

June 20, 2025

[REDACTED]  
[REDACTED]  
[REDACTED]

Ms. Trinell Bowman  
Associate Superintendent-Special Education  
Prince George's County Public School  
John Carroll Center  
1400 Nalley Terrace  
Landover, Maryland 20785

RE: [REDACTED]  
Reference: #25-302 and #25-342

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 17, 2025, and April 11, 2025, MSDE received a complaint from [REDACTED], hereafter, "the complainant," on behalf of the above-referenced student. In that correspondence, the complainant alleged that the Prince George's County Public Schools (PGCPS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) concerning the above-referenced student.

On April 11, 2025, you filed a due process complaint with the Maryland Office of Administrative Hearings (OAH) regarding some of the same issues you raised in your State complaint. In accordance with the IDEA, MSDE held the State complaint in abeyance until the conclusion of the due process hearing (34 CFR § 300.152). Following notice that the due process complaint was withdrawn, MSDE resumed the investigation.

MSDE investigated the allegations:

1. The PGCPS has not scheduled an Individualized Education Program (IEP) team meeting to review the results of Functional Behavioral Assessment (FBA) with the participation of the complainant per the complainant's request made on February 23, 2025, in accordance with 34 CFR § 300.503 and COMAR 13A.05.01.08.
2. The PGCPS has not scheduled an IEP team meeting to review the results of FBA, review the information that was discussed at the February 25, 2025, IEP Team Meeting, and revise the IEP and Behavior Intervention Plan (BIP) as necessary with the participation of the complainant per the complainant's request made on April 7, 2025, in accordance with 34 CFR § 300.503 and COMAR 13A.05.01.08.

3. The PGCPs did not ensure that the school staff was available to answer the complainant's question on April 07, 2025, by email, as required by the IEP, in accordance with 34 CFR § 300.101 and COMAR 13A.05.01.09.

**BACKGROUND:**

The student is 19 years old and is identified as a student with autism under the IDEA. He attends [REDACTED] and has an IEP that requires the provision of special education instruction and related services.

**FINDINGS OF FACT:**

1. The IEP team recommended that an FBA be conducted on November 7, 2024.
2. The complainant provided consent to complete the FBA on November 17, 2024.
3. The FBA was completed on January 24, 2025.
4. The student's current IEP includes the use of a Communication Protocol that includes the provision that all matters relating to the student's IEP should be directed to the PGCPs Compliance Liaison and that emails received from the parent that have followed the Communication Protocol will be responded to within 48 hours on school days.
5. The IEP team meeting was scheduled for February 25, 2025, as a continuation of the February 18, 2025, IEP team meeting, one of the complainant's requested dates.
6. On February 23, 2025, the complainant emailed the PGCPs requesting an IEP team meeting scheduled for February 25, 2025, be rescheduled. The email reflects a list of dates that he was available for the IEP team meeting. The email does not reflect that the complainant emailed the PGCPs Compliance Liaison, as required by the Communication Protocol which is included as a part of the student's IEP in order to avoid confusion.
7. On February 24, 2025, the PGCPs Compliance Liaison wrote to the complainant scheduling a continuation meeting for March 4, 2025, one of the complainant's requested dates, and informed him that the IEP team would "be proceeding with the meeting, as scheduled. At this time, it is critical that we review your Student's FBA to ensure that we continue to address his behavioral needs in order to support his educational progress. The team will discuss your Student's FBA and behavioral intervention strategies... PGCPs is willing to schedule another IEP team meeting at a later date with you present to review the information that is discussed and determined as a result of the February 25, 2025, IEP team meeting."
8. On February 25, 2025, the IEP team meeting convened as scheduled to continue the February 18, 2025, IEP team meeting to review the student's FBA and behavior intervention strategies. This was one of the complainant's requested dates. There is documentation that the complainant and the student's mother did not participate.
9. There is documentation that on March 7, 2025, the complainant was sent various dates to select from for an IEP team meeting to review the student's FBA.

