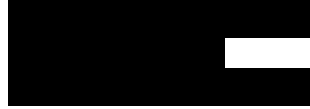


May 1, 2025



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: #25-283

Dear Parties:

The Maryland State Department of Education (MSDE), Division of Special Education, 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 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 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 that the school staff was available to answer questions the parent asked on February 27, 2024, by email, as required by the student's IEP, accordance with 34 CFR § 300.101 and .323 and COMAR 13A.05.01.09.

The complainant informed the PGCPS "It was noted on the daily log for yesterday (Monday, February 26, 2024) that there were two (2) instances of Inappropriate [REDACTED]." The complainant asked the following:

- a. "Could you please explain what were the incidents?"
- b. "Where did the incidents occur?"
- c. "Were they in the bathroom or classroom?"
- d. "Did [REDACTED] put [REDACTED] into his mouth?"
- e. "Who was with [REDACTED] during the incidents?"
- f. "Was there a report of the incidents?"
- g. "Could you please provide me with access to the report?"
- h. "Could you please explain who is 'I'?"

2. The PGCPs did not ensure that the school staff was available to answer questions the parent asked on February 27, 2024, by email, as required by the student's IEP, accordance with 34 CFR §300.101 and .323 and COMAR 13A.05.01.09.

The complainant informed the PGCPs "In the daily log it was stated that "I did well with following directions". The complainant asked the following:

- a. "Could you please explain who is "I"?"
- b. "Who filled the log?"
- c. "Does this mean [REDACTED] followed directions well during the above incidents of Inappropriate [REDACTED]?"
- d. "Does this mean staff followed directions well during the above incidents of Inappropriate [REDACTED]?"
- e. "What directions are being referred here?"

3. The PGCPs did not ensure that the school staff was available to answer questions the parent asked on February 27, 2024, by email, as required by the student's IEP, accordance with 34 CFR § 300.101 and .323 and COMAR 13A.05.01.09.

The complainant informed the PGCPs "In the daily log it was indicated that the Singlet was in use in AM and PM. The complainant asked the following:

- a. "Does this mean that [REDACTED] was wearing a singlet most of the day, AM and PM in the school?"
- b. "Was the singlet removed when he arrived at the school in the morning?"

4. The PGCPs did not ensure that the school staff was available to answer questions the parent asked on February 27, 2024, by email, as required by the student's IEP, accordance with 34 CFR§300.101 and COMAR 13A.05.01.09.

The complainant informed the PGCPs "When [REDACTED] arrived home yesterday, [REDACTED] was not wearing his singlet and his singlet was in his book bag." The complainant asked the following:

- a. "Could you please let me know why he was not wearing the singlet?"
- b. "Why was the singlet in the book bag?"
- c. "Was it [Singlet] soiled with [REDACTED]?"
- d. "Could you please not put soiled singlet in his book bag as it will contaminate other items in the book bag?"

5. The PGCPs did not ensure that the school staff was available to answer questions the parent asked on February 27, 2024, by email, as required by the student's IEP, accordance with 34 CFR§300.101 and COMAR 13A.05.01.09.

The complainant informed the PGCPs "When Insaaf arrived home yesterday, there was a shirt in his book bag." The complainant asked the following:

- a. "Could you please let me know why was the shirt in the book bag?"
- b. "Was it soiled with [REDACTED]?"
- c. "Could you please not put soiled shirt in his book bag as it will contaminate other items in the book bag?"

6. The PGCPS did not ensure the opportunity for parent participation when revising the Individualized Education Program (IEP) on April 18, 2024¹, in accordance with 34 CFR § 300.322. Specifically, you allege that: "The district did not provide [you] with the explanations and interpretations of the student's education records per the request I made on February 27, 2024 (Explanation Request #2). As a result, the complainant was not prepared to participate in an IEP team meeting on April 18, 2024.
7. The PGCPS did not ensure the provision of reports of the student's progress towards achievement of the annual IEP goals, "[Student]will decrease his rate of each maladaptive behavior by 30% through the use of various classroom supports to increase replacement behaviors as measured by direct observations implemented with fidelity," based on the data collection method required by the IEP, for the first quarter of the 2024-2025 school year, in accordance with 34 CFR §§ 300.101 and 323.
8. The PGCPS did not provide a response to parent questions on October 10, 2024 "Please explain the name of the First OT" referenced on the IEP team meeting notice in accordance with 34 CFR §§ 300.101 and COMAR 13A.05.01.09.

