


May 2, 2025




Kia Middleton-Murphy
Director, Department of Special Education Services
850 Hungerford Drive, Room 225
Rockville, Maryland 20850

Re: 
Reference: #25-290

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 March 4, 2025, MSDE received a complaint from , 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 above-referenced student.

MSDE investigated the following allegations:

1. The MCPS has not followed proper procedures when determining the student’s educational placement for the 2024-2025 school year, in accordance with 34 CFR §§ 300.101 and .114-.116.
2. The MCPS has not developed and implemented an Individualized Education Program (IEP) that addresses the student’s identified needs since August 2024, in accordance with 34 CFR §§ 300.323 and .324. Specifically, you allege:
 - The IEP does not include appropriate behavioral supports;
 - The student is not receiving the math intervention required by the IEP;
 - The present levels of academic achievement and functional performance (PLAAFP) data are not comprehensive;
 - The supplementary aids, services, program modifications, and supports do not address the student’s identified needs;
 - The IEP does not include measurable annual goals; and
 - The student’s Behavior Intervention Plan (BIP) has not been implemented and does not address recurring behaviors.
3. The MCPS has not provided the student with special education services in the placement required by the IEP since January 2025, in accordance with 34 CFR §§ 300.114, and .116. Specifically, you allege that the student has been denied access to science class for behavioral reasons.

BACKGROUND:

The student is 13 years old and is identified as a student with autism under the IDEA. The student attends [REDACTED] School ([REDACTED]) and has an IEP that requires the provision of special education instruction and related services.

FINDINGS OF FACT:

1. The BIP in effect for the student in August 2024 was developed on April 23, 2024. The BIP reflects that “[the student] displays a pattern of frequently challenging behavior to include work refusal, yelling, physical aggression and insubordination.” The BIP reflects the previous interventions attempted with the student, and denotes the target behaviors as physical aggression, noncompliance, and yelling. The intervention strategies for the target behavior of physical aggression required by the BIP include adult support throughout the school day, social stories, reminders of appropriate words and behaviors, the provision of a quiet area to calm down to converse with staff or reflect, and notification of parents whenever a physical incident occurs. The BIP includes the current rate of the behavior, short-term and long-term goals, and the frequency of data collection. The BIP does not include intervention strategies for the target behaviors of noncompliance and yelling. The BIP does not require the use of a crisis plan.
2. On June 4, 2024, the IEP team convened to conduct the student’s annual review and review the student’s BIP. The prior written notice (PWN) generated after the meeting reflects that the IEP team reviewed “the BIP, teacher reports, grades, data collection, parent input, and Measures of Academic Progress in Reading and Math (MAP-R/MAP-M) data to support the decision-making process.” It was reported that the student had made “marked progress” toward his behavior goals since implementing the BIP and the IEP team agreed to continue to implement the BIP. Upon review of the student’s grades, MAP-M scores, and teacher reports, the IEP team agreed that the student demonstrates a weakness in math calculation and that a goal was required in this area. The team reviewed the student’s progress with pragmatic goals and discussed the need for him to receive “a copy of teacher notes to ensure that he has copies of accurate and color-coded information, especially in Math.” It was decided that the student qualified for extended school year (ESY) services, and that the student required a math intervention, extra time to complete assignments, and time to work on executive functioning skills during a resource class.

The PWN does not reflect that the complainant or the school team raised or discussed concerns regarding the student’s placement.

3. The June 4, 2024, IEP reflects the student’s primary disability as autism, with expressive language/articulation, math calculation, math problem solving, reading comprehension, reading phonics, speech-language expressive language, speech-language pragmatics, written language content, written language mechanics, self-management, and social emotional/behavioral as areas impacted by the disability.

The present level of academic achievement and functional performance (PLAAFP) data reflects the following:

- Reading phonics:
 - Spring 2023 and Spring 2024 Map-R data including the student’s scores for RIT, literary text, vocabulary, informational text levels; and the student’s Spring 2024 Lexile range. The IEP reflects the following, “This comparison shows a 7-point growth from last spring (2023). According to the ‘NWEA’ growth and norms chart, the ‘RIT’ score of 215 is

equivalent to a first semester (fall) 7th grade level.” The data reflects the student as performing at the following levels in the “Read 180” (reading intervention): spelling (developing), word automaticity (on track), vocabulary (on track), overall growth measure scaled score (approaching proficiency), and grade level equivalency “approximately 1 grade level below (6.2) This grade level equivalency is an estimation based on comprehension, spelling, and word automaticity.” The sources for the student’s data are listed as “MAP-R; Lexile Range; [and the] Woodcock-Johnson IV Tests of Achievement (WJ IV ACH).”

- Reading comprehension:
 - Spring 2023 and Spring 2024 Map-R data included the student’s RIT score, literary text, vocabulary, informational text levels; and the student’s Spring 2024 Lexile range. The IEP reflects the following, “This comparison shows a 7-point growth from last spring (2023). According to the NWEA growth and norms chart, the RIT score of 215 is equivalent to a first semester (fall) 7th grade level.” The PLAAFP includes classroom-based assessment data, a teacher report; and the following Read 180 data “Comprehension school year to date: 86% (on track) Growth Measure scaled score: 751 (approaching proficiency).” The PLAAFP also includes the estimated grade level equivalency information that was included in the reading phonics data. The sources for the student’s data are listed as “MAP-R, Classroom-based assessments, Teacher Reports, Reading Intervention data), [and the] Woodcock-Johnson IV Tests of Achievement (WJ IV ACH).” The student is listed as performing on a sixth-grade instructional level.
- Math calculation:
 - Spring 2023 and Spring 2024 Map-M data including the student’s scores for RIT, operations and algebraic thinking, geometry, real and complex number systems, and statistics probability. The IEP reflects the following, “While [the student’s] overall score decreased by 1 point, he showed improvement in Statistics and Probability and The Real and Complex Number Systems. According to the NWEA Norms Reference chart, [the student] is currently performing at the mid-fourth grade level.” The data includes classroom-based assessments and teacher reports. The sources for the student’s data are listed as “MAP-M, Classroom-based assessments, teacher reports), [and] Woodcock-Johnson IV Tests of Achievement (WJ IV ACH).” The student is listed as performing on a fourth-grade instructional level.
- Math problem solving:
 - Spring 2023 and Spring 2024 MAP-M data including RIT, operations and algebraic thinking, geometry, real and complex number systems, and statistics probability. The IEP reflects the following, “While [the student’s] overall score decreased by 1 point, he showed improvement in Statistics and Probability and The Real and Complex Number Systems. According to the NWEA Norms Reference chart, [the student] is currently performing at the mid-fourth grade level.” The data includes classroom-based assessments and teacher reports. The sources for the student’s data are listed as “MAP-M, Classroom-based assessments, teacher reports), [and] Woodcock-Johnson IV Tests of Achievement (WJ IV ACH).” The student is listed as performing on a fourth-grade instructional level.

- Written language content:
 - Three May 2024 classroom-based assessments and a teacher report. The sources for the student's data are listed as "Teacher Reports; Classroom Based Assessments [and the] Woodcock-Johnson IV Tests of Achievement (WJ IV ACH)." The student is listed as performing at a third-grade instructional level.
- Written language mechanics:
 - Two May 2024 classroom-based assessments and a teacher report. The sources for the student's data are listed as "Teacher Report, Informal Writing Samples [and the] Woodcock-Johnson IV Tests of Achievement (WJ IV ACH)." The student is listed as performing at a third-grade instructional level.
- Speech-language receptive language:
 - September 2023 data and May 2022 updated assessment data. The sources for the student's data are listed as "The Listening Comprehension Test- 2nd Edition, language sampling, record review." The student is listed as performing at an instructional grade level within age expectancy.
 - Speech-language receptive language was not listed as an area impacted by the student's disability.
- Speech-language expressive language:
 - Speech-Language Expressive Language: September 2023 and May 2024 progress data. The sources for the student's data are listed as "Expressive Language Test-Second Edition: Normative Update (ELT-2:NU), SLP observations, informal procedures, record review." The student is listed as performing at an instructional grade level below age expectancy.
- Speech-language pragmatics:
 - May 2022 updated assessment data and May 2024 progress data. The sources for the student's data are listed as "conversational language sample, student input, teacher input, therapy data, TOPL – 2: test of Pragmatic Language 2." The student is listed as performing on an instructional grade level that is "within age expectancy on formal assessment."
- Expressive language/articulation:
 - Student progress data (undated). The source for the student's data is listed as "Therapy data." The student is listed as performing on an instructional grade level that is mildly below grade level.
- Social emotional/behavioral:
 - May 2024 teacher reports and behavior data collected from 2/25 - 3/8 in physical aggression, noncompliance, and yelling. The sources for the student's data are listed as "FBA Behavior Data Collection, [and] teacher reports." The student is listed as performing on an instructional grade level that is below the age level expectancy.

