

August 15, 2024

[REDACTED]  
[REDACTED]  
[REDACTED]

Ms. Denise Mabry  
Director of Special Education Compliance and Due Process  
Baltimore City Public Schools  
200 East North Avenue  
Baltimore, Maryland 21202

RE: [REDACTED]  
Reference: #24- 280

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 final results of the investigation.

**ALLEGATION:**

On June 20, 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 Baltimore City Public Schools (BCPS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) concerning the above-referenced student.

MSDE investigated the allegation that the BCPS did not follow proper procedures in responding to a request for an IDEA evaluation during the 2023- 2024 school year, in accordance with 34 CFR §§ 300.301-.311 and COMAR 13A.05.01.06.

**BACKGROUND:**

The student is four years old. He attends [REDACTED] a HeadStart program in Baltimore City, Maryland.

**FINDINGS OF FACT:**

1. On September 11, 2023, the complainant submitted a Child Find Referral. The Child Find Referral reflects the reason for the referral was speech-language articulation, expressive/receptive language, and social emotional/behavioral.
2. There is documentation that on September 13, 2023, the BCPS contacted the complainant to schedule an Individualized Education Program (IEP) team meeting. There is further documentation that the complainant informed the BCPS that she did not want to proceed with a meeting.

**CONCLUSION:**

Based upon Findings of Fact #1 and #2, MSDE finds that the BCPS did follow proper procedures in responding to a request for an IDEA evaluation during the 2023- 2024 school year, in accordance with 34 CFR §§ 300.301-.311 and COMAR 13A.05.01.06. Therefore, this office does not find that a violation occurred concerning this 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 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 L. Hickman, Ed.D.  
Assistant State Superintendent  
Division of Early Intervention and Special Education Services

ALH/sd

c: Dr. Sonja Santelises, Superintendent, BCPS  
Christa McGonigal, Special Education Compliance, BCPS  
Molly Conner, Branch Chief, Performance Support and Technical Assistance, MSDE  
Marny Helfrich, Early Childhood Performance Specialist,  
Performance Support and Technical Assistance, MSDE  
Alison Barmat, Branch Chief, Family Support and Dispute Resolution, MSDE  
Tracy Givens, Section Chief, Dispute Resolution, MSDE  
Sarah Denney, Complaint Investigator, Dispute Resolution, MSDE