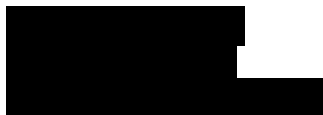



March 26, 2025




Dr. Allison Myers, Executive Director  
Department of Special Education  
Baltimore County Public Schools  
Jefferson Building, 4th Floor  
105 W Chesapeake Avenue  
Towson, MD 21204

Re:   
Reference: #25-241

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 Baltimore County Public Schools (BCPS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) concerning the above-referenced student.

MSDE investigated the following allegations:

1. The BCPS did not provide the parent with a copy of the Individualized Education Program (IEP) document within five days after IEP team meetings from January 2024 to June 2024, in accordance with 34 CFR § 300.322 and COMAR 13A.05.01.07.
2. The BCPS did not ensure that the student was provided with the specially designed instruction, supports, and services required by the IEP from August 2024 to October 2024, in accordance with 34 CFR § 300.101 and .323.
3. The BCPS has not ensured that the parent was provided with timely reports of quarterly progress toward achieving the annual IEP goals from August 2024 to January 2025, in accordance with 34 CFR § 300.320.

██████████  
Dr. Allison Myers

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4. The BCPS did not ensure that the parent was provided with accessible copies of each document the IEP team planned to discuss at the November 2024, IEP team meeting at least five business days before the scheduled meeting, in accordance with COMAR 13A.05.01.07.
5. The BCPS has not followed proper procedures when disciplinarily removing the student from school since the start of the 2024-2025 school year, in accordance with 34 CFR §§ 300.530 – 300.536, COMAR 13A.08.03. Specifically, the complainant alleged that:
  - The student has been suspended from school for 19 days;
  - The manifestation determination was not timely; and
  - The complainant did not receive their procedural safeguards after the 10th day of the student's suspension.

**BACKGROUND:**

The student is 15 years old and is identified as a student with Specific Learning Disability (SLD) under the IDEA. The student previously attended ██████████ School (████) and now attends ██████████ School (████). The student has an IEP that requires the provision of special education instruction and related services.

**FINDINGS OF FACT:**

1. The IEP in effect for the student in August 2024, is dated January 31, 2024. The IEP reflects SLD as the student's primary disability, with math calculation, written language content, social/emotional/behavioral, employment, and education/training as areas impacted by the disability. The IEP reflects the student's service school as ██████████ School (████).

The IEP required the following instructional and assessment accommodations:

- Audio Amplification
- Bookmark
- Blank Scratch Paper
- Eliminate Answer Choice
- General Administration Directions Clarified
- General Administration Direction Read Aloud and Repeated as Needed
- Highlight Tool
- Headphones or Noise Buffers
- Line Reader Mask Tool
- Magnification/Enlargement Device
- Notepad
- Pop-up Glossary
- Redirect Student
- Spell Check or External Spell Check Device
- Writing Tools
- Graphic Organizer

- Audio materials
- Separate or alternate location
- Frequent breaks
- Reduce distractions to self
- Reduce distractions to others
- Calculation Device and mathematics tools (on NON calculation Sections of Mathematics Assessments)
- Monitor Test Response
- Extended Time 50% additional

The IEP required the following supplementary aids, services, program modifications, and supports:

- Daily:
  - Have student repeat and/or paraphrase information
  - Allow use of highlighters during instruction and assignment
  - Break down assignments into smaller units.
  - Other Social/Behavior Supports Access to a flash pass
  - Use of positive/concrete reinforcers
  - Preferential seating
- Daily as needed:
  - Provide student with copy of student/teacher notes
  - Encourage student to ask for assistance when needed
  - Strategies to initiate and sustain attention
  - Frequent eye contact/proximity control
- Periodically for any change in schedule:
  - Advance preparation for schedule changes
  - Home-school communication system

The IEP required the following IEP goals:

- Writing: “By February 2025, when given a grade-level writing assignment/assessment, [the student] will complete it with 80% mastery on 2 out of 3 trials.”
  - Method of Measurement: Informal Procedures Classroom-Based Assignments/Assessment Other Teacher Input
  - Criteria (Mastery and Retention): With 80 % accuracy 2 out 3 assignments/assessments
- Self-awareness-Similarities & Differences: “By January 31, 2025, [the student] will identify how people are alike and different, gain awareness and demonstrate that differences among others are acceptable and how those different qualities can positively influence behavior and relationships.”

