

CITY OF NEW YORK
THE SPECIAL COMMISSIONER OF INVESTIGATION
FOR THE NEW YORK CITY SCHOOL DISTRICT

SELLING SAFETY SHORT:
***THE SALE OF FRAUDULENT CPR AND FIRST AID
CERTIFICATES TO HIGH SCHOOL COACHES***

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INTRODUCTION

Each year, from 1992 to 1997, approximately 38,000 students at 155 New York City high schools participated in interscholastic sports programs under the assumption that their 2,000 coaches were properly trained in First Aid and other life saving techniques.¹ Unfortunately, in far too many instances, such assumptions were wrong. Rather than attending legitimate courses for certification in First Aid and cardiopulmonary resuscitation ("CPR"), many coaches throughout the New York City School District bought fraudulent certificates from Harold Lechner, a dean, coach, and teacher at Columbus High School in the Bronx. Lechner's scheme was so popular amongst coaches it quickly became standard practice, and his fraudulent CPR and First Aid certificates were available directly from him, through the mail, or through middlemen at high schools. Moreover, even when Lechner did teach CPR and First Aid to coaches at some high schools, his "mini class" did not come close to satisfying the time and content requirements for legitimate certification, leaving the coaches without the training necessary to protect the safety of their student athletes. In fact, the last time that many of the coaches in this report recalled attending legitimate courses ranged from the late 1980's to the early 1990's.

This report documents how Lechner provided fraudulent certification to 16 coaches at 12 high schools in Manhattan, Brooklyn, the Bronx, and Queens,² and to five employees at a summer day camp in Nassau County. However, based upon additional documentation and Lechner's own admission, the scope of his fraud exceeds our sample. He issued CPR and First Aid certificates to coaches at 28 additional schools, deposited 293 checks and

¹These figures were provided by the Public Schools Athletic League and represent current calculations of coaches, student-athletes, and high schools with interscholastic programs.

²After reviewing documentation and interviewing staff at a sample of Staten Island high schools, it does not appear that Lechner sold invalid CPR and First Aid certificates to Staten Island coaches.

money orders from 170 coaches into his checking account, totaling \$17,361, and by his own estimation, at least 20-25% of the certificates that he issued to coaches were fraudulent.³

BACKGROUND

In order to ensure the safety of students who participate in interscholastic athletics, the New York State Legislature, the New York State Education Department, and the Board of Regents have established certain minimum requirements for coaches. In addition to the academic requirements,⁴ all coaches must have the knowledge and training to protect the health and safety of athletes, including both the prevention of and care for injuries. As such, regardless of teaching or coaching experience, certification in both CPR and First Aid is mandatory.

Since January 1992, state law⁵ and the Commissioner of Education⁶ have mandated that all New York public school coaches obtain **valid** certification in First Aid every three years and adult CPR every year. Prior to the beginning of the sports season, coaches must provide evidence to their school that their First Aid and CPR knowledge and skills are current pursuant to the requirements established by the American Red Cross or the equivalent requirements as approved by the State Education Department. Therefore, in

³In order to determine the validity and scope of the allegation that Lechner was providing invalid certification to coaches, all the while remaining aware of the necessary time constraints attendant to an issue involving public safety, we interviewed only a sample of school personnel in every borough, contacted 79 former and current high school coaches, and reviewed documentation for 40 high schools.

⁴A licensed Physical Education teacher may coach any sport without additional academic requirements. Other licensed teachers must complete courses in subjects such as: (1) philosophy, principles and organization of athletics in education; (2) health sciences applied to coaching; and (3) theory and techniques of coaching for their particular sport. A non-licensed teacher must qualify for a temporary coaching license and complete the same courses required for licensed teachers.

⁵See, New York State Education Law § 3001-b. Prior to 1992, Section 3001-b of the New York State Education Law required public school coaches to be certified only in First Aid.

⁶See, Regulations of the Commissioner of Education § 135.5.

order to participate in his or her sports season, a coach must attend and successfully complete an approved CPR course every year and a First Aid course every three years.⁷

The evidence that coaches must provide to their school is a certificate of completion for courses in CPR and First Aid. It is expected that when a coach presents such certificates as proof of successful completion of training, that the courses were actually taught, the instructor was legitimately certified to teach, the instructor covered all required topics, the courses were taught for the necessary length of time, the coach attended the classes, and that he or she successfully passed all the requirements. This assumption of validity, however, was not true for all coaches in the New York City public high school system from 1992 to 1997.

What follows are the results of our investigation into the sale of fraudulent CPR and First Aid certificates to high school coaches.

⁷Without CPR and First Aid certification, a Board employee is not qualified to coach and cannot earn "per session" compensation for coaching. The per session rate for coaching is approximately \$30 per hour. The hours vary for each sport, with a maximum allowance of 270 hours per school year.

HAROLD "HAL" LECHNER

History with the Board

Harold or "Hal" Lechner began working for the Board in 1969 as a substitute teacher. He was appointed as a physical education teacher in 1972 and was assigned to Bayside High School. In 1982, Lechner was transferred to Franklin K. Lane High School ("Lane") where he worked until 1993⁸ when he was transferred to Columbus High School ("Columbus"). He is currently assigned to Columbus, where he is a physical education teacher, a "dean of patrol," and a football coach. During his assignments at Bayside and Lane, Lechner was also a football coach.

Lechner's Authority to Certify Coaches

Lechner was certified to teach First Aid and CPR for the American Red Cross ("ARC"), and he was authorized by the State Education Department's Bureau of Physical Education and Safety Education ("BPESE") to be an instructor for the Public Schools Athletic League ("PSAL"), Lane, and Columbus.

In 1989, after Lechner successfully completed instructor courses and training at the ARC, the organization certified him to be an instructor of First Aid and CPR. Lechner, however, was not employed on the ARC staff. Instead, he was an instructor authorized to certify other individuals off-site. As such, he was permitted to teach ARC courses in First Aid and CPR at other locations.

