



Carey M. Wright, Ed.D.
Interim State Superintendent of Schools

November 9, 2023

Ms. Debrah Martin
1300 Mercantile Lane Ste 139-W
Largo, Maryland 20774

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: #24-035

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.

ALLEGATIONS:

On September 15, 2023, MSDE received a complaint from Ms. Debrah Martin, 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. PGCPS did not ensure that the Individualized Education Program (IEP) addressed the student's identified behavioral and social/emotional needs during the 2022-2023 school year, in accordance with 34 CFR §300.324.
2. PGCPS did not ensure the opportunity for parent participation when revising the Individualized Education Program (IEP) on May 10, 2023, in accordance with 34 CFR §300.322.
3. PGCPS has not ensured that the IEP accurately reflects the team's February 17, 2023, decision with regard to supports and services, which has resulted in the supports and services not being provided, in accordance with 34 CFR §§300.320 and .323. Specifically, it is alleged that the IEP does not include Social Stories and Zones of Regulation.

4. PGCPS has not ensured that the Individualized Education Program (IEP) includes present levels of academic achievement and functional performance in order to properly identify and address all of the needs that arise from the disability, in accordance with 34 CFR §300.320.
5. PGCPS has not ensured that the student has been consistently provided with speech/language and Behavior Intervention Plan (BIP) services required by the Individualized Education Program (IEP) since the start of the 2022-2023 school year, in accordance with 34 CFR §§300.101 and .323.
6. PGCPS did not respond to a request for an IEP team meeting that was made by the parent on May 24, 2023, in accordance with 34 CFR §300.324.
7. PGCPS has not followed proper procedures when using physical restraint on May 24, 2023¹, in accordance with COMAR 13A.08.04.05.
8. PGCPS did not follow proper procedures when responding to requests to access the student's records during the 2022-2023 school year in accordance with 34 CFR §300.613.

BACKGROUND:

The student is 13 years old and attends [REDACTED] School. He is currently identified as a student with multiple disabilities (Autism and Other Health Impairment) under the IDEA and has an Individualized Education Program (IEP) that requires the provision of special education instruction and related services. During the 2022-2023 school year the student attended [REDACTED] and [REDACTED] Elementary Schools.

FINDINGS OF FACTS:

1. The IEP in effect at the beginning of the 2022-2023 school year, was developed on May 26, 2022. The IEP reflects the student qualified for services on May 2, 2022, and the student's disability impacts the following areas: Cognitive, Math Calculation, Math problem solving, Reading Comprehension, Speech and Language, Receptive Language, Written Language Expression, Self-Management, and Social Interaction Skills. The Present Levels of Academic Achievement and Functional Performance (PLAAFP) reflect the Woodcock -Johnson IV (WJ IV ACH) age based and grade-based scores, iReady Reading and Math diagnostic grade-based scores, Occupational Therapy evaluation, PGCPS informal handwriting assessment, and Comprehensive Assessment of Spoken Language-2 (CASL-2). The IEP requires social/behavioral support daily: modeling of social interaction skills, advance preparation for schedule changes, and strategies to initiate and sustain attention. The IEP requires a monthly Psychologist consultation with the IEP team to review behaviors, develop behavior intervention strategies, monitor implementation, and collect data. The IEP requires monthly occupational therapy consultation with the IEP team to support self-management and written expression skills. The IEP reflects five hours per week of classroom instruction outside of the general education classroom and seven hours and thirty minutes per week of classroom instruction inside the general education classroom. The IEP requires three thirty-minute occupational therapy sessions inside the general

¹ While the allegations previously identified May 1, 2023 and May 24, 2023 as dates of physical restraint, during the course of the investigation it was determined that there was no allegation of restraint on May 1, 2023.

education classroom. The IEP requires three thirty-minute speech/language sessions per month outside the general education classroom.

