



MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION



Investigative Report Summary

OIGE Case 25-0002-I

Issued: August 5, 2025



MARYLAND OFFICE OF THE
INSPECTOR GENERAL FOR EDUCATION
Richard P. Henry, Inspector General



August 5, 2025

To the Citizens of Maryland and Howard County,

The General Assembly, at its First Session after the adoption of the Maryland Constitution, established throughout the State a thorough and efficient System of Free Public Schools and shall provide by taxation, or otherwise, for their maintenance.¹ The Maryland Office of the Inspector General for Education (OIGE) plays a vital role in safeguarding State funds allocated to local school systems. Our primary goal is to prevent and detect fraud, waste, abuse, and mismanagement in School Boards, the Maryland State Department of Education (MSDE), the Interagency Commission of School Construction (IAC), the twenty-four (24) local education agencies (LEA), and non-public schools that receive State funding throughout Maryland. Except in limited situations, the Inspector General cannot disclose the source of a complaint or the information provided.

EXECUTIVE SUMMARY

The Office of the Inspector General for Education (OIGE) initiated an investigation in January 2025, in response to complaints alleging staffing and safety concerns at Cedar Lane School, a public separate day school operated by the Howard County Public Schools System (HCPSS). A separate day school is a type of educational setting designed for students with disabilities, where the school building is physically separate from a regular school. These schools often provide specialized instruction and support tailored to the unique needs of their students. The complaint alleged that persistent staffing shortages, particularly the absence of paraprofessionals and unfilled certified teaching positions, had resulted in inadequate student supervision, unsafe learning conditions, and unequal access to educational resources for students with significant physical and cognitive disabilities.

The investigation confirmed that at least two classrooms operated for an extended period without a certified special education teacher assigned directly to the class. While paraeducators in these classrooms received support from nearby certified staff, this staffing model does not fully conform to the instructional standards outlined in the Code of Maryland Regulations (COMAR) 13A.09.10.17(E)(2), which prescribes certified teacher-to-student ratios for special education settings. A paraeducator, also known as a paraprofessional, is an educational staff member who

¹ Constitution of Maryland, Article VIII, Education, Section 1

provides support to teachers and students in a classroom setting. This staffing approach reflects broader systemic challenges, including the nationwide shortage of certified special educators, particularly in high-needs environments such as Cedar Lane School (Cedar Lane).

Regarding safety, the investigation found that Cedar Lane has implemented structured crisis response procedures, including the deployment of a Behavioral Response Team (BRT) and the use of modified lockdowns to manage student outbursts. Staff reported that while these measures have effectively prevented escalation, the frequency of incidents and the limited availability of Registered Behavior Technicians (RBTs) contribute to ongoing disruptions and stress among staff and students. Additional concerns were noted regarding the physical safety of vulnerable students due to shared proximity with peers exhibiting aggressive behaviors, as well as deficiencies in emergency communication equipment and access control systems.

Despite these challenges, staff demonstrated a strong understanding of behavioral protocols and a commitment to maintaining a safe and supportive environment. The findings underscore the need for systemic solutions to address staffing, safety, and structural barriers affecting the school's ability to serve its complex student population effectively.

To address these challenges, OIGE recommends that Cedar Lane, with the support of HCPSS, develop staffing pipelines to help fill persistent vacancies of certified teachers. Additional recommendations include reconfiguring classroom spaces and schedules to protect medically fragile students.² Ensuring that all staff have reliable emergency communication tools, such as walkie-talkies, and installing door alarms to prevent elopement risks will serve as a deterrent for students prone to wandering away from the facility. Finally, HCPSS should establish a consistent and transparent process for addressing staff concerns and enhancing operational coordination. These practical steps aim to stabilize the learning environment at Cedar Lane while acknowledging the broader workforce shortages affecting special education nationwide.