- Self-management:
 - October 2023 and May 2024 teacher reports. The sources for the student's data are listed as "Teacher Reports, FBA data collection." The student is listed as performing on an instructional grade level that is below age level expectancy.
- The PLAAFP includes parental input, student information, and a statement regarding how the student's disability affects his involvement in the general education curriculum.

The IEP reflects that communication is an area impacted by the student's disability and that he requires the use of an assistive technology (AT) device ("[The student] requires the use of a calculator to support his math calculation needs.") but does not require AT services.

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

- General Administration Directions Clarified
- General Administration Directions Read Aloud and Repeated as Needed
- Redirect Student
- Graphic Organizer
- Student Reads Content Aloud to Him/Herself
- Small Group
- Frequent Breaks
- Reduce Distractions to Self
- Reduce Distractions to Others
- Unique Presentation Accommodations
- Calculation Device and Mathematics Tools (on NON-Calculation Sections of the Mathematics Assessments)
- Mathematics, Science, Government Response Human Scribe
- ELA/L Response Human Scribe
- Monitor Test Response
- Extended Time (1.5X)

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

- Periodically:
 - Provide student w/ copy of student/teacher notes - "provide notes and outlines during all academic settings to ensure [the student] has accurate information;"
 - Adult support for completion of assignments - "As needed throughout the day;"
 - Verbal rehearsal prior to written response - "As needed throughout the school day to support with organization of ideas/thoughts for written response."
 - Allow use of organizational aids - "As needed throughout the school day to support with organization. (For example: checklist for task completion or organizing materials, written editing/mechanics, step-by-step directions for problem solving, etc.)"
 - Paraphrase questions & instruction - "As needed throughout the school day to support understanding of directions and assignments."
 - Allow use of highlighters during instruction and assignments - "As needed throughout the school day to support comprehension."
 - Provide access to a calculator when computing math problems - "As needed throughout the school day to support math calculation needs."

- Monitor independent work - "As needed throughout the day;"
- Frequent and/or immediate feedback - "As needed throughout the day;"
- Check for understanding - "As needed throughout the day;"
- Provide alternative ways for students to demonstrate learning - "As needed throughout the school day to support demonstration of comprehension."
- Repetition of directions - "As needed throughout the day;"
- Use of word bank to reinforce vocabulary and/or when extended writing is required - "As needed throughout the school day to support oral and/or written responses."
- Visual Cues - "As needed throughout the school day to support with comprehension. (This may include concrete pictures of concepts, color coding, etc.)"
- Multiple Choice Options to orally presented questions - "As needed throughout the day;"
- Sentence Starters as framework for language and written expression - "As needed throughout the day;"
- Wait time for oral responses - "As needed throughout the day;"
- Break down assignments into smaller units - "Throughout the day as needed. This may be specifically useful when reading lengthy texts to support comprehension with smaller parts."
- Home-school communication system - "Communication between case manager and parents to provide 2 to 3 weekly updates about [the student], his classes, or school events. Update parents with information pertaining to missing assignments, behavior, health related information."
- Adult Support - "Adult support will be provided during transition times and during unstructured settings in order to ensure safety for [the student] and others."
- Remind [the student] of natural consequences of unwanted behaviors - "[The student] requires reminders and rationale in order to modify and self-correct his behavior."
- Encourage/reinforce appropriate behavior in academic and non-academic settings - "[The student] requires reminders when he is refusing work, refusing to follow directions, yelling or being aggressive."
- Strategies to initiate and sustain attention - "As needed throughout all academic settings to support classroom participation and task completion."
- Encourage student to ask for assistance when needed - "As needed throughout the day, across all school academic environments."
- Reinforce positive behavior through non-verbal /verbal communication - "Throughout the day as needed, across all school environments."
- Model social interactions with peers - "As needed throughout the school day to encourage social interactions and turn taking with conversation, including appropriate reactions when a peer or adult asks him to repeat himself due to unintelligibility."
- Alternate location to de-escalate elevated behaviors - "With adult support and supervision, move to an empty, quiet room to allow [the student] to de-escalate before rejoining the classroom."
- Alternate location for locker room changes - "[The student] will wait in the hallway with a teacher during PE locker room changes. [The student] will not be required to change his clothes."
- Preferential locker location - "[The student] requires preferential locker setting with a key."

- Preferential seating - "As needed, in all academic settings to support with participation in the classroom and receiving support throughout all settings."

The IEP reflects the student is eligible for ESY services.

The IEP includes the following goals:

- Expressive language/articulation: "When reading passages, responding to questions, or summarizing information, [the student] will use strategies to improve intelligibility (using a slowed speech rate and over articulating syllables), in 4/5 trials by 10/03/2024."
 - Method of Measurement: Informal Procedures: Therapy room data Observation Record
 - Criteria (Mastery and Retention) With: 4 out of 5 trials

This goal is not measurable as written; it does not include the criteria for mastery.

- Self-management: "Given fading adult support, direct and indirect support and instruction, and visual cues, [the student] will advocate his needs and use IEP supports in order to meet classroom expectations as evidenced by earning at least 80% of daily points for behavior on his contract."
 - Method of Measurement: Informal Procedures: Teacher Reports
 - Criteria (Mastery and Retention) With: 4 out of 5 trials
- Self-management: "Given fading adult supports, teacher modeling, visual cues, repetition of directions, opportunities to ask for clarification, and organizational aids, [the student] will attend to classroom instruction and tasks as evidenced by earning at least 80% of daily points for assignment completion on his contract."
 - Method of Measurement: Informal Procedures: Teacher Reports
 - Criteria (Mastery and Retention) With: 4 out of 5 trials
- Speech and Language Pragmatics: "[The student] will participate in collaborative and conversational activities using social communication strategies with 80% accuracy given no more than two verbal prompts by 10/03/2024."
 - Method of Measurement: Informal Procedures: therapy room data Observation Record
 - Criteria (Mastery and Retention) With: 80 % Accuracy

This goal is not measurable as written; it does not include the criteria for retention.

- Written Language Mechanics: "Given teacher modeling, adult support, and an editing checklist, [the student] will revise and edit his writing for correct sentence structure, grammar, punctuation, and capitalization, with no more than 4 errors on an extended writing assignment."
 - Method of Measurement: Informal Procedures: Written response, Extended Writing Tasks (EWTs), and informal writing samples
 - Criteria (Mastery and Retention) With: 4 out of 5 trials
- Written Language Content: "Given a writing prompt, teacher modeling, multiple opportunities for teacher feedback, and access to a graphic organizer, word banks, and sentence starters, [the student] will produce a 3-5 paragraph essay in which the development, organization and word choice are appropriate to task, purpose and audience, earning at least 75% on 3 out of 4 writing assignments."

- Method of Measurement: Classroom-Based Assessment: Extended Writing Prompts, Common Writing Tasks
- Criteria (Mastery and Retention) With: 3 out of 4 trials
- Reading Comprehension: “Given a reading selection, chunked texts, adult support, teacher modeling, audio materials, multiple opportunities for practice, and frequent checks for understanding, [the student] will utilize before, during and after reading strategies appropriate to the text and purpose, to create meaning from the text, earning 80% or more on 4 out of 5 assignments.”
 - Method of Measurement: Classroom-Based Assessment: Reading Checks, Teacher-Created Assessments
 - Criteria (Mastery and Retention) With: 4 out of 5 trials
- Math Calculation: “Given teacher modeling, visual aids, verbal prompts, and opportunities for repeated practice [the student] will solve math problems using the four operations (addition, subtraction, multiplication and division), earning 75% accuracy or better on 4 out of 5 assignments.”
 - Method of Measurement: Classroom-Based Assessment: Math 180 Intervention Data
 - Criteria (Mastery and Retention) With: 4 out of 5 trials
- Math Problem Solving: “Given teacher modeling, visual aids, access to manipulatives, opportunities for repeated practice, and access to a calculator, [the student] will apply concepts of equivalency, solving, and modeling mathematically, earning 75% or better on 4 out of 5 assignments.”
 - Method of Measurement: Classroom-Based Assessment: Concept Checks, Unit Assessments
 - Criteria (Mastery and Retention) With: 4 out of 5 trials
- Speech and Language Expressive Language: “Exp Language: Given grade level materials, [the student] will use 3-5 complete sentences to summarize contextual evidence or answer questions, in 4/5 opportunities, given no more than one verbal prompt by 10/03/2024.”
 - Method of Measurement: Informal Procedures: data collection, observation, periodic probes
 - Criteria (Mastery and Retention) With: 4 out of 5 trials
- Social Emotional/Behavioral: “Given adult support, modeling appropriate behavior, verbal and non-verbal prompting, reminders of school and classroom expectations, reminders of natural consequences of unwanted behaviors and alternate location to deescalate elevated behaviors, [the student] will interact with peers in a pro-social manner as evidenced by earning at least 80% of daily points for behavior on his contract.”
 - Method of Measurement: Other: Teacher reports, Quarterly Progress Notes
 - Criteria (Mastery and Retention) With: 4 out of 5 trials