- Method of Measurement: Observation Record Informal Procedures social work sessions
- Criteria (Mastery and Retention): With 3 out of 4 targeted trials

The IEP required the following special education classroom instruction:

- Three, 10-minute sessions of classroom instruction provided by a general education teacher, special education teacher, or instructional assistant, weekly: “Due to disability, [the student] will receive an average of 3 - 10 minute sessions per week of indirect services weekly in English, science, and social studies by special education staff, teacher or paraeducator to address writing. Indirect services will be provided on a rotational A/B Day schedule with classes meeting twice one week and three times the following week. Services may be provided in whole group, small group, or one-on-one teacher sessions within the class. Services may be provided in person or via telehealth/virtually.”

The IEP required the following related services:

- Two, 30-minute sessions of social work services provided by the school social worker or special education classroom teacher, monthly: “[The student] will receive sw [social worker] sessions twice per month in 30-minute individual and/or group sessions provided by the school social worker. Services may be provided in person or via telehealth/virtually.”
  - Transportation
2. There is documentation that on September 10, 2024, the student’s teachers acknowledged receiving a copy of his IEP.
  3. On September 11, 2024, BCPS staff emailed the complainant sharing that there was “a technical error between the registration system and IEP management systems...causing [the student] to appear on [the █████] roster and not █████.” The email reflects the problem was resolved and the complainant was provided the name and email address for the student’s case manager. It reflects that all the student’s teachers were provided copies of the IEP snapshot, and the behavior intervention plan (BIP) had been dismissed by the student’s previous school in January of 2024.

The complainant responded to the email sharing that the student’s BIP should not have been dismissed, but she would contact the student’s case manager and thanked the staff member for fixing the problem.

4. The student’s disciplinary report reflects:
  - On October 22, 2024, the student was suspended for two days.
  - On November 11, 2024, the student was suspended from school for two days.
  - On November 22, 2024, the student was suspended from school for five days.
5. There is documentation that a “Parent Notification of IEP Team Meeting” notice was sent on December 10, 2024, for an IEP meeting scheduled for December 13, 2024.

6. On December 13, 2024, the IEP team convened to review and revise the student's IEP and discuss the complainant's concerns. The prior written notice (PWN) generated after the meeting reflects that the IEP team considered behavior data that reflected the student "had 3 incidences so far this school year since his enrollment into [REDACTED] for making threatening statements toward others, cyberbullying, and not following transportation rules and guidelines."

The IEP team proposed to review and revise the IEP "cover page, graduation and assessment [data], supplementary aid, special consideration[s], and medical assistance page." The special education teacher reported that the student continued to exhibit a pattern of behaviors that included "inappropriate statements and aggression that was discussed in the BIP that started in 2022." The complainant shared that she was unaware that the student's BIP had been dismissed, and the student continued to exhibit

the same behaviors throughout the school year. The IEP team agreed to "reimplement" the student's BIP. The PWN reflects [REDACTED] dismissed the BIP "due to goals being addressed with [the] social worker and... additional supplementary aids and services."

7. The amended IEP developed at the December 13, 2024, IEP meeting reflects SLD as the student's primary disability with math calculation, written language content, social/emotional/behavioral, employment, and education/training as the areas affected by the disability. The IEP lists [REDACTED] as the student's service school.

The IEP required implementation of the following instructional and assessment accommodations:

- Separate or Alternate Location
- Frequent Breaks
- Reduce Distractions to Self
- Reduce Distractions to Others
- Mathematics Tools including Calculator (on non-Calculator sections of the mathematics assessments)
- Extended Time: "Due to disability deficits, [the student] requires 50% additional extended time across all areas."

