communication log indicated that the Zoom instruction was canceled by the special education teacher because of an emergency.
26. On June 1, 2020, the District provided a special education progress report of the Student's progress towards his June 2019 IEP goals. The following information was provided:

<b>Goal</b>	<b>November 2019</b>	<b>January 2020</b>	<b>June 2020</b>
Written expression: From 0 sentences to 1	1 sentence	1 sentence	4 sentences
Reading Fluency: From 59 words per minute to 86	43 words	68 words	40 words
Reading comprehension: From 19 detailed words to 30	26 words	21 words	23 words
Social skills: From 0/5 problem solving to 4/5	2/5 times	3/5 times	No data provided*
Behavior management: From 1/5 coping strategies to 4/5	3/5 times	3/5 times	No data provided*
Adaptive: From 7 minutes starting assignments to 2 minutes	-2 minutes	-2 minutes	No data provided*
Adaptive: From 0/5 completing assignments to 4/5	3/5 times	4/5 times	No data provided*

(\* Denotes the report included an explanation of the services that were provided in that area, but that the report did not include any information about the Student's progress in that area.)

27. On June 6, 2020, the communication log stated the Parent reported the Student had been on task and earning his "Lincoln Bucks" weekly.
28. On June 12, 2020, OSPI received the Parent's complaint and opened this investigation.
29. June 12, 2020 was the last day of the 2019-2020 school year for the District.
30. On June 16, 2020, the District held an annual review of the Student's IEP. The IEP team reviewed and revised the Student's annual goals and did not change the special education services previously provided in the June 2019 IEP.

## **CONCLUSIONS**

**Issue One: IEP Implementation** – The Parent alleged the District failed to implement the Student's individualized education program (IEP), specifically that the District failed to provide a 1:1 registered behavior technician (RBT) during the school closure due to COVID-19.



Under normal circumstances, a district must implement IEPs as written. However, during the school closure due to the COVID-19 pandemic, because of health and safety concerns, districts were not necessarily expected to implement IEPs as written. IEP services should have been implemented to the extent possible, including the provision of specially designed instruction. If a service was not implemented, a district should have documented why it could not be implemented and what other options were considered. Districts should have clearly communicated to parents what services were being offered and were expected to collaborate with parents about the implementation of the services, including parent capacity, to assist in service implementation and the potential need for parent training. Special education services must have begun by March 30, 2020, as districts began “continuous learning,” per expectations from OSPI. Districts were expected to continue to monitor student progress toward annual goals and report progress to parents. Like special education services, the district may not be able to measure progress in the method stated in the IEP because of remote services. However, districts should still have reported what progress they could, even if an alternative method was used to gather progress information.

Here, the Student’s June 2019 IEP provided for specially designed instruction in the areas of behavior management, adaptive/self-help skills, social skills, written expression, reading comprehension, reading fluency, and behavior support. Special education services included behavior support by a 1:1 RBT or special education paraeducator. Supplementary aids and services included a contracted board-certified behavior analyst (BCBA) and consultation between the District BCBA and the Parent’s private BCBA, although the Parent stated the Student has not received private BCBA services at home for the last two years and therefore, prior to the closure, the District BCBA consulted with the Parent.

In March 2020, the Governor closed the school facilities temporarily, and in April 2020, the Governor closed the school facilities for the remainder of the 2019-2020 school year. As stated above, OSPI did not expect the District to implement the Student’s IEP as written, only to the extent possible. OSPI required the District to document the special education services provided to the Student in a continuous learning plan (CLP) or another document. In March 2020, the District developed a CLP for the Student that provided specially designed instruction in the areas of behavior management, adaptive/self-help, written expression, social skills, reading comprehension, reading fluency, and math problem solving. The District provided the Student with weekly assignments, activities, and zoom instruction in each area. The District’s documentation—including some of the progress reporting—indicated the Student generally attended the Zoom sessions and received individualized instruction.