2. The IEP includes the following behavioral - social interaction skills goal: "Throughout the school day during group activities, [student] will demonstrate appropriate social skills to improve his ability to effectively communicate with peers and adults during social activities in 3 out of 5 opportunities by May 2023."
3. The IEP includes the following behavioral self-management goal: "In a classroom environment, [student] will initiate, carry through and complete his assignments within a pre-designated amount of time given no more than three verbal cues in 3 out of 4 trials."
4. On November 9, 2022, a Functional Behavior Assessment (FBA) was completed. The FBA reflected the student's demonstrated behavior that impacted student learning, peer learning, and social relationships. The identified targeted behaviors were verbal threats to self and others and disruptions to the classroom environment i.e., loud verbalizations including singing, crying, throwing items, and moving about the room disrupting peers. A Behavior Intervention Plan (BIP) was recommended to address the targeted behaviors.
5. The PWN developed following the IEP team meeting on November 9, 2022, reflects the IEP team at [REDACTED] met for the purpose of reviewing/revising the IEP, and education placement. The IEP team proposed the student attend an Autism Program at Seat Pleasant Elementary School for the remainder of the 2022-2023 school year. The team proposed the action because the student "requires more support that is not available at his neighborhood school, [REDACTED]"
6. The IEP developed on November 9, 2022, requires that the student receive classroom instruction for twenty-two hours and thirty minutes per week. LRE reflects "[student] will receive specialized instruction in a classroom setting with a special educator and special education support in the Autism Program. He will participate with his non-disabled peers for lunch, recess, creative arts classes, and school-wide extra-curricular activities such as assemblies," and "the IEP team determined that [student] requires a specialized Autism program. This is not available at the student's neighborhood school."
7. The student's enrollment history for the 2022-2023 school year reflects that he was enrolled at [REDACTED] School from August 29, 2022 through November 29, 2022. The student enrolled at [REDACTED] Elementary on November 30, 2022.
8. On February 17, 2023, the IEP team met in response to a parent request. The team proposed to "use social stories and the zones of regulation system to address [student] self regulation." The team also proposed that the Speech Pathologist and Occupational Therapist work with the student on "self management strategies and social skills." Social Stories and Zones of Regulations Systems were to be used to support self regulation in the morning and afternoon.
9. On April 12, 2023, the IEP team met to complete an annual review of the student's IEP. The IEP developed for the student at this meeting reflects the student's disability impacts him in the following areas: Cognitive, Math Calculation, Math Problem Solving, Reading Comprehension, Speech and Language, Receptive Language, Written Language Expression, Self-Management and Social Interaction Skills. To determine the student's PLAAFPs, the IEP team relied upon formal observations, classroom observations, and formal and informal assessments.

10. The IEP developed on April 12, 2023, requires supplementary aids, services, program modifications and supports (social/behavioral supports):
 - Daily sensory strategies to assist with regulation of emotions/behaviors. Sensory strategies include: lap weights, weighted “hug” backpacks, wearing weighted vests, placing hands on shoulders and giving firm pressure down into the seat, weighted lap pad, compression clothing, pressure vests, neck wraps, pulling apart resistant fidget toys, squeezing balls, and other heavy work activities to provide resistance and can be calming.
 - Daily modeling of social skills: adult modeling will be used to assist the student with social interaction to support the student within the general education/inclusion environment.
 - Daily advance preparation for schedule changes: [student] needs preparation with changes in his daily routine/schedule to help increase appropriate behavior during transitions, reduce the amount of transition time, and increase participation in different school/class activities, due to his documented disability.
 - Daily strategies to initiate and sustain attention: To help sustain [student’s] attention, he may be provided with visual/verbal cues or movement breaks/activities (such as assigning him to be the paper passer, class manager, etc.). This will be incorporated throughout his entire school day.
11. The IEP developed on April 12, 2023, includes the following goal to support behavior-self interaction skills: “Throughout the school day during group activities, [student] will demonstrate appropriate social skills to improve his ability to effectively communicate with peers and adults during social activities in 3 out of 5 opportunities.”
12. The IEP developed on April 12, 2023, includes the following goal to support behavior-self management: “In a classroom environment, [student] will initiate, carry through, and complete his assignments within a pre-designated amount of time given no more than three verbal cues in 3 out of 4 trials.”
13. The IEP developed on April 12, 2023, includes the following goal to support behavior-self management: “After receiving a negative comment from a peer within the school environment or another thought provoking situation, with (1) visual prompt from the teacher (e.g., pre-determined hand signal), [student] will use positive self-talk strategy and deep breathing in 3 out of 5 social occurrences.”
14. The IEP developed on April 12, 2023, requires the following accommodations to support the student’s social interaction needs:
 - Social Stories,
 - Counting down from 10, and
 - Zones of Regulation.
15. The IEP developed on April 12, 2023, requires the following accommodations to support the student’s self-management needs:
 - Social story,
 - Zones of Regulation,
 - Deep Breathing,

