

February 28, 2025



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: #25-205

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 January 2, 2024, MSDE received a complaint from [REDACTED] and [REDACTED], hereafter, "the complainants," on behalf of the above-referenced student. In that correspondence, the complainants alleged that the Prince George's County Public Schools (PGCPS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) concerning the above-referenced student.

MSDE investigated the following allegations:

1. The PGCPS did not ensure the IEP team convened to review the student's IEP before March 22, 2024, to ensure the IEP was reviewed at least annually in accordance with 34 CFR § 300.324.
2. The PGCPS did not follow proper procedures when conducting an IDEA evaluation in accordance with 34 CFR § 300.303 and COMAR 13A.05.01.06. Specifically, the PGCPS did not ensure:
  - (a) a reevaluation has occurred at least every three years before July 28, 2024; and
  - (b) the IEP was revised to reflect the assessment results.
3. The PGCPS did not provide proper written notice (PWN) of the IEP team's decisions from the IEP team meetings held on May 13, 2024, and August 29, 2024, in accordance with 34 CFR § 300.503.
4. The PGCPS did not provide the parent a copy of the IEP document within five (5) business days after the IEP team meetings on May 13, 2024, in accordance with COMAR 13A.05.01.07.
5. The PGCPS did not ensure the Individualized Education Program (IEP) addressed the student's identified vocabulary needs since May 13, 2024, in accordance with 34 CFR § 300.324.

6. The PGCPs did not ensure the student was consistently provided with counseling services, math instruction, reading intervention, accommodations and home-to-school communication since the beginning of the 2024-2025 school year in accordance with 34 CFR §§ 300.101 and .323.
7. The PGCPs did not provide a written invitation to the IEP team meeting on December 19, 2024, in accordance with 34 CFR § 300.322 and COMAR 13A.05.01.07D.
8. The PGCPs did not ensure that accessible copies of each assessment, report, data chart, draft IEP, or other document the IEP team planned to discuss at the IEP team meeting on December 19, 2024, were provided at least five (5) business days before each scheduled meeting, in accordance with COMAR 13A.05.01.03B(9).
9. The PGCPs did not ensure the complainants was provided with a report of the student's progress toward achieving the annual IEP goals for the first quarter of the 2024-2025 school year, in accordance with 34 CFR §§ 300.101 and .323.

**BACKGROUND:**

The student is 12 years old and is a student with Autism under the IDEA. He attended [REDACTED] [REDACTED] school during the 2023-2024 school year. He attends [REDACTED] School and has an IEP that requires special education.

**SUMMARY OF FINDINGS AND CONCLUSION:**

**Annual Review**

In its written response, the PGCPs acknowledged they did not ensure an annual review occurred by March 22, 2024.

MSDE concurs and accepts PGCPs' acknowledgement.

**Re-evaluation**

In its written response, the PGCPs acknowledged they did not ensure the re-evaluation occurred by July 28, 2024. Specifically, the re-evaluation meeting convened on August 28, 2024, and the IEP team reviewed the assessments; however, they did not update the IEP.

MSDE concurs and accepts PGCPs' acknowledgement.

**Provision of Report of Progress**

In its written response, the PGCPs acknowledged they did not ensure the parent was provided with the report of progress for the first quarter of the 2024-2025 school year.

MSDE concurs and accepts PGCPs' acknowledgement.

### **Provision of Five-Day Documents**

In its written response, the PGCPs acknowledged they did not provide the parent with a copy of the IEP document within five business days after the IEP team meetings on May 13, 2024.

The PGCPs provided PWNs to the complainants on January 16, 2025.

### **ALLEGATION #3                      PROVISION of PWN**

#### **FINDINGS OF FACT:**

1. On August 30, 2024, the PWN developed in response to an IEP team meeting on August 29, 2024, was emailed to the complainants.
2. In its written response, the PGCPs acknowledged they did not ensure the complainants was provided with a PWN following an IEP team meeting on May 13, 2024. The PGCPs provided PWNs to the complainants on January 16, 2025.

MSDE concurs and appreciates the PGCPs' acknowledgement that violations occurred with respect to the allegation.

#### **CONCLUSION:**

Based on the Finding of Fact # 2, MSDE finds that the PGCPs did not provide a timely proper written notice of the IEP team's decisions from the IEP team meetings held on May 13, 2024, in accordance with 34 CFR § 300.503. Therefore, MSDE finds a violation.

Notwithstanding the violation, based on Finding of Fact #2, MSDE finds that the PGCPs provided the PWN to the complainants on January 16, 2025, in accordance with 34 CFR § 300.503. Therefore, no student-based corrective action is required.

Based on Finding of Fact #1, MSDE finds that the PGCPs did provide a timely proper written notice of the IEP team's decisions from the IEP team meetings held on August 29, 2024, in accordance with 34 CFR § 300.503. Therefore, MSDE does not find a violation.

### **ALLEGATION #5                      IEP DEVELOPMENT**

#### **FINDINGS OF FACT:**

3. The IEP developed on May 13, 2024, reflects the following areas are impacted by the student's disability: expressive and receptive language, math problem solving, reading comprehension, written language content, written language expression, safety, self-management, social emotional/behavioral, and social interaction skills.

