

## **SPECIAL EDUCATION COMMUNITY COMPLAINT (SECC) NO. 23-75**

### **PROCEDURAL HISTORY**

On May 26, 2023, the Office of Superintendent of Public Instruction (OSPI) received and opened a Special Education Community Complaint from the PTSA (Complainant) related to students eligible for special education services (Students) attending an elementary school in the Seattle School District (District). The Complainant alleged that the District violated the Individuals with Disabilities Education Act (IDEA), or a regulation implementing the IDEA, regarding the Students' education.

On May 26, 2023, OSPI acknowledged receipt of this complaint and forwarded a copy of it to the District superintendent on May 31, 2023. OSPI asked the District to respond to the allegations made in the complaint.

On June 8, 2023, the District requested an extension of time to respond to the complaint. OSPI granted the extension to June 21, 2023.

On June 21, 2023, OSPI received the District's response to the complaint and forwarded it to the Complainant on June 22, 2023. OSPI invited the Complainant to reply.

On June 30, 2023, the Complainant requested an extension of time to reply to the District's response. OSPI granted the extension to July 12, 2023.

On July 11, 2023, OSPI received the Complainant's reply. OSPI forwarded that reply to the District on July 12, 2023.

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

### **SCOPE OF INVESTIGATION**

In the complaint and reply to the District's response, the Complainant raised issues related to discrimination—including disability and race discrimination, retaliation, and allegations related to specific staff, including requesting remedies that involve personnel actions like moving the principal to a different school. The Complainant indicated they had "also filed our concerns around these issues with the Office of Civil Rights." OSPI notes that any references to these topics in the facts are included for context only, and are not intended to identify additional allegations or potential violations, as these areas are outside the scope of OSPI's authority in a special education community complaint.

OSPI does not have authority through the Special Education Community Complaint process to investigate allegations of discrimination. However, the U.S. Department of Education, Office for Civil Rights has the authority to investigate discrimination claims under Section 504 of the Rehabilitation Act. The Complainant may also file a discrimination complaint with the superintendent of the District or the District's Civil Rights Coordinator.

## ISSUE

1. Whether the District has discipline policies, procedures, and practices in place at the School for Students with IEPs that align with WAC 392-172A-05140 through WAC 392-172A-05170, including but not limited to whether office referrals are appropriately recorded and tracked as disciplinary removals and whether the referral system in place results in Students not receiving special education services?

## LEGAL STANDARDS

Disciplinary Removals – No Change of Placement: School districts may remove a student eligible for special education who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than ten consecutive school days to the extent those alternatives are applied to students without disabilities and for additional removals of not more than ten consecutive school days in that same school year for separate incidents of misconduct as long as those removals do not constitute a change of placement under WAC 392-172A-05155. 34 CFR §300.530(b)(1); WAC 392-172A-05145(2). A school district is only required to provide services during periods of removal to a student eligible for special education who has been removed from his or her current placement for ten school days or fewer in that school year, if it provides services to a student without disabilities who is similarly removed. 34 CFR §300.530(d)(3); WAC 392-172A-05145(2).

Disciplinary Removal that Results in a Change of Educational Placement: A change in placement occurs when a student is removed from his or her current placement because of discipline for more than ten consecutive days, or when the student is subjected to a series of removals that constitute a pattern because the removals total more than ten school days in a school year, because the student's behavior is substantially similar to the previous incidents that resulted in removals, and because of additional factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another. 34 CFR §300.536; WAC 392-172A-05155. After a student has been removed from his or her current placement for ten school days in the same school year, during any subsequent days of removal the school district must provide services to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. WAC 392-172A-05145(2),(4). If the removal is a change of placement under WAC 392-172A-05155, the student's IEP team determines appropriate educational services to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. WAC 392-172A-05145(4).

