

January 13, 2025

Mr. Wayne Steedman
Ms. Olivia Miller
Steedman Law Group
260 Gateway Drive, Suite 11-12B
Bel Air, Maryland 21014

Ms. Diane McGowan
Director, Specially Designed Instruction
and Compliance
Anne Arundel County Public Schools
2644 Riva Road
Annapolis, Maryland 21401

RE: [REDACTED]
Reference: #25- 132

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.

ALLEGATIONS:

On November 14, 2024, MSDE received a complaint from Mr. Wayne Speedman and, hereafter, “the complainant,” on behalf of the above-referenced student. In that correspondence, the complainant alleged that Anne Arundel County Public Schools (AACPS) 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 AACPS did not ensure that proper procedures were followed when conducting transition planning for the student since February 2024, in accordance with 34 CFR §§ 300.320, .321, .322, .324, and COMAR 13A.05.01.07.
2. The AACPS has not ensured that the student was provided with reports of quarterly progress toward achieving the annual transitional IEP goals since June 2024, in accordance with 34 CFR § 300.320.
3. The AACPS has not ensured that the IEP team addressed parental concerns about the lack of transition planning and determining the student’s graduation year since February 2024, in accordance with 34 CFR § 300.324.

BACKGROUND:

The student is 18 years old and is identified as a student with Multiple Disabilities (MD) under the IDEA. The student attends [REDACTED] and has an IEP that requires the provision of special education instruction and related services.

FINDINGS OF FACT:

1. On February 2, 2024, the IEP team convened to review existing data and develop a reevaluation plan, assess reevaluation information to determine continued eligibility, conduct an annual review of the student's Individualized Education Program (IEP), and revise the IEP, as appropriate. Additionally, the team discussed the student's need for transition services to ensure appropriate planning for post-secondary goals and supports. The Prior Written Notice (PWN) generated after the meeting indicates that the parents confirmed receipt of the Transition Planning Guide. During the IEP meeting, the team proposed the student follow a four-year graduation plan, setting the graduation date for June 2025. This updated the prior IEP, which had projected the student's graduation date as June 5, 2026, under a five-year graduation plan. The IEP team discussed the student's progress toward graduation requirements, noting she was on track to earn 26 credits by the end of the current school year. With only 4 additional credits needed, the student was expected to meet all requirements and graduate with a diploma in June 2025. However, the parents expressed disagreement, advocating for a five-year plan to better support the student's transition. They cited concerns about inadequate preparation for postsecondary goals and the potential negative impact of graduating within a four-year timeframe. Other options, such as dual enrollment and DORS support for college, were discussed.

The PWN reflects that the IEP team reviewed and updated the student's postsecondary and transition goals to align with the career goals for the student, which include becoming an animal care technician.

2. The February 2, 2024, identifies needs in reading comprehension, written expression, math problem solving, learning behaviors, behavior, social-emotional, gross motor, fine/visual motor, adapted physical education, social pragmatic language, and expressive language/receptive language. Goals within the IEP addresses these areas of concern. The February 2, 2024, IEP states that the student requires 17 hours and 30 minutes per week of specialized instruction within the general education classroom, 30 minutes per week of speech and language services outside the general education classroom, 30 minutes per month of speech and language services inside of the general education classroom, one hour a month of music therapy.
3. The February 2, 2024, IEP's PLAAFP reflects that in the area of transition, on December 14, 2024, the student participated in a career interest inventory on the AACC Career Coach with her case manager. The IEP reflects her three highest traits are realistic, investigative, and enterprising (likes to work with animals, creative, and outgoing). Her top career clusters included Science/Technology/Engineering/Mathematics, Agriculture/Food/Natural Resources, Health Science, and Education/Training. The IEP reflects the student has expressed interest in employment after high school and identified general areas of interest (working with animals, people, or children), but she had not pinpointed a specific career goal. Additionally, the student was unfamiliar with the Division of Rehabilitation Services (DORS) and the resources they offered. The student was currently developing self-advocacy skills, particularly in seeking help when needed, which was an important step toward achieving her post-secondary goals.
4. The February 2, 2024, IEP reflects that graduation requirements were explained to the parents, including the student's projected graduation date of June 1, 2025. At the time of exit, the student will receive a Maryland Summary of Performance (MSOP), which will include details on academic achievement, functional performance, accommodations, and progress on postsecondary goals.

5. The February 2, 2024, IEP reflects the student's transition goal in the area of employment. Goal one states "[The Student] will research a career of interest to include tasks, skills, and qualifications."
6. The reports of the student's progress dated June 2024, for the student's annual transition goal in the area of employment reflect that the goal was not initiated.

The reports of the student's progress dated October 2024, for the student's annual transition goal in the area of employment, reflect that the student completed the IEP goal.

7. The February 2, 2024, IEP reflects the student's transition goal in the area of employment. The second goal states "[The Student] will research the Vocational Rehabilitation services provided by DORS."
8. The reports of the student's progress dated June 2024, for the student's annual transition goal in the area of employment reflect that the goal was not initiated.

The reports of the student's progress dated October 2024, for the student's annual transition goal in the area of employment, reflect that the student completed the IEP goal.