The IEP requires the following special education and related services:

- One, 50-minute session of classroom instruction outside general education, daily:
 - “[The student] will take a self-contained Resource class to support organization and task completion;”

- Five, 50-minute sessions of classroom instruction inside general education, daily: “[The student] will attend co-taught English, Math, Science, Math Intervention (starting fall 2024), Reading and World Studies general education classes;”
- One, 30-minute session of speech-language services, weekly; and
- Transportation.

The least restrictive environment (LRE) for the student is inside general education 80% or more of the school day.

4. The November 1, 2024, report of the student’s progress toward achieving the student’s IEP goals reflects the following:

- Expressive language/articulation:
 - “Making sufficient progress to meet the goal
 - “[The student] can over-articulate clearly and use a slow speech rate in a structured activity in a one-to-one setting and make himself understood. Spontaneously, if given a reminder to slow his speech rate and over-articulate, he might do so about 50% of the time and will monitor himself for no longer than 5 minutes.”

The student’s progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for retention.¹

- Self-management:
 - “Making sufficient progress to meet goal
 - Actual Results Achieved: out of trials
 - English: [The student] is working on his goal of earning 80% of his daily points for behavior. [The student] does well in class when he is listening to text but has more difficulty meeting class expectations when writing. He is most successful when given sentence frames; however, the student does not usually use teacher feedback to improve his writing. On his “EWP,” he was provided digital feedback, which he did not utilize to edit his writing. [The student] did well working with a teacher-selected partner on a shared annotation assignment. [The student] does not use much verbal language when he does not need help; he typically does not respond when asked.
 - Math:[The student] is struggling daily to meet his daily goals and objectives in Math. [The student] rarely seeks out support during instruction to include self-paced work. [The student] usually will decline any support offered. [The student] is offered small group support; however, they will either turn it down or not respond at all. He is typically engaged in off-task activities using his Chromebook.
 - Health/Arnone: [The student] rarely seeks out support from a teacher and often declines support and feedback by saying “no.”
 - History: [The student] does not request support and rarely accepts assistance. [The student] occasionally volunteers answers in class discussions. [The student] struggles to work with peers. He does not do warm-ups at the start of class and needs prompting to use his Chromebook for on-task behaviors.
 - Science/Deem: [The student] is struggling with self-management during class. He often refuses support when it is offered, including from the paraeducator. In

¹ This goal, as written, concluded on October 3, 2024.

addition to shouting out when frustrated or to avoid support, [the student] frequently shouts at random times, such as today when he spent most of the class singing “In the Thick of It” out loud, even during instruction. This disrupts both his ability to focus and the learning environment for other students. In group settings, [the student] tends to dominate by taking materials and not allowing his peers to participate fully. He also struggles to self-advocate in appropriate ways, and his refusal to accept assistance further hinders his progress. He typically requires multiple prompts to meet classroom expectations, and even then, his compliance is inconsistent.”

The student’s progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery or retention.

- Self-management:
 - “Making sufficient progress to meet the goal
 - Actual Results Achieved: 1 out of 5 trials
 - English: [The student] is working on his goal of attending class instruction and tasks. [The student] follows most basic classroom norms (sitting in his seat) but needs more than two requests to open certain assignments. He responds best when given a direction, and then the teacher walks away. [The student] does not always use the Chromebook responsibly, often opening off-task sites. He usually works on assignments or tasks when prompted, but otherwise opens tabs that are off-task.
 - Health/Arnone: [The student] often follows classroom norms by sitting in his assigned seat, completing the wellness journal at the beginning of class and essential questions at the end. [The student] rarely uses his Chromebook responsibly and is often off task. When I close tabs that aren't needed to complete the task, he closes his Chromebook and puts his head down.
 - History (McGee): [The student] stays in his seat but does not consistently follow classroom routines, like starting warm-ups. [The student] needs frequent reminders to start tasks. With prompting and reminders, [the student] will use his Chromebook to complete work.
 - Science / Deem: [The student] has difficulty staying on task and completing assigned work in science class. He regularly becomes distracted, shouting out or engaging in disruptive behaviors such as poking or touching his group members during labs. [The student] frequently uses his Chromebook for off-task activities, and when prompted to complete work, he often ignores the instruction or requires several reminders. He rarely engages with the assigned task without significant prompting and redirection. In lab settings, [the student] struggles to follow procedures, and when asked to contribute, he either disengages or causes disruptions by refusing to share materials with his group. He is not meeting the goal of completing work with no more than two reminders.”

The student’s progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery.

- Speech and Language Pragmatics:
 - “Newly Introduced skill; progress not measurable at this time

- This is a new goal area for [the student], and there is not enough data to report progress since [the student's] participation in conversation is inconsistent. Currently, he is given a clinical model for turn taking in conversation using comments or questions that are that are on the topic. [The student] requires redirection and verbal prompts to comment to a person without judgment, and benefits from a highly structured activity with frequent instructions. He tends to stop responding or yell "no" when he is not interested in talking to peers or participating in the activity."²
- Written Language Mechanics:
 - "Making sufficient progress to meet goal
 - English Quantitative Data: Monster Reader's Response 7/10, Day 2 Lady or the Tiger 8/10 English Qualitative Data: [The student] is working on his goal of revising his written work. [The student's] EWP was incomplete; he was provided sentence frames and picture supports. He was verbally and nonverbally directed multiple times to identify and correct errors. He did not utilize digital feedback or an editing checklist to complete his work. He was taught about compound and complex sentences in class. [The student's] work included some compound sentences because of the sentence frames but he did not independently do so without that support.
 - History...: [The student] did not turn in his Writing in Social Studies assignment. He was encouraged to finish it during Flex time but declined support and ignored reminders to do it. He was provided a model and sentence starters. [The student] needs reminders to use proper sentence punctuation. On his American Democracy exit card [the student] only wrote one sentence. He did not utilize teacher feedback to add detail to his response."

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery or retention.

- Written Language Content:
 - "Making sufficient progress to meet goal
 - Monster Reader Response 7/10 (with sentence starters, 1-1 support English Quantitative Data: During the first quarter, [the student] demonstrated some progress on his written expression goal. [The student] was taught how to write a multi-paragraph narrative that included dialogue, sensory details, and elements of suspense. [The student] picked from a list of possible stories and used provided sentence frames/pictures to complete a suspenseful narrative. With prompting, [the student] utilized dialogue in the story but had difficulty creating a theme for his story. [The student] also completed reader responses to the novel "Monster." [The student] benefited from sentence starters, paraphrasing, restating the question, quote banks, and monitoring of independent work. Even with sentence frames, [the student] needs continued work extending his writing to fully answer questions. [The student] is verbally and nonverbally directed to revise his work. He is also provided with digital feedback on his writing, but he does not usually edit his work for clarity, effectiveness, grammar, and punctuation. On his Reader's Responses, [the student]

² This goal, as written, concluded on October 3, 2024.

picked quotes from a quote bank but needs continued practice and support in explaining the significance of the quotes.

- History...: There was no extended writing prompt this quarter. [The student] is currently working on his "CWT."

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery or retention.

