




Mohammed Choudhury
State Superintendent of Schools

April 6, 2023




Ms. Joeleen Smith
Supervisor of Special Education
Queen Anne's County Public Schools
200 Chesterfield Avenue
Centerville, Maryland 21617

RE: 
Reference: #23-145

Dear Parties:


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 February 7, 2023, MSDE received a complaint from Ms.  hereafter, "the complainant," on behalf of the above-referenced student. In that correspondence, the complainant alleged that the Queen Anne's County Public Schools (QACPS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) with respect to the above-referenced student.

MSDE investigated that the QACPS has not ensured that the student has consistently been provided with the special education accommodations and supports required by the Individualized Education Program (IEP) since the beginning of the 2022-2023 school year, in accordance with 34 CFR §§300.101 and .323.

BACKGROUND:

The student is thirteen years old and attends  school. He is identified as a student with an Other Health Impairment under the IDEA and has an IEP that requires the provision of special education instruction and related services.

SUMMARY OF FINDINGS AND CONCLUSIONS:

1. The IEP in effect at the beginning of the school year was developed on August 17, 2022. The areas impacted by the disability are academic - written language content; academic - written language mechanics; behavioral - self-management; behavioral - social emotional/behavioral; and behavioral - social interaction skills. The IEP includes accommodations and supplementary aids and services to address the student's identified needs in the areas impacted by his disability.

2. An August 29, 2022, the case manager and the student's teachers signed verification of receipt of the IEP Snapshot, which reflects certain sections of the student's IEP (including present levels, goals and objectives, accommodations, supplementary aids, services, and program modifications, and services), and the opportunity to discuss the student's IEP with the case manager.
3. There is daily documentation of the provision of the following special education supports and accommodations from August 29, 2022, through February 20, 2023:
 - a. Spell check;
 - b. Graphic organizer;
 - c. Reduce distractions to self;
 - d. Monitor test response;
 - e. Extended time;
 - f. Allow use of organization aids;
 - g. Check out for math;
 - h. Provide student with copy of student/teacher notes;
 - i. Provide proofreading checklist;
 - j. Monitor independent work;
 - k. Break extended writing assignments down;
 - l. Reminder of expected behavior;
 - m. Strategies to initiate and sustain attention;
 - n. Frequent positive praise;
 - o. Provide structured time for organization of materials;
 - p. Monitor use of agenda book and/or progress report;
 - q. Check for understanding;
 - r. Access to fidgets;
 - s. Flexible seating; and
 - t. Preferential seating.
4. QACPS utilizes web based technology to provide families and students with access to assignments, teacher notes, grades, missing assignments, and a variety of other school-based information. Schoology is the learning management system used by the QACPS that houses the teacher/student notes for each subject. Powerschool houses future and past due dates for all assignments. Parents can access both systems via the parent code or by using the student code demonstrating that the student was able to access teacher notes. The complainant and the student have access to Powerschool and Schoology.
5. There is documentation that the student's teachers emailed parents information regarding the activities/assignments due for the week, topics the student will cover the following week, and the due dates for outstanding assignments. The emails also stated that the student is permitted to turn in missing assignments for credit.
6. There is evidence of the provision of weekly progress documenting the student's grades and missing assignments from November 14, 2022, through January 16, 2023.

DISCUSSION/CONCLUSIONS:

Based on the Finding of Facts of #1 -#6, MSDE finds that the student was provided with accommodations and support as required by the IEP, in accordance with 34 CFR §§300.101 and .323. Therefore, this office finds that a violation did not occur with respect to this allegation.

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. MSDE recommends that this Letter of Findings be included with any request for mediation or a due process complaint.

Sincerely,

Dr. Deann M. Collins
Deputy Superintendent
Office of the Deputy Superintendent of Teaching and Learning

DMC: ra

c: Patricia Saelens
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