Manifestation Determination: Within ten school days of the district's decision to change the student's placement through discipline, the district, parents and other relevant members of the IEP team (as determined by the parents and the district) must determine whether the behavior that led to the disciplinary action was a manifestation of the student's disability. In making the manifestation determination, the district, parents and other relevant members of the IEP team must consider all relevant information in the student's file to determine if the conduct in question

was caused by, or had a direct and substantial relationship to, the student's disability; or if the conduct in question was the direct result of the school district's failure to properly implement the student's IEP or behavior intervention plan. 34 CFR §300.530(e); WAC 392-172A-05146.

If the school district, parent(s), and other relevant members of the student's IEP team determine the conduct was a manifestation of the student's disability, the IEP team must either: conduct a functional behavioral assessment, unless the district had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the student; or if a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior; and except for special circumstances, return the student to the placement from which the student was removed, unless the parent and the district agree to a change of placement as part of the modification of the behavioral intervention plan. 34 CFR §300.530(f); WAC 392-172A-05147.

When a disciplinary exclusion exceeds ten school days and the behavior in question is found not to be a manifestation of the student's disability, a district may apply the same relevant disciplinary procedures, in the same manner and for the same duration as it would to a student not eligible for special education, except that: the student must continue to receive services that provide a FAPE and enable the student to continue to participate in the general education curriculum and progress toward meeting annual IEP goals, even if services are provided in another setting; and receive, as appropriate, a functional behavioral assessment and behavioral intervention services that are designed to address the behavior violation so that it does not recur. 34 CFR §300.530(c)-(d); WAC 392-172A-05145(3)-(4).

## **FINDINGS OF FACT**

### **Complaint**

1. On May 26, 2023, OSPI received and opened a complaint from the parent teacher student association (PTSA) of an elementary school (school) in the District. The complaint made allegations regarding the use of discipline for students eligible for special education at the school, including:
  - Students are "frequently" required to sit in the office per the direction of the principal as a "form of discipline" and as such, Students "miss significant instructional time."
  - Students "in the office are often instructed to sit still or 'read.'"
  - "It is estimated that approximately 10–12 students per week spend at least 20 minutes up to hours in the office waiting to meet with [principal] where they are missing instructional time per [principal] instruction."
  - Recess is taken away and teachers are expected to use a referral system for all "unexpected behaviors."

2. In their reply to the District's response, the Complainant indicated they wanted corrective actions taken against the principal specifically (e.g., moved to a different school, coaching, mentoring)<sup>1</sup>. The Complainant also requested the following:
  - "Ongoing technical assistance, monitoring, and training for the entire building (Principal and all staff- longer than a 1 day training)."
    - "Everyone in the building knows what their rights are for educations, children, and parents..."
    - "Create a system that is resistant to people in the building falling back into old patterns."
  - "Training and materials for families and that the training be provided in their preferred language."

### **District Policies, Procedures, and Practices**

3. The District has board and superintendent policies and procedures that address special education, including special education discipline, student conduct, and student behavior and disciplinary responses.

The District's policies and procedures align with WAC 392-172A-05140 through WAC 392-172A-05170. Specifically, the District has policies and procedures in place to ensure students eligible for special education are not improperly excluded from school for disciplinary reasons that are related to their disability or to the District's failure to implement a student's individualized education program (IEP) and/or behavioral intervention plan (BIP). The District's policies and procedures address removals from educational placements, manifestation determinations, and the continuation of instruction during discipline.

4. The District's student handbook—"Student Rights and Responsibilities, 2022-2023"—included information on student rights, student responsibilities, and required discipline protections for all students. The handbook also included information about different behavioral violations, disciplinary responses, and due process rights, and included an appendix with additional information about discipline protections for students eligible for special education.
5. The District provided information in its response about the general discipline tools, resources, tracking mechanisms, and trainings that District staff are provided, including:
  - The use of "various data systems to ensure discipline and lost instructional time is tracked, requiring that all disciplinary information be entered into PowerSchool, the District's student data system."
    - "Specifically, anytime a student is removed from instruction for behavioral reasons or misconduct that exceeds a brief duration, the length of time and record of removal must be documented."
    - Disciplinary actions are to be recorded in the incident management system within 24 hours of the event.