- Reading Comprehension:

- "Making sufficient progress to meet goal
- English Qualitative Data: Day 2 Lady or the Tiger 8/10 (with sentence starters, 1-1 support), Monster Reader Response 7/10 (with sentence starters, 1-1 support), Tell Tale Heart Annotation Poster 3/3 English Quantitative Data: During the first quarter, [the student] worked on his reading comprehension goal. In the first quarter, [the student] read "The Lady or the Tiger," "The Cask of Amontillado," "The Tell-Tale Heart," and the novel "Monster." [The student] benefitted from small group instruction, 1-1 teacher check-ins, and graphic organizers. [The student] has utilized frequent checks-for understanding while reading; in the small group setting students would work together to paraphrase and summarize sections of the text as they read or listened to the audiobook. The small group used an audiobook and visuals to aid in comprehension. On the character notes assignment, [the student] listened as his group discussed important facts from the case and wrote their own interpretation. On most writing assignments, [the student] wrote independently and filled in sentence frames. He was also given quote banks to choose quotes that best supported a claim. [The student] utilized provided sentence frames to support his analysis of the text.
- History: With minimal teacher support, [the student] read an on-grade level article on Modern Slavery and answered questions with 80% accuracy."

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery or retention.

- Math Calculation:

- "Making sufficient progress to meet goal
- Math Qualitative Data: M8U1 L11-13: Congruence 9/10, M8U1 Lessons 7&8 Side and Angle Measurements 5/10, M8U1 Lessons 4-6 Translation and Reflection Assessment 0/12. [The student] struggles to work through the math concept on his own which is a result of his refusal to participate in the warmup, in class assignments or 1:1 support. [The student] does not attend the small group for instruction. He will use time for testing. He receives multiple check-ins by all adults in the classroom. When [the student] is asked to participate, he typically says, 'No,' or 'Stop your yappin'!'

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for retention.

- Math Problem Solving:

- "Making sufficient progress to meet goal
- Math Qualitative Data: M8U1 L11-13: Congruence 9/10, M8U1 Lessons 7&8 Side and Angle Measurements 5/10, M8U1 Lessons 4-6 Translation and Reflection Assessment 0/12. [The student] struggles to work through the math concept on his

own which is a result of his refusal to participate in the warmup, in class or 1:1 support. [The student] does not attend the small group for instruction. He will use that time for testing. He receives multiple check-ins by all adults in the classroom. [The student]' refusal to participate in class during, small group, 1:1 or when Chromebooks are used for activities through Desmos or IXL are affecting his understanding and ability to work through the current math concepts."

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for retention.

- Speech and Language Expressive Language:
 - "Making sufficient progress to meet goal
 - [The student] requires encouragement to participate in speech therapy and will sometimes participate if he is offered a reward. Given a passage that is read to him, [the student] will answer WH questions with brief responses correctly when he is motivated to participate in the activity. Asked to summarize by retelling 1-2 details, he sometimes responds correctly with 1-2 sentences, given verbal prompts. He does not collaborate with other students at this time."

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery or retention. ³

- Social Emotional/Behavioral:
 - "Making sufficient progress to meet goal
 - English: [The student] has not used "I" statements to express his feelings of frustration or need. Teachers in the class usually give [the student] a direction and then walk away to allow him time to follow through. [The student] has not requested direct support; however, he has multiple adults checking on him throughout the class period. [The student] has not needed to leave the class and deescalate elevated behaviors. [The student] does not always follow adult directions but his behavior has remained safe. [The student] worked well with a selected peer and adult in the class to complete a group assignment. [The student] sometimes makes comments loudly in the classroom; however, other times [the student] will respond at an appropriate volume with a short sentence answer.
 - Health: [The student] rarely uses "I" statements to express frustration. He often says "quit your yapping" when frustrated. [The student] has not needed to go to an alternate location to escalate elevated behaviors.
 - History: [The student] has not used "I" statements in class. [The student] will occasionally elevate his voice and tell people to "stop yapping", but quickly deescalates himself. He has not requested adult support for behavioral or academic reasons.
 - Science: [The student] displays challenging behaviors in the science classroom. He frequently shouts out phrases such as "Shut up" or "What the frick" during instruction, which disrupts both his learning and that of his peers. He often tells both staff and students to "stop yapping," especially when offered help. During group work and labs, [the student] tends to take over materials without allowing others to use them, and he has difficulty respecting personal space, often touching

³ This goal, as written, concluded on October 3, 2024.

or poking his group members. [The student] tends to avoid participation in class activities by moving around the room or engaging in loud, off-task behaviors. While his behavior has not posed a safety risk, it does require frequent intervention, and he struggles to follow classroom norms consistently.”

The student’s progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery or retention.

5. On December 20, 2024, the IEP team reconvened to conduct reevaluation planning for the student. The PWN generated after the meeting reflects “the IEP team reviewed the formal assessments from 2022, teacher reports, parent input, Measures of Academic Progress in Math (MAP-M), Measures of Academic Progress in Reading (MAP-R), grades, behavior contact log, and speech therapy notes” to make its determinations. Based on its review the IEP team decided to conduct updated “formal cognitive, achievement, pragmatic, expressive/receptive and articulation, [and social/emotional/behavioral] assessments.” It was also decided that the school-based team would collect data to update the Functional Behavior Assessment (FBA) and BIP, in addition to conducting a classroom observation.

The PWN does not reflect that the complainant or the school team brought up or discussed concerns regarding the student’s placement.

6. On December 22, 2024, the complainant signed a “Notice and Consent for Assessment” for school staff to complete assessments for academic performance (reading, mathematics, and written language), communication (articulation, expressive/receptive language, and pragmatics), intellectual/cognitive functioning, emotional/social/behavior development, observation, and data collection for the FBA and BIP.
7. The parent contact log reflects that on January 23, 2025, [REDACTED] staff contacted the complainant regarding the student’s failure to participate in instruction and exhibiting “maladaptive behaviors” in the Math 180 class. The log reflects that the staff member and the complainant discussed removing the student from the Math 180 class and scheduling him to receive the intervention in a resource class, to which the complainant agreed. The log reflects that the change would occur at the beginning of the second semester.
8. There is documentation that on January 27, 2025, the student was suspended from school for a behavior incident that occurred in his science class.
9. The January 28, 2025, report of the student’s progress toward achieving the student’s IEP goals reflects the following:
 - Expressive language/articulation:
 - Making sufficient progress to meet goal
 - After being given instructions to over articulate clearly and use a slow speech rate in a structured activity in a one-to-one setting, [the student] will do so with frequent verbal prompts, and is able to use clear articulation speech sounds. [The student] does not consistently maintain his articulation and slow rate in unstructured activities such as conversations.

The student’s progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for retention.

- Self-management:

- “Not making sufficient progress to meet goal (IEP team needs to meet to address insufficient progress)
- English: [The student] does not frequently request support when faced with an academic or social-emotional barrier. He typically (over 75% of the time) needs an adult to check-in with him. He may call out to other students or misread social cues. There have been instances where [the student] has explained why he is frustrated or upset, but it is brief in description. [The student] sometimes takes teacher feedback on assignments. [The student] is still working on using pro-social language; he doesn’t explicitly state that he does not need help but sometimes uses language that expresses that he does not want to interact. For example, he may simply say “no” or another comment rather than “I do not need any help.”
- Science: [The student] struggles with independently using his IEP supports and managing his frustrations in a constructive way. Rather than communicating his needs clearly, he often resorts to negative or dismissive comments like “this is stupid” or calling others “idiots.” He frequently refuses small group instruction and resists teacher intervention, even when offered to help him succeed. He has difficulty applying feedback and rarely seeks adult support when needed. Math8: [The student] does not request support in math. [The student] will work 1:1 at times but frequently does little work in Math. If asked, he will refuse. [The student] will however, sit through 1:1 support if the math is scribed for him. He will sit, silently and cooperative. History: [The student] does not utilize his accommodations and has not asked for support when facing barriers, whether they are academic or social. He frequently refuses feedback and will tell adults to shut up
- **IEP Meeting Scheduled for 3/5/2025**

The student’s progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for retention.

- Self-management:
 - “Not making sufficient progress to meet goal (IEP team needs to meet to address insufficient progress)
 - English: [The student] is working on following classroom norms. He chooses to attend small group instruction over 70% of the time but does not usually engage in warm-ups or small group discussions. He will answer 1-1 teacher questions. [The student] usually requires over 2 prompts or reminders to complete independent work. [The student] does choose to go on non-academic websites; sometimes this is used as an incentive, but he often attempts to go on other websites during warm-ups or inappropriate times.
 - PE: [The student] requires space away from his peers during whole group instruction to reduce distractions. He is typically willing to participate in most tasks but requires some verbal prompting. He responds to verbal praise but may shut down and refuse to participate when provided a direction or the direction is too complex (3 step direction). He responds to visual cues (e.g., others modeling the task or the cue). When provided too much verbal prompting/direction he will refuse to comply with the direction and do the opposite. He may engage in approximately 50% of the lesson each day during
 - PE. He responds to routine expectations (sit in a specific spot during attendance).
 - Science: While [the student] performs well on tests, he consistently struggles to engage in classroom activities and group work. He avoids tasks, requires frequent

redirection, and is reluctant to participate in small groups. Even with repeated prompts, he often fails to start assignments or focus on independent work, instead becoming distracted or disrupting others.

