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November 14, 2013

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Mrs. Chrisandra A. Richardson, Associate Superintendent  
Department of Special Education and Student Services  
Montgomery County Public Schools  
850 Hungerford Drive, Room 220  
Rockville, Maryland 20850

Ms. Gwendolyn J. Mason, Director  
Department of Special Education Services  
Montgomery County Public Schools  
850 Hungerford Drive, Room 225  
Rockville, Maryland 20850

RE: XXXXX  
Reference: #14-017

Dear Parties:

On September 3, 2013, the MSDE received a complaint from Mr. XXXXXXXXX and Mrs. XXXXXXXXX, hereafter, “the complainants,” on behalf of their daughter, the above-referenced student. In that correspondence, the complainants alleged that the Montgomery County Public Schools (MCPS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) with respect to the student. Based on that correspondence, the allegations listed below were identified for investigation.

1. The MCPS did not follow proper procedures when destroying information contained in the student’s educational record, in accordance with 34 CFR §300.624.
2. The MCPS has not ensured that proper procedures have been followed to conduct an evaluation of the student that began on May 31, 2013, in accordance with 34 CFR §§300.304, .305 and .324, and COMAR 13A.05.01.06. Specifically, the complainants allege that:
  - a. The MCPS has not ensured that the evaluation was sufficiently comprehensive to identify all of the student’s sensory processing needs.

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- b. The MCPS has not ensured that the IEP team considered existing evaluation data.
- c. The MCPS has not ensured that the evaluation has been completed within the required timelines.
3. The MCPS did not ensure that the complainants were provided with prior written notice of the decisions made by the Individualized Education Program (IEP) team at the August 9, 2013 meeting, in accordance with 34 CFR §300.503.
4. The MCPS did not ensure that an IEP was in place for the student by the start of the 2013-2014 school year, in accordance with 34 CFR §300.323.
5. The MCPS did not follow proper procedures when responding to the complainants' request for an Independent Educational Evaluation (IEE) in the area of speech/language skills, in accordance with 34 CFR §300.502.

By agreement of the parties, on October 15, 2013, the MSDE extended the timeline for completion of the complaint investigation to afford them more opportunity to attempt to resolve the dispute informally.

On November 14, 2013, this office informed the parties that the investigation into Allegation #2, above, is being held in abeyance because the MCPS has requested a due process hearing to defend its evaluation. This is the report of the final results of the investigation into the remaining allegations.

#### **INVESTIGATIVE PROCEDURES:**

1. Ms. Christine Hartman, Education Program Specialist, MSDE, was assigned to investigate the complaint.
2. On September 3, 2013, the MSDE sent a copy of the complaint, via facsimile, to Ms. Gwendolyn J. Mason, Director, Department of Special Education Services, MCPS, and Ms. Julie Hall, Director, Division of Business, Fiscal and Informational Systems, MCPS.
3. On September 10, 2013, Ms. Anita Mandis, Chief, Complaint Section, Family Support and Dispute Resolution Branch, MSDE, and Ms. Hartman each conducted separate telephone interviews with the student's mother to clarify the allegations to be investigated.
4. On September 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 25, 27, 29, and 30, 2013, October 4, 6, 7, 8, 9, 11, 12, 13, 14, 21, 22, 23, 25, 27, 29, and 31, 2013, and November 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, and 13, 2013, the MSDE received additional information and documentation from

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the student's mother, via email and facsimile. The documentation that was provided included the audio recordings of the August 9, 2013 and October 28, 2013 IEP team meetings.

