



**Department of  
Education**

Carmen Fariña, Chancellor

**Courtenaye Jackson-Chase**  
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December 3, 2015

VIA EMAIL  
Betsy Combier  
betsy.combier@gmail.com

RE: #F11,837  
Ref. Principal Annie Schmutz

Dear Ms. Combier:

On November 24, 2015, the Office of Legal Services of the NYC Department of Education (DOE) received your Freedom of Information Law (FOIL) request, dated November 23, 2015, and assigned it FOIL reference number **F11,837**. Please include this FOIL reference number on all subsequent correspondence. The following items will be addressed under this reference number:

- 1) *"any and all documents, letters, emails, videos, tapes, or pictures relating to the investigation of Principal Annie Schmutz Seifullah of Robert Wagner Secondary School of Arts and Technology in Long Island City.*
- 2) *The complete investigation with all notes and recommendations that relate to OSI case #14-03690X, or any other OSI or SCI case which mentions Annie Schmutz Seifullah and Dany Velasquez, or any parent or student, including any mention of Robert Conte or his son.*
- 3) *Any and all disciplinary decisions, comments or other documents with the name "Annie Seifullah" mentioned in any way."*

In response to item 1 of your request, please be advised that your request item is denied, (except to the extent that such records are found in the investigation file referenced in item 2), as it is not reasonably described pursuant to Public Officers Law §89(3)(a). A request reasonably describes records when the description provides sufficient ability, with reasonable effort, to launch an effective search to locate and identify the records sought. In this instance, you have failed to specify a relevant time frame for the records requested as well as the individuals and/or offices that may possess the records you are seeking. Without this information, the DOE cannot conduct a search for responsive records and as such, responding to your request would "involve the equivalent search for the needle in the haystack," especially in light of the number of repositories that would need to be searched over an unspecified time frame, which the Committee on Open Government has opined is an endeavor that an agency is not obligated to undertake, "even if it is known that the needle is somewhere within the haystack." FOIL-AO-18045 (March 15, 2010). Consequently, this item is denied to the extent that responsive records are not already contained in the investigatory file.



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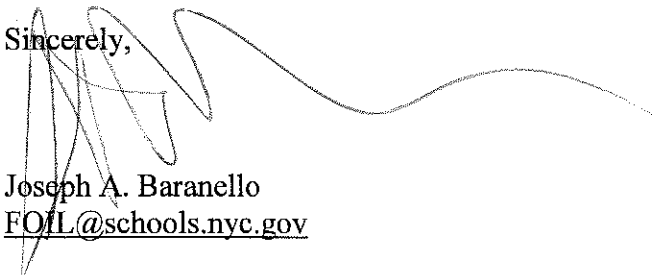
*Carmin Fariña, Chancellor*

With respect to the remainder of your request, specifically items 2 and 3, a search for responsive records will be conducted. We anticipate providing you with a response by January 6, 2016.

In addition, if responsive records are located and identified for release, you will be notified of the cost of reproduction. At that time, please make your check or money order payable to the New York City Department of Education and include the FOIL reference number on the instrument of payment. Please be advised that Public Officers Law § 87(1)(b)(iii) permits the DOE to charge a fee of 25¢ per photocopy not in excess of nine inches by fourteen inches, or the actual cost of reproducing any other record in accordance with Public Officers Law § 87(1)(c).

Any person denied access to a record may appeal the decision in writing within thirty days. Please state a specific ground for appeal and include copies of the initial request and the denial. Appeals should be sent to: Courtenaye Jackson-Chase, General Counsel, c/o Office of Legal Services, New York City Department of Education, 52 Chambers Street – Room 308, NY, NY 10007, [FOIL@schools.nyc.gov](mailto:FOIL@schools.nyc.gov).

Sincerely,



Joseph A. Baranello  
[FOIL@schools.nyc.gov](mailto:FOIL@schools.nyc.gov)

JAB/sa