The IEP required implementation of the following supplementary aids, services, program modifications, and supports:

- Daily:
  - Have student repeat and/or paraphrase information
  - Provide student with copy of student/teacher notes
  - Allow use of highlighters during instruction and assignment
  - Break down assignments into smaller units
  - Access to a flash pass
  - Encourage student to ask for assistance when needed
  - Strategies to initiate and sustain attention
  - Frequent eye contact/proximity control
  - Advance preparation for schedule changes

- Use of positive/concrete reinforcers
- Preferential seating
  
- Daily as needed:
  - Provide student with copy of student/teacher notes
  - Encourage student to ask for assistance when needed
  - Strategies to initiate and sustain attention
  - Frequent eye contact/proximity control
  
- Periodically for any change in schedule
  - Advance preparation for schedule changes
  
- Periodically as needed
  - Home-school communication system

The IEP goals continued as on the previous IEP.

The special education classroom instruction and related services required by the IEP continued with no changes.

8. The student's disciplinary report reflects that on December 19, 2024, the student was suspended from school for 10 days.
  
9. On January 30, 2025, BCPS emailed the complainant a copy of the "Parent Notification of IEP Team Meeting," the procedural safeguards notice, and the parent's guide to habilitative services.
  
10. On January 31, 2025, BCPS staff emailed the complainant a copy of the student's IEPs from the 2019-2020 through 2024-2025 school years.
  
11. On February 3, 2025, BCPS staff emailed the complainant a copy of the meeting notification of meeting and discipline records.
  
12. On February 5, 2025, the IEP team convened to conduct a "Manifestation Determination" for the student. The PWN generated after the meeting reflects the complainant was provided with the Procedural Rights Parental Safeguards document on January 30, 2025. The PWN reflects the behavior incident occurred on December 19, 2024, and the student was removed from school on December 20, 2024, with a proposed return date of January 16, 2025. The IEP team considered the "student's IEP (including goals to address behavior and/or behavior intervention plans)" and BIP data, including: "1. Defiance/Non-Compliance/Work Refusal (refusing to complete work, follow expectations, arguing with adults, leaving the classroom) 2. Verbal Aggression/Negative Peer Interactions (using profanity, inappropriate sounds, provoking others, making negative statements towards peers and adults)."

The PWN reflects the student received 19 “total out of school suspension days for the current school year.” The PWN reflects “The student has had a series of removals that could accumulate to more than 10 school days in a year. (BCPS policy considers greater than 10-day cumulative removals as a change in placement.)”

The PWN reflects the student received the following services after the 10<sup>th</sup> day of removal:

- “11 CI [case management services] Weekly 2 times a week for 30 minutes Google Meet.”
- “29 SW [social work services] Monthly 2 times a month telehealth/virtual.”

The discussion to support the decision reflects “[the student] has writing goal and social emotional goal. The writing goal is being addressed in the IGE [inside general education] setting with support from the special educator/para educator in the class with the general educator. The team determined that 3 sessions a week for 30 minutes to support [the student’s] writing in his classes are appropriate for FAPE planning. [The student] receives 2 x 30-minute sessions monthly with the social worker. The team determined those services can be provided by telehealth/virtually at the discretion of the social worker. [The student] will receive 2 x 30 minutes session weekly by the special educator to address his writing

goal and support him in his classes that are inside the general education setting. Upon notification of future suspension, the social worker and special educator will reach out to [the complainant] to discuss if [the student] should be seen virtually (example - suspended for one day, would service be needed for social work).” There is no documentation that the student received services during any days of out of school suspension.

The PWN reflects the IEP addresses the student’s current/relevant behavioral concerns, that the student has a Functional Behavioral Assessment (FBA) dated June 8, 2022, and a BIP that addresses all the relevant and critical behaviors dated December 13, 2024. The PWN reflects that there are other additional behaviors and needs that require additional assessments or planning, and “the team discuss[ed] the potential need for updated assessment on 02/13/2025 at the annual review. There is a vast discrepancy in the formal educational scores from the outside provider testing and the test completed by BCPS. The behavioral intervention plan was dismissed on 01/31/2024 at [redacted] School. The IEP team at [redacted] with [the complainant] discussed that she was not aware of the dismissal of the Behavioral Intervention Plan on a review/revise meeting on 12/13/2024 and did not feel as the team from [redacted] considered her thoughts.” The review of assessment date is listed as February 5, 2025.

