

August 2, 2007

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

Re: Solomon Long  
SCI Case # 2007-1212

Dear Chancellor Klein:

An investigation conducted by this office has substantiated that Principal Solomon Long assigned to PS 91 in Brooklyn failed to report allegations of sexual abuse.<sup>1</sup>

This investigation began in March 2007, when the Office of the Special Commissioner of Investigation for the New York City School District (“SCI”) received a complaint from Local Instructional Superintendent Dr. Jacqueline Peek-Davis, Region 6, alleging that PS 91 Principal Long mishandled a complaint of sexual abuse made by a parent (“Mother A”) concerning her daughter, an 8-year-old female student (“Student A”) who attended PS 91.<sup>2</sup>

In an interview with SCI investigators, Peek-Davis confirmed her complaint. Peek-Davis stated that she saw Long at an Advanced Legal Workshop conducted by Region 6 Attorney Robin Merrill on the afternoon of March 19, 2007. According to Peek-Davis, among other topics, this meeting detailed the duties and responsibilities of principals regarding filing reports – including reports of alleged sexual abuse. Peek-Davis informed investigators that attendees were given handouts that specified the format and types of allegations that should be reported, and the agencies to notify.

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<sup>1</sup> Long was reassigned to administrative duty at the Region 6 Office on March 20, 2007, but returned to his duties as principal of PS 91 on April 27, 2007.

<sup>2</sup> Student A has since been transferred to another Department of Education school in Brooklyn.

Peek-Davis explained that at approximately 8:14 p.m. that same date, she received an e-mail from PS 91 Assistant Principal Lynnette Brinson's e-mail address which was signed by PS 91 Assistant Principal Linda Barnette. According to the e-mail, Francis Evelyn, a custodial worker at PS 91, had been arrested for allegedly raping a student at the school.<sup>3</sup> Peek-Davis stated that later that same night around 9 p.m., she got a phone call from Long regarding the Evelyn arrest.

According to Peek-Davis, the following day while at PS 91 with Regional Superintendent Jean-Claude Brizard and other Department of Education ("DOE") personnel, Long reported that in early February 2007, Mother A had come to the school and alleged that "a boy or boys in the school had raped her child" in a school bathroom and that Student A had also been "molested by her father."<sup>4</sup> Peek-Davis added that Long acknowledged that he had not filed any report or taken any action after he received Mother A's complaint.

Peek-Davis advised investigators that, after conferring with Brizard and DOE Region 6 Attorney Robin Merrill, she was told that Long would be administratively reassigned to the Region 6 Office "based on conduct unbecoming" his position.

Brizard confirmed for investigators that Long stated that he took no action concerning Mother A's complaint about her daughter having sex in the school's bathroom and that Long also admitted that he had not contacted the Administration for Children's Services ("ACS") to verify that the allegation of molestation had been reported against Student A's father. Moreover, Brizard stated that Long acknowledged that he never spoke to Student A about the allegations and that no one at the school followed up with the girl.

Mother A stated that she reported to Long an allegation concerning her daughter, Student A, having sex with a boy in a school bathroom and that she also told the principal about the molestation case against Student A's father.<sup>5</sup>

In May 2007, after receiving confirmation that the criminal case against Evelyn had been dismissed by the Kings County District Attorney's office, investigators spoke to Long.<sup>6</sup> Long recalled his interaction with Mother A that had occurred in late January or early February of 2007. Long told investigators that Brinson approached him and stated

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<sup>3</sup> The arrest related to an allegation made by Student A. Peek-Davis stated that she did not contact anyone as a result of receiving the e-mail.

<sup>4</sup> Long was uncertain if he had spoken to Mother A in late January 2007 or early February 2007.

<sup>5</sup> Mother A recalled that Long suggested psychological help, but said that the principal took no further action and did not follow up with her in any respect.

<sup>6</sup> The District Attorney's office concluded that Evelyn had not committed the crime alleged by Student A.

that there was “something that he had to hear.” Thereafter, Long engaged in a 15 to 20 minute conversation with Mother A in the school’s cafeteria regarding Mother A’s daughter, Student A.<sup>7</sup>

Long explained that Mother A alleged that Student A was “having sex with a boy in the school” and that the incidents occurred in one of the school’s girls’ bathrooms. Long informed investigators that all bathrooms in the school are locked, and only the teachers or the bathroom monitor could open the doors for students. Although Long agreed that some teachers gave out bathroom keys to students, he stated that Student A’s teacher had not typically done so. Long reported that when he asked Mother A for a description of the boy involved, Mother A was unable to provide one. According to Long, Mother A wanted to walk around the school in order to point out the boy, but he refused her request. Long stated that Mother A then spoke about Student A’s ACS case, revealing that her daughter was molested by her father and that the girl “needed professional help.”<sup>8</sup> Long indicated that Mother A declined his help securing psychological counseling for Student A and that Mother A stated that she would continue to bring her daughter to an outside psychologist.