5. On September 13, 2013, the MSDE sent correspondence to the complainants that acknowledged receipt of the complaint and identified the allegations subject to this investigation. On the same date, the MSDE notified the MCPS of the allegations and requested that the MCPS review the alleged violations.
6. On September 18, 2013, the MSDE received documentation from the Office of Administrative Hearings that the MCPS had requested a due process hearing in response to the complainants' request for an IEE, which is also the subject of Allegation #5 of the State complaint.
7. On September 18, 2013 and October 4, 2013, Ms. Hartman conducted telephone interviews with the student's mother concerning the allegations contained in the complaint.
8. On September 27, 2013, the MSDE sent correspondence to the complainants informing them that, because Allegation #5 of the State complaint was also the subject of a due process hearing, the State complaint investigation into that allegation was being held in abeyance until the conclusion of the due process hearing.
9. On October 4 and 18, 2013, and November 1, 4, 12, and 13, 2013, the MSDE requested information and documentation related to the allegations contained in the complaint from the MCPS, via email.
10. On October 6, 15, 18, 21, and 25, 2013 and November 4, 7, 8, 12, and 13, 2013, the MSDE received information and documentation from the MCPS, via email.
11. On October 15, 2013, the MSDE informed the parties in writing of the extension of the timeline for completion of the investigation to provide them with the opportunity to resolve the dispute informally.
12. On October 17, 2013, Ms. Hartman and Ms. Koliwe Moyo, Education Program Specialist, MSDE, conducted a site visit at XXXXXXXXXXXXXXXXXXXXXXXX (XXXXXX) to review the student's educational record, and interviewed the following school system staff:
  - a. Ms. XXXXXXXXX, Principal, XXXXXXX;
  - b. Ms. XXXXXXXXX, Special Education Teacher, XXXXX;
  - c. Ms. XXXXXXXXX, Occupational Therapy Instructional Specialist, MCPS;
  - d. Ms. XXXXXXXXX, School Psychologist, MCPS; and
  - e. Ms. XXXXXXXXX, Instructional Specialist, MCPS.

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Ms. Ashley VanCleaf, Supervisor, Equity Assurance and Compliance Unit, MCPS, and Ms. Meryl Benko, Paralegal, MCPS, attended the site visit as representatives of the MCPS and to provide information on the MCPS policies and procedures, as needed.

13. On October 18, 2013, the MSDE received documentation from the Office of Administrative Hearings that the MCPS had withdrawn its request for a due process hearing in response to the complainants' request for an IEE.
14. On October 29, 2013, the MCPS provided the MSDE with a written response to the complaint, via email.
15. On November 1, 4, and 8, 2013, Ms. Mandis conducted telephone interviews with the student's mother regarding the allegations contained in the complaint.
16. On November 4, 2013, the MSDE sent correspondence to the complainants informing them that, because the MCPS had withdrawn its request for a due process hearing, this office would resume its investigation into Allegation #5.
17. On November 12, 2013, Ms. Mandis conducted a telephone interview with Ms. XXXXXXXXXXXX, the student's private counselor.
18. On November 12, 2013, the MSDE received documentation from the Office of Administrative Hearings that the MCPS had requested a due process hearing to defend its evaluation.
19. On November 14, 2013, the MSDE notified the parties that Allegation #2 is being held in abeyance due to the MCPS' request for a due process hearing on that issue.
20. The MSDE reviewed documentation, relevant to the findings and conclusions referenced in this Letter of Findings, which includes:
  - a. Correspondence and attachments from the complainants to the MSDE, received on September 3, 2013;
  - b. Home and Hospital Teaching applications, dated April 3, 2013, August 9, 2013, and October 8, 2013;
  - c. IEP Team Meeting Summary, dated August 9, 2013;
  - d. IEP and IEP Team Meeting Summary, dated October 28, 2013;
  - e. Email correspondence from the MCPS to the complainants, dated June 17, 2013;
  - f. Authorization for Assessment, dated May 31, 2013;
  - g. Email correspondence from the complainants to the MCPS, dated September 18, 2013
  - h. Correspondence from the MCPS to the complainants, dated September 2, 2013;

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- i. Email correspondence between the complainants and the MCPS, dated October 29, 2013 and November 1, 9, 10, and 11, 2013;
- j. Correspondence from the MCPS to the complainants, dated November 7, 2013;
- k. Email correspondence between the complainants and the MCPS, dated August 22 and 23, 2013;
- l. Comprehensive Speech and Language Assessment, dated August 31, 2013;
- m. Correspondence from the MCPS to the complainants, dated September 18, 2013;
- n. MCPS' Due Process Hearing Request, dated September 18, 2013;
- o. Correspondence from the MSDE to the complainants, dated September 27, 2013;
- p. Correspondence from the MCPS to the Office of Administrative Hearings, dated October 18, 2013;
- q. Email correspondence from the complainants to the MCPS, dated October 29, 2013;
- r. Correspondence from the MCPS' legal counsel to the complainants, dated October 31, 2013;
- s. Correspondence from the MSDE to the complainants, dated November 4, 2013;
- t. MSDE's Due Process Hearing Request, dated November 12, 2013; and
- u. Correspondence from the MSDE to the complainants, dated November 14, 2013.

