

**Subject:** RE: Request for Investigation and Financial Audit  
**Date:** Tuesday, April 16, 2024 at 10:23:04 AM Eastern Daylight Time  
**From:** Carden, Andrew R. (SAO) <Andrew.Carden@massauditor.gov>  
**To:** Commonwealth Transparency <info@opencommonwealth.org>

Good morning, thank you so much for your note on this.

In order for our office to examine this, we would need a request from the City of Malden itself.

The process for requesting a municipal audit, according to the Massachusetts General Laws, says the request must come “following a majority vote by the board of selectmen or school committee that is ratified by a special or annual town meeting, or in a regional school district following a two-thirds vote of the regional school district committee members, or in a city following a majority vote of the city council and approval by the mayor, or in a county following a majority vote of the county commissioners, the department of the state auditor may make an audit of the accounts, programs, activities and other public functions of said town, district, regional school district, city or county to the extent determined necessary by the state auditor; provided, further, that the expenses incurred for any such audit shall be borne by the city, town or regional school district and the state auditor may charge for the cost of said audit; provided, further, that all funds received for any such audits of said city, town, district, regional school district or county shall be deposited with the state treasurer in a separate account and expended solely for audits of any city, town, district, regional school district or county.”

In the event the City is uninterested in seeking the OSA’s involvement, the alternative would be filing a complaint with the Inspector General’s Office: <https://www.mass.gov/oig-confidential-fraud-waste-and-abuse-reporting-hotline>

Unlike the OSA, the IGO is able to investigate municipal issues without the city/town’s approval.

If you have any questions, please let me know.

All the best,

Andrew

**Andrew Carden**

*Director of Operations*

Office of the State Auditor Diana DiZoglio

Massachusetts State House, Room 230

617-631-5692

[Andrew.Carden@MassAuditor.gov](mailto:Andrew.Carden@MassAuditor.gov)

Please note my email has recently changed. My new address is now [Andrew.Carden@MassAuditor.gov](mailto:Andrew.Carden@MassAuditor.gov). Please update your records accordingly and direct all future emails to my new address.

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**From:** Commonwealth Transparency <[info@opencommonwealth.org](mailto:info@opencommonwealth.org)>  
**Sent:** Monday, April 15, 2024 1:52 PM  
**To:** Auditor (Web Page) <[Auditor@massauditor.gov](mailto:Auditor@massauditor.gov)>

**Subject:** Request for Investigation and Financial Audit

**Importance:** High

Open Commonwealth

8 Marvin Street

Malden, MA. 02148

(617) 952-3183

[info@opencommonwealth.org](mailto:info@opencommonwealth.org)

April 15, 2024

**Diana DiZoglio**

**State Auditor**

Massachusetts State House, Room 230,

Boston, MA 02133

[\(617\) 727-2075](tel:(617)727-2075)

[Auditor@MassAuditor.gov](mailto:Auditor@MassAuditor.gov)

Greetings:

OpenCommonwealth would like to draw your attention to several key indicators in the Malden Public Schools, in Malden, Massachusetts.

1. The amount of monies expended by the district for legal fees as declared in their audited filings with the Massachusetts Department of Education do not comport with the documents and public records produced by the district over the past two weeks. On average, Malden Public Schools underreported their legal expenses by at least \$230,000.00 from 2019-2023.
2. The Special Education department appears to be paying for public records litigation of the Malden Public Schools, Public Records released by the District last week indicate that the Special Education Superintendent (Ms. Pam MacDonald) receives and approves these payments. These suits include a suit filed by Malden Public Schools against a parent seeking public records about his special needs student at Malden.

The amount of documentation is voluminous, a link to the data detailing and demonstrating items #1 and 2 above can be found here:

<https://www.dropbox.com/scl/fo/ytr96dgrbjveg4y41q175/h?rlkey=556p16vcojbek9f61tqe8vmo3&dl=0>

OpenCommonwealth is requesting that the Massachusetts State Auditor investigate these matters and perform a detailed financial audit of the Malden Public Schools, and specifically the Special Education programs of the Malden Public Schools.

Additionally, please reach out at any time if you wish to discuss this matter at the above contacts.

Kindest Regards,

/s/.

OpenCommonwealth.org

By Bruce Friedman

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