

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

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July 23, 2019

Hon. Richard Carranza
Chancellor
New York City Public Schools
Department of Education
52 Chambers Street, Room 314
New York, NY 10007

Re: Annabell Burrell
SCI Case #2018-5517

Dear Chancellor Carranza:

An investigation conducted by this office has substantiated that former Department of Education (“DOE”) employee Annabell Burrell, a principal formerly assigned to the summer school program at Public School 24 (“P.S. 24”) in Brooklyn, failed to adequately supervise students, and failed to follow proper DOE protocol after she learned that an autistic six-year-old male student (“Student A”) was missing from the cafeteria that was under her supervision.¹ Student A was found, unescorted, in a subway station, by a civilian (“Civilian A”) who called 911.

I. Investigation & Findings

This investigation began on August 14, 2018, when Burrell contacted the office of the Special Commissioner of Investigation for the New York School District (“SCI”) to self-report that Student A left the school building through a rear exit door of the cafeteria while the cafeteria was under Burrell’s supervision. Burrell reported that the door alarms were not activated when Student A exited the cafeteria. Burrell informed SCI that Student A was later found in a subway station by two civilians who called 911, and that New York City Police Department (“NYPD”) officers returned Student A to the school. Burrell said that upon Student A’s return to the school, he was examined by the school nurse and found to be in good physical health, and then Student A’s mother (“Mother A”) was contacted. Mother A called SCI the following day and also reported the incident.

¹ Burrell resigned from the DOE effective September 1, 2018. The summer school program at P.S. 24 was part of the District 75 Extended School Year Program. Burrell’s regular permanent assignment prior to her resignation was as principal at Public School 124 in Brooklyn.

SCI investigators met with Mother A who told them that she received a phone call from Principal Burrell on August 14th while at work. Burrell informed Mother A that Student A had “walked out” of the school building without Burrell’s knowledge, and was found by an unidentified civilian at a nearby subway station. Mother A went to P.S. 24, and learned that Student A was brought back to the school by NYPD officers. While at the school, Mother A met with Burrell and DOE Borough Safety Director Gary Albin. Burrell told Mother A that she was the only staff member who supervised the cafeteria during breakfast – the time when Student A left the school building. Mother A told investigators that Student A was autistic and could not speak in full sentences which made it difficult for him to explain what happened. Mother A informed the investigators that Student A was brought by bus to school, was picked up at 7:00 a.m., and arrived at the school at approximately 8:00 a.m. Student A was assigned a one-to-one paraprofessional when he arrived at the school, but was not supposed to be alone at any time during the school day. Mother A said that Burrell told her the paraprofessionals did not begin work until 8:30 a.m.

Investigators interviewed Borough Safety Director Albin who said that on the morning of August 14th, he was notified that a student had walked out of P.S. 24 unescorted, and was missing. Albin responded to the school, and when he arrived, Student A had already been returned to the school by NYPD officers. Albin spoke with Burrell who told him that she was the only staff member who supervised the children in the cafeteria during breakfast when Student A left through the rear exit doors. Albin said that Burrell told him that she did not know anything about the exit door alarms. Albin added that Burrell did not follow the DOE’s Missing Student Protocol after she discovered that Student A was missing.

Investigators interviewed Custodian Richard Afflitto who said that on August 14th, Burrell entered his office and informed him that a student was missing. Afflitto returned to the cafeteria with Burrell where Student A was last seen, and noticed that the rear cafeteria doors were propped open. Afflitto told investigators that the school was locked down, and a search for Student A began. At the time, he and Burrell did not know that Student A exited the building. Afflitto stated that P.S. 24 had alarms on the exterior doors, but did not know who was responsible to ensure that the alarms were operational, or of any procedures regarding the alarms. Afflitto said that it was his responsibility to ensure that the alarms were installed, and that the batteries were replaced when necessary. Afflitto added that the keys for the door alarms were universal, and worked in every DOE school.

SCI investigators spoke with DOE Division of School Facilities (“DSF”) Director of Field Operations Salvatore Calderone, who explained that the school’s custodial engineer was responsible for changing the batteries for the exit door alarms when necessary, and that the school’s principal was responsible for the testing of the alarms and the activation and deactivation of the alarms. Calderone said that in October 2014, DSF distributed a memorandum to all DOE principals regarding the implementation of an exit door alarm policy, also known as

“Avonte’s Law.”² The memorandum explained the process that would take place regarding placement and installation of the alarms, and steps that the principals would need to take to create response and inspection protocols in their respective schools.

Investigators spoke with NYPD Officer Andre Daniel of the 72nd Precinct, who told them that on August 14th, he received a 911 assignment for a missing child found at the 25th Street subway station. Daniel said that when he arrived at the subway station, he encountered Civilian A, who had called 911. Civilian A told Daniel that she observed Student A board a train at the 36th Street subway station, and entered the train after him. When the train arrived at the 25th Street station, Civilian A escorted Student A off the train and called 911. Daniel then transported Student A back to P.S. 24.

Investigators interviewed Civilian A who described her encounter with Student A on August 14th. As Civilian A walked on 5th Avenue and 36th Street in Brooklyn, she observed Student A walking by himself, and she stayed within 10 feet of him as he walk to 4th Avenue. Student A went down the stairs of the subway station and proceeded to the platform as an R train pulled into the station. Student A boarded the train, and Civilian A boarded the train after him since Student A appeared to be alone and Civilian A felt she should stay with him, although she did not normally take the R train. At the 25th Street subway stop, she escorted Student A off the train with the help of another female passenger, and took him to the street level where Civilian A called 911. NYPD Officer Daniel responded to the 911 call, placed Student A in his patrol vehicle, and told Civilian A that he would return Student A to his school.

