

September 13, 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: #25-016

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 on the final results of the investigation.

ALLEGATIONS:

On July 31, 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 following allegations:

1. The PGCPS has not ensured that school staff responded to questions the parent asked the special education teacher by email on July 24, 2024, as required by his Individualized Education Program (IEP), in accordance with 34 CFR § 300.101.
2. The PGCPS has not ensured that school staff responded to questions the parent asked the special education teacher by email on July 26, 2024, as required by his IEP, in accordance with 34 CFR § 300.101.

BACKGROUND:

The student is 19 years old, is identified as a student with Autism under the IDEA and has an IEP that requires the provision of special education and related services. At the time of this complaint the student was attending [REDACTED], a nonpublic separate special education school. The student currently attends the [REDACTED] in Prince George's County.

FINDINGS OF FACT:

1. There is documentation that the complainant sent email communications to the student's teacher on July 24, 2024, and July 26, 2024, regarding an upcoming field trip. The complainant requested confirmation of receipt of funds he paid.
2. On August 2, 2024, the school administrator responded to the complainant that the student's teacher no longer had access to the school devices and were unable to respond to his emails. The administrator confirmed receipt of the field trip money and sent home a receipt.
3. An Email Communication Protocol has been in place for this student since November 9, 2022. The Email Communication Protocol was updated on October 5, 2023, and states that Ms. Lois Jones-Smith and Ms. Trena Bolding, PGCPs staff members, are required to be copied on all communications between the "parent and the school staff member to ensure that IEP requirements are being implemented." There is no documentation that the complainant followed this protocol.
4. There is no documentation that the PGCPs received the complainant's questions.

DISCUSSION AND CONCLUSIONS:

Allegations #1 and #2: Responses to Parent Questions

Based on Findings of Fact #1 and #2, MSDE finds that the PGCPs has ensured that school staff responded to questions the parent asked the special education teacher by email on July 24 and 26, 2024, as required by his IEP in accordance with 34 CFR § 300.101. Therefore, this office does not find a violation concerning these allegations.

As a result of prior MSDE complaints, the PGCPs was directed to develop an Email Communication Protocol to ensure that the complainant's questions and concerns were responded to on a timely basis. The PGCPs cannot be responsible for responding to questions that they are not aware of. The Protocol was put in place to avoid this situation. Therefore, the complainant must use the Email Communication Protocol to ensure that timely communication is received.

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

ALH/abb

c: Millard House, II, Superintendent, PGCP
Keith Marston, Supervisor Special Education Compliance, PGCP
Lois Smith Jones, Liaison, Special Education Compliance, PGCP
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