

EXHIBIT “A”

Ann Seftelah Employee Emp ID: [REDACTED] File Number: [REDACTED]
 NOTICE: This employee has an active problem code.

Employee Transactions Search Date Crosswalk Date Crosswalk URL Search By / File Number Additional Accomplishments
 Location / Teacher Current Position / Date Emp'l Trans. Status Box(es) / Program / Part/Center Probation Data

Service History																			
Emp'l Hist.	DOB	Effective Date	Sex	Per Session Service	Title / Subtitle	Description	Qual. SVC.	Probation	Mark/Class	Location	Work Location	Emp. Ord.	Position	Rate	Res. Cd.	Description	Salary List	Credential	Description
0	1	02/03/2016	0		TRTRQ	TEACHER			Q-Annual	91RPI		81	QVSSL	UNQ	2UN	Leave Unsubstituted		5013	English Language Arts 7-12
0	1	11/20/2015	0		TRTRQ	TEACHER	Appointed	N	Q-Annual	91RPI		91	QUHFJ	REG	TTR	Transfer to Reassignment Location		5013	English Language Arts 7-12
0	1	06/06/2015	0		TRTRQ	TEACHER	Appointed	N	Q-Annual	149010		78	QU1FA	REG	TTP	TRANSFER TO PROVISIONAL ASSIGNMENT		5013	English Language Arts 7-12
0	1	05/01/2015	1		TRTRQ	TEACHER	Appointed	Y	Q-Annual	95IROU	95IROU	56	QSEVJ	REG	1PA	Assign To Prior Appl License		5013	English Language Arts 7-12
0	1	05/01/2015	0		SUPLQ	PRINCIPAL			Q-Annual	340560		77	GOX1T	TRM	OFO	Probationary Discontinuance		PL03	Pin Day High
0	1	05/02/2014	0		SUPLQ	PRINCIPAL	Appointed	N	Q-Annual	91RPI		81	GOX1T	REG	TTR	Transfer to Reassignment Location		PL03	Pin Day High
0	1	10/04/2011	0	Exists	SUPLQ	PRINCIPAL	Appointed	N	Q-Annual	340560		77	GOZY2	REG	1QP	Appl In Place Of An Interim Acting Supervisor		PL03	Pin Day High
0	1	04/11/2011	0		SUPLQ	PRINCIPAL	Interim	N	Q-Annual	340560		77	GOZY2	REG	1VA	Acting Supervisory Assignment		PL03	Pin Day High
0	1	07/01/2010	0		ASPRQ	ASPIR PRIN	Not Appr	N	Q-Annual	53LEAD		83	GFDUJ	REG	TXN	Transfer Title Change (No App Required)		5013	English Language Arts 7-12
0	1	09/09/2009	0	Exists	TRTRQ	TEACHER	Appointed	N	Q-Annual	01M292		71	QDMVZ	REG	TJH	Job Change		5013	English Language Arts 7-12
0	1	09/02/2007	0	Exists	TRTRQ	TEACHER	Appointed	N	Q-Annual	01M292		71	QDAW	REG	IRK	Appl From List Of Prospective Appointees		5013	English Language Arts 7-12
0	1	09/05/2005	0	Exists	TRTRQ	TEACHER	Appointed	Y	Q-Annual	01M292		71	QDAW	REG	THS	To Staff New School Transfer		5013	English Language Arts 7-12
0	1	09/01/2004	0	Exists	TRTRQ	TEACHER	Appointed	N	Q-Annual	09W052		06	Q1DUT	REG	IRK	Appl From List Of Prospective Appointees		5013	English Language Arts 7-12

EXHIBIT “B”



**Department of
Education**

Carmen Fariña, Chancellor

OFFICE OF SPECIAL INVESTIGATIONS
INVESTIGATIVE REPORT

Courtenaye Jackson-Chast
General Counsel

Jaclyn B. Vargo
Director

Christopher J. Dalton
Deputy Director

Norris W. Knowles
Associate Director

DATE: December 2, 2014

TO: Jaclyn B. Vargo, Director

FROM: Investigator Robert Small and Investigator Gerry Danko

SUBJECT: Ann Seifullah, Principal, File #0828780¹
 [REDACTED] Assistant Principal, File #0766203²
 [REDACTED] Chief of Staff, Special Education Office, File #4005876
 24Q560

OSI Case #14-03690X

ORIGIN OF COMPLAINT

On April 23, 2014, the Office of Special Investigations (“OSI”) received a referral from the Special Commissioner of Investigation (“SCI”) concerning the conduct of Ann Seifullah, Principal (Q560); [REDACTED] Assistant Principal (“AP”) (X005); and a School Safety Agent (“SSA”) assigned to Q560 identified only as “SSA [REDACTED]”³ On April 21, 2014, Queens High School Superintendent Juan Mendez contacted SCI to report that he received a call earlier in the day from an anonymous male, who set forth allegations of sexual misconduct against the subjects.⁴ The complainant specifically alleged that Principal Seifullah engaged in sexual relations on school grounds with [REDACTED] and SSA [REDACTED] as well as with an unidentified female Q560 teacher and at least two school parents, who were not identified.⁵ According to the complainant, evidence of this misconduct can be found on Principal Seifullah’s assigned DOE computers, and on her cell phone,⁶

¹ On May 1, 2014, Ms. Seifullah was administratively reassigned pending the outcome of this investigation.

² On May 5, 2014, [REDACTED] was administratively reassigned pending the outcome of this investigation.

³ The full name of School Safety Agent Phillip was not provided. Moreover, as School Safety Agents fall under the jurisdiction of the NYPD and not the DOE, the allegations against the agent were referred to the NYPD’s Internal Affairs Bureau on May 2, 2014.

⁴ The undersigned investigators interviewed Superintendent Mendez on May 1, 2014, and at that time, he reiterated his statements made in the SCI referral.

⁵ A similar allegation was lodged against [REDACTED] on July 22, 2013, by Mr. Robert Sofia, who claimed that [REDACTED] had engaged in sexual conduct in the IS 52X building, during school hours, with Mr. Sofia’s fiancé, an unnamed teacher at the school at that time. The case was investigated by Community Superintendent Yolanda Torres, under OSI Case #13-06133, and found unsubstantiated. Ms. Torres’ memorandum on the case is enclosed in the case file. It should also be noted, as discussed further on in this report, that Mr. Sofia was later identified as the anonymous complainant in the present case.