BACKGROUND:

The student is 19 years old and is identified as a student with Autism under the IDEA. The student attended [REDACTED] during the 2024-2024 school year and currently attends [REDACTED] School. The student has an IEP that requires the provision of special education instruction and related services.

ALLEGATIONS #1, #2, #3, #4, #5, #6 and #7

ADDRESSING PARENT CONCERN

FINDINGS OF FACT:

1. On February 27, 2024, the complainant emailed student's classroom teacher classroom assistant teacher :

"It was noted on the daily log for yesterday (Monday, February 26, 2024) that there were two (2) instances of Inappropriate [REDACTED]. Could you please explain what were the incidents? Where did the incidents occur? Were they in the bathroom or classroom? Did [the student] put [REDACTED] into his mouth? Who was with [the student] during the incidents? Was there a report of the incidents? Could you please provide me with access to the report?

In the daily log it was stated that "I did well with following directions". Could you please explain who is "I"? Who is referred to by "I"? Who filled the log? Does this mean [Student] followed directions well during the above incidents of Inappropriate [REDACTED]? Does this mean staff followed directions well during the above incidents of Inappropriate [REDACTED]? What directions are being referred here?

¹ The MSDE initiation letter had a typo related to the date of the IEP team meeting being referenced in MSDE #25-283.

In the daily log it was indicated that the Singlet was in use in AM and PM. Does this mean that [the student] was wearing singlet most of the day AM and PM in the school? Was the singlet removed when he arrived at the school in the morning?

When [the student] arrived home yesterday, [Student] was not wearing his singlet and his singlet was in his book bag. Could you please let me know why he was not wearing the singlet? Why was the singlet in the book bag? Was it soiled with [REDACTED]? Could you please not put soiled singlet in his book bag as it will contaminate other items in the book bag?

When [the student] arrived home yesterday, there was a shirt in his book bag. Could you please let me know why was the shirt in the book bag? Was it soiled with [REDACTED]? Could you please not put soiled shirt in his book bag as it will contaminate other items in the book bag?

When [the student] arrived home yesterday, he was wearing someone else's shirt. We had sent extra shirts and they should be at the school. Could you please make sure that [the student] wears his shirt.

When [the student] arrived home yesterday, he had [REDACTED] in his fingernails. Could you please make sure that his hands are washed properly?

Could you please check and let us know how many extra clothes (shirts/pants/underwear) are there at the school?"

2. The PGCPs Parent Communication Protocol and Maintenance of Communication Log for the student Updated October 5, 2023, reflects "the MSDE State Complaint LOF #20-137 requires the PGCPs to provide documentation that a protocol for communication has been developed for response to requests between the complainant and all school system staff members, including transportation staff members. Parents are required to direct any questions to the appropriate staff member indicated in column number two below."

The log further reflects "The Principal of [REDACTED] will respond to all communication to building staff members with regards to student's schedule and instruction. All communication will be documented in the Maryland Online Parent Contact Log." The designated person was the Principal of [REDACTED].

3. There is no documentation that the complainant followed the PGCPs Parent Communication Protocol on February 27, 2024.

CONCLUSION:

Based on the Findings of Facts #1 through #3, MSDE finds that on February 27, 2024, the complainant did not email the designated PGCPs employee who is responsible for responding to emails, in accordance with 34 CFR § 300.101 and .323 and COMAR 13A.05.01.09. Therefore, MSDE does not find a violation.

ALLEGATION #8

PARENT PARTICIPATION IN AN IEP MEETING

FINDINGS OF FACTS:

4. The Notice of Individualized Education Program (IEP) Team Meeting developed on January 18, 2024, reflects an IEP team meeting was proposed to take place on April 18, 2024, for the purpose of review and, if appropriate, revise the IEP and "To review and discuss a doctor's note dated December 21, 2023 regarding the counting of the student's bowel movements. (Parent requested IEP meeting.)"

The prior written notice (PWN) developed in response the IEP team meeting held on April 18, 2024, reflects the IEP team convened for the purpose of reviewing and discussing a doctor's note (December 21, 2023) provided to the school team by [the student's parents] pertaining to counting the student's bowel movements."

