



**Problem Resolution System Office**  
**State Complaint Decision**

Re: PRS 13516  
Student Name: [REDACTED]  
Letter of Finding

**Introduction**

On May 1, 2025, an educational advocate, Kimberly Winslow (Complainant), filed a state complaint (Complaint) with the Problem Resolution System Office (PRS) of the Massachusetts Department of Elementary and Secondary Education (Department) related to [REDACTED] (Student) involving the North Middlesex Regional School District (District). PRS's review of this matter has identified this Complaint raises allegation(s) under Part B of the Individuals with Disabilities Education Act (IDEA), its implementing regulations, and/or state special education law or regulation(s).

**Investigation Summary**

In response to PRS 13516, the Department's investigation in this matter included the following steps:

- Reviewed the Complaint.
- Provided the Complainant with the opportunity to submit additional information about the allegations.
- On May 8, 2025, requested a Local Response (LR) from the District.
- Reviewed the LR, proposed corrective actions, and all information submitted by the District.
- Reviewed all information provided by the Complainant.
- Reviewed relevant state and federal special education laws, regulations, and guidance.

**Summary of Allegations**

PRS has the authority to investigate alleged non-compliance that occurred within one year prior to the date the complaint was received by the Department, in this case, May 1, 2025. The Department investigated:

1. Whether the District evaluated the Student consistent with federal and state requirements to determine the continuing eligibility for special education when it identified the Student ineligible during the 2024-2025 school year, and;
2. Whether the District implemented an accommodation in the Student's special education class that was not agreed to in the Student's Individualized Education

Program (IEP) dated [REDACTED] for the 2024-2025 school year; the reported accommodation was provided by the special education teacher and involved reading test questions aloud to the Student and to the other students in the class on a regular basis.

### **Findings of Fact**

After a thorough and careful investigation and analysis of all information, PRS makes the following findings of fact:

1. On November 19, 2024, the Student's parent provided consent for a triennial reevaluation of the Student.
2. On January 23, 2025, the District met with the Student's parents and determined that the Student was not eligible for special education and related services. The parents requested an Independent Educational Evaluation (IEE) of the Student, and the District agreed to fund an IEE.
3. On April 16, 2025, the District met with the Student's parents and determined that the IEE provided no additional information upon which the Student could be determined eligible for special education and related services. The District again determined that the Student was not eligible.
4. On May 1, 2025, the Complainant filed the Complaint, which forms the basis of this Letter of Finding.
5. In its Local Report, submitted on May 20, 2025, the District acknowledged that it neglected to: timely complete the Student's reevaluation; provide the parent with adequate notice of the eligibility determination meeting; review all relevant data concerning the Student's suspected disability classification of Specific Learning Disability (SLD); consider research-based intervention and a medical diagnosis when considering the Student's eligibility under the classification of SLD.
6. The District proposed to convene an IEP meeting to reconsider the Student's eligibility as a student with a disability under the category of SLD consistent with the requirements of state and federal law and guidelines established by the Department. The proposed meeting would include a review of the Student's current performance, existing evaluation data, information concerning the Student's medical diagnoses, and privately funded tutoring.
7. The District also proposed conducting a training for special education teachers concerning appropriate procedures related to evaluations, parental participation in IEP meetings, parental notice for meetings, and eligibility determinations for students considered under the classification of SLD.

8. The District also acknowledged that, during the 2024-2025 school year, the Student received the accommodation of having tests read aloud, which was not included in the Student's then-current IEP.
9. The District proposed conducting a training of special education teachers concerning the implementation of IEPs, with a focus on testing accommodations.

## **Conclusions**

Based on the Findings of Fact outlined above, PRS has reached the following determinations:

*Conclusion to Allegation No. 1:* The District acknowledged that it failed to evaluate the Student consistent with federal and state requirements to determine his continuing eligibility for special education when it identified the Student ineligible during the 2024-2025 school year.

The District proposed corrective actions that address the student-specific impact of the noncompliance and ensure that similar noncompliance is unlikely to occur in the future. As such, the Department accepts the District's proposed corrective actions and will monitor those actions consistent with the procedures described below.

**The Department finds that the District failed to comply with 34 CFR 300.8(c) (10), 300.101(a), 34 CFR 300.303(a), 34 CFR 300.304, 34 CFR 300.305, 34 CFR 300.306, 34 CFR 300.307, 34 CFR 300.309, 34 CFR 300.310, 34 CFR 300.311, 603 CMR 28.02(7)(j) and 603 CMR 28.05(2).**

*Conclusion to Allegation No. 2:* The District acknowledged that it implemented accommodation in the Student's special education class that was not agreed to in the Student's IEP.

The District proposed corrective actions that ensure that similar noncompliance is unlikely to occur in the future. As such, the Department accepts the District's proposed corrective actions and will monitor those actions consistent with the procedures described below.

**The Department finds that the District failed to comply with 603 CMR 28.05(7)(b) and 34 CFR 300.323(d).**

## **Corrective Action Ordered by the Department**

1. **By October 10, 2025**, the District will submit to the Department copies of any Special Education documents issued related to the Student's reconvene IEP meeting as proposed by the District, including, but not limited to: Meeting Invitation (N3); Notice of Proposed School District Action (N1); Notice of School

District Refusal to Act (N2); Special Education Determination (ED1); proposed IEP; meeting notes; and signed Attendance Sheet.

2. **By October 10, 2025**, the District will provide the Department with a copy of the final agenda, training materials used, and the signed attendance sheet from the above listed training. as it relates to the District's obligations related to evaluations, parental participation in IEP meetings, parental notice for meetings, eligibility determinations for students considered under the classification of SLD, and the implementation of IEPs, pursuant to 34 CFR 300.8(c) (10), 300.101(a), 34 CFR 300.303(a), 34 CFR 300.304, 34 CFR 300.305, 34 CFR 300.306, 34 CFR 300.307, 34 CFR 300.309, 34 CFR 300.310, 34 CFR 300.311, 603 CMR 28.02(7)(j), 603 CMR 28.05(2), 603 CMR 28.05(7)(b) and 34 CFR 300.323(d).

### **Submission of Corrective Action to the Department**

**Please return all required corrective action submissions pursuant to these findings to [PRSCAP@mass.gov](mailto:PRSCAP@mass.gov). The corrective action submissions must also be sent to Complainant, unless directed otherwise by PRS.**

### **Closing**

*PRS decisions are final and may not be appealed.* If either party believes that any findings of fact that impacts the outcome and conclusions contradicts documentation provided during the course of this investigation, the party may consider the procedure outlined in this [guide](#).

Either or both of the parties may seek mediation or a due process hearing through the [Bureau of Special Education Appeals](#) (BSEA) on the same issues addressed by PRS. A due process hearing would be a new proceeding and not for the purpose of reviewing PRS's decision. However, the BSEA's due process hearing decision would be binding on the parties and may be appealed.

As of September 4, 2025, this decision is final.

Recipients:

Kimberly Winslow, Complainant

██████████, Parent

Brad Morgan, Superintendent, North Middlesex Regional School District

Erin Upton, Special Education Director, North Middlesex Regional School District