

January 10, 2008

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

Re: Derek Platov
SCI Case #2007-4200

Dear Chancellor Klein:

An investigation conducted by this office has substantiated that Derek Platov, a teacher assigned to IS 145 in Queens, submitted a falsified Jury Duty Certificate Of Service to obtain additional time off from work.¹ Moreover, Platov reported for jury duty in Richmond County even though he apparently resides in New York County.

This investigation began in November 2007, when Principal Delores Beckham contacted the Office of the Special Commissioner of Investigation (“SCI”) and reported that Platov claimed to be absent from school from October 11 through October 18, 2007, because he was on jury duty; however, the Richmond County Clerk’s Office advised her that Platov served only one day.

In an interview with SCI investigators, Principal Beckham explained that, while filing paperwork, Payroll Secretary Sharon Urquhart discovered that Platov’s file already contained a Certificate Of Service which indicated that he had appeared for jury duty on March 19 and 20, 2007. Beckham added that Urquhart became suspicious after comparing that document to the more recent Certificate Of Service submitted by Platov – indicating that he performed jury duty from October 11 through 18, 2007 – which appeared to have been altered. Beckham then reviewed the Certificates Of Service and concurred that the October document seemed to have been altered. As a result, the principal contacted the Richmond County Clerk’s Office and learned that Platov had served one day of jury duty on October 11, 2007.

¹ Platov was not reassigned as a result of this investigation.

Urquhart confirmed the information provided by Principal Beckham and gave additional details. Urquhart told SCI investigators that Platov called the school on October 11, 2007, and reported that he was on jury duty in Richmond County. Urquhart added that Platov also called in as being absent because of jury duty on October 12, 15, 16, 17 and 18, 2007. On October 22, 2007, Urquhart had Platov fill out and sign an absence excuse form and she attached his Jury Duty Certificate Of Service to it. Thereafter, when Urquhart was filing in Platov's personnel folder, she noticed that he had served on jury duty in Richmond County six months earlier. Urquhart then examined both Certificates Of Service and found that the October document looked suspicious and possibly altered. Urquhart brought her discovery to the attention of Principal Beckham.

SCI investigators visited the Office of the Richmond County Clerk and met with Deputy County Clerk Ronald Arabia who provided certified documents which indicated that Platov had postponed jury service in July 2007, and served one day on October 11, 2007. Arabia also produced a certified copy of Platov's juror summons, which showed an address on Staten Island. In addition, he turned over a certified copy of a document required to be completed by Platov prior to his appearance for jury duty, which the teacher signed and dated October 10, 2007. On it, Platov certified under penalty of perjury that he was a resident of Staten Island. Arabia also provided a certified copy of the time clock stamp for "Oct 11 2007" and "Oct 18 2007." Arabia explained that the clerk's office only had stamps up to the number three and that, after three days of service, the number of days served was handwritten on the Certificate Of Service.

On the absence excuse document which Platov completed for Urquhart, he indicated a New York County address. The address for Platov on file with the Department of Education ("DOE") shows the same New York County residence.

A comparison of the Jury Service Certificate Of Service for October 2007, submitted by Platov, with the information provided by Arabia generated additional evidence that Platov's document had been altered. The falsified certificate indicated that Platov served as a juror for "EIGHT" days, while Arabia explained that service for that period of time should have been reflected as "8" days. However, eight days would mean that Platov also served on Saturday and Sunday, October 13 and 14, 2007. Moreover, although Platov's start date of "Oct 11 2007" exactly matched the stamp provided by Arabia, the "18" in his end date did not match the Richmond County Clerk's stamp.

In the presence of his attorney, Derek Platov invoked his 5th Amendment right against self-incrimination when SCI investigators attempted to interview him about this case.

It is the recommendation of this office that Derek Platov's employment be terminated, that he be made ineligible for work with the DOE, and that this matter be

considered should he apply for any position in the New York City school system in the future.

We are referring our findings to Queens County District Attorney Richard A. Brown and Richmond County District Attorney Daniel M. Donovan, Jr. for whatever action they deem 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 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 Derek Platov. 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:lm

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