BACKGROUND

Howard County, Maryland, is a suburban community with more than 330,000 residents, situated midway along the Baltimore-Washington corridor. The county's borders encompass Ellicott City, one of the oldest towns in the country, and Columbia, a planned community designed and developed over 55 years. For the 2024 school year (SY24), the budgeted per-pupil expenditure in the district was \$107.94 per day, totaling approximately \$19,430 per student annually. The district operated with an overall budget of \$1.1 billion for fiscal year 2024, supporting general education, special education, personnel, and administrative functions. Additionally, the capital budget for

² Medically fragile students are children and youth with chronic life-threatening physical health disabilities that require consistent management and monitoring of symptoms. Medically fragile students have either an IEP (individualized education program) to address the impact of the disability on the student's learning with services from a special education teacher, or a Section 504 plan that does not include specialized instruction but does include the necessary accommodations and related services such as nursing and/or occupational therapy, for example. Publication - American Federation of Teachers, *Serving the Medically Fragile Child in the School Setting*, 2024, https://www.aft.org/sites/default/files/media/documents/2024/MFC_2024_web.pdf (Last accessed July 27, 2025)

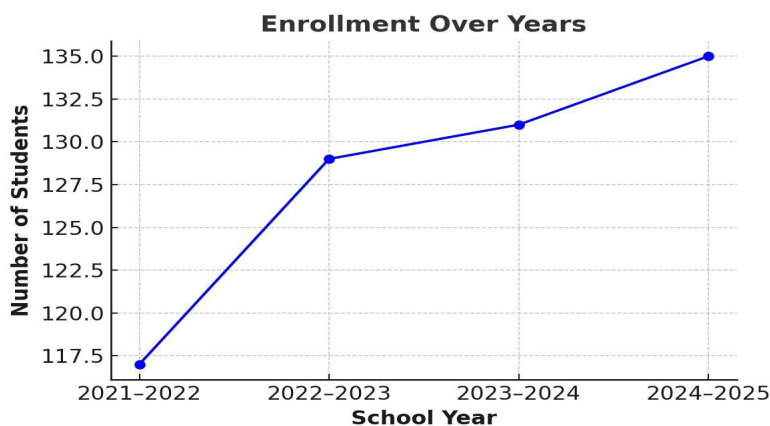
FY24 reached \$109.1 million, allocated for facility maintenance, infrastructure improvements, and long-term capital projects.³

Cedar Lane is a public, separate day school located in Howard County, Maryland. It serves students aged three to 21 with multiple disabilities and autism spectrum disorders. The school operates on the Fulton campus alongside general education elementary, middle, and high schools, offering support in a structured and specialized environment.

A public separate day school is a specialized educational setting designed to meet the unique needs of students whose Individualized Education Programs (IEPs) cannot be fully supported in their neighborhood or home schools. These specifically designed schools, such as Cedar Lane School, offer more intensive services, smaller class sizes, and specialized staff to support students with significant learning, behavioral, communication, or medical needs.⁴

In Howard County, when a student's IEP team determines that the student needs a more structured or specialized environment than what their current school can provide, the Central Education Placement Team (CEPT) gets involved. This team collaborates with the student's home school staff, parents, and other specialists to assess the student's needs and identify the most appropriate placement. If the CEPT concludes that a public separate day school can satisfy the students' needs, the student may be placed in a program like Cedar Lane School.

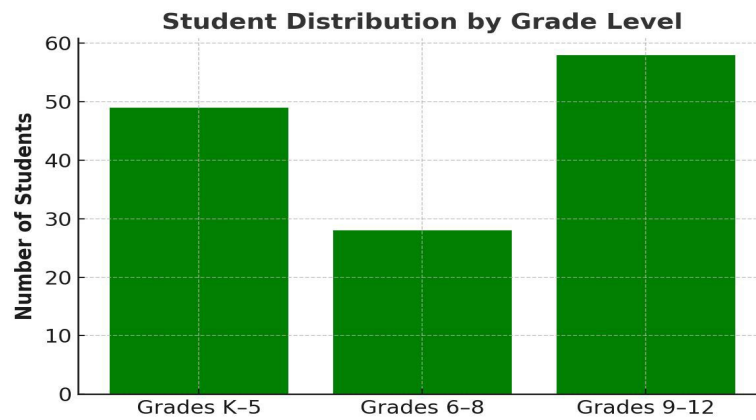
As of the 2024–2025 school year, Cedar Lane serves 135 students across all grade levels. Enrollment at the school has steadily increased in recent years, from 117 students in the 2021–2022 school year to 129 in 2022–2023, 131 in 2023–2024, and 135 students in 2024–2025.



