

July 20, 2001

Hon. Harold O. Levy
Chancellor
New York City Public Schools
110 Livingston Street; Room 1010
Brooklyn, NY 11201

Re: Omar Ayed
SCI Case #2001-1378

Dear Chancellor Levy:

An investigation conducted by this office has substantiated that forty-four-year-old Omar Ayed, the Assistant Principal of Social Studies at A. Philip Randolph High School (“Randolph”) in Manhattan, behaved improperly toward several female students over the past year and one-half, most recently in May 2001.¹ Moreover, during the same time period, he sexually harassed a female colleague at Randolph and made another feel uncomfortable. In addition, we reviewed prior allegations made against Ayed between January 1997 and January 2000, which were handled by the Chancellor’s Office of Special Investigations (“OSI”), and discovered that some of these were disturbingly similar to the complaint which launched our investigation. In each of these cases, we spoke with at least one witness and found that the alleged misconduct by Ayed occurred.

This investigation began when a seventeen-year-old female student (“Student A”) complained to Dean Kathleen Elvin that, in exchange for making copies for the girl whose printer had run out of ink, Ayed instructed her to wear a particular skirt on the day

¹ On May 7, 2001, pending the outcome of this investigation, Ayed was reassigned to the Office of the Superintendent for Manhattan High Schools.

she would help him put away books. Asserting that she had “lost” that particular item of clothing, he directed her to “find it.” Then, when Student A pointed out that she would be standing on a table while performing her chores, Ayed replied: “Don’t worry. It’s only going to be me and you.” Elvin reported the information to Assistant Principal Joan Piscitello who, in turn, notified Principal Judith Butcher. Butcher contacted this office.

Student A confirmed the information provided in the complaint and added that Ayed directed her not to tell anyone about the conversation. Moreover, according to Student A, Ayed knew that when she last wore that particular short, black skirt, boys taunted her until, “horrified” and embarrassed by the reaction to her clothing choice, she changed into sweatpants.² The girl explained that she has been doing “service” for Ayed since her freshman year, including organizing the book room. She described feeling “uncomfortable” around him, that he frequently “stared” at her, and “looked her up and down.” Furthermore, Ayed led her to believe that he was “coming on” to her. For example, he commented: “A girl like you, I bet you have a boyfriend” and “You’ve developed since freshman year.”

Our interview of Student A led us to investigate other allegations of abuse made against Ayed. Student A told a friend (“Student B”) about the skirt incident and he responded that it was not the first time he had heard a girl complain about Ayed. According to sixteen-year-old male Student B, Ayed offered a female student (“Student C”) a higher grade for accompanying him to the book room and he made comments of a sexual nature to her.

Sixteen-year-old female Student C explained to our investigators that, in June 2000, she was one point short of passing the Global Studies Regents and, to avoid summer school, she approached Ayed, as head of the Social Studies Department, to ask him to review her exam in order to look for a credit. According to her, Ayed responded: “That’s hard to do and could put my job at risk.” Moreover, he added that a “thank you” was “not going to cut it.” Ayed then commented, “you have a nice body” and suggested that he would like to take photographs of Student C naked. He touched her on the shoulder and headed toward the book room where he claimed to have a camera, but Student C declined to join him.³ According to her, when she told some of her friends about Ayed’s conduct they responded: “You, too?” Student C identified another girl (“Student D”) whom Ayed also made feel uncomfortable.

² Student A gave the skirt to our investigators.

³ Student C did not receive any extra credits, failed the course, and went to summer school.

Sixteen-year-old female Student D began her interview with investigators by declaring “Ayed creeps me out.” Student D explained that she assisted Ayed in the book room and he would stand very close—“tooclose”—to her. She described one hot day while they were alone in his office when he remarked: “I want to lock you in my basement so I can keep you.” On other occasions, he commented on the fit of her jeans, that she was pretty and would be a beautiful woman when grown, that she looked older than her age, and that she looked really nice when she wore skirts. Student D described Ayed as having a “smirking facial expression” when he made comments that had a “sexual connotation.” According to her, she once caught him looking at her buttocks. Student D also refused Ayed’s offer to employ her to help around his house during the summer.