The PWN provides a summary of an educational assessment conducted on November 22, 2021, a psychological assessment [the Behavioral Symptoms Index (BSI)] conducted on November 18, 2022, and a “Psychology Consultants Associated Psychological Evaluation” conducted on

December 12, 2022. “The team reviewed the educational assessment from Psychology Consultants Associated [Wechsler Individual Achievement Test, Fourth Edition] (WIAT-IV) and the educational assessment completed by BCPS. [The complainant] requested an outside assessment as she did not feel the assessment was demonstrating strength[s] and weaknesses. [The student] shared the educational assessment was fabricated.” The IEP team agreed to “complete informal assessments

and update the draft IEP with the results of those informal assessments and the team will have a discussion if... a formal educational assessment is needed at the Annual review scheduled for 02/13/2025.”

Teachers, the complainant, and the student provided input. It was determined that the behavior was not “was caused by, or had a direct and substantial relationship to, the [student’s] disability.” The PWN reflects “based on the specific learning disability, [the IEP team agreed that] the behavior that led to suspension (and culmination of behaviors listed) was not a direct and substantial relationship to the child’s disability.” It was also determined that the behavior was not a direct result of the school’s failure to implement the student’s IEP. The special education teacher shared the BIP and the IEP with the teachers. The PWN reflects “the special education team will continue to implement the Behavioral Intervention Plan enacted 12/13/2024. The IEP team is meeting on 02/13/2025 to review draft IEP and Behavioral Intervention Plan” and “there is a meeting already scheduled to discuss the draft IEP and Behavioral Intervention Plan. This meeting is scheduled for 02/13/2025 at 1:00 pm.”

13. On February 10, 2025, BCPS staff emailed the complainant a copy of the Maryland procedural safeguards, the February 13, 2025, draft IEP, the guide for habilitative services, the IEP manifestation determination for the student, the parent notification of IEP team meeting, and the transition planning guide.
14. On February 27, 2025, the IEP team reconvened to conduct the student’s annual review. The PWN generated after the meeting reflects the student was not provided a free appropriate public education (FAPE) for nine days during the December 20, 2024, 10-day suspension.
15. While there is documentation that the student received some of the specialized instruction, supports, and services required by the IEP, it does not demonstrate that they were consistently provided from August 2024 to October 2024.
16. There is no documentation that the complainant was provided with timely quarterly reports of the student’s progress toward achieving the annual IEP goals from August 2024 to January 2025.
17. There is no documentation that an IEP meeting was held in November 2024.

## **DISCUSSIONS AND CONCLUSIONS:**

### **ALLEGATION #1**

### **PROVISION OF IEP DOCUMENT**

It is the public agency’s responsibility to ensure that the parent of a student with a disability is provided an accessible copy of the completed IEP not later than five business days after the scheduled IEP team meeting (COMAR 13A.05.01.07D).

In this case, there is no documentation that the complainant received the IEP from the January 31, 2024, IEP meeting until January 31, 2025.



Based on Finding of Fact #10, MSDE finds that the BCPS did not provide the parent with a copy of the IEP document within five days after IEP team meetings since January 2024, in accordance with 34 CFR § 300.322 and COMAR 13A.05.01.07. Therefore, MSDE finds a violation.

Notwithstanding the violation, based on Finding of Fact #10, MSDE finds that the BCPS provided the IEPs to the complainant on January 31, 2025. Therefore, no further student-specific corrective action is required.

### **ADDITIONAL VIOLATION IDENTIFIED DURING THE COURSE OF THE INVESTIGATION**

#### **PROVISION OF IEP TEAM MEETING NOTICE**

To ensure parent participation in IEP team meetings, the school system must provide parents with written notice at least 10 days in advance of the meeting. The notice must state the purpose, time, date, and location of the meeting, and who will be in attendance. It must also state that parents may invite other individuals to attend the meeting whom they deem to have knowledge or special expertise regarding the student's needs (COMAR 13A.05.01.07).

In this case, the BCPS provided the complainant with written notice of the December 13, 2024, IEP meeting on December 10, 2024, only three days before the IEP meeting. The complainant was provided written notice to the February 5, 2025, IEP meeting on January 30, 2025, only four days before the IEP meeting, and February 3, 2025, only two days before the IEP meeting. There is no documentation that the complainant waived her right to a 10-day meeting notice.