10. On April 7, 2025, the complainant emailed the PGCPs requesting a response to his request for an IEP team meeting. The email reflects that the complainant asked the PGCPs staff the following:
  - “Could you confirm that a staff will be available as requested above?”
  - “Could you please confirm that you have received this email?”The email does not reflect that the complainant emailed the PGCPs Compliance Liaison, as required by the Communication Protocol which is included as a part of the student’s IEP in order to avoid confusion.
11. On April 7, 2025, the PGCPs staff responded to the complainant. The email reflects the PGCPs response; “The term “participating virtually” refers to the staff person participating using Zoom or Google Meet. The staff member will be participating in the meeting from a separate secure location. The remaining IEP team members will be in person at the school.”
12. On April 8, 2025, the IEP team convened to review the FBA and review and revise the BIP. This was one of the complainant’s requested dates. There is documentation that the complainant and the student’s mother did not participate.
13. On May 5, 2025, the IEP team convened to review and revise the FBA, the BIP, and the information that was discussed at the February 25, 2025, IEP team meeting. There is documentation that the complainant was in attendance.

#### **DISCUSSION AND CONCLUSION:**

##### **ALLEGATION #1**

##### **CONVENING AN IEP TEAM MEETING**

Each public agency must take steps to ensure that one or both of the parents of a child with a disability are present at each IEP Team meeting or are afforded the opportunity to participate, including notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and scheduling the meeting at a mutually agreed on time and place, however, a meeting may be conducted without a parent in attendance if the public agency is unable to convince the parents that they should attend. 34 CFR § 300.322.

In this case the PGCPs attempted several times to schedule and convene an IEP team meeting to review the results of FBA with the participation of the complainant, per the complainant’s request made on February 23, 2025, however, the complainant repeatedly cancelled the meetings and failed to adhere to the Communication Protocol that is a part of the student’s IEP. The IEP team convened, with the complainant in attendance on May 5, 2025, to review the FBA.

Based on Findings of Fact #1 through #9, #11, and #12, MSDE finds that the PGCPs has scheduled an IEP team meeting to review the results of FBA with the participation of the complainant per the complainant’s request made on February 23, 2025, in accordance with 34 CFR § 300.503 and COMAR 13A.05.01.08. Therefore, MSDE finds no violation.

##### **ALLEGATION #2**

##### **CONVENING AN IEP TEAM MEETING**

Based on Finding of Fact #12, MSDE finds that the PGCPs has scheduled an IEP team meeting to review the results of FBA, review the information that was discussed at the February 25, 2025, IEP Team Meeting, and revise the IEP and BIP as necessary with the participation of the complainant per the complainant’s request made on April 7, 2025, in accordance with 34 CFR § 300.503 and COMAR 13A.05.01.08. Therefore, MSDE finds no violation.

### ALLEGATION #3

### PARENT CONCERNS

Based on Finding of Fact #10, MSDE finds that the PGCPs did ensure that the school staff was available to answer the complainant's question on April 07, 2025, by email, as required by the IEP, in accordance with 34 CFR § 300.101 and COMAR 13A.05.01.09. Therefore, MSDE finds no violation.

#### **TIMELINES:**

As of the date of this correspondence, this Letter of Findings is considered final. This office will not reconsider the conclusions reached in this Letter of Findings unless new, previously unavailable documentation is submitted and received by this office within fifteen days of the date of this correspondence. The new documentation must support a written request for reconsideration, and the written request must include a compelling reason why the documentation was not made available during the investigation. The written request for reconsideration should be provided to Tracy Givens, Section Chief, Dispute Resolution, via email [Tracy.Givens@maryland.gov](mailto:Tracy.Givens@maryland.gov).

The parties maintain the right to request mediation or to file a due process complaint if they disagree with the identification, evaluation, placement, or provision of a free appropriate public education (FAPE) for the student, including issues subject to this State complaint investigation, consistent with the IDEA. MSDE recommends that this Letter of Findings be included with any request for mediation or a due process complaint.

Sincerely,

Antoine L. Hickman, Ed.D.  
Assistant State Superintendent  
Division of Special Education

ALH/sd

c: Millard House, II, Superintendent, PGCPs  
Darnell Henderson, Deputy Counsel, PGCPs  
William Fields, Associate Deputy Counsel, PGCPs  
Diana K. Wyles, Associate Deputy Counsel, PGCPs  
Keith Marston, Supervisor of Compliance, PGCPs  
Lois Smith-Jones, Compliance Liaison, PGCPs  
[REDACTED], [REDACTED], Acting Principal, PGCPs  
LaShonda Carter, Section Chief, Monitoring and Accountability, MSDE  
Dr. Paige Bradford, Section Chief, Performance Support and Technical Assistance, MSDE  
Alison Barmat, Director, Family Support and Dispute Resolution, MSDE  
Tracy Givens, Section Chief, Dispute Resolution, MSDE  
Sarah Denney, Complaint Investigator, Dispute Resolution, MSDE