


March 20, 2025




Ms. Diane McGowan
Co-Director Special Education
Anne Arundel County Public Schools
2644 Riva Road
Annapolis, Maryland 21401

Re: 
Reference: #25-238

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 29, 2025, MSDE received a complaint from , hereafter, “the complainant,” on behalf of the above-referenced student. In that correspondence, the complainant alleged that the Anne Arundel County Public School (AACPS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) and related requirements concerning the above-referenced student.

MSDE investigated the following allegations:

1. The AACPS has not ensured that the student has been consistently provided with the special education instruction, accommodations, and supplementary aids and services, required by the Individualized Education Program (IEP) since January 2024, in accordance with 34 CFR § 300.101 and .323.
2. The AACPS did not provide the parent with prior written notice (PWN) of the IEP team's decisions from the IEP team meeting held on December 19, 2024, in accordance with 34 CFR § 300.503.

BACKGROUND:

The student is 18 years old and is a student with Specific Learning Disability (SLD) under the IDEA. She attends  School and has an IEP that requires the provision of special education instruction.

ALLEGATION #1

**PROVISION OF SPECIAL EDUCATION INSTRUCTION,
ACCOMMODATIONS, and SUPPLEMENTARY AIDS AND SERVICES**

FINDINGS OF FACT:

1. The IEP in effect in January 2024, was developed on March 1, 2023. The IEP reflects the following areas are impacted by the student’s disability: reading comprehension, writing mechanics, math problem solving, and learning behaviors.

The IEP requires the following accommodations: notes, outlines, assistive technology, calculation device and mathematics tools (on non-calculation sections of the mathematics assessments), mathematics, science, government response assistive technology device, English language arts/literacy, constructed response external assistive technology device and extend time 1.5X.

The IEP requires the following supplementary aids and services:

- Daily-check for understanding, provide math models/organizers to solve problems, use of word processing with word prediction and spell-check for written tasks, provide checklists for completing assignments, have student repeat and/or paraphrase information, chunking of texts and encourage the student to ask for assistance when needed.
- Periodically- provide a proofreading checklist, provide [student] with a copy of student/teacher notes, remind [Student] to use the glossary and other text supports to assist with vocabulary, alter/modify assignments, break down assignments into smaller units, allow [student] to ask to have text read aloud that is above her reading level when possible, opportunities to re-read the text multiple times for different purposes.

The IEP requires 12 hours per week of special education instruction inside the general education setting to be provided by the special education teacher and/or general education teacher. The IEP reflects the student is in a co-taught classroom.

2. The annual IEP developed on February 29, 2024, reflects reading comprehension, written expression, and math problem-solving as the areas are impacted by the student's disability.

The IEP requires the following accommodations: notes and outlines, calculation device and mathematics tools (on non-calculation sections of the mathematics assessments) and extended time 1.5X.

The IEP requires implementation of the following supplementary aids and services:

- Daily- check for understanding, feedback, and or immediate feedback, monitor independent work, encourage the student to ask for assistance when needed, and preferential seating.
- Periodically- have student repeat and /or paraphrase information, provide a proofreading checklist, provide checklists for completing assignments, provide process charts/reference sheets/model problems in math, alter/modify assignments, break assignments into smaller units, chunking of text, reduce the number of answer choices, and have text that is above [Student's] independent reading level read to her to support comprehension

The IEP requires six hours per week of special education instruction inside the general education setting to be provided by the special education teacher and/or general education teacher. The IEP reflects the student is in a co-taught classroom.

3. There is documentation of the provision of special education instruction, accommodations, and supplementary aids and services since January 2024, as required by the IEP.

CONCLUSION:

Based on Findings of Fact, #1 through #3, MSDE finds that the AACPS has ensured that the student has been consistently provided with the special education instruction, accommodations, and supplementary aids and services required by the IEP since January 2024, in accordance with 34 CFR § 300.101 and .323. Therefore, MSDE does not find a violation.

ALLEGATION #2

PROVISION OF PWN

FINDINGS OF FACT:

4. On December 3, 2024, the AACPS developed a meeting notice for an IEP team meeting scheduled for December 19, 2024.
5. There is no documentation that an IEP team meeting occurred on December 19, 2024.

CONCLUSION:

Based on Findings of Fact #4 and #5, MSDE finds that an IEP team meeting did not convene on December 19, 2024. As a result, the requirement for the AACPS to provide PWN was not triggered in accordance with 34 CFR § 300.503. 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 sent directly 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 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

AH/ra

c: Dr. Mark T Bedell, Superintendent, AACPS
Mary Tillar, Assistant Superintendent, Special Education, AACPS
Jennifer Brown, Program Manager of Compliance and Legal Issues, AACPS
[REDACTED], Principal, [REDACTED] School, AACPS
Dr. Brian Morrison, Branch Chief, Policy and Accountability, MSDE
Dr. Paige Bradford, Section Chief, Performance Support and Technical Assistance, MSDE
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