- Calming Corner,
 - Counting to 1-10, and
 - Writing his thoughts and feelings in a journal.
16. The April 12, 2023, IEP requires specialized instruction outside of the general education classroom for twelve hours and thirty minutes per week, and ten hours per week of classroom instruction inside the general education classroom through June 13, 2023. The IEP requires Occupational Therapy once a month for thirty minutes inside of the general education setting, and three SLP sessions per month for thirty minutes outside of the general education setting. The IEP requires Extended School Year (ESY) services July 5, 2023 through July 31, 2023. The team determined that the student requires ESY for reading comprehension, math calculations, and speech/language services. The IEP team did not propose, and the IEP developed for the student did not include, the use of restraint.
 17. On April 26, 2023, the student was placed on in-school suspension due to behaviors.
 18. On April 28, 2023, the parent emailed a request “an emergency IEP team meeting and requested that a representative from bus transportation,” be present. On May 1, 2023, the complainant emailed PGCPs requesting to meet to discuss concerns with academic progress, behavioral concerns, and transportation.
 19. On May 3, 2023, PGCPs responded and proposed an IEP team meeting for May 8, 2023. The parent responded on May 4, 2023, that she was able to participate virtually and was waiting for the advocate to confirm.
 20. On May 5, 2023, PGCPs provided the meeting link information to the parent. The parent confirmed receipt of the meeting link. The meeting notice was attached to the email.
 21. On May 8, 2023, the IEP team meeting sign in sheet reflects the parent and advocate participated in the meeting.
 22. The PWN generated following this meeting², reflects the IEP team met to discuss transportation. The IEP team proposed and agreed to add “personnel support” as a supplementary aid, and “discussed creating a seating chart and sharing it with the school team.” The IEP team determined that “personnel support” in the form of training for bus staff on the behavioral supports required for the student would be included in his IEP. The parent proposed that the student sit at the front of the bus, and that the student use an iPad while on the bus. The team agreed and informed the parent that the device must remain in the student’s backpack and is only for use during transport.
 23. On May 10, 2023, the student was placed on a one day in school suspension for a violation of the PGCPs code of student conduct. The notification of student’s suspension reflects that the “Student will complete classwork while in-school suspension.”

² School staff explained that this meeting occurred on May 8, 2023, despite a typo in the PWN reflecting that it occurred on May 10, 2023.

24. On May 15, 2023, the parent emailed PGCPs and requested the following:
 - An emergency IEP team meeting to discuss the actions of the student's bus driver on the morning on May 15, 2023;
 - a copy of the student's suspensions; and
 - "An updated IEP and BIP".
25. On May 15, 2023, PGCPs informed the parent that suspension documents, procedural safeguards, IEP, BIP, and FBA were placed in the student's backpack. The PGCPs proposed an IEP team meeting on June 1, 2023, to address the parent's concerns. The parent confirmed her availability on the same day.
26. On May 24, 2023, the student was restrained using the "holding in a standing position - active higher- level holding" following an interaction with a staff member. The report reflects the restraint was for a total of one minute. The student transitioned to a sensory space and was seen by the nurse. Following an assessment by the nurse, the student was dismissed from the health room. The form reflects that on May 24, 2023, the parent was contacted and informed about the incident.
27. On May 26, 2023, the complainant requested an "emergency IEP team" meeting and the following documentation:
 - A copy of the incident report from May 24, 2023;
 - Descriptions/Time frame of events for the student's full day of May 24, 2023;
 - A copy of the student's statement from May 24, 2023;
 - Documentation of suspension paperwork related to the incident;
 - Discipline records and incident reports for the 2022-2023 school year;
 - "Healthroom" reports from the current school year;
 - Copies of IEP service logs for the 2022-2023 school year;
 - "Behavioral data collected during the 2023-2024 school year;" [sic] and
 - Opportunity for parent to view the video of the incident on May 24, 2023.
28. On June 8, 2023, the PGCPs provided the following documents to the parent via email:
 - Copies of IEP Service logs for speech and occupational therapy, and
 - Behavioral data collected for the student during the 2022-2023 school year.
29. On June 8, 2023, PGCPs informed the parent that additional physical documents fulfilling her and the complainant's requests were sent home with the student. The PGCPs also informed the parent of how to request video footage and incident reports from the PGCPs Office of General Counsel.
30. On June 9, 2023, the IEP team convened and agreed to add the following supports to the student's IEP:
 - Writing his thoughts and feelings in a journal;
 - Counseling as a related services and "mental health provider" needs as a service provider Home school communication;
 - Goals to be addressed by a mental health provider; and
 - "Emotional Regulation Skills Training" through the "Zones of Regulation"
31. Although the IEP team determined that the student's BIP would be updated to "include new strategies and current data on the target behaviors listed." There is no documentation that the BIP was amended following the June 9, 2023, IEP team meeting.

