

April 24, 2025

Ms. Jessica Williams  
Education Due Process Solutions, LLC  
1296 Cronson Boulevard, #4071  
Crofton, Maryland 21114

Ms. Kia Middleton- Murphy  
Director of Special Education Services  
Montgomery County Public Schools  
850 Hungerford Drive, Room 225  
Rockville, Maryland 20850

RE: [REDACTED]  
Reference: #25-288

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 March 3, 2025, MSDE received a complaint from Ms. Jessica Williams, hereafter, “the complainant,” on behalf of the above-referenced student. In that correspondence, the complainant alleged that the Montgomery County Public Schools (MCPS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) concerning the student.

MSDE investigated the following allegations:

1. The MCPS did not ensure that proper procedures were followed in conducting a reevaluation to determine if the student is a student requiring special education services for reading phonics and mathematics since March 2024, in accordance with 34 CFR §§ 300.303 - .306, and COMAR 13A.05.01.06.
2. The MCPS has not ensured that the student was provided with the special education instruction, as required by the Individual Education Program (IEP) since November 26, 2024, in accordance with 34 CFR §§ 300.101 and .323.
3. The MCPS has not ensured that the student’s progress towards achievement of her annual IEP goals were measured as required by the IEP since the start of the 2024-2025 school year, in accordance with 34 CFR §§ 300.101 and .324.

## **BACKGROUND:**

The student is 17 years old and is identified as a student with a specific learning disability (SLD): [REDACTED] and [REDACTED] under the IDEA. She attends [REDACTED] School and has an IEP that requires the provision of special education instruction and related services.

## **FINDINGS OF FACT:**

1. The student's IEP in effect in November 2024 was developed on May 25, 2023, and amended on February 22, 2024. The IEP reflects math calculation, written language mechanics, organization/task completion, social emotional-behavioral as areas impacted by the disability.

The IEP required:

- Four sessions of 50 minutes daily of special education services in the general education classroom for English, social studies, math, and science; and
- One session of 50 minutes daily of special education services outside the general education classroom for a self-contained resource class.

2. On May 15, 2024, the IEP team convened to review and revise the IEP, as appropriate. The prior written notice (PWN) generated after the meeting reflects that the IEP team agreed to conduct an educational assessment. In addition, it is reflected that this IEP team meeting required a continuation due to time constraints. At the next IEP team meeting the IEP team determined they would discuss the draft IEP and the "most recent educational assessment data..."

There is documentation that the parent provided consent for MCPS to conduct academic assessments at this meeting.

3. The May 22, 2024, Educational Assessment Report reflects that the student was administered the Woodcock Johnson IV (WJ-IV), in the areas of reading (letter-word identification, passage comprehension, word attack, oral reading, sentence reading fluency, and reading recall), math (applied problems, calculation, math fact fluency, and number matrices), and written expression (spelling, writing samples, sentence writing fluency, and spelling of sounds).

The report further reflects recommendations for accommodations based on the assessment data.

4. On June 13, 2024, the IEP team convened to continue the May 15, 2024, IEP team meeting. The PWN generated after the meeting reflects the parents "wanted to reintroduce the reading goals that had previously been removed. These reading goals were removed based on data collected from the MCPS (various informal assessments, classroom-based assessments, [Measures of Academic Progress-Reading] MAP-R 2024). At that time MCPS had reviewed previous data and has determined [the student] did not require reading goals as she had demonstrated achievement of these goals." The PWN further reflects that the IEP team based their decision on the current grades, teacher report (math), the May 22, 2024, Educational Assessment, and parental input.

5. The student's IEP developed on June 13, 2024, reflects math calculation, written language mechanics, organization/task completion, social emotional-behavioral as areas impacted by the student's disability.

The IEP required:

- One session of 50 minutes daily of special education services in the general education classroom for science; and
  - One session of 50 minutes daily of special education services outside the general education classroom for a self-contained resource class.
6. On February 13, 2025, the IEP team convened to review and revise the IEP as appropriate, and to discuss the findings from the November 25, 2024, State complaint 25-077. The PWN generated after the meeting reflects that the parent's request to "put [the student] back in the self-contained reading intervention class was declined by the MCPS team at this time as there is no current data to drive that decision." The IEP team based this decision on the previous year in academic areas as evidence by student work samples, teacher input, and informal and formal assessment data collected for the student.
  7. The student's IEP was developed on June 13, 2024, and amended on February 13, 2025. The IEP reflects math calculation, written language mechanics, organization/task completion, social emotional-behavioral as areas impacted by the student's disability.