Subsequently, Lane, Columbus, and the PSAL applied to the BPESE for approval of

⁸In 1992, Lechner's wife, Susan Lechner, pleaded guilty to Grand Larceny in the Second Degree and Insurance Fraud for filing false claims on Hal Lechner's GHI insurance policy, which was provided through his employment with the Board. She was sentenced to one to three years incarceration and ordered to pay \$111,754 in restitution. She admitted to detectives from the Rockland County District Attorney's office that

a program to certify coaches in CPR and First Aid, and all three proposed that Lechner teach the courses for them.⁹ In May and June of 1992, the BPESE approved Lechner as an instructor for Lane and the PSAL,¹⁰ respectively. After he transferred to Columbus, in November 1994, the BPESE approved him for that school.¹¹

Thus, since 1992, Lechner was authorized to issue coaches two types of CPR and First Aid certificates – those sponsored by either the ARC or the BPESE.

she forged her husband's signature on some GHI checks, and that her husband also signed some checks. No charges, however, were filed against Hal Lechner.

⁹Any organization, including a high school, that applies to the BPESE and receives approval for a program to certify coaches in CPR and First Aid is considered a BPESE-approved "agency." Last year, the BPESE approved over 400 agencies in New York State.

¹⁰According to former deputy director Robert Johnson, after Lechner was approved for the PSAL, he certified more coaches than any other PSAL instructor.

¹¹The BPESE only reviewed photocopies of Lechner's ARC instructor certificates or an informal handwritten list referring to his qualifications. The BPESE did not verify with the ARC that Lechner's certification was legitimate or current.

THE TRANSACTIONS FOR CPR AND FIRST AID CERTIFICATES

From at least 1992 to 1997, Lechner provided fraudulent ARC and BPESE certificates to coaches in three different types of transactions: (1) he directly sold or gave the documents in person; (2) he used middlemen to collect money and distribute the certificates; and (3) he sold them through the mail to individuals he never met. The cost of certification was usually \$25 for CPR and \$60 for First Aid, but the price was sometimes slightly higher or lower; it was even free on occasion. The coaches paid by money order, cash, or personal check, made payable to "cash." The checks and money orders were usually endorsed by Lechner and deposited into his personal checking account. In fact, during this five-year period, Lechner deposited 293 checks and money orders from approximately 170 coaches, which totaled \$17,361.

The following represents a sample of 12 high schools where coaches obtained fraudulent certificates from Lechner or attended his mini courses:

Bronx:	Columbus High School Truman High School
Brooklyn:	Canarsie High School George Westinghouse High School Paul Robeson High School South Shore High School
Manhattan:	Murry Bergtraum High School Park West High School
Queens:	Forest Hills High School Franklin K. Lane High School Grover Cleveland High School Long Island City High School

During the course of our investigation, coaches who admitted under oath that they were not legitimately certified in First Aid and CPR were required to either immediately complete a course at the ARC, or sign an affidavit affirming that they would not coach any sport in the New York City public school system for school year 1997-98.

The Direct Sale Transaction

While he worked at Lane, Lechner sold CPR and First Aid certificates directly to coaches at the school. For example, Lechner personally gave or sold fraudulent CPR and First Aid certificates to Lane coaches **Dominick Scarola, Mary Ann Kellen, and Steven Kaplan.**

Dominick Scarola, a former track coach at Lane,¹² obtained certification directly from Lechner during the 1992-93 school year. He learned early on that "we had to pay for the certificate but there was no class given."¹³

Mary Ann Kellen, an assistant principal and track coach at Lane, purchased her CPR and First Aid certificates directly from Lechner. At the beginning of each school year, Lechner asked Kellen whether she needed CPR or First Aid certificates. She then gave him a check made payable to "cash," for \$25 for CPR, or \$85 for both CPR and First Aid. Shortly thereafter, Lechner gave Kellen the certificates.

Steven Kaplan, a swimming and volleyball coach at Lane, also paid Lechner for his certificates. The last CPR or First Aid class he ever attended was in 1989 or 1990. However, when certification became a requirement in 1992, Kaplan was working at Lane with Lechner. That year, Kaplan paid him "\$15 of \$20" in cash for a CPR certificate, but never attended a course.

When Lechner transferred from Lane to Columbus in 1993, Lane coaches continued to obtain his certificates through middlemen who collected the money for him. In fact, this

¹²Scarola coached track at Lane until January 1997, when he transferred to Hillcrest High School as an assistant principal.

¹³According to Scarola, Lechner did not charge for his certificates because Scarola did some work for Lechner in the weight room at Lane.

was the most common method of obtaining his fraudulent certificates at Lane and other high schools.

The Transactions through Middlemen

The majority of the coaches we interviewed purchased their CPR and First Aid certificates from Lechner through an intermediary at their respective high schools. Sometimes it was actually the athletic director at the school who assumed this role, but regardless of who served as the middleman, that person collected the money from the coaches, forwarded the money to Lechner, received the certificates from him, and gave the certificates to those coaches. In our sample of high schools, there were six middlemen at five schools in Brooklyn, Bronx, and Queens. Although the middlemen did not profit from these transactions, they made it easier for coaches to obtain fraudulent CPR and First Aid certification and increased the acceptance of buying certificates without attending a course. As a result, the middlemen played a crucial role in expanding the number of coaches who were unqualified to protect the safety of student athletes.

For the past three-to-four years, **Irwin Isser**, the athletic director and a basketball coach at Forest Hills High School ("Forest Hills"), distributed Lechner's certificates to **Harvey Belkin**, a bowling and handball coach at that school.¹⁴ Whenever Belkin needed to renew his certification, he put a personal check, made payable to "cash," in Isser's school mailbox, and a short time later, he would receive in his own school mailbox a certificate signed by Lechner, without ever attending a course or meeting the instructor.¹⁵

¹⁴Although Belkin coaches at Forest Hills, he is a teacher at J.H.S. 190 in Queens County.

