

March 12, 2021

The Honorable Lawrence J. Hogan, Jr.
Governor of Maryland
100 State Circle
Annapolis, Maryland 21401

Re: Fraud and Abuse by Franczkowski

Dear Governor Hogan:

I am writing to notify you that upon additional review of evidences provided by the Maryland State Department of Education (MSDE) officials I found additional fraud and abuse by Ms. Marcella E. Franczkowski, Assistant State Superintendent, Division of Special Education/Early Intervention Services, MSDE in programs receiving financial assistance from U.S. Department of Education (the Department) for the education of children with disabilities in Maryland (the State). This letter follows my letters to you on [October 15, 2020](#), [January 06, 2021](#) and [February 24, 2021](#) in which I explained to you about the evidences of fraud by Ms. Franczkowski and/or Ms. Dori Wilson, Chief, Family Support Branch, Dispute Resolution Branch, MSDE.

On December 17, 2020, Ms. Franczkowski falsely documented the following:

“The school staff suggested that the complainant provide a written list of the issues he raised at the meeting to ensure that the proposed plan address them, and he refused.”

The incident Ms. Franczkowski described above did not actually happen. Ms. Franczkowski fraudulently fabricated it. Audio recording of the meeting is available as evidence. What actually happened was that the school system staff refused to discuss the student's emergency seizure action plan and related supports at the IEP meeting as they believed that it was not a function of IEP team. Documenting what was discussed at the meeting is the responsibility of the school system and they did not ask me to do it as Ms. Franczkowski falsely described. So, I did not refuse either. List of issues were provided in writing since June 08, 2020 and are documented in Maryland's Online IEP system which is available to Ms. Franczkowski.

On December 17, 2020, Ms. Franczkowski also falsely documented the following:

“the IEP team was unable to address the student’s needs arising out of a seizure disorder on October 8, 2020 because the complainant refused to inform the school system staff of the concerns he wanted addressed at the meeting and because he had only provided them with medical information needed to do so a short time before the meeting.”

The above false statements reflect gross misconduct by Ms. Franczkowski abusing her position at the MSDE. I did not refuse to inform the concerns at the meeting. Audio recording of the meeting is available as evidence. I provided the concerns regarding the student's seizure in writing since the beginning of year 2020 and Maryland was aware of it. Many of it were summarized in writing on June 08, 2020 and June 09, 2020 and were documented in the the student's IEP. This IEP and the written concerns are available to Ms. Franczkowski through Maryland's online IEP system. Additional information and medical documentation were also provided since then and Ms. Franczkowski was aware about it. Ms. Franczkowski's fabricated stories comes in spite of all these. Ms. Franczkowski's false documentation that Medical information needed was provided short time before the meeting was also utter false information demonstrating her misconduct in the office. As I explained earlier, medication information was provided several months before the meeting. The last piece of written medical information was provided ten (10) days before the October 08, 2020 IEP meeting and it was only one page. I have evidences for all these. There is no requirements under federal or state law that parents provide written information in advance of the meeting either. I provided it advance so that Maryland officials are provided with even more opportunities to review them.

You can see that Ms. Franczkowski is creating all these fraudulent documentation regarding the student's seizure and emergency care plan. This was not the first time Ms. Franczkowski and/or her colleagues were interfering with the student safety. Several years ago when I complained to Ms. Franczkowski about student not having a proper safety vest, Maryland attempted to improperly patch his existing safety vest against the manufacturer's instruction making it unsafe and putting the student into safety risks. Based on the recent documentation, I find that Ms. Franczkowski is a threat to student safety and health.

Ms. Franczkowski did not ensure that the LEA was provided with sufficient technical assistance as required by the Individuals with Disabilities Education Act (IDEA) for

them to demonstrate an understanding that development of an education program inclusive of support for the student's Epilepsy was a function of IEP team. I believe that in addition to the failure of technical assistance, her misconduct in office with fraudulent and abusive practices is a risk for safety and health of children with disabilities in Maryland and results in discrimination towards them based on their disabilities.

I request you to take immediate actions to stop the fraudulent and abusive practices by Ms. Franczkowski and her team, to ensure safety of children with disabilities who has medical needs such as needs due to Epilepsy and to ensure that they receive Free Appropriate Public Education (FAPE).

By this letter to you and the copies, I would like to remind the MSDE and Maryland that federal regulations prohibit public entities and recipients of Federal Financial Assistance (FFA) from taking actions, towards my son or any of his immediate family members, to harass, intimidate, threaten, coerce or discriminate them, because I filed this complaint with you, any additional complaints regarding the same or different matter, asserted the students' right to receive FAPE in Maryland, or asserted the students' right to not being discriminated based on their disabilities, in Maryland. I request you to take proactive measures to ensure that violations described in this paragraph do not occur.

Thank you in advance for your cooperation. Please contact me to confirm the receipt of this letter. If you need further information or clarification, I can be reached at the contact numbers in this letter.

Sincerely,
Hameed Jamarussadiq

c: Sandra Bruce
Shaheena Simons
Rebecca Bond
Laurie VanderPloeg
Gregg Corr
Christine Pilgrim
Gbenimah Slopadoe
Boyd K. Rutherford

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