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<sup>1</sup> OSPI also notes that generally speaking, districts have discretion in personnel decisions, such as staffing assignments or hiring. *Gellerman v. Calaveras Unified Sch. Dist.*, 37 IDELR 125 (9th Cir. 2002); see also, *In the Matter of the Clover Park School District*, OSPI Cause No. 2004-SE-0072X (WA SEA 2004); *In re Los Altos Elementary School District*, 38 IDELR 111 (CA SEA 2002); *In re Freeport School District*, 34 IDELR 104 (IL SEA 2000).

- A "Notification of Disciplinary Action" is sent home to parents within 24 hours of the disciplinary event.
- All school administrators are required to receive and pass training on "Notification of Disciplinary Action" incidents.
- For disciplinary incidents that do not rise to the level of a "Notification of Disciplinary Action", District staff use a "'Missed Instruction Log' module for staff."
  - "This module allows staff to enter behavior data for shorter classroom exclusions while enabling the collection of data necessary to track the trends at each school. Staff can also record incidences as log entries. School staff are trained in the use of this log and the collection of data, and additional resources and recordings are available on the District's internal website."
- The District's discipline office offers professional development opportunities and workshops on best practices for discipline and "aimed at reducing out-of-class time for students."
  - Trainings include training on District policies and procedures, best practices for students eligible for special education, behavioral support, disciplinary decision-making, verbal de-escalation, and trauma-informed practices.
  - A "discipline 101" training is scheduled for August 2023, prior to the start of the 2023–24 school year.
- The District discipline office consults with school leaders and has a discipline consultation line, "office hours", leadership sessions, provides support with "PowerSchool", and provides "significant behavior and discipline resources" on the District website.

The District has a "Discipline Matrix," which provides "a range of responses to consider based on mitigating and aggravating factors" for each behavior code. The range of responses includes classroom-based responses, school-based, in-school suspension, short-term suspension, long-term suspension, and expulsion.<sup>2</sup> For example, "academic dishonesty/plagiarism" is to be responded to via a classroom or school-based response, whereas something like "disruptive conduct" could be a classroom or school-based response or an in-school or short-term suspension. District administrators have access to the "Discipline Matrix Guide for Administrators," which the District stated, "helps guide disciplinary action by prompting school leaders to consider aggravating and mitigating circumstances." Staff also had access to a "discipline decision making template," which included a checklist to help ensure administrators follow the process, including documenting disciplinary incidents, notifying families, and holding manifestation determination meetings when required and within the required timelines.

6. The District's special education department also provides consultation, guidance, and trainings to schools on disciplinary rules and best practices for students eligible for special education. And the District has a flowchart for staff that outlines the special education discipline placement process and included pathways for considering whether a student's placement was changed and when a manifestation determination is needed.
7. The District stated in its response that, "Beyond policies and procedures that comply with the governing law, the District and School Board has expressly focused on reducing the use of

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<sup>2</sup> The matrix notes that elementary students cannot be expelled, except for possession of a firearm.

exclusionary practices and on implementing disciplinary responses that minimize the loss of instructional time." The District's focus is, in part, documented in a school board action report from 2021 regarding the approval of the student rights and responsibilities document and which stated, "This year's proposed document contains changes that reflect [the District] commitment to racial equity, authentic student and family/caregiver engagement, and safe and welcoming environments for all students, most especially Black boys and teens."

The District further stated that:

It is the District's expectation that repeated classroom removals and exclusionary practices resulting in missed instructional time should be avoided, aside from situations when a student's behavior poses an imminent likelihood of serious harm. Missed instructional minutes should be documented per District guidance, to track exclusionary data and inform individual student intervention with the objective of ending exclusionary disciplinary practices. When an exclusionary practice occurs, the school team should implement restorative practices, involving family partnership, and proactively plan positive behavior interventions and systems of support with IEP team members. This includes conducting Functional Behavior Assessment (FBA) and developing Behavior Intervention Plan (BIP), when necessary.