¹⁵Interestingly, one of Belkin's checks for \$25, dated October 17, 1996, which was deposited into Lechner's account, was endorsed by both Lechner and his wife, Susan Lechner.

In 1994, **Abe Heyman**, the Athletic Director and a soccer and tennis coach at George Westinghouse High School ("Westinghouse"), informed the coaches that he knew someone who certified coaches in CPR and First Aid. **Martin Gahagen**, a former coach of basketball and softball at Westinghouse, initially thought there would be a course. Heyman, however, made it clear that Gahagen could just give him the money, and it would be forwarded to the instructor who, in turn, would provide the certificates. In 1994 and 1995, Gahagen gave checks directly to Heyman. Then, a week or two later, Heyman gave him certificates signed by Lechner. Gahagen "assume[d] that most of the coaches did it in our schools," and he concluded that "it was just automatic."

Frank Blauschild, a golf coach and physical education teacher at Truman High School, supplied one of Lechner's CPR certificates to **Alan Haber**, a former track coach at that school.¹⁶ In September 1996, Blauschild told Haber that the CPR and First Aid certificates were available by mail without attending a course. Haber gave \$50 cash to Blauschild, and a short time later, Haber received in his school mailbox a CPR certificate signed by Lechner. Although Haber purchased only one certificate in 1996, he has heard rumors since 1992 that CPR and First Aid certificates could be purchased without attending a course.

At Canarsie High School ("Canarsie"), **Bette Sterling**, a dean and bowling and handball coach at that school, acted as an intermediary for Lechner. Sterling informed **Richard Rigo**, also a bowling coach at Canarsie, that he could pay for CPR and First Aid certification without attending a class. Then, on at least one occasion, Rigo paid Sterling for

¹⁶Haber currently teaches at A. Phillip Randolph High School.

the CPR and First Aid certificates, and in return, Sterling gave Rigo certificates signed by Lechner.

After Lechner transferred to Columbus in 1993, coaches at Lane who previously dealt directly with him could still obtain his certificates through intermediaries at the school. For example, **Richard Urso**, **Dominick Scarola**, and **Mary Ann Kellen** purchased their CPR and First Aid certificates from Lechner through the aid of one of two middlemen: **Steven Zalinsky**, a soccer and golf coach, and **Joel Muhlstein**, the athletic director and a swimming coach.

According to Urso, a tennis coach and United Federation of Teachers representative at Lane, it was well known that to update a CPR and First Aid certificate a coach could just pay without taking a course. In order to update his certificates, Urso did what other coaches did, he paid Zalinsky for Lechner's certificates.

After Lechner left Lane, Scarola and Kellen also continued to purchase Lechner's CPR and First Aid certificates by paying Zalinsky. Just as Lechner had done at the beginning of each school year, Zalinsky asked Kellen whether she needed CPR or First Aid certificates, and if so, requested a check made payable to "cash" for \$25 for CPR, or \$85 for both CPR and First Aid. Kellen gave her checks for these certificates directly to Zalinsky. Either dealing directly with Lechner or through Zalinsky, Kellen estimated that she purchased between eight and ten invalid certificates during her coaching career at Lane.

For several years, Scarola either paid Zalinsky in person or put a check in Zalinsky's school mailbox. In 1996, however, on the last occasion that he paid for certification, it was athletic director Joel Muhlstein who asked for the money. Scarola put a check for \$25 in Muhlstein's mailbox at school and later received a CPR certificate signed by Lechner.

Although Steven Kaplan initially obtained certificates from Lechner when they worked together at Lane, after Lechner left, he was able to acquire free CPR and First Aid certificates from a fellow swimming instructor in the physical education department, **Joel Organek**, who is also a certified ARC instructor. Kaplan is the only coach who reported obtaining certification from Organek without the requisite course.

When Organek retired from the Board a few years ago, however, Kaplan had to use an intermediary for the certificates. Muhlstein informed Kaplan that he could continue to get the certificates for Kaplan from Organek. On one such occasion, in April 1996, Muhlstein requested \$75 from Kaplan for Organek's certificates. Kaplan gave Muhlstein a personal check, made payable to "cash" for \$75, and a short time later, Muhlstein handed Kaplan two ARC certificates signed by Organek, both dated May 16, 1996: one for "CPR for the Professional Rescuer" and one for "Lifeguard Training and Community First Aid and Training."

What is highly disturbing in Kaplan's case is that he coaches and teaches swimming, yet, in addition to not being legitimately certified in First Aid and CPR, he did not know whether he even needed certification in "Lifeguard Training," nor could he explain what "CPR for the Professional Rescuer" was.¹⁷ He defined the latter as, "it would just be performing CPR for somebody who's in charge of, uh, other people who might be in danger." Whether he could appropriately administer CPR or First Aid to a student who was injured or unconscious in the pool is unknown, but his case demonstrates the great risk to students when coaches are not legitimately certified.

¹⁷CPR for the Professional Rescuer is an advanced level of CPR training for individuals who have a job-related duty to respond to emergencies, such as a lifeguard, fitness instructor, or medical professional. In addition to CPR training, the course covers the body systems and medical/legal issues.

In addition to collecting money from coaches at Lane, Steven Zalinsky also played a role in collecting checks for Lechner at another school. **Constantin Parv**, a tennis coach at Grover Cleveland High School, wrote a personal check for \$25, dated September 18, 1995. Parv's check was made payable to "Steven Zalinsky," and in the memo portion of the check, Parv wrote "CPR." This check was endorsed by both Zalinsky and Lechner, then deposited into Lechner's account. Two obvious problems exist with Parv's check. First, Zalinsky is not a certified CPR instructor, and second, according to the PSAL and the ARC records that were maintained, there is no documentation of Lechner teaching a course between July and November 1995. As such, it is unlikely that Parv actually attended a course for his CPR certificate in 1995.¹⁸

Indeed, in a telephone conversation with another coach, which was surreptitiously recorded at the direction of this office, Zalinsky admitted that he collected money from coaches for Lechner's certificates as a "matter of convenience." Zalinsky stated "everyone just paid to get the card," and "every coach got the card, including me," but he did not see anything wrong with failing to attend legitimate courses. Instead, he only felt that, "all we did was we just didn't want to keep repeating it, repeating it, repeating it, so we cut a corner. That's all we did."