The District did not provide BCBA consultation or 1:1 RBT services, because according to the District, the Student was not attending recess with other students or participating in the general education classroom, which the behavior supports primarily addressed. While OSPI notes the District likely could have provided at least the BCBA consultation to the Parent in a remote setting, OSPI finds that the District provided a sufficient reason for not providing the 1:1 RBT and BCBA services. Although the Parent stated she expected the RBT and BCBA services to continue during distance learning, given that they were part of the Student’s IEP, the District’s explanation for not providing services was student specific. And, given that much of the need for a RBT was related

to the Student's interactions with other students (e.g., IEP stated the Student had challenges in social groups), the District's explanation that the Student's need for this support was lessened in a remote setting is reasonable. Further, the District's documentation indicated the District continued to provide the Student special education instruction around behavior management as indicated in the CLP.

The Parent indicated in her complaint the Student continued to need the 1:1 RBT and BCBA's support while receiving distance learning at home, but it was unclear whether the Parent ever communicated her request to the District since the Parent just assumed that the RBT and BCBA services, like all other services on the Student's IEP, would be provided because they were on the IEP. The documentation showed the District informed the Parent of the CLP and sought input from the Parent about the CLP. During implementation of the CLP, the Parent stated there were problems due to the Parent not being able to provide the necessary support needed, but there was no indication the Parent made a request for a specific support, including training for the Parent at the time. The Parent did report the Student was not completing his general education work, attending his Zoom instruction, they had printer access problems, and that the daycare could not log onto the Google classroom. However, the documentation showed the District made a reasonable effort at addressing the problems, short of providing the 1:1 RBT and BCBA services and Parent training, and no further problems were reported with the Student participating in the Zoom instruction, reading activities, and completing math assignments. Again, the District also reported the Student generally attended Zoom instruction and his progress reporting supports that instruction was provided in several areas. Despite some challenges, the documentation showed the District substantially implemented the CLP services given the circumstances. OSPI finds no violation with regard to the provision of special education services.

As part of the implementation of the special education services, the District was required to continue monitoring the Student's progress toward his annual goals. As there was no expectation that IEPs be implemented as written, it is expected that there would not necessarily be progress reporting for each and every goal. However, OSPI expects to see progress information for those goals worked on and related to the special education services that were provided.<sup>4</sup> In the June 2020 progress report, the District provided data for the written expression, reading fluency, and reading goals, but no data was provided for the remaining four goals. The report contained anecdotal information about what services were being provided in the remaining four goal areas, but there was no information regarding the Student's progress. The District was required to continue monitoring and reporting progress for all goal areas that were being implemented in the CLP. And, because the District provided instruction in adaptive, social skills, and behavior, the lack of any data or description of progress amounts to a violation. The District will be required to develop a plan to provide training to ensure that progress monitoring and reporting continue during the school closure and provide the Parent with a complete progress report.

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<sup>4</sup> Once school resumes, the District must determine the progress the Student made during school closure in all goals.

## CORRECTIVE ACTIONS

By or before **August 28, 2020** and **October 2, 2020**, the District will provide documentation to OSPI that it has completed the following corrective actions.

### STUDENT SPECIFIC:

By **September 25, 2020**, the District must provide the Parent with an updated progress report that provides data on the Student's progress in the areas of social skills, behavior management, and adaptive behavior. The District must provide a copy of the progress report and documentation that was provided to the Parent to OSPI by **October 2, 2020**.

### DISTRICT SPECIFIC:

#### Training

By **September 25, 2020**, the District will develop and conduct training for District special education administrators and special education certificated staff, which focuses on conducting progress monitoring during non-traditional instruction. The training may be conducted remotely.

By **August 28, 2020**, the District will submit a draft of the training materials to OSPI for review. The training materials will include examples. OSPI will approve the materials or provide comments by September 4, 2020 and additional dates for review, if needed.

By **October 2, 2020**, the District will submit documentation that staff participated in the training. This will include: 1) a sign-in sheet; and, 2) a roster of who should have attended so OSPI can verify that staff participated.

The District will submit a completed copy of the Corrective Action Plan (CAP) Matrix documenting the specific actions it has taken to address the violations and will attach any other supporting documents or required information.

Dated this \_\_\_\_ day of August, 2020

Glenna Gallo, M.S., M.B.A.  
Assistant Superintendent  
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.)