- History: [The student] frequently refuses to go to small group support. When he goes, he does not engage in the learning opportunities. He does not follow classroom routines. He comes in and gets on his Chromebook instead of starting the paper warm-up. It typically takes 2 to 3 reminders to get off of the Chromebook. He completes classroom assignments about 50% of the time, however, he will skip questions that he finds challenging.
- Math8: [The student] rarely participates in classroom activities unless the lesson/activity is an interactive game, such as a Kahoot. He does not come to class with completed homework or take notes in class. He will often be off task on his Chromebook. He attempts to take assessments, but because of his lack of preparation, his assessments are incomplete. He completes classroom assignments less than 50% of the time
- **IEP Meeting Scheduled for 3/5/2025**

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery or retention.

- Speech and Language Pragmatics:
 - "Not making sufficient progress to meet goal (IEP team needs to meet to address insufficient progress)
 - [The student's] participation in conversational turn taking in a therapy session continues to be limited. When asked to participate and when asked a question, he often refuses to participate or responds with yelling "what do you mean" or "why are you asking me that?". [The student] requires redirection and verbal prompts to comment to a person on a topic, and benefits from a highly structured activity with frequent instructions. He stops responding or yells "no" when he is not interested in talking to peers or participating in the activity."

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for retention.

- Written Language Mechanics:
 - "Making sufficient progress to meet goal
 - English Quantitative Data: Slam Poetry Organizer (1 Spelling Error, missing capital I, missing some commas/punctuation), EWP _____
 - English Qualitative Data: [The student] is working on revising and editing his writing. [The student] needs reminders from adults to go back and revise his work. On a recent work sample, his Slam Poetry Organizer, [the student] had one spelling error and some errors with capitalization. [The student] is given digital and verbal feedback; he needs an adult to prompt him and go back to fix any errors that are left on his work. On his EWP _____
 - History: [The student writes] in short simple sentences that frequently lack punctuation. Example: "Yeah because it fixed most of the problems" - was a response to a prompt requiring a paragraph answer. He refuses to expand on his ideas and will close his Chromebook if we try to help him."

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for retention.

- Written Language Content:
 - “Making sufficient progress to meet goal”
- Reading Comprehension:
 - “Making sufficient progress to meet goal
 - English Quantitative Data: Poetry Analysis Pride in the Pantha 7.5/15, EWP _____
 - English Qualitative Data: [The student] is working on previewing texts and linking appropriate experiences and prior knowledge. This past quarter, students read a variety of poems that spanned many different topics. [The student] was in a small group that discussed some of the topics but [the student] did not often share thoughts aloud or with a partner. He required 1-1 support from an adult to discuss topics related to the class. When asked to cite textual evidence, [the student] benefitted from graphic organizers, images to support his analysis, color coded figurative language, and texts read aloud. In his small group, [the student] worked with a group to analyze and annotate poems together. [The student] should continue working on determining the central ideas or themes of texts. On his EWP _____
 - History: [The student] avoids reading, especially primary source documents and will put his head down and “check out” if the reading is challenging. When writing his Boston Massacre [The student] he utilized the “gist” organizer to chunk the text into small sections. He continues to need support to determine the central ideas and identify evidence to support claims.”

The student’s progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery or retention.

- Math Calculation:
 - “Not making sufficient progress to meet goal (IEP team needs to meet to address insufficient progress)
 - Quantitative Data: Lessons 7 & 8 - Number of Solutions—4.5/9, Matching Equations Moves-9/9 Unit 3 End-of-Unit Assessment-11.5/16 Qualitative Data: [The student] rarely participates in class. He typically refuses any given modeling, 1:1 and small group support. He has shown some ability to add and subtract numbers as well as some basic Math8 concepts, however, because he does not actively participate in class, take notes, or complete homework assignments, understanding the required concepts is difficult.
 - **IEP Meeting Scheduled for 3/5/2025**”

The student’s progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for retention.

- Math Problem Solving:
 - “Not making sufficient progress to meet goal (IEP team needs to meet to address insufficient progress)
 - Quantitative Data: Lessons 7 & 8 - Number of Solutions—4.5/9, Matching Equations Moves-9/9 Unit 3 End-of-Unit Assessment-11.5/16 Qualitative Data: [The student] rarely participates in class. He typically refuses any given modeling, 1:1 and small group support. He has shown some ability to add and subtract numbers as well as some basic Math8 concepts, however, because he does not actively participate in

class, take notes, or complete homework assignments, understanding the required concepts is difficult.

- **IEP Meeting Scheduled for 3/5/2025**

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for retention.

- Speech and Language Expressive Language:
 - "Not making sufficient progress to meet goal (IEP team needs to meet to address insufficient progress)
 - [The student] is usually very reluctant to participate in speech therapy, often yelling 'no' and exhibiting other behaviors. If he is willing to watch a video or listen to a reading passage, [the student] can answer 3-4 WH questions with a short brief response. When asked to summarize information, [the student] will use a sentence related to the information, or say "I don't know", depending on his motivation."

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for retention.

- Social Emotional/Behavioral:
 - "Not making sufficient progress to meet goal (IEP team needs to meet to address insufficient progress)
 - English: [The student] is not using "I" statements to express frustration or when he needs adult support. [The student] often requires 1-1 adult support but he does not ask for help; teachers and adults in the class are consistently monitoring [the student] and intervening when he needs assistance. [The student] does not always use appropriate volume and can sometimes be loud. When adults use calm and consistent voices, this usually helps [the student] but this is not always true. Sometimes [the student] uses inappropriate school language; usually this is ignored by classmates and adults.
 - PE: [The student] frequently exhibits disruptive behaviors during PE. He refuses to work with specific students, uses disrespectful language to peers and teachers. He requires continuous supervision to maintain self-space and ensure he is not saying disrespectful or using hurtful words towards others.
 - Science: [The student] frequently exhibits disruptive behaviors, including yelling out in class and being rude to both adults and peers. He often dismisses instructions or interventions, making it difficult to address his needs constructively. His refusal to engage appropriately and his disruptive comments create challenges for maintaining a productive classroom environment. While calm and consistent redirection occasionally helps, [The student's] resistance to support and his interactions with peers and adults remain areas that require significant improvement.
 - Math8: [The student] can at times exhibit disruptive behavior. [The student] does not use "I" statements to express himself. He does not request adult support when he is in a negative situation. When he is off-task on his Chromebook, he will typically respond with 1-2 prompts, however he does not engage in classroom activities. When asked to participate in small group instruction at the collaboration table, he refuses. On occasion, [the student] will respond well to visit the Zen Den if a situation arises where he either needs to be removed from a group of class. There is a reward involved, which encourages his good behavior in these moments. History:

[The student] typically stays in his seat, although he will lay across desks and lean into other people's space. Reminders to not lean back in his chair are met with "piss off." Occasionally, [the student] will be loud and make inappropriate comments, telling adults and other students to "shut up." Usually with 1-2 reminders and planned ignoring, Essays will stop demonstrating unwanted behaviors. Continued redirection tends to escalate unwanted behavior and increases his stress levels

- **IEP Meeting Scheduled for 3/5/2025**

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery.

