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November 15, 2016

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Ms. Trinell Bowman
Director of Special Education
Prince George's County Schools
1400 Nalley Terrace
Landover, Maryland 20785

RE: XXXXX
Reference: #17-038

Dear Parties:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS), has completed the investigation of the complaint regarding special education services for the above-referenced student. This correspondence is the report of the final results of the investigation.

ALLEGATION:

On October 20, 2106, the MSDE received a complaint from Ms. XXXXXXXX hereafter, “the complainant,” on behalf of her son, the above-referenced student. In that correspondence, the complainant alleged that the Prince George's County Schools (PGCPS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) with respect to the above-referenced student.

The MSDE investigated the allegation that the PGCPS did not ensure that the student was provided with “additional adult support”, as required by the Individualized Educational Program (IEP), between August and October 2016, in accordance with 34 CFR §§300.101, and .323.

INVESTIGATIVE PROCEDURES:

1. On October 21, 2016, the MSDE sent a copy of the complaint, via facsimile, to Ms. Trinell Bowman, Director of Special Education, PGCPS.
2. On October 21, 2016, Mr. Gerald Loiacono, Complaint Investigator, MSDE, conducted a telephone interview with the complainant, and identified the allegation for investigation.

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3. On October 21, 2016, the MSDE sent correspondence to the complainant that acknowledged receipt of the complaint and identified the allegation subject to this investigation. On the same date, the MSDE notified the PGCPs of the allegation and requested that the school system review the alleged violation.
4. On October 21, 2016, the MSDE requested additional documentation from the PGCPs staff.
5. On November 3, 2016, the MSDE received additional documentation from the PGCPs staff.
6. The MSDE reviewed documentation, relevant to the findings and conclusions referenced in this Letter of Findings, which includes:
 - a. IEP, dated June 13, 2016;
 - b. Prior Written Notice, dated June 13, 2016;
 - c. "Additional adult support" daily logs, dated August 26, 2016 to September 30, 2016; and
 - d. Correspondence from the complainant containing an allegation of a violation of the IDEA, received by the MSDE on October 20, 2106.

BACKGROUND:

The student is 8 years old and attends school in the state of XXXXX as a result of the family's recent move to that state. During the time period covered by the investigation, the student attended XXXXXXXXXXXXXXXXXXXX in Prince George's County. He is identified as a student with a Autism under the IDEA and has an IEP that requires the provision of special education instruction and related services (Doc. b).

There is documentation that the complainant participated in the education decision-making process and was provided with written notice of the procedural safeguards during the time period addressed by this investigation (Docs. a and b).

FINDINGS OF FACTS:

1. The student's IEP, developed at an IEP team meeting on June 13, 2016 required that the student be provided with "additional adult support" to assist the student in the general education classroom and "specials", which are non-academic classes, with the exception of physical education class (Docs. a and b).
2. There is documentation that the student was provided with "additional adult support" in the classes where this support was required, from a paraeducator and from a dedicated assistant, from August to October 2016 (Doc. c).

DISCUSSION/CONCLUSIONS:

The public agency must ensure that each student is provided with the special education instruction and supplementary aids and services required by the student's IEP (34 CFR §300.101).

Based on Findings of Facts #1 and #2 the MSDE finds that there is documentation that the student was provided with additional adult support, as required by his IEP. Therefore, the MSDE does not find that a violation occurred with respect to this allegation.

TIMELINE:

Please be advised that the PGCPS and the complainant have the right to submit additional written documentation to this office within fifteen (15) days of the date of this letter if they disagree with the findings of fact or conclusions reached in this Letter of Findings. The additional written documentation must not have been provided or otherwise available to this office during the complaint investigation and must be related to the issues identified and addressed in the Letter of Findings. If additional information is provided, it will be reviewed and the MSDE will determine if a reconsideration of the conclusions is necessary.

Upon consideration of this additional documentation, this office may leave its findings and conclusions intact, set forth additional findings and conclusions, or enter new findings and conclusions.

Questions regarding the findings, conclusions and corrective actions contained in this letter should be addressed to this office in writing. The complainant and the school system maintain the right to request mediation or to file a due process complaint, if they disagree with the identification, evaluation, placement, or provision of a Free and Appropriate Public Education (FAPE) for the student, including issues subject to this State complaint investigation, consistent with the IDEA. The MSDE recommends that this Letter of Findings be included with any request for mediation or due process.

Sincerely,

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/Early Intervention Services

MEF:gl

c:	Kevin Maxwell	Deborah Anzelone	Dori Wilson
	Gwen Mason	XXXXXXXX	Anita Mandis
	LaRhonda Owens	XXXXXXX	Gerald Loiacono