⁶ The complaint did not specify if this was Principal Seifullah’s DOE-issued BlackBerry device or her personal cell phone. During the course of the investigation, it was learned that the complainant was referring to the former.

through which Principal Seifullah sent text messages of a sexual nature to the other subjects as well as to additional DOE personnel and parents.⁷

During the course of this investigation, the complainant was identified as Principal Seifullah's former boyfriend Robert Sofia *aka* Robert Conte.⁸ In his OSI interview, Mr. Sofia set forth additional allegations that Principal Seifullah engaged in the following conduct:

- had sexual relations with an 18-year-old former student of hers from a previous school named [REDACTED]
- had sexual relations with educators with the first names of [REDACTED] and [REDACTED] (or [REDACTED] in empty classrooms and other secluded areas at M292⁹;
- "actively court[ed] a female teacher to eventually seduce her into having a threesome," and had sent text messages of a sexual nature to this teacher; and
- misused her city position and violated conflicts of interest rules when she testified on Mr. Sofia's behalf at a custody hearing in New York State Family Court, Queens County, on April 11, 2013.

Further to Mr. Sofia's allegation regarding Principal Seifullah testifying at a custody hearing on his behalf, the undersigned investigators obtained Principal Seifullah's time and attendance records for April 11, 2013, and found that Principal Seifullah had impermissibly taken a self-treated sick day rather than time charged to her annual leave.¹⁰ As such, the allegation that Principal Seifullah violated Annual Leave and Cumulative Absence Reserve ("CAR") procedures was added to this complaint.

On May 1 and 2, 2014, Mr. Sofia also provided to the undersigned investigators, two computer hard drives, and a MacBook laptop computer, which he stated were DOE property issued to Principal Seifullah. According to Mr. Sofia, Principal Seifullah allowed Mr. Sofia access to these computers in violation of DOE policy. Mr. Sofia also provided to the undersigned a thumb drive, which he claimed contained files that would support his foregoing allegations.

In response to the misuse of DOE devices and systems allegations, all of Principal Seifullah's DOE-issued computers and BlackBerry smartphone were examined by a Division of Instructional and Information Technology ("DIIT") engineer, and her DOE email account and Internet browsing history were reviewed.¹¹ The review of Principal Seifullah's DOE-issued computer hard drives found images of Principal Seifullah engaged in sexual acts with unidentified partners. As such, allegations that Principal Seifullah violated the DOE's Internet Acceptable Use and Safety Policy ("IAUSP"), as well as the City of New York Policy on Limited Personal Use of City Office and Technology Resources, were added to this complaint.

In addition, the review of Principal Seifullah's emails, sent from her DOE account on her DOE-issued BlackBerry device found that, from at least from February 2014 through early April 2014, she engaged in extensive personal email communication, which included sexual content, with Sam Goldsmith, Chief of Staff,

⁷ The complaint also alleged that evidence of Principal Seifullah's misconduct could be found "within the school book room," but no further information was provided.

⁸ During his telephone call with the complainant on April 21, 2014, Superintendent Mendez set up a meeting with the complainant for the following day, April 22, 2014, at the Superintendent's office. The complainant never appeared for the meeting that day. The meeting was then rescheduled for May 1, 2014, with the undersigned investigators present, and it was then that the complainant was identified as Mr. Sofia. Mr. Sofia was later interviewed by the undersigned investigators at OSI on May 6, 2014.

⁹ Principal Seifullah had taught at 01M292 prior to her appointment at 24Q560.

¹⁰ Principal Seifullah's time and attendance records for April 2013 are enclosed in the case file.

¹¹ A greater discussion of DIIT's findings can be found further on in this report.

DOE Special Education Office, during work hours. The emails indicated that a substantial period of time was spent discussing non-work related matters, and as such, allegations of theft of service and misuse of DOE resources were lodged against Principal Seifullah and [REDACTED], and [REDACTED] was added as a subject of this investigation.

Moreover, the email correspondence indicated that Principal Seifullah may have committed potential conflicts of interest violations by engaging in a financial relationship with her subordinate, teacher [REDACTED] when she sublet her apartment from [REDACTED] and also had [REDACTED] babysit her child on numerous occasions. As such, allegations that Principal Seifullah violated conflicts of interest rules under Chancellor's Regulation C-110 and Chapter 68 of The New York City Charter were added to this complaint.

RESULTS OF INVESTIGATION

Robert V. Sofia, aka Robert V. Conte, Complainant:

On May 1, 2014, the undersigned investigators first interviewed Mr. Sofia at the office of Superintendent Juan Mendez. On May 6, 2014, the undersigned investigators conducted a second interview with Mr. Sofia at OSI, at which time, Mr. Sofia wrote a statement detailing his allegations against Principal Seifullah.¹² The following information reflects Mr. Sofia's written and oral statements during all interviews.

According to Mr. Sofia, in late September 2012, he first met Principal Seifullah at Q560, where his son was then a freshman student. At that time, Principal Seifullah asked Mr. Sofia if he was interested in joining the School Leadership Team and requested his cell phone number; soon after receiving his number, she texted him with her own cell phone number.

Mr. Sofia stated that the first time Principal Seifullah made a sexual advance toward him was in Q560, after an evening school function, which took place in late October or early November 2012. According to Mr. Sofia, as the guests and faculty left the school, Principal Seifullah asked him to stay behind a few more minutes so that she could get ready and drive him home. Mr. Sofia stated that Principal Seifullah then kissed him, grabbed his hand, and placed it down her pants. Mr. Sofia asserted that he refused to have "a full sexual encounter" at that time because they were on school grounds. She then drove Mr. Sofia home, they kissed, and soon after that evening, they began a personal relationship.

According to Mr. Sofia, on an unspecified date, he viewed the messages on Principal Seifullah's cell phone and found three text messages, which were "sexual in nature," from [REDACTED] Assistant Principal at X005. When Mr. Sofia confronted Principal Seifullah about the messages, the Principal replied that [REDACTED] was "an on-again/off-again lover she had met while they were working as teachers at I.S. 52." Mr. Sofia added that Principal Seifullah told him that she and [REDACTED] were now "only friends who occasionally flirted."