The middlemen, who were sometimes the very athletic directors responsible for the oversight of the sports program at their school, increased the scope and rate at which this procedure was practiced, accepted, and institutionalized. This "matter of convenience" was infectious amongst coaches in many high schools, and what these coaches did not want to

¹⁸We were unable to speak to Parv, however, we are relying upon documents that suggest he purchased Lechner's certificate through Zalinsky without attending a course in 1995.

keep "repeating" were the very courses necessary for the health and safety of student athletes. Every year they "cut a corner," their student athletes were endangered.

The Mail Order Transaction

Lechner's fraudulent certificates were so accessible, they could even be ordered through the mail. Eventually, coaches could merely complete a written flier advertising the CPR and First Aid certificates or simply mail a check or money order to Lechner. Either way, they never had to meet or even speak to him, much less attend a course, in order to be certified.

Rodger Shelton, a tennis and basketball coach at Paul Robeson High School, responded to a flier posted at a school, which advertised Lechner as an instructor who certified coaches in CPR and First Aid.¹⁹ In March 1997, Shelton mailed the flier to Lechner with a money order for \$85, payable to "cash," and a short time later, he received in the mail signed CPR and First Aid certificates. The CPR certificate was dated February 25, 1997, and the First Aid certificate was dated February 26, 1997.

Apparently, Lechner took it upon himself to backdate these documents. Though Shelton did not mail his check to Lechner until March, Lechner dated Shelton's certificates for late February, because the tennis season begins March 1, and Shelton had to be certified prior to that date. Additionally, in order to make the certificates appear as if Shelton legitimately attended both courses, Lechner dated them with two different dates because CPR and First Aid courses are too lengthy to be taught on the same day after school.

Patrick Duvalsaint, a tennis coach at Murry Bergtraum High School ("Bergtraum"), and **Velma Pickett**, a volleyball coach at Park West High School ("Park

¹⁹Shelton teaches at I.S. 33 in Kings County, but he could not recall the exact school where he saw the advertisement.

West"), ordered their CPR and First Aid certification directly through the mail without any order form and without ever meeting Lechner. Pickett ordered her certificates from Lechner for three years, and Duvalsaint ordered his for two years.

Duvalsaint became a tennis coach at Bergtraum in 1995, very close to the beginning of the tennis season. As such, he needed to quickly obtain certification in CPR and First Aid. According to Duvalsaint, the practice of buying the certificates without attending courses was well known. He learned in casual conversation with other coaches that he could call Lechner at Columbus about certification. When Duvalsaint called and inquired about obtaining CPR and First Aid certification, Lechner instructed him to mail a check or money order, made payable to "cash" or to "Lechner," in the amount of \$85, for both certificates. The instructor made it clear in their conversation that Duvalsaint did not have to attend a course, or do anything else except send the money.

As requested, in January 1995, Duvalsaint mailed an \$85 money order payable to "cash" to Lechner's home address, along with an index card listing his name, address, school, file number, and the types of certificates he needed. He later received in the mail CPR and First Aid certificates signed by Lechner, without ever having to attend a course. For 1996, Duvalsaint repeated this process. Although he only needed to renew CPR, he sent a money order for \$85, this time made payable to Lechner, and received both CPR and First Aid certificates in the mail.

In 1994, Velma Pickett was an assistant basketball coach at Bergtraum. When she transferred to Park West in 1995 she began coaching volleyball. During her coaching career with the Board, she has never attended a CPR or First Aid course. In fact, Pickett estimates

that the last time she attended such courses was either 1985 or 1986 when she was in college.

While Pickett was at Bergtraum, during a coaches meeting, she learned that an instructor would provide certification through the mail without requiring her to attend a class. According to her, someone at the meeting gave her Lechner's name and home address, and explained she could mail \$85 for the CPR and First Aid certificates. In 1994, without even speaking to the instructor, she mailed him a check for \$85 along with a note containing her name, address, school affiliation, and which documents she wanted to buy. Shortly thereafter, she received CPR and First Aid certificates signed by Lechner, and without ever meeting him, continued to obtain her CPR and First Aid certificates in this manner in 1995 and 1996.

Once Pickett realized how easy her own mail order transactions with Lechner were to complete, she told others at Park West how they, too, could obtain certification through the mail, without having to attend any courses. One such person was bowling coach **Clarine Morrisey**.

On September 18, 1995 and September 19, 1996, Morrisey wrote personal checks for \$25, payable to Lechner, that were endorsed by him and deposited into his checking account. Indeed, on one of these occasions, Pickett mailed her check in the same envelope with Morrisey's check.²⁰ In the memo portion of her checks in 1995 and 1996, respectively, Morrisey wrote "CPR 9/21/95" and "CPR 9/21/96." According to the course records that were maintained by the ARC and the PSAL, Lechner did not report teaching any CPR or

²⁰Pickett could not recall which year Morrisey and she mailed their checks together.

First Aid courses that correspond to the dates on Morrisey's checks. Thus, it is highly doubtful that Morrisey attended a class in order to receive Lechner's certificates in 1995 and 1996.²¹

Regardless of whether these coaches met Lechner, telephoned first, or just sent a check in the mail without any prior contact, they were able to purchase by mail order his CPR and First Aid certificates without attending any courses. Without any direct knowledge of their skill or training in CPR and First Aid, Lechner sold these coaches certificates, permitting them to continue coaching high school students without the appropriate qualifications.

