



Mohammed Choudhury
State Superintendent of Schools

October 17, 2022

[REDACTED]
[REDACTED]
[REDACTED]

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: #23-032

Dear Parties:

The Maryland State Department of Education, Division of Early Intervention/Special Education Services (MSDE), 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 September 1, 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 ensure that the student has been provided with an extra change of clothes as required by his Individualized Education Program (IEP) since July 2022, in accordance with 34 CFR §§300.101 and .323.

BACKGROUND:

The student is seventeen (17) years old, is identified as a student with Autism under the IDEA, and has an IEP that requires the provision of special education and related services. The student is placed by the PGCPS at [REDACTED] a nonpublic, separate, special education school.

FINDINGS OF FACT:

1. The student's current IEP is dated May 18, 2022. As a Supplementary Aid and Service, the staff is required to "monitor" the student's toileting needs. The description of the location and manner states that the student should have a "change of clothes at school."

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2. Documentation reflects that the school maintains an extra set of clothes in the building for the student's use. The student's family provided extra sets of clothing and the school purchased extra clothing for the student to use as needed.
3. There is documentation that the student has left school with fecal matter on his clothing on at least one (1) occasion.

DISCUSSION/CONCLUSIONS:

Notwithstanding the Findings of Fact #3, based on Findings of Facts #1 and #2, the MSDE finds that PGCPSS ensured that the student has an extra change of clothes at school, as required by the IEP. Therefore, the MSDE finds no violation regarding the allegation. The PGCPSS is encouraged to ensure that the student's hygiene is maintained at all times and the extra clothing is utilized when needed.

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 (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
Keith Marston
Darnell Henderson
Alison Barmat
Diane Eisenstadt
Gerald Loiacono