



June 20, 2023

Ms. Jessica Williams  
Education Due Process Solutions, LLC  
711 Bain Drive #205  
Hyattsville, Maryland 20785

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

RE: [REDACTED]  
Reference: #23-209

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.

**ALLEGATIONS:**

On April 28, 2023, MSDE received a complaint from Ms. Jessica Williams, 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.

MSDE investigated the following allegations:

1. The PGCPS did not follow proper procedures when the IEP team determined the placement in which the student would receive special education instruction since March 30, 2023, in accordance with 34 CFR §§300.114 and .116 and COMAR 13a.05.01.10.
2. The PGCPS has not addressed the student's needs for recovery or compensatory services since March 30, 2023, in accordance with 34 CFR §300.101.

**BACKGROUND:**

The student is sixteen years old and is identified as a student with a Specific Learning Disabilities under the IDEA. He attends [REDACTED] School and has an IEP that requires the provision of special education services.

**FINDINGS OF FACTS:**

1. On March 30, 2023, the IEP team convened to conduct an annual review of the student's IEP. As part of that review, the IEP team determined that, based on the student's "former assessments, IEP, grades, testing data, attendance, teacher comments, parent comments, and other information", the student required sixty hours of specialized instruction per month.
2. In determining the student's placement options, the IEP team considered and discussed the structure of support that is provided in a general education classroom with no adult support, general education classroom with additional adult support, general education classroom with a special education staff, and a general education small group classroom with a general educator and/or special education staff. The IEP team determined the student requires a small group to introduce new skills, vocabulary, reinforce grade level content, develop academic skills in reading phonics, comprehension, and mathematics. The student's processing skills and working memory are below-average, causing him "to struggle with phonics, writing, word problems, and calculation" across all content areas. The IEP team further determined the student's placement for mathematics and English would be in a general education small group classroom with a general and/or special educator and for Science and Social Studies in a general education classroom with a special education staff.
3. Following the review of the student's placement options, the parent's advocate requested a non-public placement. In response, the PGCPs staff agreed that a referral would be made for a special education instructional support consultation to include a classroom observation. The PGCPs staff proposed to monitor the student's progress with the additional support of the smaller class size for English and mathematics and "evaluate the effectiveness of that adjustment prior to considering other placement options". The parent and advocate requested a follow up meeting to discuss a change in placement. There is documentation that an IEP team meeting is scheduled for June 13, 2023, to review the student's performance in the small group setting.
4. There is no documentation that the complainant requested the IEP team discuss compensatory services for an alleged violation at the March 30, 2023, IEP team meeting convened for the student.

**CONCLUSIONS:**

Based on the Findings of Facts #1 to #3, MSDE finds that the PGCPs did follow proper procedures when the IEP team determined the placement in which the student would receive special education instruction since March 30, 2023, in accordance with 34 CFR §§300.114 and .116 and COMAR 13a.05.01.10. Therefore, this office finds that a violation did not occur with respect to the allegation.

Compensatory services are an equitable remedy available to redress violations of IDEA resulting in a negative educational impact to the student. Based on the Findings of Fact #4, MSDE finds that the complainant did not allege a violation of IDEA to PGCPs and request compensatory services at the March 30, 2023, IEP team meeting. Therefore, this office finds that a violation did not occur with respect to the 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/tg

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