



Lillian M. Lowery, Ed.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • MarylandPublicSchools.org

February 20, 2015

XXX
XXX
XXX

Ms. Bobbi Pedrick
Director of Special Education
Anne Arundel County Public Schools
2644 Riva Road
Annapolis, Maryland 21401

RE: XXXXX
Reference: #15-039

Dear Parties:

The Maryland State Department of Education, Division of Special Education/Early Intervention Services (MSDE), has completed the investigation of the complaint regarding special education services for the above-referenced student. This correspondence is the report of the final results of the investigation.

ALLEGATION:

On January 5, 2015, the MSDE received a complaint from XXXXXXXXXXXXXXXXXXXXXXXX, hereafter, “the complainant,” on behalf of his son, the above-referenced student. In that correspondence, the complainant alleged that the Anne Arundel County Public Schools (AACPS) violated certain provisions of the Individuals with Disabilities Education Act (IDEA) with respect to the above-referenced student.

The MSDE investigated the allegation that the AACPS did not ensure that parental consent was obtained before disclosing personally-identifiable information about the student during the 2014-2015 school year, in accordance with 34 CFR §300.622.

XXX

Ms. Bobbi Pedrick

February 20, 2015

Page 2

INVESTIGATIVE PROCEDURES:

1. On January 7, 2015, the MSDE sent a copy of the complaint, via facsimile, to Ms. Bobbi Pedrick, Director of Special Education, AACPS; and Ms. Alison Steinfelds, Supervisor of Equity Assurance and Compliance Unit, AACPS. On the same date, the MSDE sent correspondence to the complainant that acknowledged receipt of the complaint and identified the allegation subject to this investigation, copying Ms. Pedrick and requesting that her office review the allegation.
2. On January 9, Ms. Anita Mandis, Section Chief, Complaint Investigation Section, MSDE, conducted a telephone interview with the complainant about the allegation.
3. On January 16, 2015 and February 10, 2015, the AACPS provided the MSDE with information and documentation to be considered in conducting the investigation.
4. The MSDE reviewed documentation, relevant to the findings and conclusions referenced in this Letter of Findings, listed below.
 - a. Correspondence from the complainant to the school principal, dated October 29, 2014;
 - b. Written summary of the November 17, 2014 IEP team meeting;
 - c. Correspondence containing an allegation of a violation of the IDEA, received by the MSDE on January 5, 2015; and
 - d. Documentation of training conducted by the AACPS in February 2015.

SUMMARY OF FINDINGS AND CONCLUSIONS:

The AACPS acknowledges that the violation occurred and is conducting training on the Family Education Rights Privacy Act (FERPA) requirements to ensure that the violation does not recur. In addition, the Individualized Education Program (IEP) team has convened and determined that the student will be provided with the supports of a Behavior Intervention Plan (BIP) and that his behavioral needs will be monitored. The MSDE appreciates the steps the parties have taken to ensure the future provision of appropriate services to the student and does not require that additional corrective action be taken to remediate the violation (Docs. a - d).

Please be advised that the AACPS and the complainant have the right to submit additional written documentation to this office within fifteen (15) days of the date of this letter if they disagree with the summary of findings and conclusions reported 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.

XXX

Ms. Bobbi Pedrick

February 20, 2015

Page 3

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.

Questions regarding the summary of findings and conclusions contained in this letter should be addressed to this office in writing. The complainant 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 Free Appropriate Public Education (FAPE) for the student, including issues subject to the State complaint investigation, consistent with the IDEA. The MSDE recommends that this Letter of Findings be included with any request for mediation or due process.

Sincerely,

Marcella E. Franczkowski, M.S.

Assistant State Superintendent

Division of Special Education/Early Intervention Services

MEF/tw

c: George Arlotto
Alison Steinfels
XXXXX
Dori Wilson
Anita Mandis