Mr. Sofia further stated that, on July 19, 2013, he read text messages that Principal Seifullah had sent to her ex-husband [REDACTED] and teacher [REDACTED] which disparaged Mr. Sofia. Mr. Sofia claimed that he then "demanded to know the truth about everything or [he] was going to leave her." According to Mr. Sofia, Principal Seifullah admitted that, during their relationship, she engaged in sexual activity with [REDACTED] and had been "intimate" with [REDACTED]. When Mr. Sofia asked Principal Seifullah where she had relations

¹² Mr. Sofia's written statement is enclosed in the case file.

with [REDACTED] she replied, "At school in the book room." When Mr. Sofia then asked if she had sex with anyone else at school, Principal Seifullah replied, "Yes, with [REDACTED]"

Mr. Sofia then recorded¹³ Principal Seifullah's admissions that she performed oral sex on both [REDACTED] and [REDACTED] inside Q560 during class time. Mr. Sofia provided a copy of the recording to the undersigned investigators. [On this recording, Mr. Sofia's voice is the only one that is clearly audible.]

According to Mr. Sofia, Principal Seifullah explained to him that she suffers from "some sort of mental illness" and needed help. Mr. Sofia and Principal Seifullah then went to a psychotherapist for couples therapy, and during the four months that they were in therapy together, additional information pertinent to this investigation, came to light: Mr. Sofia alleged that, in addition to engaging in sexual activity on school premises with Mr. Seifullah, [REDACTED] and [REDACTED] Principal Seifullah also had "sexual encounters" with approximately ten other DOE educators, and many of these incidents took place in empty classrooms and other secluded areas at various schools including Q052, M292, and Q560. Two educators were identified by their first names, [REDACTED] and [REDACTED]. In addition, Mr. Sofia alleged that Principal Seifullah had "actively court[ed] a female teacher to eventually seduce her into having a threesome," and had sent text messages of a sexual nature to this teacher. [The teacher was later identified, through a forensic examination of Principal Seifullah's BlackBerry, as [REDACTED]]¹⁴

Mr. Sofia further stated: "Most egregiously, Annie slept with [REDACTED] a student of hers at a previous school. When I asked how she could do such a thing, Annie replied, 'Oh, he's 18 so it's OK.' It is not OK."

In addition, Mr. Sofia set forth allegations of conflict of interest violations against Principal Seifullah stemming from the misuse of her position when she testified on his behalf during his child-custody hearing in Queens Family Court on April 11, 2013.

According to Mr. Sofia, in December 2013, he and Principal Seifullah "officially split," and on March 15, 2014, they had their last personal conversation. Mr. Sofia explained that, in April 2014, after a month away from Principal Seifullah, he "was able to assess what happened" to him, and then decided to come forward with the information of Principal Seifullah's misconduct.

Derek Jones, New Visions, Network Leader 561:

On May 12, 2014, Mr. Jones was present at OSI and was interviewed by the undersigned investigators. At that time, Mr. Jones also wrote a statement detailing his interactions with Principal Seifullah as they pertain to this investigation.¹⁵ The following information reflects Mr. Jones' written and oral statements:

Mr. Jones explained that, as Network Leader, he is responsible for the support and supervision of 30 schools in the Manhattan and Queens network, one of which is Q560. Mr. Jones stated that his first visit to Q560 was in June 2013 to develop a work plan for the following school year. In September 2013, Mr. Jones had a conversation with Principal Seifullah, during which she shared that she had many personal issues affecting her focus at work, particularly, issues related to her divorce and her son. According to Mr. Jones, from that time forward, he would ask her about her son and her relationship.

¹³ Mr. Sofia explained that he began to video record Principal Seifullah's statements on his cell phone, but then changed the recording to audio when the phone's digital storage ran low. A copy of the recording is enclosed in the case file.

¹⁴ [REDACTED] OSI interview can be found later on in this report.

¹⁵ Mr. Jones' written statement is enclosed in the case file.

According to Mr. Jones, in November 2013, Principal Seifullah revealed to him that she was dating a parent of one of her students at her school, and Mr. Jones suggested to Principal Seifullah that she disclose this information.¹⁶ Mr. Jones contacted a colleague, who then contacted Senior Field Counsel Gillian Kost in order to determine if this was a conflict of interest. Ms. Kost stated that dating the parent was not a conflict if the student did not receive preferential treatment and the parent was not benefiting financially.

Mr. Jones stated that, sometime in February 2014, prior to Q560's Practice Quality Review, Mr. Jones spoke with Principal Seifullah about her personal and professional issues, and at that time, Principal Seifullah informed him that she was now living with the aforementioned parent, whose name is Robert. On February 27, 2014, Mr. Jones returned to the school as part of the Quality Review Team; during the debrief, Mr. Jones noticed that Principal Seifullah was upset and crying, and so after his team had left the school, he remained to speak with her. At that time, Principal Seifullah explained to Mr. Jones that her relationship with Robert had turned hostile and that, somehow, he had "hacked" into her computer and cell phone. According to Mr. Jones, Principal Seifullah told him that Mr. Sofia was "threatening to disclose all that he found out, and that he was accusing her of cheating on him with her estranged husband as well as other individuals." He added that Principal Seifullah stated that Mr. Sofia also threatened to go to the press with what he had found on the phone; however, Mr. Jones did not specify whether she told him what Mr. Sofia had found. Moreover, Mr. Jones stated that Principal Seifullah expressed concern over having testified on Mr. Sofia's behalf in his custody hearing.

teacher, Q560:

In reviewing documentary evidence during the course of this investigation, particularly email correspondence between Principal Seifullah and [REDACTED], the undersigned investigators found that Principal Seifullah may have committed potential conflicts of interest violations by engaging in a financial relationship with a subordinate, teacher [REDACTED] therefore, [REDACTED] was called to OSI to be interviewed as a witness in this investigation. [REDACTED] appeared at OSI and was interviewed in the presence of UFT representative Gene Burr on May 20, 2014, and then on October 9, 2014. In his interviews, [REDACTED] conveyed the following information:

[REDACTED] explained that he first met Principal Seifullah when she was a workshop coordinator at Columbia University. They became friends and Principal Seifullah asked [REDACTED] to work with her at Q560, which he did. [REDACTED] stated that he has been teaching at Q560 for the past three years. [REDACTED] further stated that Principal Seifullah was his rating officer and that he has received a "Highly Effective" rating from her.

