

February 11, 2025

[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: #25-181

Dear Parties:

The Maryland State Department of Education (MSDE), Division of Early Intervention and Special Education Service, 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 December 13, 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 allegation:

1. The PGCPS did not ensure that the student's safety vest was properly used during the transportation from the school to the student's home on December 12 through December 13, 2024, as required by the Individualized Education Program (IEP), in accordance with 34 CFR § 300.101 and COMAR 13A.05.01.09.

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. The student currently attends the [REDACTED] in Prince George's County.

FINDINGS OF FACT:

ALLEGATION #1:

SAFETY VEST

1. The PGCPs acknowledges the allegation.
2. There is no documentation that the student wore the safety vest incorrectly prior to this time.
3. There is documentation that the PGCPs offers parents training on the proper use of this vest for all student's whose IEP requires it's use.
4. There is documentation that on December 19, 2024, the student's team met to discuss the importance of the PGCPs "policy on correctly putting on the safety vest when preparing" the student to ride the bus in the afternoon. The documentation includes a reminder that the vest must be worn underneath the student's jacket when heavy clothing is worn.

DISCUSSION AND CONCLUSIONS:

The PGCPs acknowledges that the student was improperly outfitted in his safety vest on December 12 through 13, 2024. Based on Finding of Fact #1, this office finds that the PGCPs did not ensure that the student's safety vest was properly used during the transportation from the school to the student's home on December 10, 2024, as required by the IEP, in accordance with 34 CFR § 300.101 and COMAR 13A.05.01.09. Therefore, MSDE finds a violation.

However, based on Finding of Fact #4, there is documentation that on December 19, 2024, that the student's team met to discuss the importance of the PGCPs "policy on correctly putting on the safety vest when preparing" the student to ride the bus in the afternoon. The documentation includes a reminder that the vest must be worn underneath the student's jacket when heavy clothing is worn. The PGCPs also offers parents training on the proper use of this safety device. Therefore, there is no additional student-specific correction required.

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, PGCPs
Keith Marston, Supervisor, Special Education Compliance, PGCPs
Lois Smith-Jones, Liaison, Special Education Compliance, PGCPs
Darnell Henderson, General Counsel, PGCPs
William Fields, Associate General Counsel, PGCPs
Alison Barmat, Branch Chief, Family Support and Dispute Resolution, MSDE
Tracy Givens, Section Chief, Dispute Resolution, MSDE
Dr. Brian Morrison, Branch Chief, Policy and Accountability, MSDE
Dr. Paige Bradford, Section Chief, Performance Support and Technical Assistance, MSDE
Nicole Green, Compliance Specialist, MSDE