32. Although the IEP team determined that the student's FBA might be revised following his enrollment in the middle school, there is no documentation that the IEP team discussed the incident of restraint that occurred on May 24, 2023, or the need to make revisions to his FBA.
33. On June 22, 2023, the parent requested copies of the nurse logs/reports for the 2022-2023 school year from PGCPs.
34. On June 22, 2023, the PGCPs Office of School Nurse, Nurse Manager, provided the requested electronic health record and documents to the parent.
35. On June 30, 2023, the PGCPs Office of General Counsel confirmed receipt of a request made by the parent on June 16, 2023, to view video footage of May 24, 2023. The PGCPs Office of General Counsel informed the parent that the school's administration will be in contact to schedule a time to view the video footage at the school. The parent was ultimately not able to review the footage due to an error in requesting the correct footage. When the correct request was made to PGCPs security staff, the footage had been deleted or overwritten.
36. On July 11, 2023, the IEP team met for the purpose of reviewing/revising the IEP and addressing parent concerns. The IEP team proposed and agreed to:
 - add words of affirmation to the BIP and
 - add a crisis plan to the IEP and to the BIP.
37. Behavior logs created for the student between January 5, 2023 through June 8, 2023, reflect the following accommodations were provided to the student to redirect his behavior: Social stories ("when I am angry what should I do"), check in during arrival and throughout the day, Zones of Regulation (color system), calming corner, sensory room (outside the classroom), journal, pep talk (mom will speak with Laron), deep breathing, countdown(1-10), talk out feelings to an adult, draw a picture, and frequent breaks.
38. There is documentation of speech language services provided to the student during the 2022-2023 school year with the following exceptions:
 - during the month of November 2022, December 2022, and January 2023; and
 - when the student was unavailable on February 21, 2022, and April 25, 2023.

DISCUSSION/CONCLUSIONS:

Allegation #1: An IEP That Addresses The Student's Social Emotional Needs

In developing each child's IEP, the IEP Team must consider the strengths of the child; the concerns of the parents for enhancing the education of their child; the results of the initial or most recent evaluation of the child; and the academic, developmental, and functional needs of the child. 34 CFR §300.324.

The IEP Team must, in the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior. 34 CFR §300.324.

Based on Finding of Facts #1 through #3, and #9 through #15, MSDE finds that the PGCPs ensured that the Individualized Education Program (IEP) addressed the student's identified behavioral and social/emotional

needs during the 2022-2023 school year, in accordance with 34 CFR §300.324. Therefore, this office finds that a violation did not occur with respect to this aspect of the allegation.

Based on the Finding of Fact #30, MSDE finds that the PGCPs did not amend the IEP to add goals as agreed on by the IEP team on June 9, 2023, that will be addressed by the mental health provider in accordance with 34 CFR §300.324. Therefore, this office finds that a violation did occur with respect to this aspect of the allegation.

Allegation #2: Ensuring Parent Participation

Each public agency must take steps to ensure that one or both of the parents of a child with a disability are present at each IEP team meeting or are afforded the opportunity to participate, including notifying parents of the meeting early enough to ensure that they will have an opportunity to attend and scheduling the meeting at a mutually agreed on time and place.