According to [REDACTED] because of his close personal relationship with Principal Seifullah, he offered to "babysit" Principal Seifullah's son at her home on two occasions, after school hours, while she went out socially. [REDACTED] asserted that he never asked for, nor was he paid, any money for watching Principal Seifullah's son.

In his October 9, 2014 interview, [REDACTED] also acknowledged that Principal Seifullah had subleased his apartment from April 2014 to June 2014. He explained that the Principal paid him in cash in the amount of \$1,100.00 per month, which he deposited into his personal Citibank checking account.¹⁷ [REDACTED] further

¹⁶ Mr. Jones did not specify in his interview to whom this information should be disclosed.

¹⁷ [REDACTED] provided a redacted Citibank "Account Details" printout, which indicated that he made cash deposits at the beginning of the months of April, May, and June 2014. For May and June, he made cash deposits of \$1,100.00 each month, and in April, he made a cash deposit of \$1,000.00; he explained that he took \$100 from the sublease money to pay

asserted that he did not profit financially from this arrangement. When asked how this arrangement came to be and who first made the suggestion of subleasing his apartment, [REDACTED] replied that he was "not sure who brought it up." [REDACTED] added that, in June 2014, he asked Principal Seifullah to leave his apartment because he was concerned that she would be unable to pay the rent "because of the issues she was dealing with." At the time of his October 9, 2014, interview, Principal Seifullah was no longer subleasing his apartment.

When asked if he had any conversations with Principal Seifullah just prior to her removal from Q560, [REDACTED] stated that Principal Seifullah told him that she was concerned about an upcoming *New York Post* news article, and that she was going to stop communicating with a "friend of hers named [REDACTED]." When asked if he knew the full name and/or identity of [REDACTED], [REDACTED] replied that he only knew that [REDACTED] worked at the central office of the DOE.

When asked if he had any conversations with Principal Seifullah after her removal from Q560, [REDACTED] replied that Principal Seifullah told him, "I regret using a DOE computer for personal materials."

David Reisenfeld, Assistant Principal, Q560:

On May 16, 2014, Mr. Reisenfeld appeared at OSI and was interviewed in the presence of CSA Representative Carol Atkins. At that time, Mr. Reisenfeld stated that he had no knowledge that Principal Seifullah used her BlackBerry device or DOE-issued computers for any prohibited conduct, nor did he have knowledge of any sexual activity taking place on school grounds.

Mr. Reisenfeld further stated that Principal Seifullah had confided in the staff that she had become romantically involved with PA President Robert Sofia.¹⁸

According to Mr. Reisenfeld, on an unspecified date, Principal Seifullah informed him that the *New York Post* had called the school looking for information on her for an article that she believed to be about her and an ex-boyfriend. Mr. Reisenfeld did not comment further on this issue.

When asked about Principal Seifullah's visitors to Q560, Mr. Reisenfeld acknowledged that the Principal had several visitors in the building during her tenure, but thought nothing of it as Q560 was new and doing very well. Mr. Reisenfeld did not recall meeting with [REDACTED] when he visited the school.

When asked if Principal Seifullah had a teacher on her staff who would babysit her son, Mr. Reisenfeld stated that [REDACTED] had informed him that he would watch the Principal's son on occasion. Mr. Reisenfeld also affirmed that Principal Seifullah was subleasing [REDACTED] apartment. Mr. Reisenfeld asserted that he did not believe the foregoing violated any conflicts of interest rules, although it could give the "impression of impropriety."

[REDACTED] teacher, Q560:

On June 19, 2014, [REDACTED] was interviewed at OSI in the presence of UFT Representative Eugene Gurr. Ms. Guarnera stated that she is a teacher at Q560 and considers herself to be a friend of Principal Seifullah. When asked, [REDACTED] denied ever being asked to participate in any sexual activity with the Principal. [REDACTED] explained that she received emails and texts from Principal Seifullah that could have

for items for his new apartment that month. [REDACTED] initialed the redacted bank statement and provided a copy to the undersigned, which is enclosed in the case file.

¹⁸ Mr. Reisenfeld did not state when Principal Seifullah shared the information about her relationship with Mr. Sofia.

been misunderstood; for example, [REDACTED] recalled one specific text that alluded her needing to lose some weight because "her ass was getting too big," but [REDACTED] did not take any offense to this message or any other.

[REDACTED] could not provide any additional information regarding any other allegations that were lodged against Principal Seifullah.

Peggy-Anne Jayne, Assistant Principal, Q560:

On June 20, 2014, Ms. Jayne was interviewed at OSI in the presence of CSA Representative Alex Castillo. At that time, Ms. Jayne stated that she and Principal Seifullah have a personal as well as professional relationship.

When asked, Ms. Jayne indicated that she was aware that Principal Seifullah had dated and lived with PA President Robert Sofia as the Principal had informed her and the staff about their relationship.¹⁹ According to Ms. Jayne, at no time did Mr. Sofia's son, who was a student at Q560, receive any special treatment.

Ms. Jayne further stated that, just prior to Principal Seifullah being removed from her position, Principal Seifullah told her that a news article on her was about to be published, adding, "Robert has pictures of me on my DOE laptop," and "They are going to be racy²⁰ pictures." Ms. Jayne stated that the Principal told her, "I could have made a mistake," referring to those images.

Ms. Jayne stated that she never heard any rumors about Principal Seifullah having sexual relations at school with a School Safety Agent until she read the allegation in a newspaper.

When asked about [REDACTED] visiting Q560, Ms. Jayne recalled a day when [REDACTED] appeared at the school and Principal Seifullah took him on a tour of the building; she could not recall where the Principal and [REDACTED] went in the school or any further information.

Ms. Jayne stated that she knew that [REDACTED] has watched Principal Seifullah's son after school, and that the Principal subleased [REDACTED] apartment. When asked if she believed that such actions could be a conflict of interest, Ms. Jayne stated that she had not thought about it up until that time, but conceded that it could be.