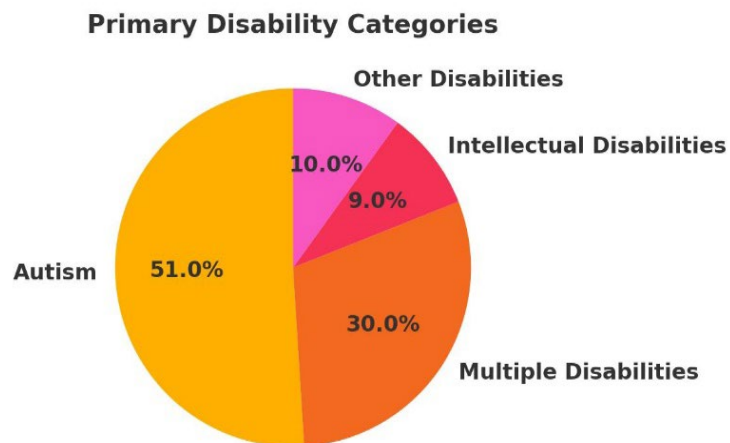
³ HCPSS 2023. About us, HCPSSS (2023), <https://www.HCPSS.org/about-us/facts/> (Last accessed June 11, 2025)

⁴ Howard County Public School System. (2012, December). *Special education programs and services: Section 3 (Revised)*. Howard County Public School System. https://www.HCPSS.org/f/special/handbook/section_3_special_education_programs_and_services_revised_12_2012.pdf (Last accessed June 11, 2025)

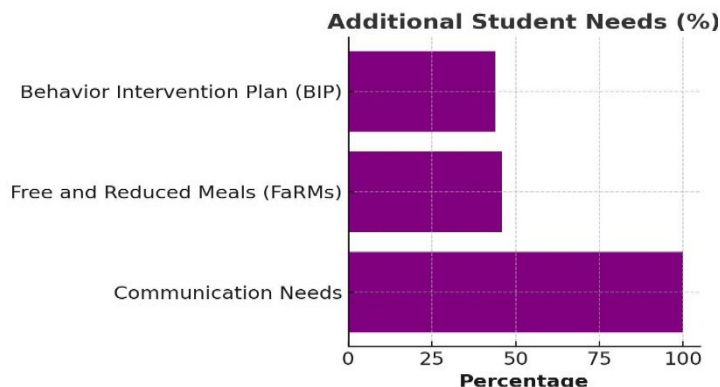
The current grade distribution includes 49 students in grades K–5, 28 students in grades 6–8, and 58 students in grades 9–12.



The primary disability categories among the student population are autism (51%), multiple disabilities (30%), intellectual disabilities (9%), and other disabilities (10%).



All students at Cedar Lane have communication needs, and 44% of the student body has an active Behavior Intervention Plan (BIP) in place.⁵



Maryland State Department of Education

The Maryland State Department of Education (MSDE) provides leadership, accountability, technical assistance, and resource management to local school systems, public agencies, and stakeholders through a seamless, comprehensive system of coordinated services for children and students with disabilities, from birth through age 21, and their families.⁶ MSDE provides direction and guidance to Local Education Agencies, offering best practices and resources, as well as information and training.

Code Of Maryland Regulations

Under COMAR 13A.09.10.17 *Type I Educational Program- Requirements for Special Education Program* Section E subsection (2) Full day Special Education (a) The average class size may not exceed six students with disabilities per full-time certified teacher. (b) If an aide is present in each class, the average class size may not exceed nine students with disabilities per full-time certified Teacher. (c) The average class size for students with significant orthopedic impairments may not exceed seven students with disabilities per full-time certified teacher when an aide is present in each class.⁷

⁵ Howard County Public School System. (2025). *Special Education Staffing Plan: Fiscal year 2025*. Howard County Public School System. <https://www.HCPSS.org/f/special/fy25-special-education-staffing-plan.pdf> (Last accessed June 11, 2025)

