

December 15, 2011

Hon. Dennis M. Walcott
Chancellor
New York City Public Schools
Department of Education
52 Chambers Street, Room 314
New York, NY 10007

Re: Charles Oross
SCI Case #2011-3852

Dear Chancellor Walcott:

An investigation conducted by this office has substantiated that 44-year-old Charles Oross, a teacher assigned to IS 238 in Queens, had a sexual relationship with a 13-year-old female student (“Student A”) when she attended the school.¹ Oross also engaged in inappropriate e-mail and Facebook communications with Student A.²

This investigation began on August 18, 2011, when the Office of the Special Commissioner of Investigation for the New York City School District (“SCI”) processed a report from the Crime Stoppers Unit of the New York City Police Department (“NYPD”) which had received an anonymous call reporting that IS 238 Teacher Oross was having an emotional and sexual relationship with a 16-year-old former student at the school. The anonymous caller gave the first name of the student and indicated that the information came from Oross’s wife.

SCI investigators interviewed IS 238 Dean Katrina Billy Wilkinson who recalled Student A and provided her full name. She also advised that Student A graduated from IS 238 in 2009 and was attending high school.

¹ Student A has turned 16.

² Initially, on November 16, 2011, Oross was instructed to report to 49-51 Chambers Street in Manhattan. On December 1, 2011, Oross was reassigned to his home during his regular workday hours; he is subject to random contact or visitation.

SCI investigators met with Student A who confirmed that she graduated from IS 238 in June 2009. Student A said that, in January 2009, when she was 13, she began a sexual relationship with Oross. Student A explained that, at approximately 6:00 a.m. from January 2009 through May 2009, she met with Oross in his classroom where they engaged in oral sex and sexual physical touching. In the classroom in late June 2009, Student A and Oross had sexual intercourse for the first time. Student A added that, sometime in September 2009, she began to date a male student and stopped seeing Oross.

Student A continued that, in January 2010, she began to exchange e-mail messages and had Facebook communications with Oross; they met in his car where Student A and Oross engaged in sexual touching and oral sex. On approximately 10 to 14 occasions from mid-March 2010 to the end of March 2010, Oross picked up Student A in his car and drove to a secluded location where they engaged in sexual physical touching, oral sex, and sexual intercourse. Oross told Student A that he had a vasectomy and he did not use a condom.

At the end of March 2010, Student A told Oross that she wanted to start “hanging out” with friends her own age; Oross was angered by that suggestion and they stopped seeing each other. For investigators, Student A described Oross’s tattoos and reported that he had given her a number of gifts.³

Student A said that, on June 10, 2011, Oross contacted her on Facebook and referred to their prior relationship. Student A reported that she knew the Facebook communication was not from Oross and, ultimately, Oross’s wife identified herself as the source of the contact. Oross’s wife wanted to know whether there was any sexual contact between Student A and Oross; Student A responded that there was sexual activity.

SCI investigators spoke with Student A’s mother who knew that Student A had a crush on Oross, but did not know the extent of their relationship. The mother said that she spoke with Student A when she saw that the girl was getting attached to Oross. The mother became concerned when Student A started leaving for school early in the morning, before 6 a.m., only to return and get ready to go back to school. The mother added that, one time, Student A asked whether she could go to a performance by Oross’s band. According to the mother, Student A spoke highly of Oross and introduced him to her family by inviting Oross for dinner. The mother confirmed that Student A received gifts from Oross.

SCI investigators interviewed a 16-year-old female student (“Student B”) who knew about Student A’s relationship with Oross. Student B said that Student A reported having issues with the relationship because Oross was married with children. Student A also told Student B that she and Oross were in love and had sexual intercourse 10 to 14 times in Oross’s car before and after school. Student A informed Student B that Oross had a vasectomy and could not make Student A pregnant.

³ The assigned SCI investigator took photographs of the gifts.

In June 2011, Student A told Student B that Oross's wife had contacted her on Facebook and inquired about Student A's relationship with Oross. Student B learned from Student A that Oross had given her gifts. Student B added that, on one occasion in autumn 2010, Student A and Student B met with Oross at Alley Pond Park after school. Student B explained that she and Student A played their guitars with Oross. Student B said that Oross then drove Student A and Student B to the vicinity of Student A's house.

The assigned SCI investigator reviewed Facebook contact between Student A and Oross and between Student A and Oross's wife. The review revealed inappropriate communications from Oross to Student A.

Student A's mother telephoned the assigned investigator to report that Oross was now teaching Student A's brother. The mother said that Oross had asked the brother about Student A. The mother added that Oross told Student A's brother to tell his sister that he said hello.

SCI investigators met with Student A's brother who said that, in October or November 2011, Oross became one of his teachers. The brother added that, when Oross found out that he was Student A's brother, Oross told him to tell Student A that Oross wanted to know how she was doing.

The assigned SCI investigator received a telephone call from Wendy Oross, the wife of Charles Oross. According to Wendy Oross, her husband admitted that he had a sexual relationship with Student A and promised not to contact Student A. However, Wendy Oross reported that Oross had re-established contact with Student A using a fictitious e-mail account under the name "Barry Oakly." Wendy Oross added that the renewed contact between Student A and Oross began on November 11, 2011.

SCI investigators re-interviewed Student A who said that, sometime in November 2011, her brother reported that Oross was his teacher. The brother told Student A that Oross wanted to say hello and asked how Student A was doing. Student A also confirmed that, sometime in November 2011, Oross began to communicate with her by e-mail, using a fictitious name. Student A asserted that she was cordial to Oross, but ignored the messages.

Through his attorney, Charles Oross declined the opportunity to speak with investigators from this office.

It is the recommendation of this office that Charles Oross's employment be terminated, that he be made ineligible for work with the Department of Education, and that this matter be considered should he apply for a position in the New York City school system, with one of its vendors, or in one of its facilities, in the future.

We have referred our findings to Queens County District Attorney Richard A. Brown for whatever action he deems appropriate.

We are forwarding a copy of this letter and of our report concerning this investigation to the Office of Legal Services. We also are sending our findings to the New York State Education Department for whatever action it deems appropriate. Should you 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 First Deputy Commissioner Loughran within 30 days of receipt of this letter of what, if any, action has been taken or is contemplated regarding Charles Oross. Thank you for your attention to this matter.

Sincerely,

RICHARD J. CONDON
Special Commissioner
of Investigation for the
New York City School District

By: _____
Regina A. Loughran
First Deputy Commissioner

RJC:RAL:gm

c: Michael Best, Esq.
Theresa Europe, Esq.