

June 30, 2025

[REDACTED]

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

Re: [REDACTED]
Reference: #25-304

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.

ALLEGATION:

On April 3, 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 Montgomery County Public Schools (MCPS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) concerning the student.

MSDE investigated the allegation that the MCPS did not ensure that the IEP team considered the parent’s information and concerns at the Individualized Education Program (IEP) meeting held on March 3, 2025, in accordance with 34 CFR § 300.324.

BACKGROUND:

The student is 10 years old and is identified as a student with Autism under the IDEA. The student attends [REDACTED] School and has an IEP that requires the provision of special education instruction and related services.

FINDING OF FACT:

1. The prior written notice (PWN) generated following the IEP team meeting on March 3, 2025, reflects the IEP team convened for MCPS to address evaluation/re-evaluation assessments and review/revise the Individualized Education Program (IEP). The IEP team took the following actions:
 - a. Reviewed occupational therapy (OT) assessment dated November 21, 2024
 - b. Reviewed and updated the behavior intervention plan (BIP)
 - c. Determined the student does not require evacuation accommodations
 - d. Added adaptive as an area of need to the impact statement
 - e. Reviewed the narratives of each present level of performance and proposed the following:
 - i. separated encoding and decoding, reordered content, academic first and behavioral last, updated trend data to reflect only grade level performance, include progress on previous IEP goals, include effectiveness of supplementary aids/services, include data from Really Great Reading intervention, include strengths and needs from Orton Gillingham in parent friendly

language, including math and reading measure of academic progress (MAP) percentile scores for the current and prior school year, and teacher input

- f. Reviewed and proposed reading phonics, math calculation, and math problem solving
- g. Determined the student qualifies for extended school year (ESY)
- h. MCPS rejected the parents' request to include parent sensory input in the OT assessment
- i. MCPS rejected the parents' request to incorporate all data from the OT report into the Behavior Intervention Plan (BIP)
- j. MCPS agreed to trial strategies, individually collect data, and incorporate strategies as needed, into the BIP.

CONCLUSION:

In this case, the complainant alleges that during the IEP team meeting on March 3, 2025, the parents requested the opportunity to contribute to the OT evaluation; however, they were denied. As a result, the complaint alleges that the parents were denied the opportunity to meaningfully participate.

Based on Finding of Fact #1, MSDE finds that the MCPS did ensure that the IEP team considered the parent's information and concerns at the IEP meeting held on March 3, 2025, in accordance with 34 CFR § 300.324. Therefore, MSDE does not find a violation.

TIMELINE:

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. Requests for reconsideration should be sent directly to Tracy Givens, Section Chief, Dispute Resolution, at 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 free appropriate public education (FAPE) for the student, including issues subject to this State complaint investigation, consistent with the IDEA. MSDE recommends that this Letter of Findings be included with any request for mediation or a due process complaint.

Sincerely,

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

ALH/ra

- c: Dr. Thomas Taylor, Superintendent, MCPS
Dr. Peggy Pugh, Chief Academic Officer, MCPS
Gerald Loiacono, Supervisor, Resolution and Compliance Unit, MCPS
[REDACTED], Principal, [REDACTED] School, MCPS
Dr. Paige Bradford, Section Chief, Performance Support and Technical Assistance, MSDE
LaShonda Carter, Section Chief, Monitoring and Accountability, MSDE
Tracy Givens, Section Chief, Dispute Resolution, MSDE
Rabiatu Akinlolu, Complaint Investigator, MSDE