### **School Procedures and Practices**

8. The District described the general referral and discipline process at the school:
  - Each teacher "is tasked with creating a classroom management plan aimed at fostering a safe, orderly, and welcoming environment within their classroom."
  - For behavior incidents, "the expectation is that classrooms employ progressive practices, including parent conferences, social emotional learning (SEL) instruction, restorative problem solving and mediations, and loss of privileges."
  - When staff believe a student's behavior warrants a follow-up from the principal, the staff "refer" the student to the office using a referral reform.
    - The District stated that "[school] educators' referral usage varies in terms of basis and procedure. For example, depending on the circumstance and urgency of the situation, some teachers send students to the office with referrals during the class day, while some teachers place a referral in [the principal's] box at the end of the day for later follow-up."
    - The principal follows up on referrals with students, families, and teachers. The District stated that depending on the situation, "this may be a quick check-in or may result in the student spending extended time in the office, working on schoolwork and debriefing on the incident and discussing next steps with either [the principal] or [the school counselor] (reflective process, goal setting, peer restoration, etc.)."
    - Following this, the District stated, "Students are either returned to class after principal discussion or, if the student is disciplined, [principal] utilizes the discipline matrix for progressive discipline."
  - Removals are recorded in "PowerSchool" and suspensions are also reflected in the student's attendance record.
9. For students eligible for special education, if behavior continues to be a challenge, the District stated the "students' team review and amend the student's BIP, or if a BIP is not developed,

conduct an FBA to inform the development of a BIP. A manifestation determination meeting is held when students approach 10 days of removal.”

10. For students not eligible for special education, the District stated, “additional interventions are first attempted through the schools Multi-Tiered System of Supports (MTSS) team” and this, “may include a positive [BIP], safety plan, SEL support and instruction, or other supports.” The District stated that depending on the outcome of the interventions, the student may be referred to consider a special education evaluation.
11. The District provided a copy of the school referral form, which included various behaviors categorized as “Level 1 – Disruptive” (e.g., inappropriate language, personal space disruption, etc.), “Level 2 – Distressing” (e.g., theft/stealing, roughhousing, etc.), and “Level 3 – Dangerous” (e.g., violent physical contact, aggressive behavior, etc.). The form included space to describe the incident, describe progressive discipline, and options to check for “administrator’s decision(s)” (e.g., academic support plan, behavior support plan, “COST Referral,” daily progress report, detention, loss of privilege, parent consultation, reflective process, restorative justice, counseling/mentoring, community services, and in-school suspension).

### **Other Complaints**

12. In responding to prior complaints regarding the same school, the District acknowledged violations and inconsistencies in disciplinary practices. Specifically, in response to SECC 23-21, the District stated that:

While the students at issue were not removed for more than 10 school days, the District conceded that there was violation for failing to consistently document classroom exclusions. The District proposed written guidance on disciplining special education students, including the importance of tracking exclusionary discipline, as corrective action. OSPI accepted the proposal and the guidance was provided to staff on May 17, 2023.

13. On April 13, 2023, OSPI issued a decision in SECC 23-21, which concerned the same school at issue here, although different Students. SECC 23-21 addressed the educational programs of two students in the school and in part looked at whether the District followed special education disciplinary procedures when the Students were taking to the school office.

For the two Students, OSPI determined that the Students were sent to the principal’s office an undetermined number of times for disciplinary reasons. The District kept no record of the disciplinary referrals to the principal’s office and how long the Students remained there. OSPI determined it was unlikely that a disciplinary change in placement had occurred but did find a violation, as the District failed to document discipline referrals that amounted to classroom exclusions.

14. The written guidance provided to school staff pursuant to SECC 23-21 included information on IEP development for students with behavior needs, disciplinary removals, conducting and reevaluations as needed. The guidance included the following framing:

Repeated classroom removals and exclusionary practices result in missed instructional time for scholars and should be avoided, aside from situations when a student’s behavior ‘poses

an imminent likelihood of serious harm.' Missed instructional minutes should be documented in a missed instructional log per [District] guidance, to track exclusionary data and inform individual student intervention with the objective of ending exclusionary disciplinary practices. When an exclusionary practice occurs, the school team should implement restorative practices, involving family partnership, and proactively plan positive behavior interventions and systems of support with IEP team members.