10. There is documentation that on January 31, 2025, the student's doctor provided the complainant with a note that requested the school to reevaluate the student for appropriate placement because "the family does not feel [the student] is learning, his behavior is problematic, [and] he is being bullied per [the complainant]."
11. There is documentation that a classroom observation was conducted for the student on February 4, 2025.
12. There is documentation that a speech-language assessment report was generated for the student on February 5, 2025.
13. On February 14, 2025, an IEP team meeting invitation was generated for IEP meetings to be held on March 17, 2025, April 1, 2025, and April 24, 2025.
14. On February 18, 2025, MCPS staff emailed the complainant sharing that a change was made to the student's schedule for the Math 180 class, and the student was placed in a new elective class. There is documentation that the student's Math 180 class was changed from fifth period to seventh period and the student was placed in a different science class with a new teacher.
15. There is documentation that an educational assessment report was generated for the student on February 21, 2025.
16. On March 6, 2025, the complainant's educational advocate emailed MCPS staff requesting to reschedule the March 17, 2025, IEP meeting.
17. There is documentation that a classroom observation was conducted for the student on March 17, 2025.
18. The March 28, 2025, report of the student's progress toward achieving the student's IEP goals reflects the following:
 - Expressive language/articulation:
 - "Making sufficient progress to meet goal
 - [The student] is making progress on his articulation goal. Given a practice of saying words with challenging phonemes (s, sh, th, and ch), [The student] will improve his production of sounds to a range of 70%-80% production. He is able to produce /s/ phoneme correctly and is working on /sh, ch/. He benefits from a frequent clinical model. Reminded to use a slower rate and a lower volume, [the student] will do so 50% of the time but doesn't monitor his use in connected speech. Continue goal."
 - Self-management:

- “Not making sufficient progress to meet goal (IEP team needs to meet to address insufficient progress)
- English: [The student] does not frequently request direct support for academic or social emotional barriers. [The student] accepts adult support from teachers and paraeducator staff in the room over 50% of the time. He is supported 1-1 with an adult between the special education teacher, general education teacher, and a paraeducator in the class. [The student] chooses to come to small group instruction for many lessons. Sometimes it is challenging to have [the student] review teacher feedback; he is often provided digital feedback on his writing. He may say “I already did that” or another comment and require multiple prompts to reopen an assignment. Sometimes [the student] refuses to reopen an assignment that requires editing. [The student] sometimes uses prosocial language; he benefits from adults providing reasons for their questions or prompts. For example, “[the student], I left a few comments on your EWP to review. You did complete it but now we are editing our work.”
- Physical Education: [The student] does not request direct support in PE. He typically avoids any type of adult interaction. I provide him visual and verbal cues during the whole group and small group instruction. He receives support from a paraeducator in PE. I have to remind him to keep his body to himself because he has hit or punched students within the PE class. He has also made very disrespectful and inappropriate comments to other students and the teacher on a consistent basis. He is unresponsive to verbal prompting or feedback in PE.
- History: [The student] does not request support in history class and frequently refuses support when it is offered in the general education classroom setting. When pulled out for small group support, he will occasionally accept support. When [the student] is prompted to expand on his answers or revise work he will say “no, I already did that.” As an example, his Immigration in the 1800s response was one word .. “no” when the prompt required text evidence to support his thinking and he would not add detail. When given the opportunity to work with a group [the student] initially chose a group with whom he had past issues with. He was instructed to find a new group and follow the directions.
- Science: [The student] does not request support in Science. When given individual instructions and reminders, he will often ignore the teacher speaking with him or verbally disagree. [The student] does not work in a group for our labs and works one on one with [staff].
- Photography: [The student] does not request support in Photography class, even when asked if he needs help. He will say no and then I will model what he needs to do anyway. He acts like he isn’t watching, but he is, and recently he has been attempting to do the work. At the start of the quarter, as I tried to assist him, he would tell me to “Shut the “explicative” Up.” However, this has decreased recently and has improved.
- Math 8: [The student] does not ask for support in Math 8. He does not respond to the para-educator or Gen Ed teacher. He will at times respond to the LAD Co-Teacher. He seldom (1-2x per quarter), participates in taking notes, but only for a short time. He does not respond to questions. When given 1:1 support, he just sits, does not write or speak.
- Resource 8: [The student] rarely advocates his needs. On occasion, he will adhere to an adult prompt to submit a missing assignment. On occasion, [the student] will call

out "this doesn't make sense" as way to communicate that he needs help. He is rarely receptive to adult support.

- **IEP meeting scheduled for 4/25/2025**

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery.

- Self-management:
 - "Making sufficient progress to meet goal
 - English: [The student] follows some classroom norms and procedures. He comes directly to his seat and follows along when we are reading aloud or listening to a text. [The student] chooses to come to small group instruction almost 100% of the time. [The student] needs 1-1 adult support to take notes or complete most English assignments. [The student] sometimes completes tasks with no more than 2 reminders; however, the quality of his work is improved when he has 1-1 support. He often needs questions and assignments to be rephrased, paraphrased, and/or repeated. [The student] sometimes uses his Chromebook appropriately. When there is downtime, a class discussion, or a non-preferred assignment, [the student] sometimes does use his Chromebook for off-task activities.
 - Physical Education: With typical peer modeling, [the student] will engage in a learning task independently. If it is a non-preferred task, he will require verbal prompting. He benefits from visual modeling and visual cues in PE. His attention to tasks is very limited. At times, the PE setting can be overstimulating (loud). When the environment is too loud, [the student] will cover his ears and move to a less stimulating space. This is not always possible. Typically [the student] are available for learning and engaged in a task during the first 20 minutes of class.
 - History: [The student] sometimes follows classroom norms during instruction. However, he continues to refuse to do class warm-ups at the start of class. During guided instruction [the student] typically listens and follows along. He may put his head down but will later answer questions that demonstrate he was listening. [The student] needs many reminders to engage in independent work that requires writing. [The student] sometimes uses his Chromebook appropriately
 - Science: [The student] missed a lot of instruction earlier in the quarter due to being absent. He has been slowly making up for some missed assignments. [The student] will often have his Chromebook out and work on assignments during class. He will not complete assignments 100% but will stay on task with [staff]. On occasion he will complete modified versions of assignments.
 - Photography- [The student] will go around and take pictures when we go outside, but they don't have anything to do with the composition we are learning. He tries to go on game websites when he thinks he is done or when he gets bored of the assignment. He needs a lot of reminders and modeling to complete his tasks on time.
 - Math 8: [The student] has shown improvement in his ability to 1:1 support. He will respond to some interaction and answer questions and write his answers. He has improved his ability to manage his verbal responses when he is unable to use his Chromebook. He will on occasion, attempt to complete classwork and 90% of the time will make an attempt to complete assessments. He always participates in the learning Kahoots.

- Resource 8: Given a checklist of assignments to complete, adult support and reminders to submit missing assignments, [the student] rarely uses the Resource setting effectively. On occasion, [the student] will adhere to adult prompts and suggestions to submit missing work. [The student] is often resistant to use the time to get adult help and turn in assignments. Sometimes [the student]' behavior will escalate when reminded of classroom and task expectations for all students."

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery.

- Speech-Language Pragmatics:
 - "Making sufficient progress to meet goal
 - [The student] has been working on conversational strategies as part of social communication. With the support of visual social stories and review of conversation strategies, he is responding to a conversation initiated with him by answering the questions for 2-3 turns. He is working on understanding how people have different perspectives and how to think about what someone might feel. He is showing progress in this area."

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery.

- Written Language Mechanics:
 - "Making sufficient progress to meet goal
 - Actual Results Achieved: 0 out of 1 trials
 - English Quantitative Data: BWWF Checkpoint #2 7/10, BWWF Written Response 15/15, BWWF Literary Analysis 16.5/20
 - English Qualitative Data: [The student] earned a 16.5/20 on his most recent Q3 EWP, where he analyzed sacrifices that a character in a text made and what those sacrifices reveal about their core value. [The student] earned a 3.75/5 for his mechanics and conventions. [The student] missed some punctuation marks and did not capitalize the name "Papi." [The student] used sentence frames, a graphic organizer, color coding, verbal prompts, and 1-1 support. His 1-1 support provided a written scribe for sections of the text. [The student] used compound sentence structure but this was typically when the sentence frame or sentence starter initiated it. For example, [the student] was given the frame, " ____ chooses to sacrifice his ____ because ____." [The student] wrote, "He chooses to sacrifice his safety because If he didn't, they would have failed on the attempt to kill Trujillo the first time or not have found Pupo." [The student] was given an editing checklist and needed an adult to support him in completing it. [The student] did not have less than 4 errors on his EWP.
 - History: Even with sentence frames, it is difficult to get [the student] to write enough to assess his writing mechanics."

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery or retention.

