

Attachment 10



Nancy S. Grasmick
State Superintendent of Schools

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

January 13, 2006

Ms. Diane Black
Director of Special Education
Anne Arundel County Public Schools
2644 Riva Road
Annapolis, MD 21401

Dear Ms. Black:

On January 18, 2005, Anne Arundel County Public Schools (AACPS) was identified as noncompliant in meeting the requirements related to least restrictive environment (LRE) and suspension. As a result, Corrective Actions Plans (CAP) for each of these areas were developed, implemented, completed, and submitted by AACPS as of January 11 and 12, 2006. AACPS has demonstrated diligent efforts to correct the identified noncompliance and has been cooperative with the Maryland State Department of Education (MSDE). Verification of correction of noncompliance is a required activity under *Monitoring for Continuous Improvement and Results* (MCIR).

The MSDE completed a mid-term review of progress toward completing the LRE and suspension CAP on July 14, 2005. During this review, verification of progress was noted. Of the 42 items reviewed to determine compliance with the LRE requirements, 12 have not been verified as corrected in all the records sampled. Noncompliance remains in LRE decision making, including the areas of suspension, the ratio of students with disabilities suspended to nondisabled students, and the use of home and hospital services as an alternative placement for students on extended suspensions.

On Wednesday, January 25, 2006 and Friday, January 27, 2006, MSDE will be conducting an on-site visit to verify that the required corrections have occurred. MSDE will conduct a review of records for suspension on Tuesday, February 7, 2006. If MSDE finds the required correction has been completed, the CAP will be closed. If noncompliance continues to be identified, a revised CAP will be required to be initiated. MSDE may be required to enforce the directed use of funds if good faith efforts to correct substantial violations cannot be verified.

AACPS was found compliant in the provision of related services in a limited sample conducted on September 29, 2004. This review of the provision of related services will be included during the up-coming record review.

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The MSDE and AACPS will work together to complete the record review for compliance with the requirements of LRE. We thank you in advance for your continued cooperation. In order to properly prepare for the reviews, AACPS is responsible for the following:

- Identifying seven (7) staff members from the AACPS to assist MSDE personnel during the record review. Please share with each of your staff members the nature of the MCIR process and that the purpose of their participation is to assist in the location of information in the student record and accept the findings of the reviewer.
- Securing a meeting room of sufficient size for the review. Space must be adequate for reviewers to work with multiple student folders and other documents. Between AACPS staff and MSDE staff, there will be a minimum of 15 reviewers. The activity will take place from 8:30 a.m. – 4:30 p.m. on both days of the record review.
- Gathering and making available all student records, related service provider logs, and attendance information for the review of LRE compliance and the provision of related services. The list of students will be available on the secure server.

For the review of records regarding suspension, AACPS is responsible for the following:


- Gathering and making available complete discipline records for the total number of students reported under the category of *Extended Suspensions - Greater Than Ten Days* for the 2004 – 2005 school year. (Attachment A)
- Providing a meeting room for MSDE staff to review discipline records. The MSDE representative will work from 8:00 a.m. – 5:00 p.m. on February 7, 2006.
- Preparing a master list of the students from the above category including the student's name, ID number, race, sex, school, and date of suspension. Please generate two lists, one for those students suspended before and one for those suspended after the date of February 1, 2005.
- Dividing discipline records into two (2) groups of files for those students suspended before and after February 1, 2005.

Enclosed in Attachment B you will find a description with the details of the review.

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Thank you for your time and attention to this activity. As always, your cooperation, and that of your office staff is greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Linda F. Bluth".

Linda F. Bluth, Ed. D., Director
Office of Quality Assurance and Monitoring
Division of Special Education/
Early Intervention Services

LFB:las
Attachments

c: Carol Ann Baglin
Nancy M. Mann
Ellen Meyer
Trish DeWitt
Sandi Marx
David Patterson