LECHNER'S INSUFFICIENT MINI COURSES

Even when Lechner actually taught CPR and First Aid at some high schools, his version was a quick, incomplete course in which he inappropriately combined CPR and First Aid into one class that lasted approximately two hours. These mini courses fell far short of the time and content requirements for legitimate certification in CPR and First Aid, leaving the coaches without the proper training in these life saving techniques. As such, even the certificates that Lechner issued to the coaches who attended these mini courses were fraudulent.

The BPESE gives each approved agency an outline of the subjects that "must" be included in the classes and the length of time to be devoted to each topic. In fact, all approved agencies agree on their written applications to include these topics and to follow the recommended length of time to be devoted to each topic. According to this outline, the

²¹Morrisey did not respond to attempts by our investigators to speak with her. However, we are relying upon Pickett's testimony and documents, which suggest that Morrisey purchased Lechner's CPR or First Aid certificates without attending a course in 1995 and 1996.

minimum time for the complete course is twelve hours for First Aid and four hours for adult CPR. For the abbreviated renewal classes, First Aid is five and one-half hours, and CPR is two hours. Coaches who renew their certification before it expires may attend the abbreviated renewal course, but coaches who allow their certification to expire must attend the complete class.

Lechner did not follow the BPESE minimum time requirements for the CPR and First Aid classes he taught. For example, at Columbus, South Shore High School ("South Shore"), and Long Island City High School ("Long Island City"), Lechner taught a combined CPR and First Aid course that covered both topics in approximately two hours on one day after school. He did not administer a written test or a practical test. In fact, he made no attempt to ascertain whether the coaches attending his mini courses could appropriately administer CPR or First Aid.

Coaches from Columbus, South Shore, and Long Island City, as well as coaches from many other high schools, attended these mini courses for certification in CPR and First Aid. After the class, coaches stood in line to give Lechner cash, or a check made payable to "cash," and immediately received BPESE certificates for coaches. For \$25, coaches received a CPR certificate signed by Lechner. For \$85, Lechner issued certificates for CPR and First Aid. For an extra \$5, Lechner would also give coaches an ARC sponsored certificate for First Aid or CPR. Unlike the BPESE certificates that were distributed on the spot, the ARC certificates were mailed to coaches after Lechner received them from the ARC.

After these mini courses, if a coach was purchasing both CPR and First Aid certification, Lechner had to alter the dates in order to mask the fact that he taught both

subjects on one day. Accordingly, he generally dated the CPR certificate with the same date of the mini course, but dated the First Aid certificate with the next calendar date. At least at South Shore, Lechner even announced to the coaches that he was dating the documents with two separate dates because the courses really require two days. Indeed, Lechner instructed the coaches to be sure to hand them in at school on a day after the dates on the certificates.

Coaches who found Lechner's mini course too onerous to complete could make a token appearance at his class and still obtain a certificate. **Jeffrey Bieder**, a basketball coach and the Assistant Principal of Health and Physical Education at South Shore, arranged for Lechner to teach CPR and First Aid for coaches at his school. Since 1993, Lechner has taught his mini courses twice a year to coaches both from South Shore and from many other high schools. Bieder personally attended these classes twice a year, and on occasion, he observed coaches leave before class was finished.

One such coach who did not attend Lechner's entire two-hour course at South Shore, but still received a certificate from Lechner, was **Philip Zodda**, a track coach at that school. In June 1997, Zodda walked out of Lechner's course after attending the first fifteen-to-twenty minutes. He later returned for the last fifteen minutes of class, stood in line, paid, and received a certificate of completion from Lechner.

In sum, even when Lechner taught CPR and First Aid to coaches at some high schools, he did not appropriately teach the required topics for the necessary length of time, and allowed those enrolled to miss crucial portions of instruction. Although coaches may have attended these quick classes, the content, time, and training were entirely insufficient, which, in effect, rendered their certificates invalid. Indeed, the fact that Lechner post-dated

the First Aid cards reflects his knowledge that the subjects could not legitimately be combined into a two-hour mini course.

HILLEL COUNTRY DAY SCHOOL OF NASSAU COUNTY

During the course of our investigation into the sale of invalid CPR and First Aid certificates to public high school coaches, we discovered that during the summer months some coaches and other Board employees worked at the Hillel Country Day School ("Hillel"), a summer day camp in Nassau County. As with the high school coaches, Lechner sold fraudulent CPR certificates to both Board and non-Board employees working at the camp, without providing any instruction and without even meeting the recipients. From 1995 to 1997, Lechner submitted the names of complete strangers to the ARC and provided back-up documentation suggesting that they had attended and successfully completed his CPR courses.

Hillel operates as a summer day camp between June and August each year and is affiliated with the Hebrew Academy of the Five Towns and Rockaway ("HAFTR"). Approximately 380-400 children, ranging in ages two-to-thirteen, attend the camp each year. As a summer day camp, Hillel is inspected by the Nassau County Department of Health for compliance with Section 225 of the Public Health Law, which requires the pool director, lifeguards, and the off-grounds trip leader (or someone accompanying the trip leader) to be certified in CPR and First Aid. In addition, for every 200 campers, a summer day camp must have one on-site staff member certified in CPR and First Aid. To satisfy this ratio, the pool staff can only be counted for the CPR requirement, but not for First Aid.²²

²²During the summer, Hillel has registered nurses on site at the camp who are certified in CPR and First Aid.

David Fischberger was the director of Hillel from 1992 to 1995. In addition to the pool director, lifeguards, and trip leader who are required by the Public Health Law to be certified in CPR and First Aid, Fischberger personally wanted his administrative staff to be certified in CPR. In particular, Fischberger wanted the following staff certified:

Judith Leff, assistant to the director of Hillel
Frady Moskowitz, special activities coordinator
Ginger Thall, off-grounds supervisor and Board employee
Steve Sfass, athletics supervisor and Board employee
Jeffrey Bieder, assistant director²³ and Board employee

Although it was not a Nassau County Department of Health requirement that Fischberger and the administrative staff specifically be certified in CPR, he purchased Lechner's fraudulent ARC certificates to satisfy his own personal requirement, and requested that some of his administrative staff do so as well. Fischberger learned of Lechner from a Board employee who worked at Hillel, Jeffrey Bieder.