### **BACKGROUND:**

The student is twelve (12) years old and was identified as a student with Autism under the IDEA on August 9, 2013. She has been receiving Home and Hospital Teaching (HHT) services since sustaining a physical injury on March 21, 2013 that has prevented her from attending a school-based program. Prior to receiving HHT services, the student attended XXXXXXXXXXXXXXXXXXXX XXXXX.

During the period of time addressed by this investigation, the complainants were provided with written notice of the procedural safeguards (Docs. a-f).

### **ALLEGATION #1 MAINTENANCE OF THE EDUCATIONAL RECORD**

#### **FINDING OF FACT:**

1. On August 9, 2013, the IEP team determined that the student meets the criteria for identification as a student with a disability under the IDEA. The MCPS acknowledges that, prior to August 9, 2013, the student was identified as a student with a disability under the IDEA. The school system staff reports that, prior to the August 9, 2013 evaluation, a re-evaluation was conducted and the student found to no longer require special education services, although it acknowledges that there is no documentation of this decision, including documentation of when this decision was made (Doc. c, interviews with the MCPS staff and the student's mother, review of the audio recordings of the August 9, 2013 and October 28, 2013 IEP team meetings, and review of the student's educational record).

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### **DISCUSSION/CONCLUSIONS:**

All student educational records are to be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) (34 CFR §§300.610 - .627). In order to ensure proper student records management, local public agencies in the State of Maryland are required to maintain educational records consistent with the Maryland Student Records System Manual (COMAR 13A.08.02.01 and .02).

The Maryland Student Records System Manual requires that, in addition to the documents that must be retained in the educational records for all students, specific information is required to be maintained in the educational records for students with disabilities for a period of six (6) years. This information includes the IEP and any documentation of IEP team meetings, progress reports, assessment reports, and Medical Assistance records (*Maryland Student Records System Manual*, 2011).

Based on the Finding of Fact #1, the MSDE finds that the MCPS did not ensure that the student's educational record has been maintained, as required. Therefore, this office finds that a violation has occurred with regard to the allegation.

### **ALLEGATION #2 HELD IN ABEYANCE PENDING OUTCOME OF DUE PROCESS HEARING**

### **ALLEGATION #3 PRIOR WRITTEN NOTICE OF DECISIONS MADE BY THE IEP TEAM ON AUGUST 9, 2013**

### **FINDINGS OF FACTS:**

2. On August 9, 2013, the IEP team considered evaluation data, including information provided by the complainants, identified the student with Autism under the IDEA, and agreed to reconvene to develop the IEP (Doc. c and review of the audio recording of the August 9, 2013 IEP team meeting).
3. At this meeting, the complainants provided the school-based members of the IEP team with reports of private audiology and occupational therapy assessments that they obtained for use in developing the IEP. The complainants also requested an Independent Educational Evaluation (IEE) in the area of speech/language (Doc. c and review of the audio recording of the August 9, 2013 IEP team meeting).
4. There is documentation that, on September 4, 2013, the complainants were provided with a summary of the August 9, 2013 IEP team meeting. The summary documents the IEP team's decisions, summarizes the evaluation data that the team considered, and describes other

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options considered by the team. There is also documentation that the complainants were provided with written notice of how to obtain assistance in understanding the information (Docs. g and h).

### **DISCUSSION/CONCLUSIONS:**

Written notice must be provided to parents before the public agency proposes or refuses to initiate or change the identification, evaluation, or educational placement of a student, or the provision of a Free Appropriate Public Education (FAPE) to the student. The written notice must include a statement of the action proposed or refused, an explanation of the basis for the decision, a description of the data used in making the decision, a description of other options considered, and information on where the parents can obtain assistance in understanding the information provided (34 CFR §300.503).

In this case, the complainants allege that they had not received any documentation of the decisions made at the August 9, 2013 IEP team meeting (Doc. a). Based on the Findings of Facts #2 - #4, the MSDE finds that, at the time of the filing of the complaint, prior written notice had not yet been provided. However, based on the Finding of Fact #4, the MSDE finds that, subsequently, written notice of the team's decisions that includes the information required by the IDEA was provided to the complainants. Therefore, the MSDE does not find that a violation has occurred with regard to this allegation.

