



Mohammed Choudhury
State Superintendent of Schools

April 8, 2022



Ms. Trinell Bowman
Associate Superintendent-Special Education
Prince George's County Public Schools
John Carroll Administration Building 1400 Nalley Terrace
Hyattsville, Maryland 20785

RE: [REDACTED]
Reference: #22-117

Dear Parties:

The Maryland State Department of Education (MSDE), Division of Early Intervention Special Education Services (DEI/SES), has completed the investigation of the complaint regarding special education services for the above-referenced student. This correspondence is the report of the final results of the investigation.

ALLEGATION:

On March 17, 2022, the MSDE received a complaint from Mr. [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) with respect to the above-referenced student.

The MSDE investigated the allegation that the PGCPS did not follow proper procedures when responding to a request for access to the student's record on February 15, 2022, in accordance with 34 CFR §300.613.

BACKGROUND:

The student is sixteen (16) years old and is placed by the PGCPS at [REDACTED] a nonpublic, separate, special education school. He is identified as a student with Autism under the IDEA and has an IEP that requires the provision of special education instruction and related services.

FINDINGS OF FACTS:

1. On February 15, 2022, the complainant sent correspondence to the PGCPS staff requesting access to videos of the student on the bus during transportation on the afternoon of October 11, 2021, the afternoon of October 28, 2021, the afternoon of October 29, 2021, the afternoon of November 18, 2021, the morning and afternoon of November 19, 2021 and the morning of December 16, 2021.

Ms. Trinell Bowman

April 8, 2022

Page 2

2. There is documentation that the complainant had previously been afforded the opportunity to review videos of the student on the bus during transportation on October 11, 2021, the afternoon of October 28, 2021, the afternoon of October 29, 2021, the afternoon of November 18, 2021, and the morning and afternoon of November 19, 2021.
3. There is documentation that the complainant was afforded the opportunity to review video of the student on the bus during transportation on the morning of December 16, 2021 on March 1, 2022.

DISCUSSION/CONCLUSION:

Based on the Findings of Facts, #1-#3, the MSDE finds that the PGCPs followed proper procedures when responding to a request for access to the student's record on February 15, 2022, in accordance with 34 CFR §300.613.

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 (15) days of the date of this correspondence. The new documentation must support a written request for reconsideration, and the written request must include a compelling reason for why the documentation was not made available during the investigation. 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. The MSDE recommends that this Letter of Findings be included with any request for mediation or a due process complaint.

Sincerely,

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Early Intervention/Special Education Services

MEF:gl

c: Monica Goldson
Barbara VanDyke
Keith Marston
Gail Viens
Darnell Henderson
Gerald Loiacono