Students were not the only victims of Ayed’s sexual harassment and misconduct. One teacher (“Teacher #1”) described a particularly egregious experience she had with him. In December 2000, in a crowded room, Ayed stood behind Teacher #1 and pressed up against the “lower half of [her] derrière.” When she moved away, he followed her and pressed against her once again. Teacher #1 shifted her position yet again and Ayed pushed himself against her buttocks a third time. She challenged him with: “How dare you?” According to her, Ayed countered with a “smug, grinning” expression on his face. On another occasion, in a meeting alone with Ayed in his office, he wheeled his chair away from his desk so that Teacher #1 could see his whole body. Ayed then spread his legs wide and grabbed his crotch. In yet another incident, while Ayed was eating chocolate cake, he took some and attempted to feed it to Teacher #1. According to her, he pressed it up against her mouth in a way that made her very uncomfortable, particularly because this occurred in the presence of a student. Teacher #1 added that sometimes he looked down her shirt while making comments such as: “You don’t have tenure, you should cooperate.” She described Ayed as having an “uninhibited approach” to women. According to Teacher #1, he “grins and shrugs” upon being caught committing inappropriate behavior.

A second female teacher (“Teacher #2”) was also disturbed by Ayed. He asked her out for dates, but she declined his offers. Moreover, during the spring 2000 semester, while in her office with the door open, Teacher #2 lifted her head to see Ayed with a video camera pointed at her while he commented: “Say something to the camera.” His conduct made her feel uncomfortable, particularly since she did not know where he was aiming the camera. According to Teacher #2, “there is something creepy about Ayed and the way he talks to women.”

The incidents described here were not the first complaints of misconduct made against Ayed. We obtained information about an allegation lodged against him in December 1988. At that time, while he was assigned as a long-term substitute teacher at CIS 166 in District 9 in the Bronx, three seventh grade male students accused Ayed of corporal punishment. An investigation by Principal Nelson Abreu concluded that the teacher's conduct "was unprofessional and in violation of the by-laws of the board of education as it relates to the use of unnecessary force." The principal detailed his findings in a "letter of reprimand." Abreu found that: Ayed arbitrarily threw some students out of the classroom, "instigated" the physical confrontation with one student by grabbing him to throw him out of class, twice pushed another student—who was wearing a cast on his arm—causing him to hit his head against a table, and pushed a third student who failed to sit immediately upon the teacher's order to do so.

In January 1997, three female students, fourteen and fifteen-years-old, complained that Ayed, then assigned to William C. Bryant High School ("Bryant") in Queens, inappropriately touched them, made improper comments to them, and wanted the girls to pose for photographs without clothes or wearing "panties or something." The matter was referred to OSI which conducted an investigation. Investigator William Nickolauk substantiated that Ayed made inappropriate comments, including an offer of extra credit for posing, at least by implication, without clothes. He referred the case to the Office of Legal Services which brought charges and proceeded to an arbitration hearing. Despite efforts to gain the witnesses cooperation, all three girls failed to appear at the hearing to give testimony against Ayed. As a result, the Arbitrator dismissed the charges.

We spoke with one of the three victims from the 1997 case ("Student H"), now nineteen-years-old, who confirmed that she refused to testify at a hearing.⁴ She explained that when the other two girls "disappeared" and were not going to testify, she was "scared to be the only one." However, Student H went on to describe clearly inappropriate conduct by Ayed, including the comment, "wear that skirt again."

In December 1999, an anonymous male who identified himself as a staff member called this office to report a "rumor" that a female student, whom the caller named, had complained about inappropriate touching and comments by Ayed, who was now assigned to Randolph, but that her allegations were "covered up." We referred the complaint to OSI which apparently took no action at all. Other than a notation "Rec'd" and a case number, the OSI file contains only documents compiled by this office prior to the referral and blank OSI forms.

⁴ We were unable to locate the other two students.

In the course of our recent investigation into Ayed's behavior, we spoke with the named victim in the 1999 case ("Student G"), now eighteen-years-old. She confirmed that, around Christmas time of that year, she mentioned to staff members that Ayed made her uncomfortable and they indicated that the information would be reported to Principal Butcher. According to Student G, she was never contacted by OSI about her allegations, however, after mentioning her discomfort to school personnel, Ayed stopped "bothering" her. The girl described Ayed as having a "nasty, sexual way" about him as he attempted to engage her in conversation. Because rumors suggested he had a past record of harassing students, Student G tried to avoid Ayed. However, he would come up close and smile at her.