The IEP includes the following goals:

- Math calculation: "By June 12, 2025, given a calculator, mathematics tools (conversion chart, ruler, use of mathematics vocabulary word bank) direct instruction, opportunities for repeated practice, immediate feedback, and checks for understanding, [the student] will apply learned math skills to be able to solve single and multi-step mathematical equations with the use of addition, subtraction, multiplication and division with 85% accuracy in 3 out of 4 trials as measured by work samples."
  - Method of measurement: classroom-based assessments and work samples
  - Criteria (Mastery and retention): 85% accuracy in three out of four trials
  - November 1, 2025: "Making sufficient progress to meet goal. [The student] is making progress on her math problem-solving goal as she is able to demonstrate and apply learned math skills to be able to solve single and multi-step mathematical equations with the use of addition, subtraction, multiplication, and division. Specifically, the Equinox Activity, Sept. 23, Goal #1, [the student] successfully used the scientific calculator to do the inverse tangent operation to determine the angle of the "sun" (a lamp in the science classroom), the Pre-Calculus Unit 1 Test 1 earning a score of 30/30, and the Density Lab, Assignment, Goal#1, [the student] was able to measure mass and volume and calculate density of two samples and then compare the densities."
  - January 28, 2025: "Achieved. [The student] has achieved her math problem-solving goal as she can apply learned math skills to solve single and multi-step mathematical equations with the use of addition, subtraction, multiplication, and division with greater than 85% accuracy in 3 out of 4 trials as measured by work samples when given a calculator, mathematics tools (conversion chart, ruler, use of mathematics vocabulary word bank) direct instruction, opportunities for repeated practice, immediate feedback, and checks for understanding. Specifically, the Curriculum 2.0 Pre-Calculus: Unit 2 - Topic 1 assessment dated 1/22 scoring 24/25, the Expanding Condensing and Changing of Base Quiz B dated 12/11 scoring 11/12, and the Scientific Notation Refresher Exit Ticket dated 12.18 scoring 2/2. [The student] can solve addition and subtraction equations to obtain an answer with 85% accuracy in 3 out of 4 trials as measured by work samples. Additionally, [the student] can multiply multi-digit numbers using a variety of strategies, including the standard algorithm, partial products, etc.

