

-August 2, 2024

[REDACTED]
[REDACTED]
[REDACTED]

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: #24-259

Dear Parties:

The Maryland State Department of Education (MSDE), Division of Early Intervention Special Education Services 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 June 5, 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) with respect to the above-referenced student.

MSDE investigated the following allegations:

1. The PGCPS has not addressed the student's need for compensatory services, since June 2023, in accordance with 34 CFR § 300.101.
2. The PGCPS has not developed an Individualized Education Program (IEP) that addresses the student's reading needs since June 2023, in accordance with 34 CFR §§ 300.101 and .324.
3. The PGCPS did not ensure that the IEP team considered the parent information and concerns at the IEP meeting since June 2023, in accordance with 34 CFR § 300.324.

BACKGROUND:

The student is eight years old and is identified as a student with Other Health Impairment (OHI) under the IDEA. He attends [REDACTED] and has an IEP that requires the provision of special education instruction and related services.

FINDINGS OF FACT:

1. The IEP in effect in June 2023, was developed on March 14, 2023. The IEP reflects that the following areas are impacted by the student's disability: communication, math calculation, reading phonics, speech-language articulation, and fine motor. The IEP includes present levels of academic achievement and functional performance (PLAAFP) in the areas of reading-phonics, math calculation, speech-language articulation, communication, and fine motor.

The reading phonics PLAAFP reflects that the student was assessed on September 12, 2022 and January 26, 2023. Performance overall in reading diagnostic is a grade level equivalent of Kindergarten. The PLAAFP also reflects that the student has "difficulty with letter-sound relationship and decoding." The student has completed five units in Lexia Core 5.

The IEP reflects that parental input from the complainant was incorporated into the IEP.

The IEP requires instructional and assessment accessibility features to address reading needs: general administration directions clarified, read aloud, and repeated as needed.

The IEP requires supplementary aids: daily evidence-based math and research-based reading intervention, check for understanding "(a basic comprehension check prior to taking actions on a given task)."

The reading phonics goal requires that "By March 2, 2024, given a verbal prompt for (10) CVC grade level words, [Student] will isolate and pronounce the beginning, middle, and ending sounds in (8 out of 10) responses for (4 of 5) sound activities."

The IEP requires two hours and thirty minutes per week of instruction inside the general education setting and one hour and forty minutes per week outside of the general education setting to be provided by the special education teacher and the instructional assistant.

2. On March 15, 2024, the IEP team convened to conduct the annual review meeting. The IEP reflects the following areas that are impacted by the student's disability: communication, math calculation, reading phonics, speech-language articulation, and fine motor. The IEP includes PLAAFPs, in the areas of reading-phonics, math calculation, speech-language articulation, communication, and fine motor. The IEP parental input reflects the complainant "feels the IEP may be holding [student] back." The parent "expressed her acceptance of the IEP."

The reading phonics PLAAFP reflects that the student was assessed on September 26, 2023 and January 30, 2024. Overall performance in reading was reflected in a diagnostic score with grade level equivalent of first grade. The PLAAFP also reflects that the student has "difficulty with letter-sound relationship and decoding." The discussion further reflects that the student has completed Lexia Core 5 level 6.

The IEP requires:

- Instructional and assessment accessibility features to address reading needs: general administration directions read aloud and repeated as needed, general administration directions clarified, the student reads content aloud to him/herself, the student reads

content aloud to him/herself, and text to speech for mathematics, science, and government assessments; and

- Instructional and assessment accommodations: text-to-speech for the English Language Arts (ELA)/literacy assessments, including items, response options, and passages, as well as human reader/human signer for ELA.

The IEP requires supplementary aids: daily evidence-based math and research-based reading intervention, and check for understanding.

The reading phonics goal requires that "By March 14, 2025, given a verbal prompt for (10) CVCC grade-level words, [Student] will isolate and pronounce the beginning, middle, and ending sounds in (8 out of 10) responses for (4 of 5) sound activities."

The IEP requires five hours per week of instruction outside the general education setting to be provided by the special education teacher and the instructional assistant. The student will receive five, thirty-minute sessions in the resource room to focus on reading and math interventions.

The IEP reflects that the student requires extended school year (ESY) services.

3. The Prior Written Notice (PWN) developed after the IEP team meeting reflects that the IEP team convened, for the purpose of holding the annual review meeting. The PWN reflects:
 - "The parents had questions about the compensatory services that [Student] was provided last school year and requested that the team reconvene to discuss if the correct hours were granted to [Student]."
 - The IEP team "proposed that [Student's] IEP academic goals be updated to best fit his present levels in both math and reading. Since [Student] is in reevaluation, the goals remained similar for speech and OT. The school system proposed that [Student] is a student who requires ESY as his reading level is considered a critical life skill due to his current reading level."
4. The PWN developed on April 26, 2024, reflects the maternal parent requested that the speech report include information that the student did not have speech services from November 2023 through January 2024 due to speech-language pathologist shortages. The parent expressed concern that she was not provided with a copy of the parent version of the Conners Comprehensive Behavior Rating Scales. The parent requests consideration of compensatory services for missed speech services, and strategies to support a child with ADHD for the family.
 - The complainant requested "services from Lindamood Bell during the Summer of 2024." The complainant also requested for copies of the assessments to be sent to him via email;
 - The IEP team agreed to include the lack of speech services in the report, and the school psychologist confirmed that the parent was provided with a copy. The team agreed to provide another copy to the parent and to incorporate parent data once it is received. The PGCPs compliance staff noted the request for compensatory services through a private program and a referral to Spell Read. The PGCPs compliance staff will follow up regarding the program requested and recommend that the team consider the request in the next meeting.