In 1994, Fischberger discussed renewing his CPR certification with Bieder at Hillel. Bieder, who had personally organized Lechner's CPR and First Aid classes at South Shore High School, referred Fischberger to the instructor. The director then telephoned Lechner and indicated that he and others at his camp wanted to be certified in CPR. Lechner instructed Fischberger to send checks to him made payable to "cash," and to submit a list of the employees who wanted certification, their addresses, and telephone numbers. It was clear in their conversation that Lechner was selling the certificates without the required course. Fischberger wrote his own check, and recalls asking some of the administrative staff, such as Leff and Moskowitz, for checks made out to "cash" for \$25 so the camp could have "extra CPR cards." Fischberger did not request checks from Sfass, a bowling coach at

²³Bieder also has responsibilities involving transportation and athletics at Hillel.

Long Island City, or Bieder, because they already had certification.²⁴ Within a short time after mailing the checks to Lechner, Fischberger received the CPR certificates in the mail. They were not given to the employees, but were maintained on file at the camp.

In 1995, Fischberger repeated this same procedure with Lechner, and in 1996, when **Suzette Nelson** replaced Fischberger as the director of the day camp, she followed his example. Nelson wrote a check for \$100 payable to "cash" for CPR certification, and she asked Leff for a check for \$30, "just in case they needed to use her name" for CPR cards.

Ginger Thall, a Board employee who also works at Hillel, received a CPR certificate in the mail directly from Lechner. Thall is the off-grounds trip supervisor at Hillel, and she is a teacher at J.H.S. 226 in Queens County. She does not coach a sport in the New York City public school district. Just prior to the summer of 1997, when her certification was due to expire, she asked Bieder for clarification of which CPR and First Aid certification she should have for the camp. Bieder replied that she should ask his instructor, Hal Lechner.

After Thall discussed certification with Lechner, he informed her that it would cost \$125 for both CPR and First Aid, but he stated that he could not provide certificates just for one person. Without understanding this statement, and without ever sending money or attending a course, Thall received in her home mail an ARC certificate for CPR signed by Lechner. She did not receive a First Aid card or have further contact with Lechner.

Fischberger, Nelson, Leff, Thall, and Moskowitz never met Lechner or attended his courses for CPR, yet in order for Lechner to obtain ARC certificates for them, he had to submit their names to the ARC on course records that appeared to be legitimate. For that purpose, he had to list multiple attendees and indicate that the length of the courses satisfied

²⁴Sfass and Bieder were certified by Lechner after attending his mini courses at Long Island City and South Shore, respectively.

the ARC requirements. From 1995 to 1997, he claimed on ARC course records that these Hillel employees attended courses at Columbus, South Shore, and his own home in Monsey, in upstate New York, and that these courses lasted sixteen, twelve, and six hours, respectively.

In a telephone conversation with a confidential source recorded at the request of this office, Lechner admitted that he sold CPR certificates to Hillel employees exclusively through the mail, without any personal contact, and stated that the Hillel employees should "obviously" claim "that I gave the course to them somewhere." Lechner specifically urged that if the employees are ever questioned about the certificates, the "easiest thing to do" is for them to say "they took a course with me and we did it at Ginger's house." Lechner even reasoned that claiming the course was conducted at Ginger Thall's house would be better than claiming it was conducted at the camp because the camp owner would say something else.

THE POTENTIAL SCOPE OF LECHNER'S FRAUD

The sixteen coaches from the twelve high schools whom we have established bought or received Lechner's fraudulent certificates may be only the tip of the iceberg. There is additional evidence that suggests Lechner's fraudulent scheme extended beyond our sample of coaches and high schools. First, from 1992 to 1997, Lechner deposited into his checking account 293 personal checks and money orders from approximately 170 coaches, totaling \$17,361. Most of these checks and money orders have "CPR" and/or "First Aid" written in the memo portions, and are for the amounts that Lechner usually charged for his certificates. Second, in addition to the twelve high schools where coaches obtained invalid certification, Lechner issued CPR and First Aid certificates to coaches at many other high schools. Based

upon a review of certificates and PSAL documents, Lechner issued certificates to coaches at the following 28 additional high schools:

Art and Design	Harry Van Arsdale
Automotive	Herbert Lehman
Benjamin Cardozo	High School of Telecommunications
Boys and Girls	James Madison
Bushwick	James Monroe
DeWitt Clinton	John Adams
Eastern District	John F. Kennedy
East New York Transit Tech	Newtown
Erasmus Hall	Richmond Hill
Flushing	Sarah J. Hale
Fort Hamilton	Sheepshead Bay
Franklin D. Roosevelt	Springfield Gardens
Frederick Douglass Academy	Thomas Jefferson
George Washington	William Taft

Without further investigation, we cannot establish that all the coaches at the 40 high schools or all 170 coaches whose numerous checks and money orders were deposited into Lechner's checking account received fraudulent CPR and First Aid certificates. However, given Lechner's course of conduct, it is likely that his fraudulent transactions go beyond those documented in this report. If that is the case, a disturbingly larger number of untrained, unqualified coaches are currently responsible for the safety of student athletes in our high schools.

Indeed, Lechner is unsure of the actual scope of his conduct. When interviewed by investigators, he only estimated that approximately 20-25% of the certificates that he issued to coaches were distributed without the required courses. He admitted that these transactions with coaches occurred in person, through intermediaries, and by mail, and he confirmed that the intermediaries were generally the athletic directors at the high schools. Moreover, Lechner acknowledged that some of the CPR and First Aid classes he did teach

to coaches only lasted two hours. Clearly, far more coaches than mentioned in this report may be currently coaching without the training necessary to protect student athletes.²⁵

RECORD-KEEPING STANDARDS

In addition to evaluating the procedure for certifying coaches in CPR and First Aid, we also reviewed what records are maintained for instructors and coaches, and who, if anyone, supervises the record-keeping process. We found a lack of sufficient oversight and enforcement of standards by the PSAL and the BPESE.

