



August 19, 2022

[REDACTED]
[REDACTED]
[REDACTED]

Ms. Trinell Bowman
Associate Superintendent-Special Education
Prince George’s County Public Schools
John Carroll Administration Building
1400 Nalley Terrace
Hyattsville, Maryland 20785

RE: [REDACTED]
Reference: #22-194

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.

ALLEGATION:

On June 21, 2022, 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 Prince George’s County Public 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 follow proper procedures when completing a reevaluation of the student under the IDEA, since June 2022, in accordance with 34 CFR §§300.303- .306.

BACKGROUND:

The student is eight (8) years old and attends [REDACTED] School. Prior to February 17, 2022, he was identified as a student with a Developmental Delay under the IDEA and had an IEP that required the provision of special education instruction.

FINDINGS OF FACTS:

1. On October 1, 2021, the IEP team met to complete an evaluation of the student. The Individualized Education Program (IEP) team recommended that psychological and academic assessments be completed for the student to determine continued eligibility under the IDEA.
2. On February 17, 2022, the IEP team met to review assessment data for the student. Based on that review, the IEP team determined that the student no longer qualified as a student with a disability.

Following the IEP team meeting, the parent filed a request for mediation with the Maryland Office of Administrative Hearings (OAH).

3. Following the request for mediation with the OAH, the PGCPs and the parent agreed that a speech/language assessment would also be completed for the student.
4. On June 6, 2022, the IEP team met to review the results of a speech/language assessment completed for the student and to determine his eligibility under the IDEA. During the IEP team meeting, the parent shared with the team her concerns regarding the student's social communication as well as a letter from the student's pediatrician recommending that the student continue to receive special education services.
5. Based on a review of the assessment, informal data collected for the student, and information provided by the complainant, the IEP team determined that the student's language skills are "average" and do not "impact his ability to understand language concepts that are presented within his general education setting".

DISCUSSION/CONCLUSIONS:

Based on Findings of Facts #1 - #5, the MSDE finds that the PGCPs followed proper procedures when completing a reevaluation of the student under the IDEA, since June 2022, in accordance with 34 CFR §§300.303- .306. Therefore, this office does not find that a violation occurred 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 (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. 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. 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/Special Education Services

MEF:gl

c: Monica Goldson
Barbara VanDyke
Monica Wheeler
Darnell Henderson
Alison Barmat
Diane Eisenstadt
Gerald Loiacono