15. Additionally, in response to SECC 23-73, the District stated that "while disciplinary practices were not the issue in the investigation, and the student was not eligible for special education for much of the year, the District acknowledged that Student B was improperly removed for more than 10 school days."

16.

[REDACTED]





**Proposed Corrective Action**

17. The District stated in its response that:

While the disciplinary guidance was provided to the [school] towards the end of the school year and could not have been effective is remedying any misunderstandings of process prior to mid-May 2023, given the sampling of students in SECCs 23-21 and 23-73, and the additional allegations, the District proposes that [school] receive training on compliance with WAC 392-172A- 05140 through WAC 392-172A-05170, including:

- Ensuring students eligible for special education are not disciplined for violations that result in a change of placement if the behavior was related to the student’s disability;
- Counting days for removals, suspensions, and determining a change of placement;
- Tracking lost instructional time, including the requirement to track informal or partial day removals or shortened school days/modified schedules as disciplinary actions, when such removals are being used to address student behavior;
- Manifestation determination meetings; [and],
- Notification of removals to parents.

The District proposes that the training be conducted by [Puget Sound Educational Service District] and be provided to all [school] administrators and classroom teachers. Given the

proposed corrective actions in SECC 23-21, 23-68<sup>3</sup>, and 23-73 and the upcoming District trainings, the District does not believe additional corrective action is necessary.

## CONCLUSIONS

**Issue: Special Education Discipline** – The Complainant alleged the District, and specifically the school, failed to follow special education discipline procedures with respect to Students being sent to the principal’s office as discipline. The Complainant stated that Students are “frequently” required to sit in the office at the direction of the principal and that Students “miss significant instructional time...It is estimated that approximately 10–12 students per week spend at least 20 minutes up to hours in the office waiting to meet with [principal] where they are missing instructional time per [principal] instruction.”

For students eligible for special education, districts must follow both general education and additional special education regulations with respect to discipline. Special education discipline regulations address, in part, whether a disciplinary removal results in a change of placement or not—a change in placement occurs when a student is removed from his or her current placement because of discipline for more than ten consecutive days, or when the student is subjected to a series of removals that constitute a pattern because the removals total more than ten school days in a school year—and whether a manifestation determination is needed to determine whether the behavior that resulted in discipline was related to the student’s disability. Special education regulations also reference that students eligible for special education must be provided educational services during periods of removal year, if it provides services to a student without disabilities who is similarly removed.

The above special education discipline regulations are predicated on tracking student discipline—formal removals, classroom exclusions, and informal classroom exclusions. And informal exclusion could include sending a student to the principal’s office or calling a parent to pick a student up early. An IEP or school team cannot assess whether there is a pattern of removals that result in a disciplinary change of placement unless all disciplinary removals and exclusions from instruction are tracked. Thus, here, tracking becomes the central issue in this complaint investigation.

The District has policies and procedures that align with the special education discipline regulations—WAC 392-172A- 05140 through WAC 392-172A-05170. The District also provided information about resources, tools (discipline matrix, guidance, decisions making template), tracking mechanisms, trainings, and other supports like discipline consultations and office hours that are provided to District staff. District staff are required to enter all disciplinary information in “PowerSchool,” the District’s student data system for any removal that exceeds a brief duration, which creates a “Notification of Disciplinary Action”; and for incidents that do not rise to the level of a notification of disciplinary action, staff are instructed to use a “missed instruction log”, which allows staff to enter behavior data for shorter classroom exclusions.

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<sup>3</sup> OSPI notes that 23-68 did involve the same school being investigated here, although the issue in 23-68 related to special education referral procedures. A violation was found, and in part, training on referral procedures was ordered to take place by early September 2023.

While the District level policies, procedures, and required practices align with the IDEA and state special education regulations, the actual practices at the school raise concern.

