



March 26, 2025



Ms. Chris Wittle
Director of Special Education
Carroll County Public Schools
125 North Court Street
Westminster, Maryland 21157

Re: 
Reference: #25-249


Dear Parties:

The Maryland State Department of Education (MSDE), Division of Early Intervention 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. On February 5, 2025, MSDE received a complaint from , hereafter, “the complainant,” on behalf of the above-referenced student. In that correspondence, the complainant alleged that the Carroll County Public Schools (CCPS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) and related requirements concerning the above-referenced student.

ALLEGATION:

MSDE investigated the allegation that the CCPS did not provide procedural safeguards and prior written notice (PWN) of the Individualized Education Program (IEP) team's decisions in the parent’s native language from the IEP team meetings held since September 2024, in accordance with 34 CFR § 300.503 ¹.

BACKGROUND:

The student is 17 years old and is identified as a student with autism and other health impairment (OHI) under the IDEA. The student attends  School and has an IEP that requires the provision of special education instruction and related services.

¹ In MSDE state complainant #25-115, MSDE investigated the allegation that the CCPS did not provide prior written notice of the IEP team's decisions from the IEP team meetings held since July 2024. MSDE determined that the complainant was provided the PWNs generated following IEP team meetings that occurred since July 2024.

FINDINGS OF FACT:

1. The out of state IEP in effect when the student transferred to CCPS in July 2024, reflects the following:
 - The Parent Acknowledgment and Request Section reflects “I request a copy of the IEP in my primary language/other mode of communication: English.”
 - The Student Information Page reflects the home language is English.
2. There is no documentation to support the allegation that the complainant’s native language is not English.
3. CCPS provided the complainant PWN from the IEP team meetings since September 2024 in English.

DISCUSSION AND CONCLUSION:

The IDEA requires that prior written notice be provided in the native language of the parent unless it is clearly not feasible to do so. 34 CFR § 300.503

“Native language” means the language normally used by that individual, or, in the case of a student, the language normally used by the parents of the student. MSDE (2017) *Technical Assistance Bulletin #17-04: Native Language*

In this case, the documentation reflects that the complainant’s primary and home language is English. There is no documentation demonstrating that the English is not the language normally used by the complainant. The complainant alleges that on August 29, 2024, a verbal request was made to CCPS for documents in [REDACTED], her native language; however, there is no documentation the request was made.

Based on the Findings of Fact #1 through #3, MSDE finds that there is no documentation to support the allegation that the complainant requested documents in [REDACTED], her native language. Additionally, the IEP documentation does not reflect that English is not the primary language spoken by the complainant. Therefore, CCPS is not required to provide procedural safeguards and prior written notice of the IEP team's decisions in the parent’s native language from the IEP team meetings held since September 2024, in accordance with 34 CFR § 300.503. Therefore, this MSDE finds no 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.

[REDACTED]
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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. Requests for reconsideration must be sent to Tracy Givens, Section Chief, Dispute Resolution Branch, 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/ra

c: Cynthia McCabe, Superintendent, CCPS
Wayne Whalen, Supervisor of Special Education Data and Compliance, CCPS
[REDACTED], Principal, [REDACTED] School, CCPS
Dr. Paige Bradford, Section Chief, Specialized Instruction, MSDE
Dr. Brian Morrison, Branch Chief, Policy and Accountability, MSDE
Alison Barmat, Branch Chief, Family Support and Dispute Resolution Branch,
MSDE Tracy Givens, Section Chief, Dispute Resolution, MSDE
Rabiatu Akinlolu, Compliant Investigator, MSDE