

February 6, 2025

[REDACTED]

Ms. Colleen Sasdelli
Director of Special Education
Harford County Public Schools
102 South Hickory Avenue
Bel Air, Maryland 21014

RE: [REDACTED]
Reference: #25-167

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 on the final results of the investigation.

ALLEGATIONS:

On December 10, 2024, MSDE received a complaint from [REDACTED], hereafter, “the complainant,” on behalf of the above-referenced student. In that correspondence, the complainant alleged that the Harford County Public Schools (HCPS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) concerning the above-referenced student.

MSDE investigated the following allegations:

1. The HCPS has not ensured that the student was provided with the transportation services required by the Individualized Education Program (IEP) since December 2024¹, in accordance with 34 CFR §§ 300.101 and .323.
2. The HCPS has not provided the student with special education and related services in the placement required by the IEP since December 2024, in accordance with 34 CFR §§ 300.114, and .116.

BACKGROUND:

The student is six years old and is identified as a student with Emotional Disability (ED) under the IDEA. The student attends [REDACTED] and has an IEP that requires the provision of special education instruction and related services.

¹ Although the original allegation stated, “since December 2023” the actual timeframe for the investigation based on the state complaint is “since December 2024.”

FINDINGS OF FACT:

1. The IEP in effect in December 2024 was developed on November 21, 2024. The IEP requires the provision of transportation services from December 9, 2024, when the student entered placement, to November 21, 2025. The least restrictive environment required by the IEP is inside general education 40-79% of the school day in the regional Classroom Support Program (CSP). The IEP reflects the team considered the following placements for the student:
 - Public Day School:
 - General education classroom;
 - General education with supports;
 - Small groups outside the general education setting; and
 - A combination of the above options
 - Regional program: Classroom Support Program (CSP)

The IEP reflects “[the student] requires access to the structured consistent behavior supports provided through the regional behavioral Classroom Support Program (CSP). Participation in general education with non-disabled peers will be gradually increased based on her readiness. [The student] will not participate with nondisabled peers when receiving services outside of the general education setting in the CSP classroom for reading phonemic awareness, phonics, fluency, writing mechanics, math problem solving, math calculation, social-emotional/behavioral, social interaction skills, and counseling services. [The student] will participate with nondisabled peers during non-academic and extracurricular activities.

2. There is documentation that the school start time is 9:00 am.
3. There is documentation that on December 9, 2024, the student arrived at school at 9:03 am.
4. On December 16, 2024, the IEP team convened to address the complainant’s concerns. The prior written notice (PWN) generated after the meeting reflects that the team reviewed the complainant’s concerns regarding transportation and classroom placement. It was reported that the student is part of a “[REDACTED].” The complainant shared concerns that the student is the only student on her bus, which does not allow peer interaction during the ride. The complainant also shared the concern that the student’s class is not racially diverse.

The student was placed on the current bus route due to conflicts with scheduling with her original bus route. The supervisor of transportation shared that other bus routes would be reviewed to consider the possibility of adding other students to the student’s current bus route. The complainant expressed appreciation for the school team and shared that the student “seems happy and this was also noticed by [her] therapist and shared with the family.”

5. There is documentation that the student has received the transportation services required by the IEP since December 2024.
6. There is documentation that the student has received the special education and related services in the placement required by the IEP since December 9, 2024.

CONCLUSIONS:

ALLEGATION #1 PROVISION OF TRANSPORTATION SERVICES

Based on the Findings of Fact #1 and #4, MSDE finds that the HCPS has ensured that the student was provided with the transportation services required by the IEP since December 2024, in accordance with 34 CFR §§ 300.101 and .323. Therefore, MSDE does not find a violation.

ALLEGATION #2 PLACEMENT

Based on the Findings of Fact #1, #4, and #6, MSDE finds that the HCPS has provided the student with special education and related services in the placement required by the IEP since December 2024, in accordance with 34 CFR §§ 300.114, and .116. Therefore, MSDE does not find a violation.

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 why the documentation was not made available during the investigation. Request for reconsideration should be submitted to Tracy Givens, Section Chief, Dispute Resolution, at Tracy.Givens@maryland.gov.

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

Sincerely,

Antoine L. Hickman, Ed.D.
Assistant State Superintendent
Division of Early Intervention and Special Education Services

ALH/ebh

c: Sean Bulson, Superintendent, HCPS
Stephanie Swisher, Coordinator of Compliance, HCPS
[REDACTED], Principal, [REDACTED], HCPS
Dr. Paige Bradford, Section Chief, Performance Support and Technical Assistance, MSDE
Dr. Brian Morrison, Branch Chief, Policy and Accountability, MSDE
Alison Barmat, Branch Chief, Family Support and Dispute Resolution, MSDE
Tracy Givens, Section Chief, Dispute Resolution, MSDE
Nicole Green, Compliance Specialist, MSDE
Elizabeth B. Hendricks, Complaint Investigator, MSDE