- Written Language Content:
 - "Making sufficient progress to meet goal

- Actual Results Achieved: 2 out of 7 trials
- English Quantitative Data: BWWF Checkpoint #2 7/10, BWWF Written Response 15/15, BWWF Literary Analysis 16.5/20
- English Qualitative Data: In the third quarter, [the student] wrote a five-paragraph essay explaining how a character from the text "Before We Were Free" made multiple sacrifices and what those sacrifices reveal about their core values. For this assignment [the student] benefitted from small group instruction, a graphic organizer, sentence frames, color coding paragraphs, a modified rubric, examples of model paragraphs, rephrasing and paraphrasing instructions, and teacher assistance in finding quotes relevant to the assignment. [The student] worked 1-1 with either the special education teacher or paraeducator in the classroom. He verbalized much of his responses and also had an adult scribe for him. [The student] earned a 16.5/20 on their multipara graph essay. [The student] earned a 3.75/5 for Focus and Organization, 4/5 points for Theme and Development, 5/5 for Evidence Selection, Analysis, and Interpretation, and 3.75/5 for Mechanics and Conventions. [The student] did not complete his conclusion paragraph. He needs continued support in making sure all of his body paragraphs are focused on his initial thesis statement. [The student] did a great job finding quotes and using his support to embed the quotes. [The student] used a teacher-provided rubric with an adult but still had areas he did not fully edit, even with 1-1 support.
- History Quantitative Data: Gaining Ground - 6./10, Immigration 2.5/5 - Incomplete, War of 1812, Primary Sources - 2.51/5 - Incomplete, Book Club (Narratives on Enslaved People) - 5.5/10
- History Qualitative Data: Even with sentence frames, it is difficult to get [the student] to write enough to assess his writing ability. What he has done independently lacks sufficient detail. When provided sentence frames or models [the student] does not always use them."

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery or retention.

- Reading Comprehension:
 - Making sufficient progress to meet goalThe student's progress toward achieving this goal is not measured as required by the IEP.
- Math Calculation:
 - "Not making sufficient progress to meet goal (IEP team needs to meet to address insufficient progress)
 - Actual Results Achieved: 0 out of 3 trials
 - Math Quantitative Data: M8U5L11-14: Volume of Cylinder Stations-5/8, District Assessment-59/100, M8U5Lessons 5 - 7- Inputs & Outputs and Representing & Interpreting Functions, 6/12
 - Math Quantitative Data: [The student] does not participate in all-class instruction. He will at times participate with 1:1 support in completing class work. He does not complete homework assignments as he refuses to take home the Math8 workbook. He is typically off-task on his Chromebook until Lightspeed is activated. When he is unable to use his Chromebook, he will put his head down. He has struggled at times during the MP with language and engaging in negative conversation with peers. Often, when redirection is attempted, he will respond with a negative or inappropriate comment back to the adult. [The student] will attempt to take

assessments but because of his lack of participation, he struggles to understand the necessary math concepts.

- **IEP Meeting scheduled for 4/25/25**

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the required criteria for retention.

- Math Problem Solving:

- "Not making sufficient progress to meet goal (IEP team needs to meet to address insufficient progress)
- Quantitative Data: M8U5L11-14: Volume of Cylinder Stations-5/9, District Assessment: 59/100, M8U5Lessons 5 - 7: Inputs & Outputs and Representing & Interpreting Functions: 6/12
- Qualitative Data: [The student] has not participated in class this MP. While he will not verbally accept any modeling, he will listen to 1:1 and rare small group support. He is able to add, subtract, multiply and divide 1 & 2 digit numbers because of his unwillingness to take notes and participate in class, his ability to understand this MP's Math 8 concepts, has been directly impacted.
- **IEP Meeting Scheduled for 4/25/2025**

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the required criteria for retention.

- Speech and Language Expressive Language:

- "Making sufficient progress to meet goal
- [The student] has been attending his speech therapy sessions with encouragement. Presented with visually supported reading information or other materials, [the student] can answer 4/5 concrete WH questions. He benefits from a graphic organizer when asked to summarize details, and his performance is related to his level of motivation or interest in the activity. However, he is able to use his supports to retell one to three details."

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery.

- Social Emotional/Behavioral:

- "Not making sufficient progress to meet goal (IEP team needs to meet to address insufficient progress)
- Actual Results Achieved: 3 out of 7 trials
- English: [The student] is not using "I" statements to express frustration or when he needs adult support. [The student] often requires 1-1 adult support but he does not ask for help; teachers and adults in the class are consistently monitoring [the student] and intervening when he needs assistance. [The student] does not always use appropriate volume and can sometimes be loud. When adults use calm and consistent voices, this usually helps [the student] but this is not always true. Sometimes [the student] uses inappropriate school language; usually this is ignored by classmates and adults.
- PE: [The student] frequently exhibits disruptive behaviors during PE. He refuses to work with specific students, uses disrespectful language to peers and teachers. He requires continuous supervision to maintain self-space and ensure he is not saying disrespectful or using hurtful words towards others.

- Science (Jan-Feb. 2025): [The student] frequently exhibits disruptive behaviors, including yelling out in class and being rude to both adults and peers. He often dismisses instructions or interventions, making it difficult to address his needs constructively. His refusal to engage appropriately and his disruptive comments create challenges for maintaining a productive classroom environment. While calm and consistent redirection occasionally helps, [the student's] resistance to support and his interactions with peers and adults remain areas that require significant improvement.
- Math 8: [The student] can at times exhibit disruptive behavior. [The student] does not use "I" statements to express himself. He does not request adult support when he is in a negative situation. When he is off-task on his Chromebook, he will typically respond with 1-2 prompts, however he does not engage in classroom activities. When asked to participate in small group instruction at the collaboration table, he refuses.
- History: [The student] typically stays in his seat. Usually with 1-2 reminders and planned ignoring, Essays will stop demonstrating unwanted behaviors. Continued redirection tends to escalate unwanted behavior and increases his stress levels.
- Science: [The student] has not displayed any major disruptive behavior in science. He has chosen to sit in the back of the classroom where he has kept to himself and works one on one with [MCPS staff] [The student] will verbally disagree when given direction but will often follow directions eventually when given space and time.
- Resource: [The student] continues to require support interacting in a pro-social manner with his peers. [The student] often interjects in private conversations in a loud voice and aggressive tone. This sometimes causes conflict and negative interactions with his peers. [The student] does not adhere to prompts or adult support to de-escalate. He will continue to yell at peers until they concede. There have not been any instances this quarter where the class has had to evacuate the classroom as a result of [the student's] behavior.
- ****IEP Meeting Scheduled for 4/25/2025****

The student's progress toward achieving this goal is not measured as required by the IEP. It does not include the criteria for mastery.

19. There is documentation that the student accessed the Math 180 intervention from August 2024 to January 2025 as required by the IEP. There is no documentation that the student has accessed the Math 180 intervention since January 2025.
20. On March 17, 2025, the student's BIP was updated to include data from January 2025 and February 2025.
21. There is documentation that a psychological assessment report was generated for the student on April 10, 2025.
22. There is documentation that the student has been provided with adult support during transitions throughout the school day, as required by the IEP.
23. As of the date of this Letter of Findings, there is no documentation that the IEP team has reconvened since December 2024.

DISCUSSIONS AND CONCLUSIONS:

ALLEGATION #1

PLACEMENT DETERMINATION

In determining the educational placement of a student with a disability, the public agency must ensure that the placement decision is made by the IEP team. The placement decision must be made in conformity with the least restrictive environment (LRE) provisions, determined at least annually, based on the student's IEP, and as close as possible to the student's home (34 CFR § 300.116).

In this case, there is no documentation reflecting that the complainant or the IEP team had concerns regarding the student's placement for the 2024-2025 school year. Additionally, re-evaluation assessments have been conducted for the student as recommended by the student's physician.

Based on Findings of Fact #2, #3, #5, #6, #10 to #12, #15, #17, and #21, MSDE finds that the MCPS has followed proper procedures when determining the student's educational placement for the 2024-2025 school year, in accordance with 34 CFR §§ 300.101 and .114-.116. Therefore, MSDE does not find a violation.

ALLEGATION #2

DEVELOPMENT AND IMPLEMENTATION OF THE IEP

IEP Development – Appropriate Behavioral Supports, PLAAFP Development, Supplementary Aids, Services, Program Modifications, and Supports That Address the Student's Identified Needs; and Measurable Annual Goals,

Measurable Annual Goals

In developing each student's IEP, the public agency must ensure that the IEP team considers the strengths of the student, the concerns of the parents for enhancing the education of the student, the results of the most recent evaluation, and the academic, developmental, and functional needs of the student (34 CFR § 300.324).

In this case, the speech-language goals included in the IEP are not measurable.