⁶ Maryland State Department of Education. (n.d.). *Special education overview*. Maryland State Department of Education. <https://marylandpublicschools.org/programs/Pages/Special-Education/index.aspx> (Last accessed June 11, 2025)

⁷ Code of Maryland Regulations, Division of State Documents. (n.d.). *COMAR 13A.09.10.17: Requirements for special education programs*. Maryland Division of State Documents, <https://dsd.maryland.gov/regulations/Pages/13A.09.10.17.aspx> (Last accessed June 11, 2025)

METHODOLOGY

OIGE utilized the following investigative method:

- Identified applicable laws and policies
- Document review
- Conducted logical interviews
- Conducted a walk-through of the facility

INVESTIGATION

I. Staffing and Paraeducators

Members of the OIGE conducted interviews with HCPSS staff members to gain a better understanding of Cedar Lane's staffing. At least two classes where certified special education teacher positions remained vacant, Cedar Lane assigned three paraeducators to manage instruction. One paraeducator was compensated for assuming lead duties in the classroom, with additional support provided by two other paraeducators. Despite ongoing postings and outreach, Cedar Lane staff members reported repeated efforts to hire long-term, special education-certified substitutes were unsuccessful.

Although paraeducators received reported support from certified teachers in adjacent classrooms, and some oversight is maintained, this arrangement does not meet the standard that Special Designated Instruction (SDI) be provided by certified personnel. This direction is noted in the Maryland State Department of Education Technical Assistance Bulletin Division of Early Intervention and Special Education Services Bulletin #19-01 Revised November 2019.⁸ However, with nearby certified teachers and support staff available, some would interpret this as meeting the standards of being supervised by certified teachers.

Through these interviews and observations, the OIGE confirmed that Cedar Lane maintains student-to-staff ratios that meet the minimum requirements outlined in COMAR 13A.09.10.17(E), which establishes that full-day special education programs may not exceed an average of six students with disabilities per full-time certified teacher, or nine students when an aide is present. In some classes, Cedar Lane meets the minimum student-to-teacher ratio by strategically utilizing paraeducators. Cedar Lane has also demonstrated compliance with MSDE recommendations regarding the flexible use of paraeducators to support specially designed instruction, as described in MSDE's "TIPs to Address Special Education Staff Shortages" (2022).

Find creative ways to use substitute teachers and paraeducators. Strategically engage paraeducators in lesson preparation, materials, and resource development

⁸ Maryland State Department of Education Technical Assistance Bulletin Division of Early Intervention and Special Education Services Bulletin #19- 01, Revised November 2019, https://marylandpublicschools.org/programs/Documents/Special-Ed/TAB/19-01, Curriculum_Instruction_and_Assessment_Final-508.pdf (Last accessed June 11, 2025)

to support teacher workload. Paraeducators may also facilitate communication with other members of the instructional team to manage data collection. Ensure that long-term substitute teachers working with students with disabilities receive support, coaching and supervision from a certified special education teacher. Include long-term substitutes and paraeducators in professional development opportunities. Deploy paraeducators to implement accommodations and other supports for students completing asynchronous assignments and participating in classes.⁹

MSDE guidance states that while paraeducators may assist in instructional delivery and classroom management, they cannot replace certified educators in providing specially designed instruction, implementing IEP goals, or assuming instructional responsibility. The COMAR 13A.09.10.17 regulation further requires that each student's IEP be implemented by qualified staff and that schools provide sufficient personnel to fulfill the educational mandates outlined in each IEP.¹⁰

II. Safety and Crisis Response

The HCPSS staff members provided the OIGE with detailed descriptions of several incidents involving physical aggression between students. According to staff, each incident was managed in accordance with established school policies and applicable regulatory protocols. The school's Behavioral Response Team (BRT) is notified and activated when a student enters a behavioral crisis. The BRT is responsible for assessing the situation, intervening as necessary, and employing de-escalation techniques in line with approved behavioral intervention practices to ensure the safety of all students and staff.