- to obtain the correct answer with 85% accuracy in 3 out of 4 trials as measured by work samples.”
- March 28, 2025: “Achieved. [The student] has continued to achieve her Math Calculation goal as she is able to apply learned math skills to be able to solve single and multi-step mathematical equations with the use of addition, subtraction, multiplication and division with 85% accuracy in 3 out of 4 trials as measured by work samples when given a calculator, mathematics tools (conversion chart, ruler, use of mathematics vocabulary word bank) direct instruction, opportunities for repeated practice, immediate feedback, and checks for understanding. Specifically, Precalculus: Unit 3 Topic 2 Test assignment, dated 2/28 scoring 19.5/24 and the Trig Quiz assignment dated 2/11 scoring 18/19. [The student] is successfully able to demonstrate solving addition and subtraction equations to obtain an answer with 80% accuracy with 4/5 trials and multiply multi-digit numbers using a variety of strategies, including the standard algorithm, partial products, etc. to obtain the correct answer with 80% accuracy with 4/5 trials.”
  - Written language mechanics: “By June 12, 2025, given fading prompts, reminders, word processing supports, graphic organizers and/or checklists, and rubrics/criteria for success, [the student] will be able to proofread her writing to produce a writing piece that reflects correctness in spelling and conventions with 85% accuracy as measured by 2 extended writing assignments.”
    - Method of measurement: classroom-based assessments and extended writing assignments
    - Criteria (Mastery and retention): 85% accuracy as measured by two extended writing assignments
    - November 1, 2024: “Making sufficient progress to meet goal. [The student] is making progress on her Written Language Mechanics goal as she continues to work to consistently proofread her writing to produce a writing piece that reflects correctness in spelling and conventions by May 2025. Specifically, the Analysis Common Task assignment dated 10/28 scoring 40/40, The Argument #1 - Reconciliation & Remembrance Lesson and Argument Discussion assignment scoring 12/15, and the Analyzing "Hair Love" assignment scoring 15/15. [The student] is able to demonstrate she proofreads to ensure that written sentences demonstrate correct punctuation including commas, semi-colons, and ending punctuation. Additionally, she successfully demonstrates she proofreads to ensure that there are proper conventions such as capitalization at the beginning of a sentence and correct use of proper nouns when applicable.”
    - January 28, 2025: “Making sufficient progress to meet goal. [The student] continues to make progress on her Written Language Mechanics goal as she continues to work to be able to proofread her writing to produce a writing piece that reflects correctness in spelling and conventions with 85% accuracy as measured by 2 extended writing assignments when given fading prompts, reminders, word processing supports, graphic organizers and/or checklists, and rubrics/criteria for success. Specifically, the Final Hair Essay assignment dated 12/10 scoring 60/60, the Argument CT-Op-Ed assignment dated 1/17 scoring 56/60, and the Argument #5 Compliments/Spy assignment dated 1/3 scoring 15/15. [The student] is able to proofread to ensure that written sentences demonstrate correct punctuation including commas, semi-colons, and ending punctuation with 85% accuracy as measured by 2 extended writing assignments when given fading prompts, reminders, word processing supports, graphic organizers and/or checklists, and rubrics/criteria for success.”
    - March 28, 2025: “Making sufficient progress to meet goal. [The student] continues to make progress in her Written Language Expression goal as she continues to work to be able to proofread her writing to produce a writing piece that reflects correctness in

spelling and conventions with 85% accuracy as measured by 2 extended writing assignments when given fading prompts, reminders, word processing supports, graphic organizers and/or checklists, and rubrics/criteria for success. Specifically, the 'Certificate of Commitment assignment dated 2/4 scoring 10/10, the Act Four AT #10: Hamlet Act IV one paper dated 3/17 scoring 15/15, and the AT #11: Hamlet Act V One Pager dated 3/19 scoring 15/15. [The student] continues to consistently proofread to ensure that written sentences demonstrate correct punctuation, including commas, semi-colons, and ending punctuation, with 85% accuracy as measured by 2 extended writing assignments."

- Social emotional-behavioral: "By June 12, 2025, given no more than 3 prompts and access to trusted adults, [the student] will demonstrate her self-advocacy skills when requesting clarification and/or accommodations, either verbally or in writing, 90% of times in 5 out of 5 trials as measured by informal procedure of teacher observation."
  - Method of measurement: informal procedures and teacher observations
  - Criteria (Mastery and retention): 90% of times in five out of five trials
  - November 1, 2025: "Making sufficient progress to meet goal. [The student] is making progress on her Social Emotional/Behavioral goal as continues to work to consistently demonstrate her self-advocacy when requesting clarification and/or accommodations, either verbally or in writing. Teachers note: [the student] is proactive, self-aware and speaks up for herself :) [The student] has done a wonderful job of advocating for herself and asking for help or clarification when needed. [The student] always asks for help when necessary:) [The student] has been great at asking when something is confusing, or she needs extra clarification. [The student] will advocate for extensions for homework or ask clarifying questions using a variety of communication tools (verbally, through email, etc.) Additionally, [the student] will ask questions during class to clarify when she is unsure about a concept or assignment. She continues to work to identify when she gets overwhelmed by either external or internal stressors (emotional or academic) and asks for a break or other preferred coping strategy."
  - January 28, 2025: "Making sufficient progress to meet goal. [The student] is to making progress on her Social Emotional/Behavioral goal as continues to work to consistently demonstrate her self-advocacy when requesting clarification and/or accommodations, either verbally or in writing, 90% of times in 5 out of 5 trials as measured by informal procedure of teacher observation. Teachers note: [the student] continues to be proactive with her learning. She is very self-aware and actively speaks up for herself and/or asks questions when she doesn't understand. [The student] is comfortable with asking either the co-teacher or the general educator for help, information about test dates and due dates. [The student] does a great job with this as well. [The student] is good about asking questions when she doesn't understand. I think [the student] is comfortable enough with me now to ask for help when needed. She takes breaks when overwhelmed and handles stress in a positive way. Overall, Strengths: [The student] continues to be a role model and a leader in the class. [The student] actively participates every class period and always exhibits respect to self and peers and follows the code of conduct during class. :) Present, Engaged, self-advocates, continues work until it is finished [the student's] strengths are her ideas and insights, her ability to discuss, her amazing work ethic, her leadership skills Focused during class [the student] is actively engaged in the creation of her AP portfolio. She is constantly working, reflecting, and planning her pieces. Overall Opportunities for Improvement Even better attendance, more self-confidence [the student] is an ideal student in English Honors 12 Sometimes [the student] doubts herself and her choices, and her indecisions create roadblocks in completing her work on time."