Based on Finding of Fact #3, MSDE finds that the MCPS has not developed an IEP that addresses the student's identified speech-language needs since August 2024, in accordance with 34 CFR § 300.324. Therefore, MSDE finds a violation.

Appropriate Behavioral Supports

In the case of a student whose behavior impedes the student's learning or that of others, the team must consider the use of positive behavioral interventions and supports and other strategies, to address that behavior (34 CFR § 300.324).

In this case, the student's BIP does not include intervention strategies for two of the target behaviors, the supplementary aids to support behavior are to be provided "periodically". Although the student was not making progress toward the social-emotional and behavioral goals, the team has not met to review and revise those goals.

Based on Findings of Fact #1, #3, #9, #18, and #23, MSDE finds that the MCPS has not developed an IEP that addresses the student's identified behavioral needs since August 2024, in accordance with 34 CFR § 300.324. Therefore, MSDE finds a violation.

PLAAFP Development

The Present Levels of Academic and Functional Performance (PLAAFP) statement should include the following components: a description of the student's current academic achievement, strengths and weaknesses, functional performance details including a narrative and data when applicable, information about how their disability impacts their involvement and progress in the general education curriculum (34 CFR § 300.320), baseline data to measure progress, and input from caregivers and service providers (MARYLAND STATEWIDE INDIVIDUALIZED EDUCATION PROGRAM (IEP) PROCESS GUIDE, Early Intervention and Special Education Services, March 2024).

Based on Finding of Fact #3, MSDE finds that the MCPS has not developed an IEP that includes comprehensive PLAAFP data since August 2024, in accordance with 34 CFR § 300.324. Therefore, MSDE finds a violation.

Supplementary Aids, Services, Program Modifications, and Supports

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 (Maryland State Department of Education. (2024). Maryland Assessment, Accessibility, and Accommodations Manual.).

In this case, the supplementary aids required by the IEP are provided with sufficient clarity to understand the manner of delivery. Many of the supplementary aids and services are written so they are clear as to their implementation, the few that are not are given a short description that clarifies how they will be implemented.

Based on Finding of Fact #3, MSDE finds that the MCPS has developed an IEP with supplementary aids, services, program modifications, and supports that addresses the student's identified needs since August 2024, in accordance with 34 CFR § 300.324. Therefore, MSDE does not find a violation.

IEP Implementation

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 and .323).

Provision of Math Intervention

There is no documentation that the student was provided a math intervention since January 2025.

Based on Findings of Fact #2, #3, #7, #14 and #19, MSDE finds that the MCPS has not provided the math intervention since January 2025, in accordance with 34 CFR § 300.323. Therefore, MSDE finds a violation.

Implementation of the Behavior Intervention Plan

In this case, the student's BIP does not include intervention strategies for two of the target behaviors, the supplementary aids to support behavior are to be provided "periodically", and although the student was not making progress toward the social-emotional and behavioral goals the team has not met to review and revise those goals.

Based on Findings of Fact #1, #2, #5, #6, #18, #20, and #23, MSDE finds that the MCPS has not implemented the student's BIP since August 2024, in accordance with 34 CFR § 300.323. Therefore, MSDE finds a violation.

ADDITIONAL VIOLATIONS IDENTIFIED DURING THE COURSE OF THE INVESTIGATION

Evaluation Procedures

When conducting a reevaluation, the public agency must ensure that assessments are conducted, the results are considered by the IEP team, and the IEP is reviewed and revised, as appropriate, within ninety days of the date the team determines that assessments are required (COMAR 13A.05.01.06E).

In this case, on December 20, 2024, the IEP team made the determination that the student should be reevaluated, and the complainant signed consent to assess on December 22, 2024. Based on the 90-day timeline to complete the reevaluation process established by the IDEA, the IEP team was required to reconvene to review the assessments and update the IEP no later than March 20, 2025. Although the family's advocate cancelled the March 17, 2024, meeting, to date, the IEP team has not reconvened to complete the reevaluation process.

Based on Findings of Fact #5, #6, #10 to #13, #15 to #17, #21, and #23, MSDE finds that the MCPS did not ensure that the reevaluation of the student was completed within the required timelines, in accordance with 34 CFR § 300.301 and COMAR 13A.05.01.06. Therefore, MSDE finds a violation.

REPORT OF PROGRESS

In this case, the student's IEP expressive language/articulation, self-management, written language mechanics, written language content, reading comprehension, math calculation, math problem solving, speech-language expressive language, social-emotional behavioral, speech-language pragmatics, and speech-language expressive language goals were not measured as required by the IEP.

Based on Findings of Fact #9 and #18, MSDE finds that the MCPS has not ensured that the student's progress towards achieving the IEP goals were measured in the manner required by the IEP, since November 2024, in accordance with 34 CFR § 300.320. Therefore, MSDE finds a violation

ADDRESSING THE LACK OF PROGRESS TOWARD IEP GOALS

It is the public agency's responsibility to ensure that the IEP team reviews the student's IEP to address any lack of expected progress toward the annual goals (34 CFR §300.324).

In this case, the student's January 2025 math problem solving, speech-language expressive language, social emotional behavioral, self-management, math calculation, and speech-language pragmatics IEP goal progress reports reflect that the student was not making progress, however, the IEP team has not met to address this

lack of expected progress toward the annual goals. The school-based IEP team should have utilized the options available to ensure that the student's lack of progress was addressed in an IEP team meeting before the March 2025 reporting of progress.

While the student's March 2025 self-management, math calculation, math problem solving, and social-emotional behavioral goals reflect the student was not making sufficient progress, the IEP team still has time to meet to discuss the lack of expected progress for March 2025.

Based on Findings of Fact #9, #13, #16, #18, #19, and #23, MSDE finds that the MCPS has not ensured that the student's IEP was reviewed to address his lack of expected progress toward achieving the math problem solving, speech-language expressive language, social emotional behavioral, self-management, math calculation, and speech-language pragmatics IEP goals since January 25, 2025, in accordance with 34 CFR § 300.324. Therefore, MSDE finds a violation.

ALLEGATION #3

PROVISION OF SPECIAL EDUCATION INSTRUCTION IN THE PROPER PLACEMENT

In determining the educational placement of a student with a disability, the public agency must ensure that the placement decision is made by the IEP team. The placement decision must be made in conformity with the least restrictive environment (LRE) provisions, determined at least annually, based on the student's IEP, and as close as possible to the student's home (34 CFR § 300.116).

In this case, the student's schedule was changed to allow him to receive instruction in a different science class. There is no documentation that the student is not attending the required science class.

Based on Findings of Fact #3 and #14, MSDE finds that the MCPS has provided the student with special education services for the science class in the placement required by the IEP since January 2025, in accordance with 34 CFR §§ 300.114. Therefore, MSDE finds no 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.⁴ 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

⁴ 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, the 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.

Resolution Branch, MSDE, to ensure the effective implementation of the action.⁵ Ms. Green can be reached at (410) 767-7770 or by email at nicole.green@maryland.gov.

Student-Specific

By July 2, 2025, MSDE requires the MCPS to provide documentation that the school system has:

- Ensured the student has accessed the required math intervention;
- Completed the reevaluation process and updated the IEP and IEP goals as necessary; and
- 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 MCPS 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.

School-Based

MSDE requires the MCPS to provide documentation by July 2, 2025, of the steps it has taken to ensure that the [REDACTED] staff properly implements the requirements for the provision of interventions, the development of measurable IEP goals, measuring IEP goals as required by the IEP, convening IEP team meetings when a student fails to make progress on their goals, and completing reevaluations within the required timelines under the IDEA. These steps must include staff development.

As of the date of this correspondence this Letter of Findings is considered final unless one of the parties requests a reconsideration. Requests for reconsideration must be received by this office within fifteen days of the date that the Letter of Findings is issued. However, 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, or there was a clear mistake of law in the findings. 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. There are no timelines to receive a finding after a request for reconsideration. 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

⁵ 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]
Kia Middleton-Murphy

May 2, 2025

Page 31

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/ebh

c: Dr. Thomas W. Taylor, Superintendent, MCPS
Dr. Peggy Pugh, Chief Academic Officer, MCPS
Gerald Loiacono, Supervisor, Resolution and Compliance Unit, MCPS
Maritza Macias, Paralegal, MCPS
Eve Janney, Compliance Specialist, MCPS
[REDACTED], Principal, [REDACTED] School, MCPS
Dr. Paige Bradford, Section Chief, Performance Support and Technical Assistance, MSDE
Dr. Brian Morrison, Branch Chief, Accountability and Data, 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