Christine Loughlin, Principal, M292:

On May 7, 2014, the undersigned investigators appeared at M292 and interviewed Principal Loughlin. When asked if a teacher with the first name [REDACTED] and a second teacher with the first or last name of [REDACTED] or [REDACTED] had ever taught at M292, Principal Loughlin stated that she has never had a teacher with the first or last name of [REDACTED] or [REDACTED] on her staff.²¹ She further stated that there was a teacher named [REDACTED] at M292 at the same time when Principal Seifullah was on staff; however, [REDACTED] has since left the DOE and was teaching in California.

¹⁹ Ms. Jayne did not specify exactly when Principal Seifullah informed them of her relationship.

²⁰ Ms. Jayne did not indicate what she meant by "racy."

²¹ This questioning pertained to Mr. Sofia's allegation that Principal Seifullah engaged in sexual activity with educators with the first names of [REDACTED] and [REDACTED] (or [REDACTED]) in empty classrooms and other secluded areas at M292.

The undersigned investigators also asked Principal Loughlin if there had been a student named [REDACTED] (or some variation of the name) enrolled at the school while Principal Seifullah was on staff, to which she replied that she had no record of a student by that name.

When asked about Principal Seifullah's performance as a teacher at M292, Principal Loughlin stated that Principal Seifullah was a good teacher, but that she "took risks" in her personal life. Principal Loughlin did not offer any additional information concerning this investigation.

Samantha Biletsky, Ethics Officer, DOE Senior Counsel:

On August 27, 2014, OSI Agency Attorney Marisa Kakoulas spoke with Ms. Biletsky, via telephone, concerning the allegations that Principal Seifullah violated Conflicts of Interest Law, which is contained in Chapter 68 of the New York City Charter, and adopted within Chancellor's Regulation C-110.

Prior to this discussion, Ms. Kakoulas emailed, to Ms. Biletsky, a copy of the transcript of Principal Seifullah's testimony during Mr. Sofia's custody hearing in Queens County Family Court, in order to assess whether Principal Seifullah misused her City position when she testified on Mr. Sofia's behalf.²² Upon reviewing the transcript and conferring with the NYC Conflicts of Interest Board, Ms. Biletsky determined that Principal Seifullah's testimony did not constitute misuse of her position. Ms. Biletsky explained that conflicts of interest rules prohibit public servants from using their City positions to obtain a financial gain or advantage for themselves, their relatives, or their associates,²³ but Principal Seifullah's appearance at Family Court on Mr. Sofia's behalf did not violate this provision, notwithstanding that she used poor judgment in testifying at the hearing. Moreover, Ms. Biletsky stated that Principal Seifullah testified in her personal capacity, not as a DOE representative, and while she made mention that she is the Principal of Q560, where Mr. Sofia's son is enrolled, she did not divulge any confidential information pertaining to the student.

When Ms. Kakoulas informed Ms. Biletsky that Principal Seifullah had taken a self-treated sick day in order to appear at Family Court, Ms. Biletsky affirmed that this was a violation of Annual Leave and Cumulative Absence Reserve ("CAR") procedures.

With regard to Principal Seifullah subletting her apartment from Q560 teacher [REDACTED] and also having [REDACTED] babysit her child, Ms. Biletsky stated that such actions constituted a violation of Charter §2604(b)(14), which states, "No public servant shall enter into any business or financial relationship with another public servant who is a superior or subordinate of such public servant." Ms. Biletsky added that Ms. Seifullah may have also violated the misuse of position provision, as well as Charter §2604(b)(2), which states, "No public servant shall engage in any business, transaction or private employment, or have any financial or other private interest, direct or indirect, which is in conflict with the proper discharge of his or her official duties."

48-Hour Notice:

On May 5, 2014, the undersigned notified [REDACTED] Assistant Principal, that he was the subject of this investigation. After serving [REDACTED] with a 48-Hour Notice, he was explicitly instructed not to discuss the details of this investigation with anyone at the location of the alleged incident other than his union representative.

²² A copy of the custody hearing transcript, which Mr. Sofia submitted to the undersigned investigators on August 18, 2014, is enclosed in the case file.

²³ See New York Charter §2604(b)(3).

On July 31, 2014, the undersigned notified Ann Seifullah, Principal, that she was the subject of this investigation. After serving Principal Seifullah with a 48-Hour Notice, she was explicitly instructed not to discuss the details of this investigation with anyone at the location of the alleged incident other than her union representative.

On August 8, 2014, the undersigned notified [REDACTED] Chief of Staff, Special Education Office, that he was the subject of this investigation. After serving [REDACTED] with a 48-Hour Notice, he was explicitly instructed not to discuss the details of this investigation with anyone.

[REDACTED] Assistant Principal, X005:

On May 16, 2014, [REDACTED] was interviewed in the presence of Mr. Robert Colon, a representative for the Council of School Supervisors and Administrators. [REDACTED] explained that he has known Principal Seifullah for eight years, from the time when they were both teachers at M052.

When questioned about the allegations that he visited Principal Seifullah at Q560, during school hours, and had sex on school property, [REDACTED] stated that he did visit Principal Seifullah at Q560 on a day that he had taken a personal day off from work during the 2012-2013 school year.²⁴ On that day, he met Principal Seifullah at the entrance of Q560, and she gave him a tour of the school and introduced him to her office staff. [REDACTED] acknowledged that, during the tour, he and Principal Seifullah entered the book room alone, and that she may have closed the door; however, he denied ever having sexual contact with Principal Seifullah, either inside or out of a school building.

During the course of this investigation, the undersigned obtained text messages from Principal Seifullah's DOE-issued BlackBerry device, which included messages sent and received from [REDACTED] personal cell phone. A number of these messages included sexual content.²⁵ One of the messages indicated that [REDACTED] visited Q560 on November 30, 2012,²⁶ on that date, [REDACTED] had also sent Principal Seifullah a message after his visit to the school, stating that the next time they met, they would engage in certain sexual activity.

The undersigned investigators presented [REDACTED] with the aforementioned text messages during his OSI interview. [REDACTED] confirmed that he had exchanged text messages that were sexual in nature with Principal Seifullah. He also confirmed that, while he sent the messages from his personal device, he knew that Principal Seifullah was communicating through her DOE-issued device as she did not possess her own personal cell phone. [REDACTED] continued to deny that he had sexual contact with Principal Seifullah on or off school property, and asserted that the text messages were the extent of their sexual relationship.

