

July 8, 2024

[REDACTED]  
[REDACTED]  
[REDACTED]

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

RE: [REDACTED]  
Reference: #24-234

Dear Parties:

The Maryland State Department of Education (MSDE), Division of Early Intervention and Special Education Services, has completed the investigation of the complaint regarding special education services for the above-referenced student. This correspondence is the report on the results of the investigation.

**ALLEGATION:**

On May 21, 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 Prince George's County Public Schools (PGCPS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) concerning the above-referenced student.

MSDE investigated the allegation that the PGCPS has not ensured that the student has been consistently provided with special education instruction as required by the Individualized Education Program (IEP) since the start of the 2023-2024 school year, in accordance with 34 CFR §§ 300.101 and .323.

**BACKGROUND:**

The student is 13 years old and is identified as a student with a specific learning disability (SLD) under the IDEA. She attends [REDACTED] and has an IEP that requires special education instruction and related services.

**SUMMARY OF FINDINGS AND CONCLUSIONS:**

In its written response, the PGCPS acknowledges that the student was not provided special education instruction, since the beginning of the 2023-2024 school year. On April 11, 2024, the PGCPS convened an IEP team meeting and determined compensatory education services for the missed services during the 2023- 2024 school year.

MSDE concurs and appreciates the PGCPs' acknowledgment that a violation occurred concerning the allegation.

**CORRECTIVE ACTIONS AND TIMELINES:**

The IDEA requires that State complaint procedures include effective implementation of the decisions made due to 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 manner.<sup>1</sup> 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. Alison Barbat, Branch Chief, Family Support and Dispute Resolution, MSDE, to ensure the effective implementation of the action.<sup>2</sup> Ms. Barbat can be reached at (410) 767-7770 or by email at [sarah.denney@maryland.gov](mailto:sarah.denney@maryland.gov).

**School-Based**

MSDE requires the PGCPs to provide documentation by September 2, 2024, that it has identified all students with disabilities under IDEA who attended [REDACTED] and did not receive special education services during the 2023- 2024 school year. For those students identified, the PGCPs must ensure that an IEP team convenes and determines whether or not there was an educational impact due to the violation and determines the amount and nature of compensatory services or other remedies to be provided to the students for the loss of services, and develops a plan for the provision of those services within one (1) year of the date of this Letter of Findings. If a student transfers to another school system before the completion of the provision of the remedy, the PGCPs must coordinate with the public agency responsible for the education of the student to ensure that the remedy is provided.

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 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.

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<sup>1</sup> 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.

<sup>2</sup> MSDE will notify the public agency's Director of Special Education of any corrective action that has not been completed within the established timeframe.

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

ALH/sd

c: Millard House II, Superintendent, PGCPS  
Keith Marston, Compliance Instructional Supervisor, PGCPS  
Lois Jones Smith, Compliance Liaison, PGCPS  
Darnell Henderson, General Counsel, PGCPS William  
Fields, Associate General Counsel, PGCPS  
██████████, Principal, ██████████, PGCPS  
Alison Barmat, Branch Chief, Family Support and Dispute Resolution, MSDE  
Tracy Givens, Section Chief, Dispute Resolution, MSDE  
Nicol Elliott, Section Chief, Monitoring and Accountability, MSDE  
Dr. Paige Bradford, Section Chief, Performance Support and Technical Assistance, MSDE  
Sarah Denney, Complaint Investigator, Dispute Resolution, MSDE