The District provided information about the school's disciplinary referral process, including student's being referred to the principal's office, and stated that:

It is the District's expectation that repeated classroom removals and exclusionary practices resulting in missed instructional time should be avoided, aside from situations when a student's behavior poses an imminent likelihood of serious harm. Missed instructional minutes should be documented per District guidance, to track exclusionary data and inform individual student intervention with the objective of ending exclusionary disciplinary practices.

However, despite having the processes and systems in place, the District acknowledged—in part based on a previous complaint regarding two students at this school—that the school was failing to consistently document classroom exclusions. Thus, it is not clear specifically how many students, how frequently, or for how much time students were being sent to the principal's office and whether this amount to a pattern of discipline resulting in a disciplinary change in placement. The District also noted that one of the Student in SECC 23-73 was improperly removed for more than 10 school days. The District stated that, given the behaviors, the Student should have been referred for special education earlier, although the Student was ultimately referred for special education and the District proposed to provide the Student compensatory education.

Overall, OSPI finds a violation related to special education disciplinary requirements.

As corrective action, the District stated it had provided written guidance pursuant to a previous complaint, although acknowledge that due to the timing of the complaint and the guidance, that the guidance did not necessarily correct the issues arising in this complaint. The District thus proposed the school staff receive training on compliance with special education discipline requirements. OSPI finds the District's proposal to be reasonable and will require training with some additional elements.

### **CORRECTIVE ACTIONS**

By or before **August 18, 2023, September 1, 2023, September 15, 2023,** and **October 20, 2023,** the District will provide documentation to OSPI that it has completed the following corrective actions.

#### **STUDENT SPECIFIC:**

None.

#### **DISTRICT SPECIFIC:**

##### **Training**

The District, including District administrators, in cooperation and collaboration with a non-District employee (e.g., the ESD or other OSPI-approved trainer), will co-develop a training/training

implementation plan and conduct a training on the below topics. The District will provide the trainer with a copy of this decision, SECC 23-75.

The following District staff will receive training: District special education administrators for the region the school is in, and the following at the school: principal, assistant principal(s), special education certified staff (teachers), and general education teachers. The training will cover the following topics:

- Compliance with WAC 392-172A- 05140 through WAC 392-172A-05170.
- Ensuring students eligible for special education are not disciplined for violations that result in a change of placement if the behavior was related to the student's disability.
- Counting days for removals, suspensions, and determining a change of placement.
- Tracking lost instructional time, including the requirement to track informal or partial day removals or shortened school days/modified schedules as disciplinary actions, when such removals are being used to address student behavior.
- Manifestation determination meetings.
- Notification of removals to parents.

The training will include examples.

By or before **August 18, 2023**, the District will notify OSPI of the name of the trainer and provide documentation that the District has provided the trainer with a copy of this decision for use in preparing the training materials.

The training will also include post-training implementation activities for staff to demonstrate their learning and the District to support implementation. The District will propose the plan and OSPI will review and provide input. The implementation support could include job-embedded coaching, holding community/parent engagement meetings, additional trainings or development of a training series, exploring policy and procedure revision, development of a District monthly audit to ensure discipline is being properly tracked, etc. By or before **September 1, 2023**, the District will provide OSPI with the training plan and post-training activities for review, input, and approval.

By or before **September 15, 2023**, the District will submit a draft of the training materials for OSPI to review. OSPI will approve the materials or provide comments by September 22, 2023.

By **October 13, 2023**, the District will conduct the training regarding the topics raised in this complaint decision.

By **October 20, 2023**, the District will submit documentation that required staff participated in the training. This will include 1) a sign-in sheet from the training, and 2) a separate official human resources roster of all staff required to attend the training, so OSPI can verify that all required staff participated in the training.

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.

## RECOMMENDATION

OSPI recommends the school consider forming a workgroup to explore the concerns around discipline and school culture. OSPI recommends that such a workgroup include students, parents, special education and general education teachers, other staff, and administrators. OSPI recommends the workgroup review the complaint and concerns and ideas shared by the Complainant in the complaint. The workgroup would come up with a set of recommendations for the school and District to consider.

Dated this 21st day of July, 2023

Dr. Tania May  
Assistant Superintendent of 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, Complainants (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. Complainants (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.)