In January 2000, Principal Butcher notified this office that Social Studies Teacher John Holder and two sixteen-year-old female students reported that they observed Ayed looking at moving images of scantily clad girls on his computer screen. We referred the complaint to OSI which opened an investigation. Correspondence in the file documents that the parents of both girls denied permission for their daughters to be interviewed and demanded the return of the statements the girls had written. A document in the OSI file notes that, according to Butcher, this was not the first allegation made against Ayed by Holder and that the prior matters had been resolved in Ayed's favor. There is no indication that Holder was contacted. The case is marked "closed."

We contacted the two girls ("Student E" and "Student F") who were involved in the 2000 complaint. Student E's mother consented to an interview with our investigators. The girl, now eighteen-years-old, described being in class when her eyes wandered across the hall directly into Ayed's office. She witnessed him playing a game on his computer and then the screen changed to an image of a little girl who was fully clothed. The screen changed again to pictures of pale-skinned women, possibly models, who, although not naked, were in provocative poses. According to Student E, Student F and Holder also observed the pictures. Student F's mother refused to allow her daughter to be interviewed by our investigators.

We also attempted to speak with John Holder, who no longer works for the New York City Board of Education, but he requested that all inquiries be made to his attorney.⁵ Although initially the attorney suggested that Holder would be willing to meet with our investigators, repeated attempts to schedule an appointment failed.

⁵ A Notice of Claim filed against the City indicates that Holder is considering suit against the Board of Education based on an assault upon him by Ayed.

During an interview in the presence of his attorney, Omar Ayed denied committing misconduct and provided his version of events for some of the incidents described by students and staff:

- ?? According to him, in January or February 2001, Student A was upset because boys were making fun of her for wearing a particular short, tight skirt. Ayed claimed that he told the girl not to wear the skirt again. He denied asking about what he would get in return on the day she asked him to make copies and also denied asking her to wear the skirt. In fact, according to Ayed, after he advised her to wear “light clothing” on the day they would be filing books because she complained that the room was hot, Student A suggested she would wear the skirt. Ayed claimed he told the girl, “please do not wear the short skirt.” He denied telling Student A not to share their conversation with anyone.
- ?? Although he did not mention Student C by name, he recalled that a female student approached him after the 2000 Regents exam looking for points in order to avoid summer school. He claimed that she was “angry” with him when he refused to change her grade. Ayed denied asking any student to pose for naked photographs in return for a grade increase.
- ?? Although he did not identify the girl by name, Ayed denied the information provided by Student D. While he acknowledged that he did have a basement at the time, he denied telling a student that he wanted to lock her in it.
- ?? Ayed denied any inappropriate conduct toward Teacher #1. He specifically denied standing close to her and pressing against her from behind.
- ?? On the advice of his attorney, Ayed declined to discuss the 1997 case against him.
- ?? Ayed denied looking at scantily clad women on his computer during the 1999-2000 school year. According to him, although he heard about the allegation from John Holder, neither the principal nor anyone from OSI questioned him about such an incident.

?? Finally, Ayed described being “scrutinized and discriminated against” since his arrival at Randolph from Bryant, which occurred as a result of the 1997 case. While acknowledging that he has never filed a complaint with either the principal or the Office of Equal Opportunity regarding his discrimination allegations, Ayed claimed that a group of Randolph teachers have it “in” for him and “make racist remarks” such as “stinky Arab” and spray deodorant in his room in front of the students.

Despite his denials, we credit the accounts provided by students and staff regarding Omar Ayed’s behavior. Indeed, his history of misconduct is frightening. From corporal punishment to inappropriate touching, improper comments, and sexual harassment, he has left a trail of victims that includes male students, female students, and colleagues. He must finally be held accountable. It is therefore the recommendation of this office that Ayed’s employment be terminated and that this matter be considered should he ever apply for reemployment with the Board.

We are forwarding a copy of this letter to the Office of Legal Services. We are also forwarding our findings to the New York County District Attorney’s Office and the State Education Department for whatever action they deem appropriate. Should you require a copy of our report, or have any inquiries regarding the above, please contact First Deputy Commissioner Regina Loughran, the attorney assigned to the case. She can be reached at (212) 510-1426. Please notify Ms. Loughran within thirty days of receipt of this letter of what, if any, action has been taken or is contemplated against Omar Ayed. Thank you for your attention to this matter.

Sincerely,

EDWARD F. STANCIK
Special Commissioner
Of Investigation for the
New York City School District

By: _____

Regina A. Loughran
First Deputy Commissioner

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c: Chad Vignola, Esq.