

Reporting Obligations

and

Cooperation with the Special Commissioner of Investigation for the New York City

School District

(a) The Department of Education of the City School District of the City of New York (“DOE”), the Chancellor, all DOE employees, the Panel for Educational Policy (PEP”) and all other heads of departments or agencies of the City shall insure the full cooperation of all persons employed or supervised by them with investigations or inquiries conducted by the Special Commissioner of Investigation.

(b) The DOE, the Chancellor, all DOE employees and the PEP shall make available to the Special Commissioner of Investigation such facilities, services, personnel and other assistance as may be necessary for the conduct of his or her investigations.

(c) The DOE, the Chancellor, all DOE employees, the PEP and all other departments or agencies of the City shall provide to the Special Commissioner of Investigation upon request any and all documents, records, reports, files or other information, except such documents as cannot be so disclosed according to law. To insure full availability of such records and documents to the Special Commissioner of Investigation, the DOE, the Chancellor, all DOE employees, the PEP and all other City departments and agencies shall make and retain copies of any documents, records or files provided to state or federal prosecutors, or other investigative bodies, pursuant to subpoena or otherwise.

(d) Every officer or employee of the City School District of the City of New York, the Chancellor and the PEP shall cooperate fully with the Special Commissioner of Investigation. Interference with or obstruction of the Special Commissioner's investigations or other functions shall constitute cause for removal from office or employment, or other appropriate penalty.

(e) Every officer and employee of the City School District of the City of New York, the Chancellor, the PEP and all other officers and employees of the City shall have the affirmative obligation to report, directly and without undue delay, to the Special Commissioner of Investigation, any and all information concerning conduct which they know or should reasonably know may involve corrupt or other criminal activity or conflict of interest (i) by an officer or employee of the City School District which concerns his or her office or employment, or (ii) by persons dealing with the City School District, which concerns their dealing with the school district, and shall proceed in accordance with the Special Commissioner's directions. The knowing failure of any officer or employee to so report shall constitute cause for removal from office or other appropriate penalty.

(f) In all cases where a School Safety Agent ("SSA")/DOE employee has been provided with information or an allegation that a school-related crime has been committed by a DOE employee or person connected with school programs or services, such as volunteers, he/she shall immediately take the following steps:

1. If the incident creates an immediate safety emergency, the SSA/DOE employee must immediately notify the police and then advise the principal/designee.
2. In all other situations that do not pose an immediate safety threat, the SSA/DOE employee must notify the principal/designee of the incident. The principal/designee shall, in turn, notify the police, the superintendent, the SSA and the Special Commissioner of Investigation for the New York City School District at (212) 510-1500.
3. If a student is the victim of the suspected criminal activity, the principal/designee must also notify the parent.

(g) Every employee and officer of the DOE has an affirmative obligation to report immediately to his/her principal/supervisor and the Special Commissioner of Investigation any information concerning sexual misconduct involving students by DOE officers, employees, or others connected with school programs or services, such as volunteers. This obligation extends to sexual misconduct on and off school premises. The principal/supervisor must contact the student's parent. **THE PRINCIPAL/OFFICE HEAD/SUPERINTENDENT SHALL NOT GATHER ANY INFORMATION OR CONDUCT AN INVESTIGATION OF THE ALLEGATIONS.** Where the alleged misconduct constitutes a crime, the principal/supervisor must notify the police.