

March 26, 2021

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

Re: Integrity of Student Records and Officials in Maryland

Dear Governor Hogan:

On March 23, 2021, I received an anonymous electronic mail (email) from the Maryland State Department of Education (MSDE). While the email addressed me by name, the identity of the sender of the email was not included in the email and there was no signature block. Attached to the email was a letter dated March 23, 2021 (the Letter) written by Dr. Karen B. Salmon, State Superintendent of Schools, MSDE (hereafter the "Superintendent"). There is signature of the Superintendent at the bottom of the Letter. But, the Superintendent wrote her title as "Superintendent of Schools" below the signature. It is unclear whether the Superintendent remains in the position of State Superintendent of Schools in Maryland (the State) and/or her position was downgraded. The Superintendent asserted in the Letter that she was writing on your behalf. However, I have not received any documentation from you authorizing the Superintendent to write on your behalf. The Superintendent has not provided me with a copy of a court order appointing her as an individual who can write on your behalf either. I was unable to fully verify the integrity of the Letter. The Superintendent asserted in the Letter that she was responding to my letter dated [February 24, 2021](#) to you regarding Integrity of Student Records and Officials in the State (the Complaint). The Complaint followed my letters to you on [October 15, 2020](#) and [January 06, 2021](#). In the Complaint I explained to you about the evidences provided by the MSDE officials regarding fraud by Ms. Marcella E. Franczkowski, Assistant State Superintendent, Division of Special Education/Early Intervention Services, MSDE and Ms. Dori Wilson, Chief, Family Support Branch, Dispute Resolution Branch, MSDE in programs receiving financial assistance from the U.S. Department of Education (the Department) for the education of children with disabilities in the State.

The Letter demonstrated that Ms. Franczkowski and Ms. Wilson were performing fraudulent practices with the support of the Superintendent. Instead of stopping the fraudulent practices, the Superintendent attempted to justify the fraudulent practices based on her standards.

The Superintendent shared with me that a copy of the Letter was provided to you as well. You can see that the Superintendent is silent regarding the fraudulent acts by Ms. Franczkowski and Ms. Wilson which I explained to you in the Complaint. I suggest you to refer back to the Complaint to see what I wrote to you. The Superintendent has not denied the fraudulent acts by Ms. Franczkowski and Ms. Wilson which I described to you; and has not denied the illegal modification of the IEP which I explained to you in the Complaint.

The Superintendent also shared with me that the MSDE has documentation that an IEP meeting was conducted subsequent to November 2020 and argued that for that reason Ms. Franczkowski's and Ms. Wilson's acts were not fraudulent. The Superintendent also asserted that I participated in that IEP meeting. As I explained to you in the Complaint, Ms. Franczkowski created the fraudulent documentation on December 17, 2020; and Ms. Wilson created the fraudulent documentation on December 22, 2020. There were no IEP meetings in November, 2020 or December 2020. If Maryland has created a documentation that there was, that is again a fraudulent documentation. IEP meetings held after December 17, 2020 or December 22, 2020 do not erase the fraud by Ms. Franczkowski's and Ms. Wilson's committed on those dates. In addition to this, the Superintendent and team are in possession of the IEP amended on November 09, 2020, which was illegally modified, through Maryland's Online IEP system. IEPs can be always revised in a future dates. But, those revisions do not make the past illegal modifications legal. Also, if the fraudulent practices and practices of illegal modifications are not stopped, there is chance that they will happen again.

In the Letter the Superintendent falsely documented that I asserted that I did not have opportunity to provide input. You can see in the Complaint that I did not make such an assertion.

In the Letter the Superintendent also falsely documented the following:

“Further, you allege that the MSDE has informed the PGCPs that not only does it not need to obtain written parental consent to amend the IEP without convening the IEP team, but it does not even need to secure agreement of the parent to do so.”

You can see in the Complaint that I did not make such an allegation. I suggest you to read the Complaint instead of relying on the Superintendent's words.

This is what I wrote to you in the Complaint:

“Later LEA confirmed that it modified the IEP based on the guidance received from the MSDE. The LEA believes that agreement from the parent is not required anymore as the the MSDE withdrew the consent form for modifying IEPs without an IEP Team meeting.”

You can see how the Superintendent fraudulently modified the facts.

The Superintendent asserted that the MSDE technical assistance was provided to local school systems, not just the LEA, and is available to the public on the MSDE website. Even if we assume that the technical assistance is in compliance with the IDEA, the Superintendent has not confirmed that the LEA read and understood it. There was no mention of the date it was provided to the LEA. Also, the Superintendent did not confirm whether the MSDE has informed the LEA that it did not need to secure my agreement to modify the IEP. The Superintendent has not provided any legitimate reason for withdrawing parental consent requirement for modifying IEPs without an IEP meeting.

The Superintendent also falsely documented in the Letter that the MSDE State complaint procedures include a process for either party to dispute the Findings of Facts and Conclusions reached as a result of each investigation and that that information was provided to the parties in every Letter of Findings. I suggest you read one of Franczkowski's such a letter to see what is in it. State Complaint investigation is the responsibility of the SEA and the State and not the parties'. An SEA my conduct reviews of the letters at its own expense to ensure compliance with the IDEA. When appropriate disciplinary actions are required for SEA's staff in order to conduct proper State Complaint investigation, an SEA and/or the State must implement it.

In parts of the Letter, the Superintendent reiterated about having “no merit”. I understand there is no merit in explaining these things to her. In parts of the Letter, the Superintendent also mentioned about “law”, but did not indicate what law the Superintendent was referring to. I believe she was referring to the Superintendent's law. I request to you to ensure that a qualified individual is appointed to the position of State

Superintendent of Schools in the State so that Free Appropriate Public Education (FAPE) can be provided to all children with disabilities in the State. I again request you to ensure that officials with proper integrity are appointed at the MSDE to ensure integrity of Maryland's IEPs, to ensure safety of children with disabilities who has medical needs such as Epilepsy and to ensure that they receive 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,

A black rectangular box redacting the signature of Hameed Jamarussadiq.

Hameed Jamarussadiq

c: Sandra Bruce
Laurie VanderPloeg
Gregg Corr
Christine Pilgrim
Gbenimah Slopadoe
Boyd K. Rutherford
Karen B. Salmon
Carol A. Williamson
Marcella E. Franczkowski
Monica Goldson
Trinell Bowman