If neither parent can attend an IEP Team meeting, the public agency must use other methods to ensure parent participation, including individual or conference telephone calls.

A meeting may be conducted without a parent in attendance if the public agency is unable to convince the parents that they should attend. In this case, the public agency must keep a record of its attempts to arrange a mutually agreed on time and place, such as detailed records of telephone calls made or attempted and the results of those calls, copies of correspondence sent to the parents and any responses received, and detailed records of visits made to the parent's home or place of employment and the results of those visits. 34 CFR §300.322.

Based on Finding of Facts #18 through #21, #24, #25, #27, and #30, MSDE finds that the PGCPs ensured the opportunity for parent participation when revising the Individualized Education Program (IEP) on May 8, 2023, in accordance with 34 CFR §300.322. Therefore, this office finds that a violation did not occur with respect to this aspect of the allegation.

Allegation #3: An IEP That Reflects Team Decisions Regarding Supports And Services

The IEP Team must, in the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior. 34 CFR §300.324.

In this case, the social stories and Zones of Regulation were school wide systems to support students in the Autism program that were consistent with determinations of the IEP team regarding the student's needs and the behavioral supports available to him.

Based on Finding of Facts, #8, #14, #15, and #37 MSDE finds that the PGCPs discussed the use of Zones of Regulation and social stories on February 17, 2023. On April 12, 2023, the IEP team decided to add Zones of Regulation and social stories to the IEP in accordance with 34 CFR §§300.320 and .323. Therefore, this office finds that a violation did not occur with respect to this allegation.

Allegation #4: Present Levels

The public agency must ensure that the student's IEP includes a statement of the child's present levels of academic achievement and functional performance, including how the child's disability affects the child's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children).

Based on the Finding of Facts #1, #9 and #16, MSDE finds that the PGCPs has ensured that the Individualized Education Program (IEP) includes present levels of academic achievement and functional performance in order to properly identify and address all of the needs that arise from the disability, in accordance with 34 CFR §300.320. Therefore, this office finds that a violation did not occur with respect to this aspect of the allegation.

Allegation #5: Provision Of Speech and Language Services and a BIP

Based on Finding of Facts #1, #9, #10, #33, and #38, MSDE finds that the PGCPs has not ensured that the student has been consistently provided with speech/language and Behavior Intervention Plan (BIP) services required by the Individualized Education Program (IEP)³ since the start of the 2022-2023 school year, in accordance with 34 CFR §§300.101 and .323. Therefore, this office finds that a violation occurred with respect to this allegation.

Allegation #6: Response to parent request for IEP meeting

Based on Finding of Fact #18 through #21 and #24 and #25,, MSDE finds that the PGCPs responded to a request for an IEP team meeting that was made by the complainant on May 24, 2023, in accordance with 34 CFR §300.324. Therefore, this office finds that a violation did not occur with respect to this aspect of the allegation.

Allegation #7: Restraint on May 24, 2023

If restraint or seclusion is used for a student with a disability, and the student's IEP or behavior intervention plan does not include the use of restraint or seclusion, the IEP team shall meet, in accordance with COMAR 13A.08.03, within 10 business days of the incident to consider: the need for a functional behavioral assessment; developing appropriate behavioral interventions; and implementing a behavioral intervention plan COMAR 13A.08.04.05.

Based on Finding of Fact #16 and #26, MSDE finds that the PGCPs did not meet within 10 business days of using physical restraint on May 24, 2023, in accordance with COMAR 13A.08.04.05. Therefore, this office finds that a violation occurred with respect to this aspect of the allegation.

³ While the student's IEP makes numerous references to the BIP, it is not explicitly incorporated into the student's IEP in the "special considerations" section.

Allegation #8: Provision of Educational Records

The public agency must permit parents to inspect and review any education records relating to their children that are collected, maintained, or used by the agency. The agency must comply with a request without unnecessary delay and before any meeting regarding an IEP, or any hearing or resolution session, and in no case more than 45 days after the request has been made. The right to inspect and review education records includes: (1) the right to a response from the participating agency to reasonable requests for explanations and interpretations of the records; (2) the right to request that the agency provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and (3) the right to have a representative of the parent inspect and review the records. 34 CFR §300.613.