The parents requested to have the case manager who completed the educational assessments present to review the report, the team agreed to reconvene to ensure the case manager's participation. The IEP proposed and agreed to continue the review of assessments and determination of continued eligibility at an additional IEP meeting. The team reviewed parent input, psychological assessment report, and speech-language assessment report. The team was not able to review teacher input, educational assessment report (s), and OT report.

5. The PWN developed on May 9, 2024, reflects the IEP team proposed and agreed the student qualifies for special education services as a student with OHI. The IEP will be revised and discussed in an IEP team meeting.

The complainant expressed that "he was frustrated with the IEP process and did not like the idea of giving [Student] a label[.]" As a result, the complainant did not engage in the discussion regarding the eligibility category. The complainant shared the student has not been provided with all resources he needs to be successful and requested reading services through Lindamood Bell.

The IEP team informed the complainant of his right to decline services. However, the maternal parent agreed with the school-based IEP team regarding the eligibility and services proposed. The student's eligibility was changed from Developmental delay (DD) to OHI.

The maternal parent, expressed that she wanted "compensatory services for missed speech services due to a vacancy." The PGCPs Special Education Instructional Specialist (SEIS) in attendance informed the parent that she would connect with PGCPs compliance staff to determine the next steps. "The parent's request for compensatory services will be addressed in an IEP team meeting. The IEP team proposed to reconvene on May 22, 2024."

6. On June 6, 2024, the IEP team convened to revise the IEP. The IEP reflects the following areas of need: communication, math calculation, math problem solving, reading comprehension, reading fluency, reading phonics, speech-language articulation, speech-language pragmatics, written language expression, behavioral self-management, and fine motor. The IEP includes PLAAFPs in the areas of reading-phonics, reading fluency, reading comprehension, math calculation, math problem solving, written language expression, speech-language articulation, speech-language pragmatics, communication, self-management, and fine motor.

The reading-phonics PLAAFP includes the narrative developed on March 14, 2024. The narrative also includes data from the iReady diagnostic, Lexia Core5, Woodcock Johnson IV (WJIV), Test of Early Reading Ability 4th edition (TERA-4) and classroom performance. The narrative reflects the student is making incremental progress and continues to require intervention.

The reading fluency, PLAAFP, reflects data from the iReady diagnostic, Lexia Core5, WJIV, TERA-4 and classroom data/IEP goal review. The student's performance in reading comprehension is in the low range, and the student provides accurate responses when text and questions are read to him. The narrative further reflects the student has difficulty, with sight words, and phoneme- grapheme relationships. The student demonstrated strength in listening comprehension, and receptive language. The student's ability to decode and comprehend grade level text are areas of concern.

The reading comprehension PLAAFP reflects data from the WJIV and classroom performance. The student is able to accurately respond to reading comprehension questions based on text that is on his independent reading grade level. The student is able to orally and accurately respond to grade level reading comprehension text questions. He requires support when reading grade level text and with making inferences.

The IEP requires:

- Instructional and assessment accessibility features to address reading needs: general administration directions read aloud and repeated as needed, general administration directions clarified, student reads content aloud to him/herself, and text to speech for mathematics, science, and government assessments; and
- Instructional and assessment accommodations: text-to-speech for the ELA/literacy assessments, including items, response options, and passages.

The reading fluency goal requires that “By June 4, 2025, when given a second grade, irregularly-spelled high-frequency word card, [Student] will mentally decode the whole word and read the word aloud without pausing, for (18 out of 20) words, in (60) seconds (e.g., 3 seconds per word), on (3 out of 4) progress monitoring assessments.”

The reading phonics goal requires that “By June 4, 2025, given (10) CVCC grade-level words, [Student] will read and encode the initial blend, middle, and ending sounds in (8 out of 10) responses for (4 of 5) sound activities.”

The IEP requires two hours per day of instruction outside the general education setting to be provided by the special education teacher and the instructional assistant. The IEP requires 60 minutes per month of instruction outside of the general education classroom, to be provided by the special education teacher and the instructional assistant. The student will receive five -two-hour sessions in the resource room, to work on math and reading interventions.

The IEP requires ESY services to address reading and writing needs.

7. The PWN developed on June 5, 2024, reflects the team convened to review/revise the IEP, conduct the annual review, and review compensatory services. The PWN reflects that the IEP team proposed and agreed to:

- the IEP will reflect an annual review date of June 5, 2024;
- revise the reading phonics, behavior, math calculation, and communication IEP goals;
- add PLAAFPs for math problem solving, written language expression, and reading comprehension;
- develop goals for math problem-solving and written language expression;
- update supplementary aids and services to address reading comprehension;
- ESY decision to address reading and writing, and add a service line to include transportation;
- increase instruction outside of the general education classroom; and
- conduct a 45-day review meeting in SY 2024 - 2025.

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

ALH/ra

c: Millard House II, Superintendent, PGCPs
Lois Jones Smith, Compliance Liaison, PGCPs
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