Attachment A

Extended Suspensions - Greater Than Ten Days* Maryland Public Schools 2004-05

Jurisdiction	Number and Percentage of All Students Suspended			Number and Percentage of Students with Disabilities Suspended			Number and Percentage of Non-disabled Students Suspended			Evaluation						
	9/30/2004 Enrollment		Percent	10/29/2004 SSIS Count*		Percent	Total		Percent	2003 Ratio	2004 Ratio	Current Ratio	1 Year Ratio Change	Ratio >= 2:1	Group >= 20 ¹	Significant Discrepant
	Total Suspended	More Than 10 Days		Suspended for More Than 10 Days			More Than 10 Days									
Total State	865,561	4,694	0.54%	111,565	832	0.75%	753,996	3,862	0.51%	2.21	2.29	1.46	-0.84	No	Yes	
Allegany	9,840	14	0.14%	1,550	4	0.26%	8,290	10	0.12%	0.00	1.31	2.14	0.83	Yes	No	
Anne Arundel	73,991	267	0.36%	10,028	51	0.51%	63,963	216	0.34%	2.60	2.67	1.51	-1.17	No	Yes	
Baltimore City	86,401	1,525	1.73%	14,904	248	1.66%	73,497	1,277	1.74%	2.58	2.52	0.96	-1.56	No	Yes	
Edison Schools	2,276	7	0.31%	160	2	1.25%	2,116	5	0.24%	0.00	0.00	5.29	5.29	Yes	No	
Baltimore	107,701	685	0.64%	14,036	102	0.73%	93,665	583	0.62%	1.16	0.76	1.17	0.41	No	Yes	
Calvert	17,451	14	0.08%	2,337	1	0.04%	15,114	13	0.09%	0.00	0.00	0.50	0.50	No	No	
Caroline	5,412	0	0.00%	705	0	0.00%	4,707	0	0.00%	0.00	0.00	0.00	0.00	No	No	
Carroll	28,792	62	0.22%	3,695	11	0.30%	25,097	51	0.20%	0.00	2.40	1.46	-0.94	No	No	
Cecil	16,535	70	0.42%	2,510	10	0.40%	14,025	60	0.43%	0.81	0.75	0.93	0.18	No	No	
Charles	26,026	86	0.33%	2,426	14	0.58%	23,600	72	0.31%	2.07	1.62	1.89	0.27	No	No	
Dorchester	4,788	23	0.48%	541	0	0.00%	4,247	23	0.54%	0.72	1.94	0.00	-1.94	No	No	
Frederick	39,489	4	0.01%	4,895	3	0.06%	34,594	1	0.00%	0.95	0.00	0.00	0.00	No	No	
Garrett	4,737	0	0.00%	690	0	0.00%	4,047	0	0.00%	1.90	0.00	0.00	0.00	No	No	
Harford	40,294	318	0.79%	6,070	80	1.32%	34,224	238	0.70%	2.15	2.56	1.90	-0.66	No	Yes	Yes
Howard	48,219	126	0.26%	4,994	25	0.50%	43,225	101	0.23%	1.32	2.22	2.14	-0.07	Yes	Yes	
Kent	2,514	8	0.32%	359	1	0.28%	2,155	7	0.32%	0.00	0.00	0.86	0.86	No	No	
Montgomery	139,393	277	0.20%	17,684	68	0.38%	121,709	209	0.17%	2.06	2.34	2.24	-0.10	Yes	No	
Prince George's	136,095	1,147	0.84%	14,828	205	1.38%	121,267	942	0.78%	1.66	2.00	1.78	-0.22	No	Yes	Yes
Queen Anne's	7,713	1	0.01%	1,018	0	0.00%	6,695	1	0.01%	0.00	1.58	0.00	-1.58	No	No	
St. Mary's	16,567	1	0.01%	2,246	0	0.00%	14,321	1	0.01%	0.00	0.00	0.00	0.00	No	No	
Somerset	2,952	1	0.03%	368	0	0.00%	2,584	1	0.04%	0.00	0.00	0.00	0.00	No	No	
Talbot	4,505	43	0.95%	471	5	1.06%	4,034	38	0.94%	2.88	3.04	1.13	-1.92	No	No	
Washington	20,807	13	0.06%	2,654	2	0.08%	18,143	11	0.06%	4.14	0.00	1.24	1.24	No	No	
Wicomico	14,387	2	0.01%	1,666	0	0.00%	12,721	2	0.02%	0.00	0.00	0.00	0.00	No	No	
Worcester	6,676	0	0.00%	720	0	0.00%	5,956	0	0.00%	0.00	0.00	0.00	0.00	No	No	

*Sources: Maryland Public School Enrollment, September 30, 2003; Maryland Special Education Census Data, October 29, 2004, Table 1.

Disabled and non-disabled counts may not equal total students because students could have been counted in both categories, depending upon their special education status when suspended.

¹MSDE Special Education defined criterion.

Attachment B

MSDE Verification Activities

On January 25 and 27, 2006, Maryland State Department of Education (MSDE), Division of Special Education/ Early Intervention Services will conduct specific *Monitoring for Continuous Improvement and Results* activities to verify the correction of noncompliance with requirements under LRE and suspension in the Anne Arundel County Public Schools (AACPS). The activities will include a record review of least restrictive environment (LRE) decision making requirements, review of suspension data for students with disabilities and a review of the provision of related services with a focus on speech and language services.

Least Restrictive Environment

- Records will be reviewed for pre-school (ages 3-5), school age (ages 6-21), nonpublic school and charter school students based on a random sampling of selected records. MSDE staff will use the *Focused Monitoring of LRE* record review instrument for this purpose. Attached is the list of student identification numbers by school for the 70 records needed for this review. Please have available the cumulative file to accompany the special education student record if such records are kept separately. **MSDE will be verifying compliance with the 12 (of 42) requirements that were identified as noncompliant during the record review conducted on July 14, 2005.**

Provision of Related Services

- Related service logs will be matched to services indicated on the student's IEP and attendance information. The records for this activity are the same as used to review LRE requirements. MSDE staff will use the *Focused Monitoring: Provision of Related Services Review* for this process. Please have available the record of attendance for each student included in the LRE review for the 2004-2005 and 2005-2006 (to date) school year. **MSDE will be verifying that students are receiving related services as indicated on their IEPs.**

On February 7, 2006, Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services will conduct a review of records to verify noncompliance with requirements under suspension.

Suspension

- Discipline records will be reviewed for the 51 students reported as receiving extended suspensions of greater than ten days for the 2004-2005 school year. Please include the complete discipline record including the suspension letter from the central administrative office, record of attendance for the 2004-2005 and 2005-2006 (to date) school years, special education and cumulative file for the students in the report. (Attachment A) **MSDE will be verifying compliance**

with requirements related to suspension, the ratio of students with disabilities suspended to nondisabled students, and that AACCP is no longer using home and hospital services as an alternative placement for students on extended suspensions.

If you have any questions, please do not hesitate to call David Patterson at 410- 767-0706 or Sandi Marx at 410-767-0263.