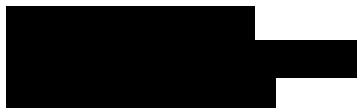



June 13, 2024




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

RE: 
Reference: #24-198

Dear Parties:

The Maryland State Department of Education (MSDE), Division of Early Intervention and 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 April 15, 2024, MSDE received a complaint from , hereafter, "the complainant," on behalf of the above-mentioned 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 ensure that the Individualized Education Program (IEP) team convened to review the student's IEP before May 31, 2023, in order to ensure that the IEP was reviewed at least annually, in accordance with 34 CFR §300.324.
2. The PGCPS has not ensured that the IEP team reviewed and revised, as appropriate, the student's IEP to address the lack of expected progress toward achieving her IEP goals, during the 2023-2024 school year, in accordance with 34 CFR §§300.101 and 324.
3. The PGCPS has not ensured the opportunity for parent participation when revising the IEP during the 2023-2024 school year, in accordance with 34 CFR §300.322.

BACKGROUND:

The student is 13 years old and is identified as a student with Speech-Language Impairment under the IDEA. She attends  and has an IEP that requires the provision of special education instruction and related services.

ALLEGATIONS #1, #2, and #3

**ANNUAL REVIEW, ADDRESSING THE LACK OF EXPECTED
PROGRESS TOWARD IEP GOALS, and PARENT PARTICIPATION IN
AN IEP MEETING**

FINDINGS OF FACT:

1. The student's IEP dated May 31, 2022, reflects the projected IEP annual review date as May 30, 2023.
2. On May 9, 2023, a "Notice of Individualized Education Program Team Meeting" was generated for an IEP team meeting on May 23, 2023. The notice reflects the team members expected to attend the meeting included two general education teachers, the IEP case manager, the IEP chairperson, the principal/designee, and the student's parents.
3. On May 23, 2023, the IEP team at [REDACTED] convened to conduct the student's annual review. The Prior Written Notice (PWN) generated after the meeting reflects that the student's parents participated via Zoom and shared that the student was going to have a medical procedure to determine if a medical condition was affecting the student's dexterity. The PWN further reflects that the IEP team reviewed speech data collected from the current school year and input from the student's parents regarding the student's transition to middle school. The IEP team updated the student's IEP goals and agreed to reconvene at the beginning of the next school year to determine if the student required an Occupational Therapy consult.
4. The May 23, 2023, IEP reflects that the student's primary disability is Speech-Language Impairment. The progress reported toward achieving the IEP goal on June 13, 2023, November 8, 2023, and January 29, 2024, reflect that the student was making sufficient progress. The progress reported toward achieving the IEP goal on April 4, 2024, reflects that the student achieved the goal.

CONCLUSIONS:

ALLEGATION #1

ANNUAL REVIEW

Based on the Findings of Fact #1 to #4, MSDE finds that the PGCPs did ensure that the Individualized Education Program (IEP) team convened to review the student's IEP before May 31, 2023, in order to ensure that the IEP was reviewed at least annually, in accordance with 34 CFR §300.324. Therefore, this office finds that no violation occurred concerning the allegation.

ALLEGATION #2

**ADDRESSING THE LACK OF EXPECTED PROGRESS TOWARD IEP
GOALS**

Based on the Findings of Fact #4, MSDE finds that the progress reported towards the achievement of the IEP goals reflects the student made progress on June 13, 2023, November 8, 2023, and January 29, 2024, and achieved progress on April 4, 2024. Therefore, the PGCPs was not required to review and revise, as appropriate, the student's IEP to address the lack of expected progress toward achieving her IEP goals, during the 2023-2024 school year, in accordance with 34 CFR §§300.101 and 324. Therefore, this office finds that no violation occurred concerning the allegation.

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ALLEGATION #3

PARENT PARTICIPATION IN AN IEP MEETING

Based on the Findings of Fact #2 and #3, MSDE finds that the PGCPs has ensured the opportunity for parent participation when revising the IEP during the 2023-2024 school year, in accordance with 34 CFR §300.322. Therefore, this office finds that no violation occurred concerning 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. The MSDE recommends that this Letter of Findings be included with any request for mediation or a due process complaint.

Sincerely,

Antoine L. Hickman, Ed.D.
Assistant State Superintendent
Division of Early Intervention and Special Education Services

ALH/ebh

- c: Millard House II, Chief Executive Officer, PGCPs
- Keith Marston, Compliance Instructional Supervisor, PGCPs
- Dr. Wendi Wallace, Compliance Liaison, PGCPs
- Darnell Henderson, General Counsel, PGCPs
- William Fields, Associate General Counsel, PGCPs
- [REDACTED], Principal, [REDACTED], PGCPs
- Dr. Paige Bradford, Section Chief, Performance Support and Technical Assistance, MSDE
- Alison Barmat, Branch Chief, Family Support and Dispute Resolution, MSDE
- Nicol Elliott, Section Chief, Monitoring and Accountability, MSDE
- Tracy Givens, Section Chief, Dispute Resolution, MSDE
- Elizabeth B. Hendricks, Complaint Investigator, MSDE