Based on Findings of Fact #5, #6, #9, #11, and #12, MSDE finds that the BCPS did not provide the parent with written notice 10 days in advance of the meetings held on December 13, 2024, and February 5, 2025, in accordance with COMAR 13A.05.01.07. Therefore, MSDE finds a violation.

#### **PROVISION OF DOCUMENTS BEFORE AN IEP TEAM MEETING**

At least five business days before a scheduled IEP team meeting, the student's parent must receive an accessible copy of each assessment, report, data chart, draft IEP, if applicable, or other document the team plans to discuss at the meeting (COMAR 13A.05.01.07).

In this case, the complainant was provided the documents for the February 5, 2025, IEP meeting on January 31, 2025, and February 3, 2025.

Based on Findings of Fact #10 and #11, MSDE finds that the BCPS did not ensure that the parent was provided with accessible copies of each document the IEP team planned to discuss at the February 5, 2025, IEP team meeting at least five business days before the scheduled meeting, in accordance with COMAR 13A.05.01. Therefore, MSDE finds a violation.

**ALLEGATION #2**

**PROVISION OF SPECIAL EDUCATION INSTRUCTION, SUPPORTS,  
AND RELATED SERVICES**

The public agency is required to ensure that the student is provided with the special education and related services required by the IEP (34 CFR § 300.101). To ensure implementation of the IEP, the IEP must indicate the commitment of resources and services in a manner that is clear to all persons involved in its development and implementation. An IEP may state that the services (accommodations, instruction, related services) are to be provided under specific circumstances to meet the student's needs (34 CFR § 300, Appendix A, Question 35).

In this case, there is documentation that the BCPS' school year began on August 26, 2024. There is no documentation that the student received social work services as required by the IEP in August 2024. There is documentation that the student received the social work services as required by the IEP since September 2024. There is also no documentation to reflect that the student consistently received the special education instruction required by the IEP from August 2024 to October 2024.

Based on Findings of Fact #1 to #3, #7, and #15, MSDE finds that the BCPS did not ensure that the student was consistently provided with the specialized instruction, supports, and services required by the IEP from August 2024 to October 2024, in accordance with 34 CFR §§ 300.101 and .323. Therefore, MSDE finds a violation.

**ALLEGATION #3**

**REPORTING OF PROGRESS**

Based on Finding of Fact #16, MSDE finds that the BCPS has not ensured that the complainant was provided with timely reports of quarterly progress toward achieving the annual IEP goals from August 2024 to January 2025, in accordance with 34 CFR § 300.320. Therefore, MSDE finds a violation.

**ALLEGATION #4**

**PROVISION OF DOCUMENT BEFORE AN IEP MEETING**

Based on Finding of Fact #17, MSDE finds that there was no IEP meeting held in November 2024 that would require the BCPS to ensure that the complainant was provided with accessible copies of each document the IEP team planned to discuss at the November 2024, IEP team meeting at least five business days before the scheduled meeting. Therefore, MSDE finds no violation.

**ALLEGATION #5**

**DISCIPLINARY PROCEDURES**

**Suspension In Excess of Ten School Days in a School Year**

The IDEA and COMAR provide protection to students with disabilities who are removed from school in excess of ten school days in a school year. A student with a disability may be removed from the student's current placement for up to ten consecutive school days for each incident of misconduct in a school year if the cumulative effect of the removals does not constitute a change in placement (34 CFR § 300.530). A change in placement occurs if the removal is for more than ten consecutive school days or the student has been subjected to a series of removals that constitute a pattern because they total more than ten school days in a school year and the student's behavior is substantially similar to the behavior in previous incidents that resulted in the removals (34 CFR §§ 300.530 and .536).

In this case, the student was suspended from school for 19 days during the 2024-2025 school year. There is no documentation that the manifestation determination was held on a timely basis, that the parents were provided with their procedural safeguards on the student's tenth day of removal, or that the student was provided with services after his tenth day of removal.

