

January 11, 2007

Hon. Joel I. Klein
Chancellor
New York City Public Schools
Department of Education
52 Chambers Street, Room 314
New York, NY 10007

**Re: Bronx High School of Science
SCI Case No. 2006-3358**

Dear Chancellor Klein:

This office has concluded an investigation into allegations of financial irregularities concerning Korean language instruction at the Bronx High School of Science (“Bronx Science”). We have determined that the allegations are not substantiated.

The office of the Special Commissioner of Investigation (“SCI”) initiated this investigation in October 2006 after a newspaper reported that Korean-American parents of Bronx Science students claimed that they were deceived into raising more than \$100,000 to implement a Korean language program at the school; the article also raised questions about the way the funds were managed.¹ Another newspaper reported that \$137,500 had been raised for the language program, but that a Department of Education (“DOE”) spokesperson said that the school had received only \$71,000.² A third article noted that Bronx Science Principal Valerie Reidy said that the school “never asked anyone to raise money” for the program, and that Assistant Principal for Foreign Languages Lisa Rocchio said that “Bronx Science in no way fund raised for this course.”³ Donated funds may not be used to pay DOE teachers’ salaries.⁴

Hon. J. I. Klein

-2-

January 11, 2007

SCI investigators interviewed 12 witnesses, including Reidy, Rocchio, Valerie Golden, the school’s treasurer, and Kyoung Choi, a former Korean language per diem teacher assigned to Bronx Science, examined the school’s account ledger, and reviewed correspondence obtained from the school. We have determined that \$96,000 was contributed to the school, mostly by Korean language advocates, and that this money is accounted for in the Bronx Science school account records. \$1,231.98 of this amount was spent on books and materials for Korean

¹ See A. Wolf, *Korean Parents, Principal Clash at Bronx Science*, New York Sun, Oct. 6-8, 2006.

² See C. Giove, *Investigator ‘looking into’ Bronx Science Korean language program \$\$ controversy*, Riverdale Review, Oct. 12-18, 2006.

³ See N. LaRosa, *Bx. Science administrators will return donated funds*, The Riverdale Press, Oct. 12, 2006. See also C. Giove, *Bx. Science principal tries to smear teacher?*, Bronx Press, Oct. 26, 2006.

⁴ See Chancellor’s Reg. A-660(I)(j)(2)(d).

language courses, \$23,768.02 remains in the Bronx Science General Organization (“G.O.”) account, and \$71,000 was refunded to a corporate donor, jWIN Electric Corp. (“jWIN”). An additional check from jWIN for \$36,000 which was intended as a donation was not received by the school.

Our interviews and the referenced documents indicate that Korean language courses were first offered at Bronx Science in the fall of 2003. The courses have been taught since that time by part-time per diem DOE employees. Also in the fall of 2003, a group calling itself the “Korean Language Program Committee,” which consisted of parents of Bronx Science students, Korean-American business leaders, the Foundation for SAT II Korean, a Los Angeles-based group which promotes the inclusion of Korean in high school language course offerings, and LG Electronics USA, Inc., donated \$15,500 in support of Korean language courses at Bronx Science.⁵ The Committee’s efforts were led by Jung Hee Lee, whose son was then enrolled at the school. Lee told investigators that she presented this money – all in checks – to a representative of the Bronx Science Parents Association whose name she did not recall. She said that she was aware that DOE rules prohibited using these funds to hire teachers. Lee also reported that she met with Reidy and Rocchio during this time, and that neither they nor anyone else committed to using these contributions specifically to support Korean language courses, or for any dedicated purpose.

Eileen Moon, a professor at the University of California, Los Angeles, who is affiliated with the Foundation for SAT II Korean, confirmed to an SCI investigator that her foundation sent \$5,000 to Lee for Bronx Science. Moon said that Lee made no specific promises concerning how the contribution would be used.⁶ Although Lee was apparently the conduit for this and the other fall 2003 contributions, Reidy produced an October 17, 2003 letter from the Bronx Science files addressed to her from “William O. Kil, President, Foundation for SAT II Korean,” which enclosed a check for \$5,000 “to be spent for the Korean Language program.”