- March 28, 2025: "Achieved. [The student] has demonstrated Achievement on her Social-Emotional/Behavioral goal as she is able to demonstrate her self-advocacy skills when requesting clarification and/or accommodations, either verbally or in writing, 90% of times in 5 out of 5 trials as measured by informal procedure of teacher observation. Teacher Reports note: [the student] has been doing a great job of advocating for herself and speaking up when she needs help. I have [the student] 4th period, and she will often stay at lunch to get help or use the time to get caught up on assignments when she is sick [the student] is very diligent about asking for help when she needs it in either explanations or in taking a break from a stressful situation. [The student] has demonstrated proficiency with personal growth and ability to adapt/cope when stressed out. If [the student] gets overwhelmed by any type of emotional or academic stressors, she will ask for a break or coping strategy. advocates for extensions for homework or ask clarifying questions using a variety of communication tools, ask questions during class to clarify when she is unsure about a concept or assignment, and advocate for extensions for homework or ask clarifying questions using a variety of communication tools (verbally, through email, etc.), 90% of the time in 5 out of 5 trials."
8. On March 10, 2025, the IEP team convened in response to the parent's request. The PWN generated after the meeting reflects that the IEP team discussed the parent's request for a foundational reading intervention class.
- "The MCPS team held this periodic IEP review meeting per parental request to work on the skill deficits and wanting a foundational reading intervention class.
- The MCPS team listened and considered the family's request and discussed multiple data points like progress on current goals, formal and informal assessments, grades, and teacher feedback to share that [the student] did not need a foundational reading intervention class at this time.
- The MCPS team is not recommending a foundational reading class at this time for [the student] as she is making adequate progress based on multiple data points."
9. There is documentation that the student was provided with the special education instruction as required by the IEP since November 26, 2024.

## **CONCLUSIONS:**

### **ALLEGATION #1**

### **PROPER PROCEDURES FOR CONDUCTING A REEVALUATION OF THE STUDENT**

Based on Findings of Fact #2, though #4, #6, and #7, MSDE finds that the MCPS did ensure that proper procedures were followed in conducting a reevaluation to determine if the student is a student requiring special education services for reading phonics and mathematics since March 2024, in accordance with 34 CFR §§ 300.303 - .306, and COMAR 13A.05.01.06. Therefore, MSDE does not find a violation.

### **ALLEGATION #2**

### **PROVISION OF SPECIAL EDUCATION SERVICES**

Based on Findings of Fact #1, #5, #7, and #9, MSDE finds that the MCPS has ensured that the student was provided with the special education instruction, as required by the IEP since November 26, 2024, in accordance with 34 CFR §§ 300.101 and .323. Therefore, MSDE does not find a violation.

### ALLEGATION #3

### ACCURATELY MEASURED PROGRESS REPORTS

Based on Finding of Fact #7, MSDE finds that the MCPS has ensured that the student's progress towards achievement of her annual academic IEP goals were measured as required by the IEP since the start of the 2024-2025 school year, in accordance with 34 CFR §§ 300.101 and .324. Therefore, MSDE does not find a violation occurred.

#### **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 for 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 [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/sd

c: Dr. Thomas Taylor, Superintendent, MCPS  
Dr. Peggy Pugh, Chief Academic Officer, MCPS  
Diana K. Wyles, Associate Superintendent, MCPS  
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