

June 20, 2024

[REDACTED]  
[REDACTED]  
[REDACTED]

Ms. Terri Savage  
Executive Director of Special Education  
Howard County Public Schools  
10910 Clarksville Pike  
Ellicott City, Maryland 21042

RE: [REDACTED]  
Case: #24-202

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.

**ALLEGATION:**

On April 19, 2024, MSDE received a complaint from [REDACTED] hereafter, “the complainant” on behalf of the above-referenced student. In that correspondence, the complainant alleged that the Howard County Public School System (HCPSS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) with respect to the above-referenced student.

MSDE investigated the allegation that the HCPSS has not ensured that a comprehensive evaluation was conducted within the required timelines since August 2023 in accordance with 34 CFR §§300.301 - .311 and COMAR 13A.05.01.06.

**BACKGROUND:**

The student is six years old. He attends [REDACTED] and is not currently identified as a student with a disability under the IDEA.

**SUMMARY OF FINDINGS AND CONCLUSION:**

In its written response, the HCPSS acknowledges that a violation occurred with respect to the allegation. Specifically, the HCPSS acknowledges that the school system did not conduct the initial evaluation within the required timelines upon receiving parental consent for the evaluation. On March 12, 2024, the IEP team convened and determined that the student was not eligible for special education services.

HCPSS proposes to provide professional development to the [REDACTED] special education team members regarding the requirements of COMAR and the IDEA related to initial evaluation timelines and processes by October 31, 2024.

Additionally, HCPSS Department of Special Education will work with [REDACTED] staff to analyze their procedures related to initial evaluation timelines and will work with them on any new processes and structures, if appropriate, for implementation by the start of the 2024-2025 school.

MSDE concurs and appreciates the HCPSS' acknowledgment that a violation occurred with respect to the allegation.

**TIMELINES:**

The IDEA requires that State complaint procedures include 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 above. MSDE has established reasonable time frames below to ensure that non-compliance is corrected in a timely manner. 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 Alison Barmat, Branch Chief, Family Support and Dispute Resolution Branch, MSDE, to ensure the effective implementation of the action. Ms. Barmat can be reached at (410) 767-7770 or by email at [alison.barmat@maryland.gov](mailto:alison.barmat@maryland.gov).

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,

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

ALH/ra

c: William Barnes, Acting Superintendent, HCPSS  
Kelly Russo, Coordinator of Special Education Compliance and Dispute Resolution, HCPSS  
[REDACTED], Principal, [REDACTED], HCPSS  
Alison Barmat, Chief, Family Support and Dispute Resolution Branch, MSDE  
Nicol Elliott, Section Chief, Monitoring and Accountability, MSDE  
Dr. Paige Bradford, Section Chief, Performance Support and Technical Assistance, MSDE  
Tracy Givens, Section Chief, Dispute Resolution MSDE  
Rabiatu Akinlolu, Complaint Investigator, MSDE