

April 15, 2025

[REDACTED]

Dr. Allison Meyers
Director of Special Education
Baltimore County Public Schools
105 W Chesapeake Avenue
Towson, Maryland 21204

Re: [REDACTED]
Reference: #25-280

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.

ALLEGATION:

On February 27, 2025, MSDE received a complaint from [REDACTED], hereafter, “the complainant,” on behalf of the above-referenced student. In that correspondence, the complainant alleged 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 allegation that the BCPS has not ensured the student has been consistently provided with speech-language services as required by the Individualized Education Program (IEP) since January 1, 2025, in accordance with 34 CFR §§ 300.101 and .323.

BACKGROUND:

The student is seven years old and is identified as a student with a speech-language impairment under the IDEA. The student attends [REDACTED] School and has an IEP that requires the provision of special education instruction and related services.

SUMMARY OF FINDINGS AND CONCLUSION:

In its written response, the BCPS acknowledges a violation occurred with respect to the allegation. Specifically, the BCPS acknowledges the speech-language services have not been consistently provided to the student as required by the IEP.

MSDE concurs and appreciates BCPS’ acknowledgment that a violation occurred.

CORRECTIVE ACTIONS AND TIMELINES

The IDEA requires that State complaint procedures include those for effective implementation of the decisions made from 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.¹ 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.² Ms. Green can be reached at (410) 767-7770 or by email at nicole.green@maryland.gov.

Student-Specific

By June 9, 2025, MSDE requires the BCPS to provide documentation that the school system has:

- Provided the student with the speech-language services as required by the IEP.
- Convened an IEP team meeting to determine the amount and nature of compensatory services or other remedies to redress the violation 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 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.

Similarly-Situated Students

MSDE requires the BCPS to provide documentation by June 9, 2025, that it has identified all students with disabilities under IDEA who were not provided speech-language services at [REDACTED] School. For those students identified, the BCPS must ensure that an IEP team convenes to determine the amount and nature of compensatory services or other remedies to be provided for the loss of speech-language services and develops a plan for the provision of those services within one year of the date of this Letter of Findings. If a student transfers to another school system prior to the completion of the provision of the remedy, the BCPS must coordinate with the public agency responsible for the education of the student to ensure that the remedy is provided.

¹ 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.

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

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. The written request for reconsideration should be provided to Tracy Givens, Section Chief, Dispute Resolution via email at 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/kt

c: Dr. Myriam Rogers, Superintendent, BCPS
Charlene Harris, Supervisor of Compliance, Department of Special Education, BCPS
Dr. Jason Miller, Coordinator, Special Education Compliance, BCPS
Norma Villanueva, Compliance Specialist, BCPS
[REDACTED], [REDACTED] School, BCPS
Dr. Paige Bradford, Section Chief, Performance Support and Technical Assistance, MSDE
Dr. Brian Morrison, Branch Chief, Accountability and Data, MSDE
Alison Barmat, Branch Chief, Dispute Resolution
Tracy Givens, Section Chief, Dispute Resolution, MSDE
Kimberlee Taylor, Complaint Investigator, MSDE