9. The February 2, 2024, IEP reflects the student's transition goal in the area of training. Goal one states, "[Student] will meet with her case manager on a regular basis to discuss academic progress, review accommodations, and support self-advocacy."
10. The reports of the student's progress dated June 2024, for the student's annual transition goal in the area of training, reflect that the goal was partially completed.

The reports of the student's progress dated October 2024, for the student's annual transition goal in the area of training, reflect that the student completed the IEP goal.

11. The February 2, 2024, IEP reflects the student's transition goal in the area of training. Goal two states "[Student] will meet with the school counselor to review post-secondary goals and class selection."

The reports of the student's progress dated April 2024, for the student's annual transition goal in the area of training (goal two) reflect that the student completed the IEP goal.

12. The February 2, 2024, IEP reflects the student's transition goal in the area of independent living. Goal one states, "[Student] will research Coordinators of Community Service and pick an agency for case management."
13. The reports of the student's progress dated June 2024, for the student's annual transition goal in the area of Independent Living, reflect that the goal was not initiated.

The reports of the student's progress dated October 2024, for the student's annual transition goal in the area of Independent Living, reflect that the goal is partially completed.

14. The February 2, 2024, IEP reflects the student's transition goal in the area of independent living. Goal two states "[Student] will apply to Supplemental Security Income (SSI).

15. The reports of the student's progress dated June 2024, for the student's annual transition goal in the area of Independent Living reflect that the goal was not initiated.

The reports of the student's progress dated October 2024, for the student's annual transition goal in the area of Independent Living reflect that the goal is partially completed.

16. On October 23, 2024, the IEP team convened to review and revise the IEP as appropriate and consider the need for transition services. The PWN reflects the IEP team discussed the student's postsecondary goals and transition activities. The PWN reflects the IEP team discussed options for the student's transition, including applying for Disability Support Services at the community college and pursuing job training through DORS. They also discussed a new college readiness class at [REDACTED] ([REDACTED]) for students needing support. An AACPS IEP team member stated she would collaborate with the family and school staff to ensure the student receives appropriate support. The parents expressed concerns about the student's independence. An AACPS IEP member informed the IEP team she will also reach out to DORS for further support with career assessments and job training. The team planned to brainstorm transition ideas for the student.

In addition, the PWN also reflects the IEP team determined that the student is participating in a 4-year program and is projected to graduate school in 2025. The IEP team determined there is no data to indicate that the student requires more time to meet her transition needs. The IEP team noted the student is working on her transition activities, which are based on her transition needs as stated in the transition present level and is making progress on her IEP goals and transition activities. The PWN reflects the student has consistently been working on her transition activities throughout her time at [REDACTED]. Additionally, most of the student's current transition activities have been completed, and these activities are updated at every annual review, including February 2, 2024.

17. There is documentation that the parents received the student's progress report on June 11, 2024, and November 11, 2024.
18. The student has fulfilled all credit requirements necessary to graduate from high school with a diploma, projected for June 2025.

CONCLUSIONS:

ALLEGATION #1

TRANSITION PLANNING

In this case, the complaint alleges that the student was not provided with transition services required by the IDEA and COMAR. Specifically, the previous IEP teams determined the student would be on a five year graduation track. A public agency shall ensure that the IEP team meets periodically, but not less than annually, to review and revise the IEP (34 CFR § 300.324). The IEP team can determine that changes need to be made to a student's IEP including areas in the transition planning. AACPS followed proper procedures when conducting transition planning for the student and provided the required transition services.

Based on Findings of Fact #1, #3, #4, #5, #7, #9, #11, #12, and #14, MSDE finds that the AACPS ensured that proper procedures were followed when conducting transition planning for the student since February 2024, in accordance with 34 CFR §§ 300.320, .321, .322, .324, and COMAR 13A.05.01.07. Therefore, this office finds that a violation did not occur concerning this allegation.

ALLEGATION #2

PROVISION OF PROGRESS REPORT

Based on Findings of Fact #1 and #17, MSDE finds that the AACPS has ensured that the student was provided with reports of quarterly progress toward achieving the annual transition IEP goals since June 2024, in accordance with 34 CFR § 300.320. Therefore, this office finds that a violation did not occur concerning this allegation.

ALLEGATION #3

PARENT CONCERN

Based on Findings of Fact #1 and #16, MSDE finds that the AACPS has ensured that the IEP team addressed parental concerns about the lack of transition planning and determining the student's graduation year since February 2024, in accordance with 34 CFR § 300.324. Therefore, this office finds that a violation did not occur concerning this allegation.

TIMELINE:

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. The written request for reconsideration should be provided to Tracy Givens, Section Chief, Dispute Resolution via email at Tracy.Givens@maryland.gov. 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/sj

c: Mark T. Bedel, Superintendent, AACPS
Sonya McElroy, Director, Birth-5 Programs, Special Services and Nonpublic Placement, AACPS
Jennifer Brown, Program Manager of Compliance and Legal Issues, AACPS
[REDACTED], Principal, AACPS
Dr. Paige Bradford, Section Chief, Performance Support and Technical Assistance, MSDE
Dr. Brian Morrison, Branch Chief, Monitoring and Accountability, MSDE
Alison Barmat, Branch Chief, Family Support and Dispute Resolution, MSDE
Tracy Givens, Section Chief, Dispute Resolution, MSDE
Stephanie James, Complaint Investigator, MSDE