²⁴ The date was later confirmed to be November 30, 2012.

²⁵ During his OSI interview, the undersigned investigators presented the text messages to [REDACTED] via Principal Seifullah's DOE-issued BlackBerry device. Later on, Principal Seifullah's BlackBerry was submitted to the DOE Division of Instructional and Information Technology so that the text messages could be transferred from the BlackBerry to the EnCase Digital Forensic platform for forensic investigation and data collection; however, as the systems used during the transfer were incompatible, the data files became corrupted and irretrievable. As such, evidence of these messages is no longer available.

²⁶ The undersigned investigators obtained [REDACTED] attendance records and confirmed that he had taken that day off.

Ann Seifullah, Principal, Q560:

On August 8, 2014, Principal Seifullah appeared at OSI and was interviewed in the presence of Mr. Robert Colon, a representative for the Council of School Supervisors & Administrators. At that time, Principal Seifullah refused to make a statement. Mr. Colon then submitted a letter to the undersigned investigators from Principal Seifullah's attorney, Mr. Peter Gleason, in which Mr. Gleason states his objection to OSI's denial of his request that he be present during Principal Seifullah's OSI interview.²⁷

██████████ Chief of Staff, DOE Special Education Office:

On August 11, 2014, ██████████ appeared at OSI and was interviewed by the undersigned investigators. At that time, ██████████ explained that he was first introduced to Principal Seifullah in February 2014 at a farewell party for a colleague, and soon after, they began a personal relationship.

██████████ admitted that, from February, he engaged in regular personal communication with Principal Seifullah during work hours, via their DOE email accounts, as well as via text message from his personal cell phone to her DOE-issued cell phone. ██████████ stated that he was aware that Principal Seifullah did not have her own personal cell phone and that all of her emails, text messages, and calls to him originated from her DOE-issued devices. ██████████ further admitted that he understood that their personal communication during work hours was impermissible, and as such, during their correspondence via their DOE email accounts, he would indicate that they should "switch over" to their personal email accounts or that she should contact him on his cell phone so as to avoid a record of their extensive communication.

██████████ asserted that he had emphasized to Principal Seifullah that, because of the time they spent emailing during work and the nature of their discussions, they had to limit their communication. ██████████ stated that he would forward, to the undersigned investigators, emails that he believed supported this assertion, which he did soon after his OSI interview.²⁸

According to Mr. ██████████ in early May, after the *New York Post* published an article²⁹ on the allegations that Principal Seifullah had sex on school grounds, among other allegations set forth by Mr. Sofia, Principal Seifullah called ██████████ to offer her "side of the story." ██████████ stated that, during that telephone conversation, Principal Seifullah admitted that she had "sex at school with the SSA"; however, she denied having sex on school premises with ██████████ and explained that she had only kissed him at school. Principal Seifullah further told ██████████ that her ex-boyfriend [Mr. Sofia] had "made up" the allegation against ██████████ because he disliked him. ██████████ added that Principal Seifullah also admitted to him that she had sexually explicit photos on her DOE-issued laptop, but that Mr. Sofia had placed a number of those images on her computer.

██████████ asserted that he never had sexual contact with Principal Seifullah at any school, DOE office, or facility.

²⁷ The letter is enclosed in the case file.

²⁸ Copies of the emails that ██████████ forwarded to the undersigned investigators are enclosed in the case file. A discussion of the content of the email exchange can be found later in this report.

²⁹ A copy of the article is enclosed in the case file.

DOCUMENTARY EVIDENCE

The undersigned investigators obtained all DOE computers and devices assigned to Principal Seifullah and [REDACTED]. On May 1, 2014, at the office of Superintendent Juan Mendez, Mr. Sofia submitted two computer hard drives and Principal Seifullah's DOE-issued MacBook laptop computer.³⁰ On May 1, 2014, Principal Seifullah submitted to the undersigned her DOE-issued BlackBerry Bold device, MacBook Pro, iPad, iPad Mini, and Lenovo ThinkCenter desktop computer. On May 5, 2014, [REDACTED] submitted to the undersigned his DOE-issued Lenovo ThinkPad laptop computer and BlackBerry Bold device.³¹

The undersigned investigators then submitted the aforementioned devices to the Division of Instructional and Information Technology ("DIIT") for forensic examination. DIIT engineer Abraham Lara submitted a Forensics Investigation Report, dated July 16, 2014, which included the following statements:³²

- A search through the gallery view in EnCase was performed on all hard drives. There were two images of the subject in lingerie located on her desktop computer where they were attempted to be deleted.
- There was a folder named "Annie Evidence" located on the desktop of the MacBook. Inside were various explicit images of the subject with another man and another woman in sexual acts. Along with the images was an audio file. The audio file, "Voice0004.amr," is that of a man questioning the subject about the sexual acts she has performed in the school building.
- Various emails were located on the subject's BlackBerry Bold between the subject and [REDACTED] where she discusses her feelings for [REDACTED] and that they need to stop talking until this situation blows over. Included are the emails between the subject and [REDACTED]. No additional emails were found related to this case.
- A manual inspection of the entire internet browsing history was done. This search resulted in no evidence related to this case.

Regarding the "Annie Evidence" folder found on the MacBook computer referenced above, when Mr. Sofia handed the MacBook over to the undersigned investigators, he did not state that he created the folder containing the images and audio file; however, as it appears that he was the only person other than Principal Seifullah who had access to the MacBook, it is likely that he did so.

Moreover, it should be noted that the report states that a search through [REDACTED] text and SMS messages located on his DOE-issued BlackBerry "resulted in no evidence related to the case." However, as discussed under [REDACTED] OSI interview testimony, the undersigned investigators retrieved text and SMS messages of sexual content from Principal Seifullah's BlackBerry, and [REDACTED] confirmed that he sent and received those messages. As first indicated in Footnote 25, which can be found within [REDACTED] OSI interview testimony, the text and SMS messages were corrupted during a data transfer from the BlackBerry to the EnCase Digital Forensic platform, and for this reason, the messages are not currently available.

³⁰ Mr. Sofia also submitted a thumb drive, which included photographs of people, other than Principal Seifullah, engaged in sexual activity. As the images were not relevant to this investigation, the undersigned investigators did not submit the thumb drive to DIIT.