### **ALLEGATION #4 IEP IN PLACE AT THE START OF THE 2013-2014 SCHOOL YEAR**

### **FINDINGS OF FACTS:**

5. On October 28, 2013, the IEP team convened to develop the IEP (Doc. e and review of the audio recordings of the October 28, 2013 IEP team meeting).
6. A review of the audiotapes of the IEP team meetings reflects that the team discussed areas in which annual IEP goals would be developed and decided that the school staff would be responsible for the wording of the reading comprehension and decoding goals. The IEP team then determined the services and the educational placement. The school-based members of the IEP team assured the complainants that they could provide input if they had any concerns after reviewing the annual goals drafted by the school staff (Review of the audio recordings of the October 28, 2013 IEP team meeting).
7. However, there is documentation that the MCPS has denied the complainants' request for another IEP team meeting to provide that input, stating that they had "agreed the team could move forward to determining services and placement portions of the IEP without the proposed goals and objectives being provided to you in their exact wording" (Docs. i and j).

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8. A review of the audio recordings of the October 28, 2013 IEP team meeting also reflect that some school-based members of the IEP team left the meeting prior to its completion without the agreement of the complainants (Review of the audio recordings of the October 28, 2013 IEP team meeting).

### **DISCUSSION/CONCLUSIONS:**

In order to provide a student with a FAPE, the public agency must ensure that an IEP is developed by the IEP team. The IEP must be in place for each student with a disability at the start of the school year and within thirty (30) days of the identification of the student as a student with a disability (34 CFR §§300.101 and .323).

The IEP must include a statement of the student's present levels of academic and functional performance, including how the disability affects the student's progress in the general curriculum, which is based on the evaluation data. The IEP team must develop measurable annual goals designed to meet the needs that arise out of the student's disability based on the present levels of performance. The IEP team must also determine the special education instruction and related services required to assist the student in achieving the goals, and the educational placement in which the special education services are to be provided (34 CFR §§300.101, .116, .320, .323, and Analysis of Comments and Changes to IDEA, *Federal Register*, Vol. 71, No. 156, p.46662, August 14, 2006).

Information about the student's present levels of performance is obtained through the evaluation data. This includes assessment results, information from the student's teachers, and the parent's concerns (34 CFR §300.324). Therefore, the IEP team must include the parents, teachers of the student, and individuals who can interpret the instructional implications of evaluation results, among others (34 CFR §300.321).

The complainants allege that, although there is an IEP document that looks like it was completed on October 28, 2013, the team did not complete its discussion and determinations and, therefore, the document is not yet finalized. They also allege that several school-based members of the IEP team who are documented as having participated in the development of the IEP did not attend the entire meeting (Doc. i).

Based on the Findings of Facts #5 - #8, the MSDE finds that the MCPS has not ensured that an IEP team that includes the proper participants has developed an IEP and considered the complainants' concerns about the annual IEP goals drafted by school staff. Therefore, this office finds that the IEP has not been completed and that a violation has occurred with respect to this aspect of the allegation.



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## **ALLEGATION #5 RESPONSE TO REQUEST FOR AN IEE**

### **FINDINGS OF FACTS:**

9. On August 9, 2013, the complainants expressed disagreement with the school system's speech/language assessment and requested an IEE in the area of speech/language. On August 22, 2013, the complainants reiterated their request (Docs. c and k, and review of the audio recording of the August 9, 2013 IEP team meeting).
10. On August 31, 2013, the complainants obtained an IEE in the area of speech/language after not having received a response from the MCPS (Doc. l, interviews with the student's mother, and review of the student's educational record).
11. On September 3, 2013, the complainants filed a State complaint with the MSDE that included an allegation that the school system did not respond to their request for an IEE in the area of speech/language (Doc. a).
12. On September 18, 2013, the MCPS notified the complainants that it was requesting a due process hearing to defend its speech/language evaluation in response to their request for an IEE at public expense (Docs. m and n).
13. On September 27, 2013, the MSDE held the allegation related to the request for an IEE in abeyance since the matter was before the Maryland Office of Administrative Hearings (Doc. o).
14. On October 17, 2013, the complainants provided a report of the results of the IEE they obtained to the school system staff (Doc. d and review of the student's educational record).
15. On October 18, 2013, the MCPS withdrew its request for a due process hearing (Doc. p).
16. On October 28, 2013, the IEP team considered the results of the IEE obtained in the areas of speech/language (Doc. d).
17. On October 29, 2013, the complainants sent the MCPS correspondence indicating that they expected to be reimbursed for the cost of the IEE they had obtained (Doc. q).
18. In correspondence dated October 31, 2013, the MCPS legal counsel responded to the complainants' October 29, 2013 correspondence indicating that, since the IEE they had obtained in the area of speech/language had been considered by the IEP team on October 28, 2013, no further action was required on the part of the school system (Doc. r).