Based on the Finding of Facts #24, #27 through #29, #33 and #34, MSDE finds that the PGCPs followed proper procedures when responding to requests to access the student's records during the 2022-2023 school year in accordance with 34 CFR §300.613. Therefore, this office finds that a violation did not occur with respect to this aspect of the allegation.

Based on the Finding of Facts #29, and #35, MSDE finds that the PGCPs has not provided access to the video recording of the incident on May 24, 2023, in accordance with 34 CFR §300.613. Therefore, this office finds that a violation occurred with respect to this aspect of the allegation. However, because the records in question no longer exist, no student-specific corrective action is required to address this violation.

CORRECTIVE ACTIONS/TIMELINES:

The IDEA requires that State complaint procedures include those for effective implementation of the decisions made as a result of a State complaint investigation, including technical assistance activities, negotiations, and corrective actions to achieve compliance (34 CFR §300.152). Accordingly, MSDE requires the public agency to provide documentation of the completion of the corrective actions listed below.

MSDE has established reasonable time frames below to ensure that noncompliance is corrected in a timely manner⁴.^[1] This office will follow up with the public agency to ensure that it completes the required actions consistent with MSDE Special Education State Complaint Resolution Procedures.

If the public agency anticipates that any of the time frames below may not be met, or if either party seeks technical assistance, they should contact Ms. Diane Eisenstadt, Compliance Specialist, Family Support and

⁴ The United States Department of Education, Office of Special Education Programs (OSEP) states that the public agency correct noncompliance in a timely manner, which is as soon as possible, but not later than one (1) year from the date of identification of the noncompliance. The OSEP has indicated that, in some circumstances, providing the remedy could take more than one (1) year to complete. If noncompliance is not corrected in a timely manner, MSDE is required to provide technical assistance to the public agency, and take tiered enforcement action, involving progressive steps that could result in the redirecting, targeting, or withholding of funds, as appropriate.

Dispute Resolution Branch, MSDE, to ensure the effective implementation of the action.^[2] Ms. Eisenstadt can be reached at (410) 767-7770 or by email at diane.eisenstadt@maryland.gov.

Student Based:

MSDE requires PGCPs to provide documentation by January 1, 2024, that it has completed the following actions:

- a. Provided documentation, that the student is receiving speech/language and occupational therapy services required by the IEP;
- b. Provided documentation that the IEP met to determine if the student requires services and/or goals from the school based mental health provider. If the IEP team determines services are required, they must ensure that the IEP reflects appropriate services and/or goals.;
- c. Provided documentation that the IEP team has met to review and revise the FBA and BIP as a result of the restraint on May 24, 2024; and
- d. Additionally, the PGCPs must provide documentation that the IEP team has met to determine whether the failure to implement the BIP from November 2022 through January 2023 and whether the lack of the provision of speech/language service during the 2022-2023 school year resulted in a negative impact to the student. If so, it must also determine the amount and nature of compensatory services or other remedy to redress the violation and develop a plan for the provision of those services within one (1) year of the date of this Letter of Findings.

School Based:

MSDE requires PGCPs to provide documentation by January 1, 2024, that it has completed the following actions:

- a. Provide professional development to all staff members at [REDACTED] and [REDACTED] [REDACTED] School on the steps to ensure the IEPs for students who have a BIP, reflects the requirement of a BIP in the IEP;
- b. Provide professional development to all staff at [REDACTED] Elementary staff members on use of physical restraint procedures for students with disabilities; and
- c. Ensure that there is a system in place for staff at the [REDACTED] School to effectively communicate records requests to central office staff to ensure that parents are afforded access to educational records maintained by central office staff in a timely manner.

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


Ms. Debrah Martin
Ms. Trinell Bowman
November 9, 2023
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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
Division of Early Intervention/Special Education Services

DMC:ra

c: Monica Goldson
Keith Marston
Trinell Bowman
Darnell Henderson

Gerald Loiacono
Rabiatu Akinlolu
Paige Bradford
Nicol Elliott