For unknown reasons, the \$15,500 in contributions was initially deposited into the bank account of the Bronx Science Parents Association, rather than the school’s G.O. account. In early 2005, Reidy and the co-presidents of the Parents Association agreed

Hon. J. I. Klein

-3-

January 11, 2007

that the money should be transferred to the G.O. account. This was done by check on March 4, 2005, and recorded in the general category of the G.O. account.

On June 20, 2004, due to Lee’s efforts, a check from jWIN for \$36,000 was donated to the Bronx Science Alumni Association (“Alumni Association”). In a letter to Linda Klayman of the Alumni Association, Lee stated that the contribution from jWIN was for the “continuance of the Korean Language Program in the upcoming school year of 2004-2005.”⁷ An SCI investigator contacted Dena Kim of jWIN, who reported that she was approached by the “Korean Parents Association” and agreed that jWIN would make an initial contribution to Bronx Science Alumni Association of \$36,000 and subsequent annual contributions for a total of \$175,000. Kim said that there were “no strings” attached to the gifts, and that she had no specific discussions as to how the funds would be spent. jWIN sent another

⁵ The Committee was an ad hoc group; it was not incorporated or otherwise registered with any government authority.

⁶ Moon also said that in the fall of 2006, she met with Reidy and urged her to expand the Korean language course offerings at Bronx Science. According to Moon, Reidy replied that there was insufficient student interest to warrant an expansion.

⁷ Reidy was copied on the letter.

check for \$35,000 to the Alumni Association in September 2005. As discussed below, jWIN's \$71,000 in contributions was refunded to the company at Reidy's direction in the fall of 2006. A third check from jWIN to the Alumni Association for \$35,000 dated August 31, 2006 and a letter from Kim addressed to Reidy was given to Choi to deliver, but Reidy declined to accept them.⁸

In December 2004, the Korean Consulate donated \$2,500 to Bronx Science, and made another contribution of \$7,000 to the school in November 2006.⁹ These were deposited into the school's G.O. account where they were recorded in the "Language" category. Reidy told investigators that officials from the Korean Consulate periodically visit the school with Korean educators to observe classes and meet with teachers.¹⁰ She said that the gifts from the Consulate were unrestricted, and not connected to Korean language courses. Referencing unnamed sources, one newspaper stated that "the Korean embassy" gave Bronx Science \$5,000 in 2003 and again in 2004 in addition to the \$7,000 gift of November 2006, and that these contributions were in support of the Korean language program.¹¹ The two \$5,000 donations reported in the news article do not appear in the records of the Bronx Science G.O. account. An SCI investigator contacted Sun Bork Lee, Education Director of the Korean Consulate in Manhattan and inquired about the reported \$5,000 gifts. He said that he was uncertain of the donations to Bronx Science, and agreed to search the Consulate's financial records. Three days later, the investigator received Lee's apparent response by fax from the Consulate: A copy of the cancelled December 2004 check for \$2,500 referenced above.

Hon. J. I. Klein

-4-

January 11, 2007

Victoria Golden, the Bronx Science treasurer, was interviewed twice by SCI investigators.¹² In the second interview, at the SCI offices, she was represented by an attorney and testified under oath. Golden testified that she has been the Bronx Science treasurer for five years. She said that when news articles first appeared in the fall of 2006 concerning this matter, Reidy asked her to give an accounting of all receipts and expenditures in the school's account which were possibly connected with the Korean language program. Golden said that she examined the school's G.O. account, and advised Reidy that \$71,000 was contributed to the school, based on the categories in the account records. After one newspaper reported that \$137,500 was contributed to Bronx Science in support of Korean language programs, Reidy asked her to examine the accounts again.¹³ Golden did so, and discovered that \$15,000 had been transferred from the Parents Association, and that an additional \$7,000 was given to the school by the Korean Consulate. These sums raised the total to \$93,500. When shown another cancelled check from the Korean Consulate for \$2,500, Golden explained that because she had not booked this contribution to Bronx Science in a language category it was not so designated. This brought the contributions associated with Korean language programs to \$96,000. Golden said that she examined all of the school account's receipts, deposits and expenditures, and found

⁸ The letter, a copy of which SCI obtained from Choi, is somewhat ambiguous in stating the purpose of the donation: "This gift is made unconditionally. We wish to support continuously the Korean Language programs at the Bronx High School of Science in such manner as best serves the interests of its students."

⁹ Choi gave a copy of the (cancelled) \$7,000 check to SCI investigators.