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19. On November 4, 2013, the MSDE informed the parties that, as a result of information that was obtained that the MCPS had withdrawn its request for a due process hearing, the State complaint investigation would proceed (Doc. s).
20. On November 12, 2013, the MCPS filed another request for a due process hearing “to show its evaluation is appropriate.” As a result, the MSDE has held the allegation related to the evaluation procedures in abeyance (Docs. t and u).

### **DISCUSSION/CONCLUSIONS:**

The parent may obtain an IEE at public expense each time the public agency conducts an evaluation with which the parent disagrees. If a parent requests an IEE at public expense, the public agency must, without unnecessary delay, either ensure that it is provided or file a due process complaint to demonstrate that its evaluation was appropriate. If the public agency files a due process complaint to defend its evaluation and the final decision is that the public agency’s evaluation is appropriate, the parent maintains the right to obtain an IEE, but not at public expense (34 CFR §300.502).

Upon receipt of a request for an IEE at public expense, the public agency must provide the parent with information about how an IEE may be obtained, and the agency criteria applicable for IEEs. Other than establishing these criteria, a public agency may not impose conditions or timelines on the IEE (*Letter to Parker*, United States Department of Education, Office of Special Education and Rehabilitative Services, 41 IDELR 155, February 20, 2004).

Since the manner of payment of an IEE is not addressed by the regulations, it is in the public agency’s discretion to determine whether the payment will be made in advance or whether the parents must pay and be reimbursed for the IEE. However, the public agency must ensure that the manner of payment does not effectively deny the IEE (e.g., the public agency cannot require the parent to pay for an IEE and then seek reimbursement from the school system if the parent cannot afford to do so) (*Letter to Heldman*, United States Department of Education, Office of Special Education Programs, 20 IDELR 621, July 1, 1993).

If the parent elects to obtain an IEE by an evaluator not on the public agency’s list of evaluators, the public agency may initiate a due process hearing to demonstrate that the evaluation obtained by the parent did not meet the public agency criteria. If the public agency chooses not to initiate a due process hearing, it must ensure that the parent is reimbursed for the evaluation (*Letter to Parker*, United States Department of Education, Office of Special Education and Rehabilitative Services, 41 IDELR 155, February 20, 2004).

Based on the Findings of Facts #9 - #12, the MSDE finds that the MCPS did not respond to the complainants’ request for an IEE at public expense for over a month. Based on the same Findings of Facts, the MSDE further finds that the MCPS did not respond to the complainant’s

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request for an IEE at public expense until the complainants filed a State complaint about the lack of a response to their request.

Based on the Findings of Facts #13 - #18, the MSDE finds that following the withdrawal of the request for due process and the complainants' demand for reimbursement of their IEE, the MCPS neither agreed to reimbursement nor filed a due process complaint to defend its evaluation, as required by the IDEA.

Based on the Findings of Facts #19 and #20, the MSDE finds that the MCPS did not file another due process complaint to defend its evaluation until after the MSDE resumed the State complaint investigation into the allegation related to the response to the request for an IEE at public expense. Therefore, this office finds that the MCPS did not respond to the request for an IEE at public expense in a timely manner and that a violation occurred with respect to the allegation.

### **CORRECTIVE ACTIONS/TIMELINES:**

#### **Student-Specific**

In order to remediate the violation related to responding to the request for an IEE at public expense, the MCPS must provide documentation that it has either proceeded with the due process hearing to defend its evaluation or reimbursed the complainants for the cost of the IEE. The MCPS must provide monthly reports to the MSDE on the status of the action taken until it is completed.

The MSDE also requires the MCPS to provide documentation, by December 15, 2013, that an IEP team that has the required participants has convened and taken the actions listed below.