The IEP requires the following Instructional and Assessment accommodations: human reader/human signer for English Language Arts (ELA) for instruction, monitor test response, and extended time.

The IEP requires the following supplementary aids and services to address vocabulary needs:

- Instructional supports: use of word bank to reinforce vocabulary and/or when extended writing is required and reading intervention.
- Program modification: simplified sentence structure, vocabulary, and graphics on assignments and assessment.

The IEP requires weekly home-school communication as a supplementary aid. The IEP requires the IEP team to send home graded work every two weeks.

The IEP requires the following speech-language expressive language goal and objectives to address vocabulary needs.

- Goal - "By 2025, [Student] will improve his expressive and receptive language skills by identifying key elements of the story, adequately summarizing reading passages and/or videos, and determining the meaning of unknown words with 85% accuracy over 3 consecutive sessions. "
- Objective 3 "[Student] will demonstrate understanding of vocabulary from a shared narrative by, selecting synonyms or definitions for given words and applying them in sentence completion and sentence construction tasks with 85% accuracy over 3 consecutive sessions given faded cues."

The IEP requires the following services:

- five hours per week of special education instruction inside the general education setting to be provided by the special education teacher and/or instructional assistant
- 18 hours and 20 minutes per month of special education instruction inside the general education setting to be provided by the special education teacher, and IEP team
- 1 hour of counseling inside the general education setting provided by the school counselor
- 30 minutes per week of counseling outside the general education setting to be provided by the school counselor and/or IEP team from August 26, 2024, to October 4, 2024.

4. There is no documentation that the student has vocabulary needs that are not addressed by the IEP.

#### **CONCLUSION:**

In this case, the complainants allege the IEP does not address the student's vocabulary needs. The IEP developed on May 13, 2024, addresses the student's vocabulary through Instructional and Assessment accommodations, supplementary aids and services, and speech-language expressive language goals.

Based on Findings of Fact #5 and #6, MSDE finds that the PGCPs did ensure the IEP addressed the student's identified vocabulary needs since May 13, 2024, in accordance with 34 CFR § 300.324. Therefore, MSDE finds no violation.

#### **ALLEGATION #6**

#### **PROVISION OF COUNSELING SERVICES, MATH INSTRUCTION, READING INTERVENTION, ACCOMMODATIONS, AND HOME TO SCHOOL COMMUNICATION.**

#### **FINDINGS OF FACT:**

5. There is documentation that the student was provided with counseling services inside the general education setting, extended time as an accommodation, math instruction, and reading intervention as required by the IEP since the beginning of the 2024-2025 school year.

6. There is no documentation that the student was provided with human reader/human signer for ELA for instruction and monitor test response as an accommodation as required by the IEP since the beginning of the 2024-2025 school year.
7. In its written response, the PGCPs acknowledged they did not ensure the student was provided with 30 minutes per week of counseling outside the general education setting to be provided by the school counselor and/or IEP team from August 26, 2024, to October 4, 2024.

MSDE concurs and appreciates the PGCPs' acknowledgement that violations occurred with respect to the allegation.

### **CONCLUSION:**

In this case, the complaints allege that the student did not receive "math push-in special education services." The complainants allege that the special education teacher pulled the student out of the general education setting to address the student's math goals.

The [REDACTED] School utilizes an immersion model. The special educator is part of the general education classroom. The student's IEP requires special education instruction inside of the general education classroom, to be provided by the education setting to be provided by the special education teacher and/or instructional assistant and the IEP team.

Based on Findings of Fact #3, #5, and #7, MSDE finds that the PGCPs has ensured the student has been consistently provided with counseling services inside the general education setting, extended time as an accommodation, math instruction, and reading intervention, as required by the IEP since the beginning of the 2024-2025 school year in accordance with 34 CFR §§ 300.101 and .323. Therefore, MSDE finds no violation.

Based on Findings of Fact #3, and #6, MSDE finds that the PGCPs has not ensured the student has been consistently provided with human reader/human signer for ELA for instruction and monitor test response as an accommodation since the beginning of the 2024-2025 school year through January 2025, in accordance with 34 CFR §§ 300.101 and .323. Therefore, MSDE finds a violation.

Based on Findings of Fact #3, and #7, MSDE finds that the PGCPs has not ensured the student has been consistently provided with 30 minutes per week of counseling outside the general education setting to be provided by the school counselor and/or IEP team from August 26, 2024, to October 4, 2024, in accordance with 34 CFR §§ 300.101 and .323. Therefore, MSDE finds a violation.

### **ALLEGATION #8**

### **PROVISION OF FIVE-DAY DOCUMENTS BEFORE AN IEP TEAM MEETING**

### **FINDINGS OF FACT:**

8. On December 5, 2024, the complainants emailed the PGCPs inquiring about a request made for an IEP team meeting. The complainants informed the IEP team that she was available on December 19, 2024, any time after 1 pm.
9. On December 9, 2024, the PGCPs proposed to convene at 1:30 pm on December 9, 2024. On December 9, 2024, the complainants agreed to meet on December 19, 2024, at 1:30 pm.

