

June 30, 2021

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

Re: Nurse, Building and Franczkowski

Dear Governor Hogan:

I am writing to notify you that the Maryland State Department of Education (MSDE) officials provided me with additional evidences of fraud by Ms. Marcella E. Franczkowski, Assistant State Superintendent, Division of Special Education/Early Intervention Services (the Division), MSDE in programs receiving financial assistance from the 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](#), [February 24, 2021](#), [March 12, 2021](#) and [June 17, 2021](#). I will be referred to as the Parent hereafter.

Background

1. On March 30, 2020, the Division issued a Technical Assistance Bulletin (the Bulletin) providing guidance to the Local Educational Agencies (LEAs) in the State regarding education of children with disabilities during COVID-19 pandemic.
2. The Bulletin contained “*if a student has a private duty nurse (PDN) in school, but is not attending school, the school staff can either obtain agreement of the parent to suspend that service while schools are closed or convene an IEP team meeting to determine whether the student requires a PDN in the school building while the student is not in the building.*”.

3. On June 19, 2020, a Maryland school principal informed the Parent that the school nurse will reach out to the Parent prior to the reopening of physical school building, regarding document for emergency seizure medication for his son (the Student).
4. On July 15, 2020, an LEA in the State (the LEA) informed the Parent that the school building is not staffed and the school nurse is not available to review the document.
5. On July 17, 2020, the Parent inquired the LEA why the school nurse have to go to the school building to review the document as he did not send the document to the school building and asked the LEA whether the school nurse forgot her glasses at the building. There were no answers from the LEA for these questions.
6. On October 08, 2020, the Student's Individualized Education Program (IEP) Team (the Team) convened to revise the IEP. The Team was not able to move forward with the development of emergency seizure action plan for the Student. One of the reason for that was that the school nurse was not available. The Team determined that the school nurse is required not only to administer medication, but also to develop emergency plan. The meeting was audio recorded, Ms. Franczkowski indicated to the Parent that she reviewed the audio recording.
7. On the same date, the LEA documented that it proposes to develop a draft emergency medication plan in collaboration with the school nurse.
8. On December 17, 2020, Ms. Franczkowski falsely documented the following:

“The written summary of the October 8, 2020 IEP team meeting and review of the audio recording of the meeting reflect that the PGCPHS Health Services Department in collaboration with the school nurse, school team, and input from the parents, are developing a plan for the administration of medication and training for school and transportation staff.”

Underline added for emphasis. What is reflected above is Ms. Franczkowski's expertise in manipulation of facts and fraudulent documentation. You can see that these matters are regarding the Student's health and emergency medical care. Ms. Franczkowski poses a safety risk for the Student and other similarly situated students in the State.

I feel sorry for the school nurse that she was virtually kicked out of the school building during COVID-19 pandemic. It is unclear whether she was paid. She seems to be very attached to the building. Recently she claimed that the student is not in the building and for that reason an appropriate education program cannot be developed. I explained to

her that the Student is in the building and our home is the building. She was not cooperating with the Student for him to have proper hygiene. I had to explain to her that the Student needs to go to bathroom even during virtual learning. I expect nurses to encourage proper hygiene.

I request to you to ensure that a qualified individual is appointed to the positions of Assistant State Superintendent at the Division and stop the Division from issuing misguidance to the LEAs and schools so that Free Appropriate Public Education (FAPE) can be provided to all children with disabilities in the State to ensure safety of children with disabilities who has medical needs such as Epilepsy and to ensure that they receive FAPE. I also request you to ensure that school nurses are available in the State during COVID-19 and any other pandemic for development of IEPs and they are provided with appropriate support for understanding State's responsibility to provide FAPE even during COVID-19.

By this letter to you and the copies, I would like to remind the MSDE and Maryland that federal regulations prohibit public entities, private 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 the LEA and 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
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IEP Team