As an ARC instructor, Lechner was required to submit "course records" before he could issue CPR and First Aid certificates to students who successfully passed his classes. These records reflect the name, address, and telephone number of the student attending, the instructor, the subject taught, the location, the class length in hours, the dates of the session, and the number of students who passed, failed, or did not complete the class. When Lechner submitted these records, he always requested that the ARC mail the certificates directly to him rather than to the student being certified.²⁶ The organization, in turn, mailed him a blank certificate for each student that he claimed had attended and passed his class.²⁷ Lechner was then permitted to fill in the name of the student and where the course was sponsored, sign as the instructor, and distribute the certificate.

²⁵In addition, Lechner became so unconcerned with the distribution of invalid certificates that he even felt free to sign certificates for the "Program Administrator." Lechner told investigators that he filled in the name of "Rose Korten" or "Robert Johnson" as the PSAL "Program Administrator" because he ran out of the official, signed certificates and merely obtained blank ones from the BPESE. In fact, at approximately 18 of our sample high schools, Lechner signed some certificates in this manner.

²⁶An instructor such as Lechner, who did not teach on staff at the ARC, can elect to have the cards mailed directly to him, to the student who passed the course, or to the organization where the course was conducted.

²⁷According to the course records that the ARC maintained, between 1992 and 1997, no one ever failed or received an incomplete in Lechner's class.

Unlike the ARC, which at least required course records prior to mailing certificates to Lechner, the BPESE mailed blank certificates to Lane, Columbus, and the PSAL immediately after the instructor was approved. Lechner, in turn, was permitted to sign photocopies of the certificates as the instructor, fill in the coach's name and the date of the course, and distribute them.

Moreover, after he was approved, the BPESE did not maintain any records regarding Lechner's classes or the coaches he certified. Although the BPESE required all approved agencies, such as Lane, Columbus, and the PSAL, to "keep permanent records of certificates issued and make them available to the Education Department upon request," this requirement was not enforced.

With no enforced record-keeping standards, Lane, Columbus, and the PSAL were left to their own interpretation of what "permanent records of certificates" they should maintain. Specifically, Lane and Columbus did not maintain records of all the coaches Lechner was certifying in First Aid and CPR on behalf of these schools, and did not document the dates, hours, attendance, location, passes, failures, or incompletes for Lechner's classes. The only records they did maintain were copies of CPR and First Aid certificates for the Lane and Columbus coaches, whether issued by Lechner or another instructor.

The PSAL also had its own version of record-keeping. Although it did have a form for Lechner to record merely the date, name, and type of certificate issued, the PSAL did not enforce the use of these forms. According to Deputy Director Rose Korten, while the instructors "should" send in the forms, "they don't always do it." Indeed, even if instructors

use this form, it does not indicate the length of the course, where the course was taught, or whether anyone failed the course.

In sum, while the ARC at least required Lechner to submit course records before supplying him with blank certificates, the BPESE required less of the instructor. Once he was approved, Lechner was given BPESE certificates that he had free reign to distribute, without the enforcement of any record-keeping requirements. Consequently, the BPESE, and the BPESE-approved programs at the PSAL, Lane, and Columbus could not ensure that coaches actually attended a class, successfully completed all the requirements, and earned a legitimate certificate.

CONCLUSION AND RECOMMENDATIONS

From at least 1992 to 1997, Lechner provided fraudulent CPR and First Aid certificates to public high school coaches in Manhattan, Bronx, Queens, and Brooklyn, and he provided fraudulent CPR certificates to employees at the Hillel Country Day School in Nassau County. When he did teach a CPR and First Aid class for coaches at some high schools, the length of time and content of his course were entirely inadequate. The sixteen coaches in our sample who either paid for a certificate without attending a class or attended a mini course did not receive the appropriate training in CPR and First Aid necessary to protect the health and safety of students. In fact, by his own admission, Lechner's scheme involved far more coaches than this report could document without further investigation.

This fraudulent process was permitted to flourish and quickly become standard practice because no one supervised the coaches' certification program or enforced satisfactory standards to ensure that coaches were attending legitimate courses, successfully completing all requirements, and earning a valid certificate in First Aid and CPR. Fundamental systemic changes are therefore recommended in order to correct and prevent this abuse that placed the health and safety of student athletes in jeopardy.

Systemic Change

The Board of Education and the Public Schools Athletic League

The requirement that coaches obtain certified training in CPR and First Aid serves to protect student athletes when they participate in interscholastic sports. When parents consent to their child's participation in school athletics, they trust that the schools will be able to appropriately protect that child. The coaches who cavalierly decided to ignore this regulation and obtain fraudulent certification violated that public trust and endangered their

student athletes. The sixteen coaches documented in this report were not the only ones who took advantage of Lechner's fraudulent scheme. We therefore recommend that the Board of Education and the PSAL review the validity of the CPR and First Aid certification for every public high school coach. In particular, close scrutiny should be given to those certificates signed by Lechner.

In addition, given that Lechner taught mini courses at least at Long Island City, South Shore, and Columbus high schools, we recommend that the certificates of the coaches at these schools be closely inspected. The coaches who were certified after attending such a mini class at these three high schools, or any other location, should be required to successfully complete legitimate First Aid and CPR classes.

