



Mohammed Choudhury
State Superintendent of Schools

September 8, 2023



Ms. Terri Savage
Executive Director of Special Education
Howard County Public Schools
10910 Clarksville Pike
Ellicott City, MD 21042

RE: [REDACTED]
Reference: # 24-010

Dear Parties:

The Maryland State Department of Education (MSDE), Division of Early Intervention Special Education Services (DEI/SES), 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.

ALLEGATIONS:

On July 11, 2023, the MSDE received a complaint from Ms. [REDACTED], hereafter, “the complainant,” on behalf of the above-referenced student. In that correspondence, the complainant alleged that the Howard County Public School System (HCPSS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) with respect to the above-referenced student.

MSDE investigated the allegation that the HCPSS did not respond to a request for an IEP team meeting that was made by the parent in March 2023, in accordance with 34 CFR §§300.324 and .503 and COMAR 13A.05.01.08.

BACKGROUND:

The student is 18 years old and was dually enrolled at [REDACTED] campus) and [REDACTED] School. She is identified as a student with an Emotional Disability under the IDEA and had an Individualized Education Program (IEP) that required the provision of special education instruction and related services. The student graduated with a diploma in June 2023.

FINDINGS OF FACTS:

1. On March 10, 2023, HCPSS proposed an IEP team meeting to address the complainant’s questions

and concerns. The HCPSS requested that the complainant share her availability “in the next two weeks” in order to ensure participation of staff from the student’s private and public school.

2. On March 21, 2023, and March 22, 2023, HCPSS again proposed an IEP team meeting for the student. The HCPSS inquired if the complainant was “able to provide [HCPSS] with a few options regarding her availability for an IEP team meeting.”
3. On March 22, 2023, the complainant requested that HCPSS provide her “with a meeting date” on a Wednesday.
4. On March 24, 2023, HCPSS staff informed the complainant that “a scheduling tool to get availability of staff” for an IEP meeting to be held on a Wednesday.
5. On March 29, 2023, the complainant emailed for a status of tentative meeting dates.
6. On April 12, 2023, HCPSS staff emailed the complainant informing her that a date has not been found where appropriate staff are available. The HCPSS also shared that more meeting options will be sent by the end of the week.
7. On April 14, 2023, HCPSS staff emailed the complainant proposing to meet on May 8, 2023.
8. On April 24, 2023, emailed the HCPSS staff that “I need an EMERGENCY IEP meeting for my daughter this week! This matter CANNOT wait until May 8th.”
9. On April 24, 2023, HCPSS staff responded to the complainant informing her that they will work on finding an earlier date when staff from both schools would be available.
10. On April 26, 2023, HCPSS staff emailed the complainant and proposed a meeting on April 28, 2023.
11. On April 27, 2023, the complainant informed the HCPSS that she was unavailable on April 28, 2023.
12. On May 1, 2023, HCPSS emailed the complainant informing her that the HCPSS will continue to hold space on May 8th at 12:00 PM or 1:00 PM for the student’s IEP team meeting.
13. On May 3, 2023, the complainant emailed the HCPSS staff and confirmed her availability for May 8, 2023, at 1PM.
14. On May 8, 2023, the complainant emailed the HCPSS and requested for the meeting to be rescheduled.
15. On May 9, 2023, HCPSS staff emailed the complainant informing her that the meeting will be rescheduled, and a new date will be proposed.
16. On May 15, 2023, the complainant emailed the HCPSS staff “following up regarding the Wednesday appointment date that I requested for [the student's] IEP team meeting.

17. On May 16, 2023, HCPSS staff emailed the complainant proposing to hold an IEP team meeting on May 31, 2023.
18. On May 16, 2023, the complainant informed the HCPSS staff that her advocate is “no longer available on 5/31/23.” The complainant informed the team that her advocate would be available on June 7, 2023, June 14, 2023, and June 21, 2023, between 9am-1pm. The complainant also expressed that she preferred to meet on June 7, 2023.
19. On May 19, 2023, HCPSS emailed the complainant to confirm that the meeting proposed for May 31, 2023, would be rescheduled.
20. On May 25, 2023, the complainant communicated to the HCPSS staff that she is available to meet on June 7, 2023.
21. On June 7, 2023, the complainant emailed HCPSS and requested to reschedule the June 7, 2023 meeting. The complainant proposed that the meeting take place on June 14, 2023; however, the student graduated at the conclusion of the 2022-2023 school year.

DISCUSSION/CONCLUSION

In this case, the complainant made a request to the HCPSS staff to convene an IEP team meeting to address her concerns. In response, the HCPSS made multiple attempts to schedule a meeting for this purpose.

Based on Findings of Facts #1 through #7, MSDE finds the HCPSS made multiple attempts to respond to the complainant’s concerns since March 2023, and proposed to hold multiple IEP team meetings on dates the complainant specifically stated she was available and requested. Based on Findings of Facts #8 through #21, MSDE finds HCPSS responded to the request for an IEP team meeting made by the parent on April 24, 2023, in accordance with 34 CFR §§300.324 and .503 and COMAR 13A.05.01.08. Therefore, this office finds that a violation did not occur with respect to this allegation.

TIMELINES:

As of the date of this correspondence, this Letter of Findings is considered final. This office will not reconsider the conclusions reached in this Letter of Findings unless new, previously unavailable documentation is submitted and received by this office within fifteen days of the date of this correspondence. The new documentation must support a written request for reconsideration, and the written request must include a compelling reason for why the documentation was not made available during the investigation. Pending this office’s decision on a request for reconsideration, the public agency must implement any corrective actions within the timelines reported in this Letter of Findings.

The parties 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 Appropriate Public Education (FAPE) for the student, including issues subject to this State complaint investigation, consistent with the IDEA. MSDE

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recommends that this Letter of Findings be included with any request for mediation or a due process complaint.

Sincerely,

Dr. Deann M. Collins
Deputy Superintendent
Office of the Deputy Superintendent of Teaching and Learning

DC/ra

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