10. There is documentation that the documents that the IEP team planned on reviewing during the December 19, 2024, IEP team meeting were reviewed during an IEP team meeting on August 28, 2024. There is documentation that a draft IEP was provided to the complainant in preparation for an IEP team meeting scheduled to take place in October 2024.

**CONCLUSION:**

Based on Findings of Fact # 8 through #10, MSDE finds that the IEP team meeting on December 19, 2024, was the result of a parent requested meeting. Because the team did not prepare any documents for the meeting, there was no documentation to provide to the complainants at least five days before the scheduled meeting in accordance with COMAR 13A.05.01.03B(9). Therefore, MSDE finds no violation.

**CORRECTIVE ACTIONS and TIMELINES:**

The IDEA requires that State complaint procedures include those for effective implementation of the decisions made as a result of a State complaint investigation, including technical assistance activities, negotiations, and corrective actions to achieve compliance (34 CFR § 300.152). Accordingly, MSDE requires the public agency to provide documentation of the completion of the corrective actions listed below.

MSDE has established reasonable timeframes below to ensure that noncompliance is corrected in a timely manner.<sup>1</sup> This office will follow up with the public agency to ensure that it completes the required actions consistent with MSDE Special Education State Complaint Resolution Procedures.

If the public agency anticipates that any of the time frames below may not be met, or if either party seeks technical assistance, they should contact Ms. Nicole Green, Compliance Specialist, Family Support and Dispute Resolution Branch, MSDE, to ensure the effective implementation of the action.<sup>2</sup> Ms. Green can be reached at (410) 767-7770 or by email at [nicole.green@maryland.gov](mailto:nicole.green@maryland.gov).

**Student-Specific**

MSDE requires the PGCPs to provide documentation by April 28, 2025, that it has completed the following:

- a. Provided the parent with the first quarter progress report for the 2024-2025 school year.
- b. Provided the student with human reader/human signer for English Language Arts (ELA) for instruction and monitor test response accommodation, and home to school communication as required by the IEP.
- c. Reviewed/revised the IEP to clarify the frequency of the home to school communication and ensure that it is appropriate.

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<sup>1</sup> The United States Department of Education, Office of Special Education Programs (OSEP) states that the public agency correct noncompliance in a timely manner, which is as soon as possible, but not later than one year from the date of identification of the noncompliance. The OSEP has indicated that, in some circumstances, providing the remedy could take more than one year to complete. If noncompliance is not corrected in a timely manner, MSDE is required to provide technical assistance to the public agency, and take tiered enforcement action, involving progressive steps that could result in the redirecting, targeting, or withholding of funds, as appropriate.

<sup>2</sup> MSDE will notify the public agency's Director of Special Education of any corrective action that has not been completed within the established timeframe.

- d. Amend the IEP to included data from the assessments ordered on May 13, 2024.
- e. The IEP team has convened and determined the amount and nature of compensatory services or other remedies to redress missed counseling services. Also, determine whether the violation related to the lack of provision of the home to school communication had a negative impact on the student's ability to benefit from the education program. If the IEP team determines that there was a negative impact, develop a plan for the provision of those services within one year of the date of this Letter of Findings.

The PGCPs must ensure the parent is provided with prior written notice of the team's decisions. The parent maintains the right to request mediation or to file a due process complaint to resolve any disagreement with the team's decisions.

### **School-Based**

MSDE requires the PGCPs to provide documentation by August 15, 2025, that it has completed the following:

- a. The corrective action plan developed between MSDE and PGCPs in July 2024, is being fully implemented.
- b. Provided training at [REDACTED] School regarding the required timelines for conducting annual reviews.
- c. Provided training with [REDACTED] and [REDACTED] School Special Education staff regarding the process and timelines for reevaluation and the development of an IEP within this process.
- d. Provided training with [REDACTED] and [REDACTED] School Special Education staff regarding the process of providing documentation to the parent five business days prior to and after all IEP Team meetings.
- e. Provided training to [REDACTED] School staff regarding the implementation of support and services within a student's IEP.
- f. Provided training with [REDACTED] School Special Education staff regarding the provision of documents 5-days prior to and after an IEP Team.
- g. Provided training with [REDACTED] School staff regarding the provision of progress reporting and providing those reports to the parent.

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. Request for reconsideration should be sent directly to Tracy Givens, Section Chief, Dispute Resolution at [Tracy.Givens@maryland.gov](mailto:Tracy.Givens@maryland.gov). 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 recommends that this Letter of Findings be included with any request for mediation or a due process complaint.

Sincerely,

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

ALH/ra

c: Millard House II, Chief Executive Officer, PGCPs  
Keith Marston, Compliance Instructional Supervisor, PGCPs  
Lois Jones-Smith, Compliance Liaison, PGCPs  
Darnell Henderson, Deputy General Counsel, PGCPs  
William Fields, Associate General Counsel, PGCPs  
[REDACTED] School, PGCPs  
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Dr. Paige Bradford, Section Chief, Specialized Instruction, MSDE  
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