



**Mohammed Choudhury**  
State Superintendent of Schools

August 19, 2021



Ms. Joeleen Smith  
Supervisor of Special Education  
202 Chesterfield Avenue  
Centreville, Maryland 21617

RE: [REDACTED]  
Reference: #22-001

Dear Parties:

The Maryland State Department of Education (MSDE), Division of Early Intervention and Special Education Services, 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 July 7, 2021, the MSDE received a complaint from Mr. [REDACTED] and Mrs. [REDACTED] hereafter “the complainants,” on behalf of their son, the above-referenced student. In that correspondence, the complainant alleged that the Queen Anne’s County Public Schools (QACPS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) with respect to the student.

The MSDE investigated the allegation that the QACPS did not ensure that the student was provided with the Extended School Year (ESY) services required by the Individualized Education Program (IEP) since July 2021, in accordance with 34 CFR §300.101.

**BACKGROUND:**

The student is twelve (12) years old and attends [REDACTED]. He is identified as a student with an Other Health Impairment, based on Attention Deficit Hyperactivity Disorder (ADHD). He has an IEP that requires the provision of special education instruction and related services.

**FINDINGS OF FACTS:**

1. The IEP, amended April 21, 2021, required that the student would receive two (2) forty-five (45) minute sessions of ESY services per week, between July 5, 2021 and July 30, 2021, to address his written language goals, with social-emotional goals embedded into instruction.
2. While miscommunication between the QACPS and the complainants, as well as scheduling conflicts, delayed the start date of ESY services, an electronic communication (email) written by the student's mother to this office on August 17, 2021, reflects that all of the required ESY services had been provided to the student by the second week of August 2021.

**DISCUSSION/CONCLUSION:**

Based on the Findings of Facts #1 and #2, the MSDE finds that the QACPS ensured that the student was provided with the ESY services required by the IEP, since July 2021, in accordance with 34 CFR §300.101. Therefore, the MSDE does not find that a violation occurred with respect to the allegation.

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 (15) 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.

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

Sincerely,

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

MEF/dee

c:   
Dori Wilson  
Anita Mandis  
Diane Eisenstadt