Furthermore, the PSAL's current record for instructors to document the coaches being certified has been used only sporadically and does not provide sufficient information about the CPR and First Aid classes. We therefore recommend that the PSAL enforce its record-keeping requirement and suggest that it use as a model the ARC course record, which includes the following: the instructor, date, time, hours, and location of the course; the name of every student in attendance, address, telephone number, and school affiliation; and whether the student passed, failed, or did not complete the class. In addition, for greater assurance that instructors adhere to the BPESE course outline and time requirements, we suggest that the course records include a checklist of all topics that the instructor covered in the class and the amount of time that was devoted to each subject.

The State Education Department and Its Approved Agencies

The Bureau of Physical Education and Safety Education at the State Education Department is responsible for authorizing agencies and their proposed instructors to certify coaches in CPR and First Aid. The BPESE approves instructors after reviewing only a photocopy of their certification to teach and allows them to teach without confirmation that they meet all the continuing education and training requirements necessary to remain certified to teach. Given that these instructors are permitted to teach life saving techniques to countless numbers of coaches, we suggest that for each school year an instructor is proposed to teach First Aid and CPR, the BPESE more closely scrutinize the instructor's qualifications and certification to teach.

In addition, given that Lane, Columbus, and the PSAL either interpreted the BPESE record-keeping requirement inconsistently or ignored it, the agency should clarify its current record-keeping requirements for the approved CPR and First Aid programs.

Disciplinary Recommendations

Harold "Hal" Lechner

Hal Lechner distributed fraudulent First Aid and CPR certificates to public high school coaches throughout the City, without regard to the consequences to student athletes. Moreover, Lechner issued invalid CPR certificates to summer day camp employees who are responsible for the health and safety of children between the ages of two and thirteen. In order to facilitate this scheme, Lechner falsified course records that he submitted to the ARC and to the PSAL, by representing that these individuals were in fact attending and passing official courses. Indeed, for at least five years, he profited from his fraudulent scheme at the expense of student safety.

We recommend that the Board of Education terminate Hal Lechner's employment and that his role in this case be considered should he ever reapply for employment with the Board. In addition, we recommend that the State Education Department revoke Lechner's teaching license and his authorization to certify coaches in CPR and First Aid.

Evidence of Lechner's fraudulent activities has been referred to the Kings County District Attorney's Office for possible criminal prosecution.

The Middlemen

Several Board of Education employees acted as middlemen between Lechner and his customers. They made it easier for coaches to obtain Lechner's fraudulent certificates. With that ease, the practice became more accepted. As such, the middlemen, particularly those in supervisory positions, helped sanction as the norm this illegitimate method for coaches to obtain CPR and First Aid certification, which increased the number of coaches who were unqualified to protect the safety of student athletes. Therefore, we recommend that the Board of Education take strong disciplinary action against **Irwin Isser, Abe Heyman, Frank Blauschild, Bette Sterling, Steven Zalinsky, and Joel Muhlstein.**

The Coaches

Coaches Who Bought or Received Lechner's Fraudulent Certificates

The coaches who received fraudulent certificates from Lechner recklessly disregarded the risk to the health and safety of their student athletes, and ignored a specific Education Law requirement. Their failure to obtain valid certification in CPR and First Aid also rendered them unqualified to coach. We therefore recommend that the Board take disciplinary action against the following coaches who received CPR and First Aid certificates without legitimately attending courses:

Rodger Shelton, tennis and basketball coach at Robeson
Patrick Duvalsaint, tennis coach at Bergtraum
Velma Pickett, volleyball coach at Park West
Clarine Morrisey, bowling coach at Park West
Steven Kaplan, swimming and volleyball coach at Lane
Mary Ann Kellen, track coach at Lane
Dominick Scarola, former track coach at Lane, currently at Hillcrest
Harvey Belkin, bowling and handball coach at Forest Hills
Martin Gahagen, former basketball and softball coach at Westinghouse
Alan Haber, former track coach at Truman, currently at Randolph
Richard Rigo, bowling coach at Canarsie
Richard Urso, tennis coach at Lane
Constantin Parv, tennis coach at Grover Cleveland

The coaches who admitted under oath that they were not legitimately certified, and were therefore not qualified to coach, signed affidavits stating that for school year 1997-98 they would not coach any sport in the New York City public school system or coach in any capacity outside of the school district where valid certification in CPR or First Aid was required. For other coaches who admitted under oath that they were not legitimately certified, yet wanted to continue coaching at their schools, they were immediately enrolled in and successfully completed legitimate courses at the ARC. Should any of these individuals be permitted to coach beyond the 1997-98 school year, they must successfully complete the appropriate courses for certification in CPR and First Aid.

Coaches Who Were Certified After Taking Lechner's Mini Courses

For the coaches who were certified after Lechner's mini courses, **Steve Sfass** at Long Island City, **Jeffrey Bieder** at South Shore, and **Philip Zodda** at South Shore, we recommend that, in order to continue coaching, they be required to successfully complete legitimate CPR and First Aid courses.

The American Red Cross

We are forwarding the findings in this report to the American Red Cross.²⁸

Although the ARC requires off-site instructors to first submit course records that indicate the name of the student passing the CPR or First Aid course, the ARC sends instructors blank certificates. The agency then relies on the instructor to write in the student's name and to distribute the certificate, supposedly to the same student whose name appears on the course record. With this practice, it is difficult to verify to whom the instructor issues the certificate. We therefore suggest that the ARC reconsider the practice of providing blank certificates to off-site instructors.

Furthermore, we recommend that the instructor certification of Harold "Hal" Lechner and Joel Organek be revoked by the ARC and that this case be considered should they ever apply for instructor certification again. In addition, we suggest that the ARC review the circumstances under which these instructors certified other students in CPR and First Aid.

The Nassau County Department of Health

We are providing the findings of this report to the Nassau County Department of Health for consideration during its annual inspection of the Hillel Country Day School.

²⁸During our investigation, we learned that, in July 1997, the ARC conducted an internal investigation after receiving complaints that Lechner was selling invalid certificates. David Baker, the former director of Training, Health, and Safety Services at the ARC, however, concluded that the matter was only a "smear campaign."