

September 26, 2006

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

Re: Michelle Mitchell Rossetti
Salvatore Sciortino
SCI Case #2006-0426

Dear Chancellor Klein:

An investigation conducted by this office has substantiated that Michelle Mitchell Rossetti ("Rossetti"), formerly a teacher at John Adams High School ("John Adams") in Queens, committed employee misconduct and theft of service when she submitted falsified medical notes on at least five occasions during 2004, 2005, and 2006.¹ The investigation also substantiated that Salvatore Sciortino, a teacher at John Adams, committed employee misconduct and theft of service when he submitted falsified documentation to cover nine sick days in 2003.² Rossetti also submitted a sick note purportedly signed by Sciortino, who was then a licensed chiropractor, for eight dates in 2003.³ On five of those dates, Sciortino also was out sick. In addition, Rossetti submitted a sick note for ten days in 2005, purportedly signed by Sciortino, whose chiropractic license was no longer current.

¹ On March 28, 2006, pending the outcome of this investigation, Rossetti was reassigned to the Region 5 Operations Center. On some occasions, Rossetti called herself Michelle Mitchell, which had been her marital name. On June 12, 2006, Rossetti applied for a leave of absence.

² Sciortino was not reassigned during this investigation.

³ Sciortino's chiropractic license expired on August 31, 2003.

This investigation began in February 2006, when John Adams Principal Grace Zwillenberg contacted the Office of the Special Commissioner of Investigation (“SCI”) and reported that Rossetti had submitted falsified documentation to cover 49 days when she was absent from the school.

On February 6, 2006, SCI investigators interviewed Principal Zwillenberg who stated that Rossetti had been out sick for a total of 49 days, allegedly for surgery to remove a tumor. The sick leave began on October 1, 2005, and ended on January 20, 2006. Zwillenberg explained that Rossetti had submitted three notes from Doctor Marco T. Carpio for the absences. Zwillenberg added that an inquiry revealed that Dr. Carpio was a Psychiatrist. Zwillenberg also advised that Rossetti previously had been married and sometimes called herself Michelle Mitchell, which had been her marital name.

On February 15, 2006, investigators interviewed Dr. Carpio, the head of the Psychiatry Department at the Franklin Hospital Medical Center, who reviewed copies of the notes submitted by Rossetti. Carpio stated that Rossetti was not his patient, that he did not prepare the notes dated November 21, 2005, December 15, 2005, and January 27, 2006, and that the signature on the notes was not his.

On March 8, 2006, investigators again met with Principal Zwillenberg who stated that, upon reviewing past absence documents submitted by Rossetti, she observed several treatment notes prepared by Teacher Salvatore Sciortino, a licensed chiropractor. Zwillenberg provided the personnel files of Rossetti and Sciortino for review. In Sciortino’s personnel file was a sick note, dated May 28, 2003, to cover nine days during the months of February, March, April, and May of 2003. The note purported to be signed by Anthony Monaco, D.C. and was on the letterhead of “Back 2 Basics Chiropractic & Fitness Center.” An investigator’s inquiry to the New York State Office of the Professions revealed that there was no listing for a licensed chiropractor by the name of Anthony Monaco nor was there a listing for Back 2 Basics Chiropractic & Fitness Center at 28-26 Brower Avenue, Oceanside, NY, 11572.

On March 8, 2006, investigators interviewed John Adams Payroll Secretary Phyllis Rao who stated that Rossetti had been absent for a total of 49 days and had turned in three separate medical notes dated November 21, 2005, December 15, 2005, and January 27, 2006, from Dr. Carpio to cover her absences. Rao added that, on previous occasions when she was absent, Rossetti submitted medical excuses that were prepared by Sciortino whom Rao said had an after school business as a licensed chiropractor.

SCI investigators compared an absence note dated May 29, 2003, purportedly prepared by Sciortino for Rossetti, with an absence note dated May 28, 2003, purportedly prepared by Anthony Monaco, D.C. for Sciortino. Both notes covered multiple days. The comparison revealed that both Rossetti and Sciortino were absent from school on five of the dates.

On March 20, 2006, SCI investigators interviewed Associate Director of Corporate Security for the Franklin Hospital Medical Center, Scott Strauss, who stated that he had Dr. Carpio review a copy of a medical note dated March 19, 2004, submitted by Rossetti – using the name Mitchell – to cover an absence from March 17 through March 19, 2004. In a written response forwarded by Strauss, Carpio reported that he did not recognize Mitchell as a patient, he did not use that format for notes, his signature seemed to have been copied, and he did not treat patients for “Vertigo.” Strauss added that Rossetti had been employed at the hospital for two periods, from April of 1994 to August of 1995, and from May of 1998 to April of 1999, and that Rossetti’s mother was currently the secretary for Dr. Carpio at the Franklin Hospital Medical Center.

On March 21, 2006, investigators interviewed Doctor Sujata Kulkarni, a Psychiatrist at the Franklin Hospital Medical Center, who stated that Rossetti – using the name Michelle Mitchell – was not her patient, that she did not write the letter dated May 28, 2004, covering an absence from “2/04-5/04,” and that the signature on the letter was not hers.

Through their attorneys, Michelle Rossetti and Salvatore Sciortino declined the opportunity to be interviewed by investigators from this office.

Michelle Rossetti committed employee misconduct and theft of services by submitting fraudulent medical notes on at least five occasions. Salvatore Sciortino committed employee misconduct and theft of services by submitting a fraudulent medical note on at least one occasion. He also treated Rossetti on five occasions when he was out sick from his Department of Education (“DOE”) employment and on ten occasions after his chiropractic license had expired.

It is the recommendation of this office that Michelle Mitchell Rossetti’s employment with the DOE be terminated, that she be made ineligible for work with the DOE, and that this matter be considered should she apply for any position in the New York City school system in the future.

It is the recommendation of this office that Salvatore Sciortino's employment with the DOE 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 for whatever action he deems appropriate.

With respect to the medical excuse notes provided to Rossetti by Sciortino, we are referring our findings to the New York State Education Department Office of the Professions for whatever action it deems appropriate.

We are sending a copy of this letter and of our report concerning this investigation to the Office of Legal Services. We also are forwarding our findings to the State Education Department for whatever action it deems appropriate regarding the pedagogical licenses held by Rossetti and Sciortino. 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 thirty days of receipt of this letter of what, if any, action has been taken or is contemplated regarding Michelle Mitchell Rossetti and Salvatore Sciortino. 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:gm

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