The HCPSS staff members explained that a full-school lockdown is not the default response to such incidents. Instead, Cedar Lane typically initiates a "modified lockdown," a targeted safety measure that restricts student movement in specific areas while allowing staff to focus on stabilizing the student in crisis.¹¹ This approach is used when the student does not pose an immediate threat to others but requires time and space to de-escalate the situation. This strategy aims to prevent further agitation while minimizing harm to students and others. Staff maintain close supervision throughout the event and facilitate the students' reintegration into the learning environment once the crisis has been resolved. Due to the safety of the students during this modified lockdown period, sensory rooms and other areas are often inaccessible. The HCPSS staff members further explained that during the modified lockdowns, special service employees, such as occupational therapists and speech therapists, can access their appointments through the exterior

⁹Maryland State Department of Education Division of Early Intervention and Special Education Services Implementation Best Practices and Considerations, Revised August 2022, TIPS to Address Special Education Staff Shortages, Scheduling, and Logistical Challenges Across Varied Service Delivery Models https://marylandpublicschools.org/programs/Documents/Special-Ed/TAB/TIPs-to-Address-Special-Education_2022pw.docx (Last accessed June 11, 2025)

¹⁰ Ibid, 7

¹¹ Howard County Public School System. (n.d.). *School Safety and Security: Protecting Our Students and Staff*. Howard County Public School System. <https://www.HCPSS.org/safety/> (Last accessed June 11, 2025)

doors in each classroom.

HCPSS staff emphasized that adding more Registered Behavior Technicians (RBTs) dedicated to supporting students' daily behavioral needs could reduce the number of student outbursts, thereby decreasing the frequency of lockdowns. Currently, the school is allocated only one RBT position (HCPSS Special Education Plan FY25). Staff recommended increasing that number by at least three additional RBTs, noting that such an expansion would likely lead to a more stable and supportive environment for the entire student population.

One HCPSS staff member highlighted the need for increased access to functional communication equipment, including walkie-talkies, batteries, and chargers, to enhance emergency response times and daily coordination. During interviews, staff members recommended that classrooms serving the most physically vulnerable students, such as those with limited mobility, be strategically located farther away from classrooms serving students who may exhibit high physical activity or aggressive behaviors, possibly reducing the risk of physical altercations. During the walkthrough of the facility, investigators noted that several exterior doors could be accessed without triggering any immediate alerts. Although the school has visual surveillance in place, it primarily assists staff after incidents occur, rather than providing real-time notifications, as an alarm system would. Given that the school is located near bodies of water, the lack of alarmed exits raises heightened safety concerns, such as the risk of drowning, especially for students with elopement behaviors or significant cognitive disabilities.

The OIGE found that HCPSS staff members demonstrated a clear understanding of crisis response protocols and confirmed their active role in implementing modified lockdown procedures. They reported that the frequency of these modified lockdowns tends to increase during periods of elevated emotional stress, such as holidays or following extended school breaks. On average, the school experiences approximately four modified lockdowns monthly, with slight upticks noted during seasonal transitions, including the winter holidays and spring break.

FINDINGS

OIGE acknowledges that Cedar Lane is attempting to maintain compliance with state and federal special education requirements in the face of systemic challenges. The school has demonstrated ongoing efforts to address staffing shortages, including repeated attempts to recruit certified special education teachers and the strategic deployment of paraeducators to support instructional needs.

Despite these efforts, Cedar Lane currently has at least two classes where specially designed instruction is provided without the presence of a certified special education teacher. These instructional vacancies do not comply with the requirements outlined in COMAR 13A.09.10.17, which states that students with disabilities receive instruction from certified personnel. While paraeducators in these classrooms are reportedly supported by nearby certified staff and receive additional coaching, substituting paraeducators for certified (or accredited track) teachers does not meet regulatory standards for instructional delivery in separate day school settings. This situation reflects a local challenge and a national teacher shortage that has affected schools across the nation. Cedar Lane's challenges align with schools' growing difficulty in hiring and retaining certified

special education teachers.