Based on Findings of Fact #4, #6, #8, and #12, MSDE finds that the BCPS has not followed proper procedures when disciplinarily removing the student from school since the start of the 2024-2025 school year by failing to convene a timely manifestation determination, in accordance with 34 CFR §§ 300.530 – .536, COMAR 13A.08.03. Therefore, MSDE finds a violation.

### **Timely Manifestation Meeting**

Within ten school days of the date in which the decision is made to change the placement of a student because of a violation of a code of student conduct, the IEP team must convene to determine whether the student's behavior was a manifestation of the student's disability. If the team determines that the behavior was a manifestation of the student's disability, it must return the student to the educational placement from which the student was removed (34 CFR § 300.530 and COMAR 13A.08.03.08).

In this case, a manifestation meeting for the student should have been held on December 29, 2024, however, the manifestation meeting was not held until February 5, 2025.

Based on Findings of Fact #8 and #12, MSDE finds that the BCPS has not followed proper procedures when disciplinarily removing the student from school since the start of the 2024-2025 school year because it did not hold a timely manifestation meeting, in accordance with 34 CFR §§300.530 – 300.536, COMAR 13A.08.03. Therefore, MSDE finds a violation.

### **Provision of Procedural Safeguards**

On the date on which the decision is made to make a removal that constitutes a change of placement of a child with a disability because of a violation of a code of student conduct, the LEA must notify the parents of that decision and provide the parents the procedural safeguards (34 CFR § 300.530).

In this case, the student was suspended for 10 days on December 20, 2024, which constituted a change of placement. The complainant was not provided the procedural safeguards until January 30, 2025.

Based on Findings of Fact #8 and #9, MSDE finds that the BCPS has not followed proper procedures when disciplinarily removing the student from school since the start of the 2024-2025 school year because it did not timely provide the parent with procedural safeguards, in accordance with 34 CFR §§ 300.530 – .536, COMAR 13A.08.03. Therefore, MSDE finds a violation.

### **Provision of Special Education Services During Suspension**

During any period of removal beyond 10 school days or its cumulative equivalent, the public agency shall provide services to the extent necessary to allow the student to progress in the general curriculum; and advance toward achieving the goals of the student's IEP (COMAR 13A.08.03).

In this case, the student was not provided with special education services for nine days during the December 20, 2024, suspension.

Based on the Findings of Fact #14, MSDE finds that the BCPS did not provide the student with free and appropriate public education (FAPE) by failing to provide IEP services during his disciplinary removal from school in December 2024, in accordance with 34 CFR §§ 300.101, 300.530 - .356 and COMAR 13A.08.03. Therefore, MSDE finds a violation.

### **CORRECTIVE ACTIONS and TIMELINES:**

The IDEA requires that State complaint procedures include 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. Accordingly, MSDE requires the public agency to provide documentation of the completion of the corrective actions listed below.

MSDE has established reasonable time frames 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**

By May 28, 2025, MSDE requires the BCPS to provide documentation that the school system has convened an IEP team meeting and determined the amount and nature of compensatory services or other remedies to redress the violations herein and developed a plan for the provision of those services within one year of the date of this Letter of Findings. The BCPS must ensure that the complainant is provided with written notice of the team's decisions. The complainant maintains the right to request mediation or to file a due process complaint to resolve any disagreement with the team's decisions.

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<sup>1</sup> The United States Department of Education, Office of Special Education Programs (OSEP) states that the public agency corrects 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.

### School-Based

MSDE requires the BCPS to provide documentation by May 28, 2025, of the steps it has taken to ensure that the [REDACTED] staff and administration properly implements the requirements for the provision of written notice to IEP team meetings, provision of the IEP after an IEP team meeting, the provision of special education instruction, supplementary aids, and related services and progress reports, and proper procedures when disciplinarily removing a student from school under the IDEA. These steps must include staff development.

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

ALH/ebh

c: Dr. Myriam Rogers, Superintendent, BCPS  
Charlene Harris, Supervisor of Compliance in the Department of Special Education, BCPS  
Jason Miller, Coordinator, Special Education Compliance, BCPS  
Norma Villaneuva, Specialist, Special Education Compliance, BCPS  
[REDACTED], Principal, [REDACTED] School, BCPS  
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