¹⁰ Reidy produced a letter to her dated December 14, 2006 from Sun Bork Lee of the Korean Consulate in Manhattan acknowledging such a visit to Bronx Science.

¹¹ Giove, *supra* note 2.

¹² She was initially visited at the school and asked about some of the subject contributions. The interview was interrupted by Reidy, and Golden left the room at her request. This necessitated a subpoena for Golden's appearance and testimony at SCI.

¹³ Giove, *supra* note 2.

no other items associated with the Korean Language program. She reported that Bronx Science had recently returned \$71,000 to jWIN at Reidy's direction.

Reidy appeared at the SCI offices with an attorney and was examined under oath. She said that Bronx Science first offered Korean language courses in the fall of 2003. In the preceding year, representatives from the Korean Parents Association, including Lee and others met with her, Rocchio, and Hyunjoo Kwon, a DOE foreign languages administrator, to request that Korean be offered at the school. Reidy said that she learned in advance of a scheduled Bronx Science Parents Association meeting on September 17, 2003, that Lee intended to present \$15,500 to the Parents Association to be used to support the Korean language courses. According to Reidy, she was present at the meeting when the president of the Parents Association informed Lee that it could not accept funds designated for a specific academic program. The principal reported that she subsequently learned that the Parents Association received the \$15,500 from Lee's group, and the successor co-presidents of the Parents Association agreed to transfer it to the Bronx Science G.O. account.

Hon. J. I. Klein

-5-

January 11, 2007

Referencing deposit slips from the G.O. account and correspondence obtained from the school, Reidy testified that the school received \$96,000 in contributions from the Korean Parents Association, Korean-owned businesses, and the Korean Consulate over a three-year period.

Reidy said that when the school year began in September 2006, Choi, the per diem substitute teacher assigned to the Korean classes, expressed disappointment that more classes were not being offered that term. Choi told the principal that executives at jWIN had made contributions in the past, that she had a check for an additional gift from jWIN, and that these were given with the expectation that the Korean classes would be expanded at Bronx Science. Reidy declined to accept the check (for \$35,000) from Choi. The following day, a small group – apparently organized by Choi – demonstrated in front of the school to press demands for expanded Korean course offerings. Reidy said that she invited members of the group into her office to discuss the matter.¹⁴ The principal told the group that course offerings were based in part, on demand, and that there was insufficient interest among the Bronx Science students at that time. Some members of the group differed with Reidy, and told her that benefactors, including jWIN, had made substantial donations to the school based on representations that they would be used to expand the Korean program. Reidy responded that whoever made such representations was either mistaken or lying. Her response apparently angered some members of the group, and the newspaper articles which prompted SCI's investigation appeared soon thereafter. Reidy said that she directed Golden to examine the school's G.O. account to determine the contributions possibly made by or at the request of advocates for the Korean language program at Bronx Science. Reidy's account of these donations corresponds with Golden's.¹⁵

¹⁴ Reidy said she subsequently learned that at least one of the group she invited to her office was a reporter from a Korean language newspaper.

¹⁵ Reidy theorized that the \$137,500 mentioned in one newspaper article represented the approximate total of the \$96,000 she and Golden reported combined with the declined \$35,000 gift from jWIN, and \$6,306 in gross revenue collected at a Korean Festival at Bronx Science which Choi organized in April 2006.

On the day following her meeting with the demonstrators, Reidy dismissed Choi from her per diem DOE employment. A new per diem teacher has been assigned to her classes. Reidy contacted Kim of jWIN and advised her that the school would be refunding the \$71,000 the firm had donated to the school and would not accept its recent check.¹⁶

Hon. J. I. Klein

-6-

January 11, 2007

This constitutes the summary findings of our investigation into this matter. Should you have any inquiries regarding the above, please contact Deputy Commissioner Gerald P. Conroy, the attorney assigned to the case. He can be reached at (212) 510-1486. Thank you for your attention to this matter.

Sincerely,

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

By: _____
Gerald P. Conroy
Deputy Commissioner

RJC:GPC:gm

c: Michael Best, Esq.+

¹⁶ Reidy produced a letter from Kim dated September 13, 2006 in which she confirmed their discussion and agreed to accept the refund. Golden confirmed that she sent refund checks to jWIN at Reidy's direction totaling \$71,000.