These vacancies are not unique to Cedar Lane but rather reflect a national crisis in teacher hiring. As of the 2024–2025 school year, public schools across the United States continued to face significant staffing challenges. According to the U.S. Department of Education’s National Center for Education Statistics (DOE-NCES), approximately 3% of all teaching positions nationwide remained vacant, with 35% of public schools reporting at least one unfilled teaching role. Special education vacancies were cited among the most difficult to fill. Additionally, 74% of public schools reported challenges in hiring certified staff for open teaching positions, reflecting ongoing national struggles in fully staffing classrooms with qualified educators.¹² DOE-NCES data also indicated that 8% of public-school teachers left the profession during the 2021–2022 school year, with an additional 8% transferring to different schools, resulting in a total attrition rate of approximately 16% (NCES, 2023). These figures reflect a persistent staffing instability that has not shown significant improvement since 2012. Lastly, 86% of public schools reported difficulties in hiring teachers for open positions during the 2022–2023 school year, highlighting the challenges in attracting and retaining qualified instructional staff nationwide.¹³ These conditions have intensified post-pandemic, especially in high-need settings such as special education, making it increasingly difficult for schools like Cedar Lane to recruit and retain certified special educators despite outreach efforts.

In 2017, former Maryland State Superintendent of Schools, Dr. Nancy Grasmick, stated that “over 10 percent of Maryland’s student population has special needs, which represents nearly 90,000 students.”¹⁴ The OIGE found that the Maryland Office of Legislative Services (OLS) reported that special education enrollment increased from 118,523 in the fall of 2023 to 120,731 in the fall of 2024. The OLS analysis also showed that from the fall of 2019 to 2024, special education enrollment had increased by 7,876 students, or 7%.¹⁵ This data indicates that since 2017, there has been a 34.14% increase in students with special education needs throughout Maryland.

HCPPS data further revealed that out of 116 school staff vacancies reported in February 2025, 69% or 80 of those positions were in special education. The disparity between the growth in the student population needing special services and the ongoing shortage of special education teachers could significantly impact HCPPS's ability to deliver essential services to students with disabilities.

Additionally, OIGE reviewed a recently released working group report from MSDE. In December 2024, MSDE released a two-year study titled “Special Education Workgroup Final Report, Improving Education for Students with Disabilities.” The report acknowledges the importance of

¹² U.S. Department of Education, National Center for Education Statistics. (2024, October 17). *Most U.S. public elementary and secondary schools faced hiring challenges and had unfilled teaching positions for the 2024–25 school year* [Press release]. Retrieved from https://nces.ed.gov/whatsnew/press_releases/10_17_2024.asp (Last accessed June 11, 2025)

¹³ U.S. Department of Education, National Center for Education Statistics. (2023, December 13). *Eight Percent of Public School Teachers Left Teaching in 2021, a Rate Unchanged Since Last Measured in 2012* [Press release], https://nces.ed.gov/whatsnew/press_releases/12_13_2023.asp (Last accessed June 11, 2025)

¹⁴ Interview with Nancy S. Grasmick, The Daily Record Maryland, December 18, 2017, <https://thedailyrecord.com/2017/12/18/nancy-s-grasmick/> (Last accessed 8/3/2025)

¹⁵ Maryland Office of Legislative Services, Analysis of the FY 2026 Maryland Executive Budget, 2025, Aid to Education, Maryland State Department of Education, page 17.

recruiting and retaining qualified and skilled personnel, which is essential to the success of Maryland's schools. As such, the MSDE workgroup identified enhancing teacher supply, retention, and capacity as one of its top three strategic priorities. This aims to ensure that schools are staffed with adequate general and special educators, related service providers, paraprofessionals, and other personnel with the knowledge, skills, and expertise necessary to educate students with disabilities effectively.¹⁶

Regarding student safety, the OIGE finds that Cedar Lane has implemented protocols to mitigate behavioral incidents that are likely to occur, thereby maintaining a safer learning environment. The school's use of modified lockdowns, the activation of its Behavioral Response Team (BRT), and adherence to de-escalation practices reflect an understanding of behavioral crises among students with significant needs. Staff interviews confirmed the knowledgeable application of these procedures.

RECOMMENDATIONS

The OIGE fully recognizes the ongoing national shortage of certified teachers and paraeducators, especially in special education settings. These challenges are not unique to Cedar Lane or HCPSS but rather reflect broader workforce trends affecting school systems nationwide. With that in mind, the following recommendations are designed to be practical and achievable, providing both immediate actions and medium-term strategies¹⁷ to enhance safety, compliance, and support for staff and students.