The PWN reflects the parents who participated in the IEP team meeting on April 18, 2024. The PWN further reflects that the PGCPs provided responses to questions raised by the parents.

The PWN does not reflect that changes were made to the IEP.

CONCLUSION:

In this case, the complainant emailed the PGCPs on February 27, 2024, and asked questions related to communication sent home about the student's toileting and change of clothes. The complainant alleges that the PGCPs did not respond to the questions regarding the notes sent home, and as a result, the complainant was unable to prepare for the IEP team meeting, on April 18, 2024.

Based on Findings of Fact #1 through #5, MSDE finds that the PGCPs did ensure the opportunity for parent participation when revising the IEP on April 18, 2024, in accordance with 34 CFR § 300.322. Therefore, MSDE does not find a violation.

ALLEGATION #9

REPORTING OF PROGRESS

FINDINGS OF FACT:

5. The IEP developed on April 30, 2024, requires the following social emotional/behavioral goal:
"[Student] will decrease his rate of each maladaptive behavior by 30% through the use of various classroom supports to increase replacement behaviors as measured by direct observations implemented with fidelity."
 - Method of measurement observation record
 - Criteria of mastery and retention: 30 % decrease
6. The progress reported on October 31, 2024, for the social emotional/behavioral goal reflects behavior observation data with event recording from August 26, 2024, to October 31, 2024.
Aggression:
 - Frequency: Average frequency of 0.38 occurrences per day (ranging between 0-3 incidents/frequency per day); 18 occurrences total during 1st quarter
 - Rate: Average daily rate of 0.06 occurrences per hour.

Elopement:

- Frequency: Average frequency of 0.25 occurrences per day (ranging between 0-3 incidents/frequency per day); 12 occurrences total during 1st quarter
- Rate: Average daily rate of 0.04 occurrences per hour.

[REDACTED]:

- Frequency: Average frequency of 2.15 occurrences per day (ranging between 0-11 incidents/frequency per day); 103 occurrences total during 1st quarter
- Rate: Average daily rate of 0.358 occurrences per hour.

“Data on behavioral observations of Food Grabbing were collected from October 21, 2024, to October 31, 2024. 10/21/24 to 10/31/24. [Student] engaged in 13 incidents of food grabbing (ranging between 0 - 4 incidents per day; an average of 1.6 incidents per day). He required a total of 9 verbal redirects and 2 partial physical redirections. “

Progress is not measured as required as there is no indication of the student’s accuracy on the trials.

CONCLUSION:

Based on Findings of Fact #6 and #7, MSDE finds that the PGCPs did not ensure the provision of reports of the student's progress towards achievement of the annual , social emotional/behavioral goal “[Student]will decrease his rate of each maladaptive behavior by 30% through the use of various classroom supports to increase replacement behaviors as measured by direct observations implemented with fidelity,” based on the data collection method required by the IEP, for the first quarter of the 2024-2025 school year, in accordance with 34 CFR §§ 300.101 and 323. Therefore, MSDE finds a violation.

ALLEGATION #10

ADDRESSING PARENT CONCERN

FINDINGS OF FACT:

7. On October 18, 2024, the complainant emailed a PGCPs school-based staff, requesting an explanation and interpretation of the Notice of Individualized Education Program (IEP) Team Meeting, dated October 14, 2024. The complainant asked the following questions:
 - Please explain the name of the Pathologist.
 - Please explain who the Pathologist is.
 - Please explain whether the Pathologist is a staff at the school.
 - Please explain whether the Pathologist is a service provider assigned to the student.
 - Please explain whether the Pathologist has provided any service to the student.
 - Please explain the name of the PE Teacher.
 - Please explain who the PE Teacher is.
 - Please explain whether the PE Teacher is a staff at the school.
 - Please explain whether the PE Teacher is a service provider assigned to the student.
 - Please explain whether the PE Teacher has provided any service described in the Student’s Individualized Education Program (IEP), to the student.
 - Please explain whether the PE Teacher has provided any service, not described in the Student’s IEP, to the student.
 - Please explain the name of the First OT.
 - Please explain who the First OT is.
 - Please explain whether the First OT is a staff at the school.