1. Considered complainants' concerns and revised the IEP, if appropriate.
2. Determined the amount and nature of *compensatory services*<sup>1</sup> or other remedy for the delay in completing the development of the IEP.

The MCPS must provide the complainants with proper written notice of the determinations made at the IEP team meeting, including a written explanation of the basis for the determinations, as required by 34 CFR §300.503. If the complainants disagree with the IEP team's determinations, they maintain the right to request mediation or file a due process complaint in order to resolve the dispute, in accordance with IDEA.

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<sup>1</sup> Compensatory services, for the purposes of this letter, mean the determination by the IEP team as to how to remediate the denial of appropriate services to the student (34 CFR §300.151).

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### **School-Based**

The MSDE requires the MCPS to provide documentation by March 1, 2014, of the steps it has taken to determine if the violation related to proper procedures in developing an IEP is unique to this case or if it represents a pattern of noncompliance at XXXXXXXXXXXXXXXXXXXXXXXX. Specifically, the school system is required to conduct a review of student records, data, or other relevant information to determine if the regulatory requirements are being implemented and must provide documentation of the results of this review to the MSDE. If the school system reports compliance with the requirements, the MSDE staff will verify compliance with the determinations found in the initial report.

If the school system determines that the regulatory requirements are not being implemented, the school system must identify the actions that will be taken to ensure that the violations do not recur. The school system must submit a follow-up report to document correction within ninety (90) days of the date of its determination.

Upon receipt of this report, the MSDE will verify the data to ensure continued compliance with the regulatory requirements, consistent with the requirements of the Office of Special Education Programs.

### **System-Based**

The MSDE requires the MCPS to provide documentation by March 1, 2014, of the steps it has taken to determine if the violations related to maintenance of student records and responding to a request for an IEE are unique to this case or if they represent a pattern of noncompliance at the MCPS. If the school system reports compliance with the requirements, the MSDE staff will verify compliance with the determinations found in the initial report.

If the school system determines that the regulatory requirements are not being implemented, the school system must identify the actions that will be taken to ensure that the violations do not recur. The school system must submit a follow-up report to document correction within ninety (90) days of the date of its determination.

Upon receipt of this report, the MSDE will verify the data to ensure continued compliance with the regulatory requirements, consistent with the requirements of the Office of Special Education Programs. Additionally, the findings in the Letter of Findings will be shared with the MSDE's Policy and Accountability Branch for its consideration during present or future monitoring of the MCPS.

Documentation of all corrective actions taken is to be submitted to this office to the attention of the Chief of the Family Support and Dispute Resolution Branch, Division of Special Education/Early Intervention Services, MSDE.

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**TECHNICAL ASSISTANCE:**

Technical assistance is available to the complainant and the MCPS by Mrs. Martha J. Arthur, Education Program Specialist, MSDE. Mrs. Arthur may be contacted at (410) 767-0255.

Please be advised that both the complainants and the MCPS have the right to submit additional written documentation to this office, which must be received within fifteen (15) days of the date of this letter, if they disagree with the findings of facts or conclusions reached in this Letter of Findings. The additional written documentation must not have been provided or otherwise available to this office during the complaint investigation and must be related to the issues identified and addressed in the Letter of Findings.

If additional information is provided, it will be reviewed and the MSDE will determine if a reconsideration of the conclusions is necessary. Upon consideration of this additional documentation, this office may leave its findings and conclusions intact, set forth additional findings and conclusions, or enter new findings and conclusions. Pending the decision on a request for reconsideration, the school system must implement any corrective actions consistent with the timeline requirements as reported in this Letter of Findings.

Questions regarding the findings, conclusions and corrective actions contained in this letter should be addressed to this office in writing. The complainants and the school system 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 FAPE for the student, including issues subject to this State complaint investigation, consistent with the IDEA. The MSDE recommends that this Letter of Findings be included with any request for mediation or a due process complaint.

Sincerely,

Marcella E. Franczkowski, M.S.  
Assistant State Superintendent  
Division of Special Education/  
Early Intervention Services

MEF/ch

cc: Joshua P. Starr  
Julie Hall  
Ashley VanCleaf  
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Dori Wilson  
Anita Mandis  
Christine Hartman  
Martha J. Arthur