³¹ [REDACTED] stated that the BlackBerry retrieved from him had been recently issued at the time of his OSI interview because he had lost his previous BlackBerry device.

³² A copy of the forensics report is enclosed in the case file.

Regarding the DOE-issued laptop and BlackBerry device assigned to [REDACTED] Mr. Lara found no evidence related to this case.

On July 31, 2014, the undersigned investigators obtained, from DIIT, a disk containing the emails that were located on Principal Seifullah's BlackBerry between her and Mr. Goldsmith.³³ A review of the emails found that they engaged in extensive personal email communication, at least from February 10, 2014 through April 7, 2014, during work hours, via their DOE email accounts. In fact, in an email dated February 14, 2014, Principal Seifullah and [REDACTED] even acknowledge that they spend a great deal of time personally communicating, as Principal Seifullah writes, at 11:53 AM: [REDACTED] This is a screenshot³⁴ of my inbox from yesterday. We are monsters. Annie."³⁵ The attached screenshot image shows a series of their emails to one another, which indicate continuous communication from 5:11 PM through 7:29 PM on February 13, 2014. [It should be noted that, in those emails, they both state that they were at work during that time period.] In response to this email, [REDACTED] writes, at 12:07 PM: "Holly Molly we are monsters! Warm Jolt Monsters! One of my office's core functions is to reduce the amount of communications from central to principals. No, really." Principal Seifullah then replies, at 12:52 PM, "You've single-handedly dismantled that initiative in our weeklong hyperactive cyber-flirtation explosion."

[REDACTED] further acknowledges their extensive communication during work when he wrote, on February 18, 2014, "Much easier for me to spend half my day flirting with you on doe email when I'm at work." That email exchange on February 18, 2014, contained the subject line "can we switch over?"³⁵ which, as [REDACTED] admitted to during his OSI interview, meant that they should communicate via their personal email accounts, rather than DOE account, or that Principal Seifullah should contact [REDACTED] on his cell phone so as to avoid an extended record of their personal communication. References to "switch over" can be found in other emails, such as one sent on March 3, 2014, in which Principal Seifullah writes, "Oh, right. The daily switch over."³⁶

In addition, a number of the emails exchanged between Principal Seifullah and [REDACTED] via their DOE email accounts, contained sexual content. For example, in the email exchange on February 18, 2014, Principal Seifullah writes, "I can't wait to quit my job next week and move in with you so that you can pay my bills, take me traveling and shopping, and sex me in, like 50 states." Also, on March 7, 2014, Principal Seifullah writes, "You know how much I get turned on when you get uncomfortable." [REDACTED] responds, "#notsafeforwork."³⁶

Also within the email exchange is a reference to [REDACTED] later identified as teacher [REDACTED] babysitting Principal Seifullah's son; specifically, on February 13, 2014, Principal Seifullah wrote, "And [REDACTED] is watching [REDACTED] God bless him, I don't know what I'd do without him either."

³³ The disk and printouts of the emails on the disk are enclosed in the case file.

³⁴ A screenshot is an image taken by a computer user to record the visible items displayed on the monitor.

³⁵ A copy of the email and the screenshot attachment are enclosed in the case file.

³⁶ After his OSI interview [REDACTED] forwarded to the undersigned investigators this particular email exchange to indicate that he was attempting to end personal communication with Principal Seifullah at that time. However, as indicated above, the communication continued until early April 2014.

APPLICABLE CHANCELLOR'S REGULATION

C-110: Conflicts of Interest, Community Education Council Members, Employment of Family Members

I. The New York City Charter - Chapter 68 - Conflicts of Interest

By resolution dated April 18, 1990, the Board of Education adopted the Conflicts of Interest Law, which is contained in Chapter 68 of the New York City Charter. The Conflicts of Interest Law applies to all Department of Education officials, including members of community education councils, and Department of Education employees. The Conflicts of Interest Law contains important restrictions in the area of second jobs, gifts and honoraria, political activities, volunteer positions and post-employment activities (i.e., positions taken after leaving Department of Education employment). All employees and officials of the Department of Education are required to familiarize themselves with these provisions and the definitions contained therein.³⁷

NEW YORK CITY CONFLICTS OF INTEREST LAW

Charter §2604. Prohibited interests and conduct.

b. Prohibited conduct.

14. No public servant shall enter into any business or financial relationship with another public servant who is a superior or subordinate of such public servant.³⁸

Applicable Provisions of the DOE Internet Acceptable Use and Safety Policy (IAUSP)

The NYC Department of Education ("Department") provides access to the Department's Internet Systems for its employees, agents, students, and volunteers, collectively referred to as "users" for educational and business purposes, in conformance with applicable law. This Internet Acceptable Use and Safety Policy ("policy") governs all electronic activity of users using and accessing the Department's Internet systems, including Department e-mail and Department-provided access to the Internet, and applies to the use of the Department Internet Systems both on and off Department property.

"The Department's Internet Systems" means Department-provided devices, Internet connections (including wireless connections) provided by the Department, Department-provided e-mail accounts, intranet and any remote connection to Department systems. A user is deemed to access and use the Department's Internet Systems through any electronic activity conducted on the Department's Internet Systems using any device (whether or not such device is a Department-provided device) regardless of the user's physical location.

³⁷ As noted in the Regulation, the full text of the Conflicts of Interest Law, the Conflicts of Interest Board's pamphlet devoted to Department of Education issues and other Conflicts of Interest Board publications can be found on the Conflicts of Interest Board's website at: www.nyc.gov/ethics.

³⁸ "A Plain Language Guide to Chapter 68, New York City's Conflicts of Interest Law" offers these specific examples of prohibited conduct between superiors and subordinates: "if you own an apartment, you may not sublet it to someone you supervise"; and "if you do outside carpentry work, you may not do a private job for your boss, not even for free."

Prohibited Uses of the Department's Internet Systems

Users may not engage in any of the activities prohibited by this policy when using or accessing the Department's Internet Systems.