Investigators interviewed Burrell in the presence of her union representative. Burrell stated that she was the summer school principal of P.S. 24 for the District 75 Extended Year Program. Burrell told investigators that the students in the program arrived by bus, starting at approximately 8:00 a.m. Burrell continued that on August 14th, Student A arrived at approximately 8:10 a.m., and was escorted into the school by the bus matron. Burrell stated that she brought Student A to the kitchen where he was given his breakfast, and then she seated him at his table. Burrell then attended to other students while they arrived. Burrell said that she was the only staff member who supervised the cafeteria, and that she supervised approximately 10 other students. Burrell continued that a short time later, she realized that Student A “had wandered away” from his table, and she looked around the cafeteria but did not find him. Burrell said she checked the rear exit doors that led to the schoolyard, and noticed that the alarm light was not flashing. She then opened the door, but the alarm did not sound, and she radioed school safety that she had a missing student. Burrell said that school safety agents notified their supervisor, who called 911. Burrell asked a teacher to supervise the students in the cafeteria, and searched the area after she observed that the schoolyard gate that led to 37th Street was open. Burrell said that she did not call for a school lock down because she did not know whether

² In October 2013, Avonte Oquendo, a 14-year-old autistic student at the Riverside School in Queens, exited the school building through an unlocked and unalarmed door and ultimately lost his life. This tragic incident led to the creation and passage of Avonte’s Law, signed into effect in August 2014. SCI conducted an investigation into the events before and after the disappearance of Avonte Oquendo (see SCI Case #2013-4827).

Student A was still inside the building. Burrell said that additional school staff members went outside to assist in the search for Student A. A short time later, police officers brought Student A back to P.S. 24, and Mother A was notified of the incident. Mother A arrived at the school and met with Burrell and Albin, and Albin informed Mother A that there would be an investigation of the incident.

Burrell informed investigators that there was a summer camp program held at P.S. 24, run by the Morningside Center for Teaching and Social Responsibility (“Morningside”), which started at 8:30 a.m., and that the Morningside students entered the school building through the rear cafeteria doors from the schoolyard, after the Extended School Year students left the cafeteria.³ Burrell provided investigators with the name of the director of the Morningside program at P.S. 24.

Investigators interviewed Morningside Director Sully Diaz who told them that Morningside ran a summer program at P.S. 24 called Peace from A to Z (“PAZ”). Diaz said that the PAZ students entered P.S. 24 through the rear schoolyard doors that led to the cafeteria in order to avoid confusion with the students that attended other programs at P.S. 24 who entered the school through the front doors. Diaz explained that some of the PAZ staff members went to the cafeteria at 8:30 a.m. each morning to allow their students to enter the building through the rear cafeteria doors. Diaz said that she had a key to the exit door alarms, and turned the alarms off when she opened the doors to allow PAZ students to gain entry. She stated that only the PAZ students were allowed in, and that no students were allowed to exit through the doors. Diaz said that on August 14th, when she went to the cafeteria, she witnessed “a lot of commotion,” and Diaz learned that a student from the Extended Year Program was missing. Diaz told investigators that she needed to let her students into the school, so she went to the rear doors and turned off the exit door alarms to allow her students to enter. After all the PAZ students had entered, Diaz turned the alarm back on. Diaz said that she did not notice if the alarm lights were flashing when she initially used the key to turn off the alarm, and could not definitively say whether the alarms were, or were not, working on that day.

II. Conclusion and Recommendation

Annabell Burrell failed to provide adequate supervision to students which enabled a six-year-old autistic student to exit the school building alone. Further, Burrell failed to follow proper DOE procedures and protocol regarding a missing student, thereby putting Student A in even greater danger. As soon as Burrell became aware that Student A was missing, the DOE’s Missing Student Protocol should have been activated.

Additionally, this investigation revealed that a system was in place at P.S. 24 that called for exit door alarms to be deactivated by a non-DOE employee to allow students from a summer

³ Morningside Center for Teaching and Social Responsibility (“Morningside”) works in collaboration with several DOE schools. Morningside and P.S. 24 are partners in providing the PAZ (Peace from A to Z) after-school program at P.S. 24.

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camp program to enter the school building through the rear doors of the cafeteria. This constituted a serious breach in security, and as principal, charged with overseeing the school's security and alarm procedures, Burrell should not have allowed this system to be enacted. It appears that a serious breakdown in coordination occurred between the two groups that used the P.S. 24 cafeteria when the alarms were deactivated while students from the Extended Year Program were still present in the cafeteria. Fortunately, Student A was safely returned to the school, however, it is incumbent upon the DOE and individual school administrators to ensure that proper supervision, door alarm, and missing child action plans are implemented and followed to prevent similar incidents in the future.

Although Burrell has resigned from her DOE position, it is the recommendation of this office that a problem code be added to Burrell's DOE file barring her from future employment with the DOE, in any of its facilities, or with any of its vendors.

We are forwarding a copy of letter to the Office of Legal Services. In addition, we are sending a copy of this report to the New York State Department of Education for whatever action they deem appropriate. Please notify SCI within 30 days of receipt of this letter of what, if any action has been taken, or is contemplated regarding Annabell Burrell. Should you have any inquiries regarding the above, please contact me at (212) 510-1418. Thank you for your attention to this matter.

Sincerely,

ANASTASIA COLEMAN
Special Commissioner of Investigation
For the New York City School District

By:



Daniel Schlachet
First Deputy Commissioner

AC:DS:ss

cc: Howard Friedman, Esq.
Karen Antione, Esq.
Katherine Rodi, Esq.