Although Student A was present for Long’s entire conversation with Mother A, Long admitted that he had not spoken to Student A at that time, and had not interviewed her at any time thereafter. Long stated that he had not taken any notes during the conversation, and had not documented the allegations in any way. Long acknowledged that he had not believed Mother A’s allegation concerning Student A having sex in the school bathroom. Long added that it just “didn’t ring true.”<sup>9</sup> Finally, Long stated that he thought that Mother A would “take care of it” and continue consulting an outside psychologist. Long admitted that he had “no communications whatsoever with anyone” regarding the report by Mother A, and had not taken any specific precautions in light of the purported bathroom activity.<sup>10</sup>

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<sup>7</sup> Long claimed that Brinson was present for the entire conversation, but Brinson indicated that she left before the end of the conversation, and was updated by Long later in the day. In addition, Brinson stated that she did not recall Student A being present during the conversation, only Mother A.

<sup>8</sup> Investigators contacted ACS regarding this allegation. According to an ACS representative, this ACS investigation was closed unsubstantiated because there was no physical evidence and Student A was deemed “not credible.”

<sup>9</sup> In making this judgment, Long cited Mother A’s calm demeanor and inability to describe the accused, and Student A’s repeated history of behavioral problems.

<sup>10</sup> Even though Long frequently focused on bathroom security and safety during faculty meetings and in public address (“PA”) announcements, Brinson had not recalled Long specifying a heightened concern during the time period after Mother A’s allegation. Long confirmed that he had not made a special PA announcement following his meeting with Mother A. Long indicated that he frequently made announcements regarding bathroom safety.

Long confirmed that he attended the Professional Development meeting hosted by Merrill.<sup>11</sup> Long admitted that although he received training and handouts on reporting procedures for situations involving peer sexual harassment, he “did not think” to file a report regarding Mother A’s early-February allegations.<sup>12</sup> According to Long, he left the meeting around 4 p.m., but had not received the voicemails from Barnette about Evelyn’s arrest until about 6 p.m. that evening. Long recalled that, at that point, he called Barnette and Brinson and learned that Student A had initially accused a “bald-headed, white custodian at the school,” but had ultimately identified Evelyn, a black, bald-headed custodian, as her assailant after seeing him pass by Principal Long’s office.<sup>13</sup> Long explained that, upon speaking with the assistant principals, he directed them to consult the reporting procedure forms located in the office to determine which phone calls and notifications had to be made.

Long confirmed that the following day he spoke with Peek-Davis, Brizard and other DOE personnel about the previous allegations concerning Student A made by Mother A in February 2007. According to Long, even though he claimed he “didn’t believe it,” Peek-Davis told him that maybe he “should have put something in writing” after hearing those allegations.

Since returning to PS 91, Long has submitted Online Occurrence Reports to the DOE Emergency Information Center documenting allegations made by students regarding inappropriate conduct of a nature similar to that alleged by Student A. In addition to reporting matters online, Long also contacted SCI and reported a complaint of inappropriate touching made against an unidentified adult by a female student.

Principal Long failed to make the required notifications following a complaint of sexual abuse. In addition, Long failed to verify that an allegation of child abuse had been reported to ACS. Despite his belief that the report of the incident involving Student A on school premises was without merit, Long was required to notify the proper authorities and to document the allegation.

Upon learning of the manner in which Long failed to properly respond to Mother A’s allegations, the DOE removed Long from PS 91. He has since returned to the school and it appears that he now reports and documents all complaints whether he deems them

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<sup>11</sup> According to Long, this meeting was a continuation of yearly Advanced Legal Workshops that he had been attending for as long as he has been principal of PS 91. Long became principal of PS 91 in 1992.

<sup>12</sup> As stated in the Advanced Legal Workshop documents which Long received, a teacher’s “personal belief about the veracity of the complaint and the student’s history have no bearing on [the teacher’s] reporting obligations.” As the documents indicate, any and all allegations of misconduct must be reported to SCI or the police.

<sup>13</sup> Long told investigators that at first he had not recognized the name of the student involved in the incident, but that at some point during the conversation with the assistant principals, he realized that the matter concerned Student A.

to be credible or not. Therefore, it is the recommendation of this office that Principal Long be advised that he must continue to properly report and document incidents as required. In addition, Long should be reminded of his obligation to report matters to this office.

We are forwarding a copy of this letter to the Office of Legal Services and to the New York State Education Department. Should you have any inquiries regarding the above, please contact Eileen C. Daly, the attorney assigned to this case. She can be reached at (212) 510-1407. Please notify Ms. Daly within thirty days of the receipt of this letter as to what, if any, action has been taken or is contemplated regarding Solomon Long. 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:ECD:LMD:gm

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