Below is a non-exhaustive list of examples of prohibited behavior:

1. Causing harm to others, damage to their property or Department property, such as:
 - Using, posting or distributing profane, lewd, vulgar, threatening, or abusive language in e-mail messages, material posted on Department web pages, or professional social media sites;
 - Accessing, using, posting, or distributing information or materials that are pornographic or otherwise obscene, advocate illegal or dangerous acts, or advocate violence or discrimination. If users inadvertently access such information, they should immediately disclose the inadvertent access in a manner specified by their school or central division office;
 - Using the Department's Internet System in a manner that interferes with the education of the user or others or the job duties of the user or others; [...]

Applicable Provisions of the City of New York Policy on Limited Personal Use of City Office and Technology Resources

This Policy, which has been approved by the Department of Information Technology & Telecommunications, the Department of Investigation, the Conflicts of Interest Board, and the Law Department, governs the limited personal use of the City of New York's ("City") office and technology resources by City employees. An agency may adopt agency-specific standards and procedures that are stricter, but not less strict, than this Policy.

I. General policy

City employees are permitted limited personal use of the City's office and technology resources if the use is not prohibited pursuant to this or another applicable agency policy, does not interfere with or otherwise impede the City's operations or employee productivity, and involves no more than a minimal additional expense to the City. City employees may engage in the personal use of the City's office and technology resources permitted by this Policy only at times that do not conflict with the employee's official duties and responsibilities and the employee is not required to perform services for the City.

[...]

III. Unauthorized personal uses

Employees are required to conduct themselves appropriately in the workplace and to refrain from using the City's office and technology resources for activities that are unauthorized by this Policy, another applicable agency policy, or applicable law, rule or regulation. Unauthorized personal use of the City's office and technology resources includes, but is not limited to, the following uses, all of which are prohibited:

Any personal use of the City's office and technology resources for activities that are inappropriate to the workplace or are prohibited by applicable law, rule, regulation or agency policy. [...]

CONCLUSIONThe following allegations have been unsubstantiated:

The allegation that Principal Ann Seifullah engaged in sexual activity on the school grounds of Q560 with Assistant Principal [REDACTED], an unidentified female Q560 teacher, and at least two unidentified parents is **unsubstantiated**.

The allegation that Principal Ann Seifullah had sex with an 18-year-old former student of hers from a previous school, who was identified as "[REDACTED]" is **unsubstantiated** as this student could not be positively identified.

The allegation that Principal Ann Seifullah engaged in sexual activity with educators with the first names of [REDACTED] and [REDACTED] (or [REDACTED]) in empty classrooms and other secluded areas at M292 is **unsubstantiated** as these educators could not be positively identified and located.

The allegation that Principal Ann Seifullah had "actively court[ed] a female teacher to eventually seduce her into having a threesome," and had sent text message of a sexual nature to this teacher is **unsubstantiated**.

The allegation that Principal Ann Seifullah violated conflicts of interest rules under Chancellor's Regulation C-110 and Chapter 68 of The New York City Charter when she testified on Mr. Sofia's behalf at a custody hearing in New York State Family Court is **unsubstantiated**.

The following allegations have been substantiated:

The allegations that Principal Ann Seifullah violated conflicts of interest rules under Chancellor's Regulation C-110 and Chapter 68 of The New York City Charter by engaging in a financial relationship with her subordinate, teacher [REDACTED] when she sublet her apartment from [REDACTED] and also having [REDACTED] babysit her child on at least two occasions are **substantiated**.

The allegation that Principal Ann Seifullah violated Annual Leave and Cumulative Absence Reserve ("CAR") procedures by taking a self-treated sick day, rather than time charged to her annual leave, in order to testify at the aforementioned custody hearing is **substantiated**.

The allegations that Principal Ann Seifullah violated the DOE's Internet Acceptable Use and Safety Policy and the City of New York Policy on Limited Personal Use of City Office and Technology Resources are **substantiated** for the following reasons: (1) images of Principal Seifullah engaged in sexual acts were found on her DOE-issued computers; (2) Principal Seifullah impermissibly allowed Mr. Sofia access to her DOE-issued computer and devices; (3) Principal Seifullah engaged in extensive personal email communication, which included sexual content, with [REDACTED] during work hours via their DOE email accounts; and (4) Principal Seifullah exchanged text messages, containing sexual content, with Mr. [REDACTED] using her DOE-issued BlackBerry device.

The allegation that Principal Ann Seifullah committed theft of service by engaging in extensive personal email communication with Mr. [REDACTED] during work hours, at least from February 2014 through early April 2014, is **substantiated**.

The allegations that Mr. [REDACTED] committed theft of service, and also violated the DOE's Internet Acceptable Use and Safety Policy and the City of New York Policy on Limited Personal Use of City Office, by engaging in extensive personal email communication with Principal Ann Seifullah during work hours, at least from February 2014 through early April 2014, are **substantiated**.

The allegation that Mr. [REDACTED] sent messages with sexual content to Principal Seifullah's DOE-issued BlackBerry device, thereby, violating the DOE's Internet Acceptable Use and Safety Policy and the City of New York Policy on Limited Personal Use of City Office and Technology Resources is **substantiated**.

RECOMMENDATION

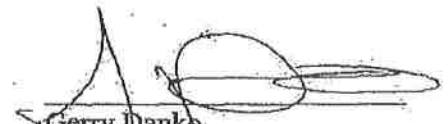
It is the recommendation of this office that a copy of this report be referred to the Administrative Trials Unit ("ATU") so that a Technical Assistance Conference ("TAC") may be convened, and appropriate disciplinary action may be determined for Ann Seifullah, Principal.

It is the recommendation of this office that a copy of this report be referred to the Administrative Trials Unit ("ATU") so that a Technical Assistance Conference ("TAC") may be convened, and appropriate disciplinary action may be determined for [REDACTED] Assistant Principal.

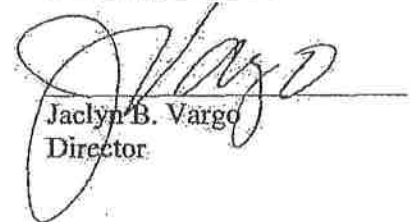
It is the recommendation of this office that a copy of this report be referred to Corinne Rello-Anselmi, Deputy Chancellor, for her review and for her to take appropriate disciplinary action against Sam Goldsmith, Chief of Staff, DOE Special Education Office.

SUBMITTED BY:


Robert Small
Confidential Investigator


Gerry Danko
Confidential Investigator

APPROVED BY:


Jaclyn B. Vargo
Director