Recommendation #1

HCPSS should continue to work on recruiting certified special education teachers.

- The local education agency (LEA) must strengthen oversight and support paraeducators who are covering classrooms. This includes assigning an accredited teacher or administrator to formally monitor instruction in those rooms, offering coaching, and ensuring compliance with IEPs. While not a permanent solution, this approach can help mitigate the risk of regulatory noncompliance during ongoing recruitment efforts.

Recommendation # 2

The LEA should invest in additional Registered Behavior Technicians (RBTs) to provide daily support for students with high behavioral needs.

¹⁶ Maryland State Department of Education. (2024, December). *Maryland Special Education Workforce Report*. Retrieved from <https://blueprint.marylandpublicschools.org/wp-content/uploads/sites/20/2024/12/12.2024-SEW-Report-Final-A.pdf> (Last accessed June 11, 2025)

¹⁷ Medium-term strategies are plans designed to achieve objective within a one-to-five-year timeframe.

- Recognizing that hiring full-time RBTs may take time, the LEA should also explore partnerships with universities and behavioral health providers to create internship or part-time staffing pipelines that supplement existing resources.

Recommendation #3

To protect medically fragile students and reduce exposure to behavioral crises, Cedar Lane should consider a short-term classroom reconfiguration.

- Moving the classrooms of the most vulnerable students to areas that can lock down specific access points, rather than each door, would be beneficial. When complete separation isn't possible, scheduling dedicated use times for spaces like the playground and sensory room could help keep student groups safely apart during high-risk periods of the day. This approach would potentially reduce the frequency and intensity of behavioral crises in the long term.

Recommendation #4

The LEA should immediately address equipment and safety gaps by upgrading or replacing two key systems: 1) ensuring all staff have access to working, fully charged communication devices (e.g., walkie-talkies with backup batteries) and 2) adding audible alarms on exterior doors, especially in classrooms with students at risk of running out.

- These essential tools are vital for a quick and coordinated emergency response and do not require significant infrastructure changes.

Recommendation #5

HCPSS leadership should improve communication and responsiveness to staff concerns at Cedar Lane.

- OIGE was informed that many issues raised in this investigation had already been reported by staff through formal channels but had received little to no follow-up. The district should set up a standing review committee or feedback process to keep staff informed.

OIGE acknowledges that, based on data reviewed during this investigation, Maryland has experienced a persistent teacher shortage, particularly in special education, for years. Our findings indicate that despite numerous state-sponsored studies and workgroup reports, a significant staffing shortage remains. This shortage could have a considerable effect on the ongoing implementation of the Blueprint for Maryland's Future.

The recommendations outlined in this report aim to help HCPSS and Cedar Lane create a safer, more stable, and legally compliant learning environment, even as broader workforce challenges continue. By implementing these measures and providing proper training and protocols, HCPSS could significantly improve safety and security for both staff and students under their care and supervision.

OIGE understands that information may be changed or updated after an investigation has been completed. The OIGE appreciates the cooperation provided by the members of the Howard County Public School system and the staff of the Cedar Lane School during this investigation.

Respectfully,

A handwritten signature in black ink, appearing to read "Richard P. Henry", is written over a light yellow rectangular background.

Richard P. Henry
Inspector General

Cc: William J. Barnes, Superintendent of Schools – HCPS
Jennifer Riccardi, Acting Executive Director, Division of Special Education, HCPS
Deborah Toppins, Director, Division of Safety and Security, HCPS
J. Stephen Cowles, General Counsel, HCPS
Carey M. Wright, Ed.D., State Superintendent of Schools, MSDE
Joshua L. Michael, Ph.D., President, Maryland State Board of Education

ABBREVIATIONS

BIP – Behavior Intervention Plan

BRT – Behavioral Response Team

CEPT – Central Education Placement Team

COMAR – Code of Maryland Regulation

HCPSS – Howard County Public Schools System

IEP – Individualized Education Program

LEA – Local Education Agency

MSDE – Maryland State Department of Education

NCES – National Center for Education Statistics

OIGE – Office for the Inspector General for Education

RBT – Registered Behavior Technicians

SDI – Special Designated Instruction

SY – School Year