- Please explain whether the First OT is a service provider assigned to the student.
- Please explain whether the First OT has provided any service for the student.
- Please explain the name of the Chair.
- Please explain who is the Chair.
- Please explain the name of the Psychologist.
- Please explain who is the Psychologist.
- Please explain whether the Psychologist is a staff at the school.
- Please explain the name of the Second OT.
- Please explain who is the Second OT.
- Please explain whether the Second OT is a staff at the school.
- Please explain whether the Second OT is a service provider assigned to the student.
- Please explain whether the Second OT has provided any service for the student.
- Please explain the name of the Liaison
- Please explain who is the Liaison.
- Please explain the name of the Designee
- Please explain who is the Designee.

The complainant further requested "Please contact me to confirm the receipt of this request. I request you to keep a copy of this letter in the appropriate file and request you to provide me with the requested explanations as soon as possible. In your response, please include clear response for each group of requests numbered in this letter, by numbering as I did in this letter."

8. The list that the complainant sent to the PGCPs staff member is not a request for an explanation or interpretation of a student record. It is a list of questions asking for names of staff members and their role in the student's services.
9. On October 21, 2024, the PGCPs emailed a written response to the complainant.

A school district must "respond to reasonable requests for explanations and interpretations of education records." 34 CFR 99.10(c). Examples of types of situations where this regulation applies are when explanations are necessary for the parent or eligible student to understand the records, such as when the parent is reviewing incomplete test materials (an answer sheet that is not accompanied by the test booklet), or complicated student data. Your requests for explanations of the name of the Pathologist, PE, First Occupational Therapist, Chair, Psychologist, Second Occupational Therapist, Liaison, and Designee (Request #1, #6, #12, #17, #19, #22, #27, and #29) are not reasonable requests for explanation and interpretation under FERPA. Prince George's County Public Schools (PGCPs) thus respectfully advises you that it will not be providing you with such "explanations" or "interpretations."

The PGCPs written response further reflects "The individual who serves in this position, "OT (First OT)", provides support to students with educational disabilities who receive special education or have 504 plans in the areas of feeding/oral motor, self- management and self-regulation, adaptive skills/activities of daily living, fine motor, social participation and support of written work production. The OT is assigned to support students attending your Student's school. This service provider is providing the consult services that are indicated within your Student's IEP."

The written response also addressed additional questions asked by the complainant.

CONCLUSION:

Based on Findings of Fact #8 through #10, MSDE finds that the PGCPs did provide a response to parent questions on October 21, 2024. The PGCPs responded to the question “please explain the name of the First OT” referenced on IEP team meeting notice” and additional questions asked by the complainant, in the email sent on October 14, 2025, in accordance with 34 CFR §§ 300.101 and 323. Therefore, MSDE does not find a 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.² 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, MSDE, to ensure the effective implementation of the action.³ Ms. Green can be reached at (410) 767-7770 or by email at nicole.green@maryland.gov.

Student-Specific

MSDE requires the PGCPs to provide documentation by July 1, 2025, that the IEP team has taken the following action: Ensured that the student's progress towards all annual goals since the beginning of the 2024-2025 school year, are measured in the manner required by the IEP.

The PGCPs 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.

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

² 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.

³ MSDE will notify the public agency's Director of Special Education of any corrective action that has not been completed within the established timeframe.

[REDACTED]
Ms. Trinell Bowman

May 1, 2025

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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. Requests for reconsideration should be sent directly to Tracy Givens, Section Chief, Dispute Resolution 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 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 Special Education

ALH/ra

c: Millard House, II, Superintendent, PGCPs
Trinell Bowman, Associate Superintendent, Special Education, PGCPs
Darnell Henderson, General Counsel, PGCPs
William Fields, Associate General Counsel, PGCPs
Diana K. Wyles, Associate General Counsel, PGCPs
Keith Marston, Supervisor of Compliance, PGCPs
Lois Smith-Jones, Compliance Liaison, PGCPs
[REDACTED], Principal, [REDACTED], PGCPs
[REDACTED], Principal, [REDACTED], PGCPs
Dr. Paige Bradford, Director, Specialized Instruction, MSDE
Dr. Brian Morrison, Director, Accountability and Data, MSDE
Alison Barmat, Director, Family Support and Dispute Resolution, MSDE
Nicole Green, Compliance Specialist, MSDE
Tracy Givens, Section Chief, Dispute Resolution, MSDE
Rabiatu Akinlolu, Complaint Investigator, MSDE