

October 24, 2013

Hon. Dennis M. Walcott  
Chancellor  
New York City Public Schools  
Department of Education  
52 Chambers Street  
New York, NY 10007

Re: Angelyn Donald  
SCI Case #2013-3498

Dear Chancellor Walcott:

An investigation conducted by this office has substantiated that Angelyn Donald, a principal assigned to PS 386 in the Bronx, failed to report allegations that 40-year-old male Teacher Anthony Criscuolo was exchanging notes with and kissing a 10-year-old female student (“Student A”).<sup>1</sup>

Based on an article in the New York Daily News, on June 21, 2013, the Office of the Special Commissioner of Investigation (“SCI”) self-initiated an investigation into Principal Donald’s possible failure to report misconduct committed by Criscuolo. The article reported that a female classmate of Student A (“Student B”) said that several students had gone to the principal to report “their fears” about Criscuolo and Student A, but “their concerns fell on deaf ears.”

SCI investigators met with 11-year-old Student B who said that, approximately one month earlier – late May 2013 – she went to Principal Donald’s office where three other students (“Student C,” “Student D,” and “Student E”) were present.<sup>2</sup> Student B

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<sup>1</sup> Donald was not reassigned as a result of this investigation. Student A has turned 11. Student A’s mother made a report about Criscuolo to the New York City Police Department (“NYPD”) which handled the investigation. Criscuolo was removed from his teaching duties following his arrest by the NYPD in connection with his sexual misconduct toward Student A. Criscuolo subsequently was indicted and a criminal case is pending in Bronx Supreme Court.

<sup>2</sup> Student B was interviewed on June 21, 2013.

heard Student C report to Donald that he observed notes being passed back and forth between Criscuolo and Student A. Student B also heard Student D inform Donald that he observed Criscuolo and Student A kissing in the back of the classroom. According to Student B, Donald said not to spread rumors, to keep it with us, and she would look into it.

About two months after that interview, SCI investigators met again with Student B who said that she, Student C, Student D, and Student E were in Criscuolo's class. Student B explained that, toward the end of the school day sometime in May 2013, Student D said that he was going to tell Principal Donald that he saw Student A and Criscuolo kissing in the classroom. Student B added that she was being "nosy" and accompanied Student D to the principal's office. Upon arrival, Student B found Student C already there.

In Principal Donald's office, Student B heard Student C tell Donald about a note he saw passed between Student A and Criscuolo. Student C reported that the note contained a sexually explicit comment. Student B did not see that note, but had observed other notes being passed between Student A and Criscuolo. Student B did not tell Donald about the note passing she had observed. Student B confirmed that she heard Student D inform Donald that he had seen Student A and Criscuolo kissing in the classroom.

SCI investigators spoke with 10-year-old male Student C who said that, in April and May 2013, he noticed Student A and Criscuolo passing notes.<sup>3</sup> Student C added that, near the end of May 2013, he saw Student A and Criscuolo exchange a note which Criscuolo threw away in the blue basket. A short time later, Student C went to the blue basket, removed the note, and read it. Student C confirmed that the note contained a sexually explicit comment. Student C threw the note back into the blue basket. According to Student C, that same day, he went to Principal Donald and told her about the note. Donald advised Student C that she would look into the allegation.

Student C said that Student D also was present in the principal's office and he heard Student D inform Donald that Student D left Gym class early and returned to the classroom where Student D observed Criscuolo and Student A kissing in the back of the room. Student C heard Student D tell Donald that the classroom lights were off. Student C added that Student B also was present in Donald's office.

About two months after that interview, SCI investigators spoke again with Student C who said that, in May 2013, he saw a note passed between Student A and Criscuolo. Student C added that Criscuolo threw the note into the blue basket. A short time later, Student C went to the blue basket to throw out a piece of paper, he retrieved

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<sup>3</sup> Student C has turned 11.

the note which had been passed from Student A to Criscuolo, and he read it. Student C reiterated that the note contained a sexually explicit comment. Student C threw the note back into the blue basket.

Student C said that he did not show the note to anyone and, initially, did not tell anyone about the note. However, during Gym class a few days later, Student D told Student C that he just saw Student A and Criscuolo kissing. Student C added that he and Student D decided to go to Principal Donald to report their observations and Student B went to the principal's office, too. Student C confirmed that he informed Donald about the note he had read and Student D told Donald about his observation of Student A and Criscuolo kissing. According to Student C, Donald responded that he should not spread rumors and that she would look into the allegation. Student C then left Donald's office and returned to Gym class.

Student C said that it was toward the end of the day when he and Student D went to Donald's office. Student C added that he did not tell anyone they were going to Donald's office. Student C did not recall whether Student E was present in Donald's office.

SCI investigators met with 10-year-old male Student D who said that, in May 2013, he left Gym class early and headed back to his classroom because Criscuolo allowed students to hang out in the room and play games. Upon arriving there, Student D found that the lights were off. Student D entered the classroom and observed Criscuolo and Student A kissing in the back of the room. When Criscuolo saw Student D, he separated from Student A. Criscuolo did not say anything to Student D. Later that same day, Student D went to Principal Donald and informed her about his observation in the classroom. According to Student D, Donald responded that she wanted proof and dismissed Student D.

About two months after that interview, SCI investigators spoke again with Student D who reiterated that, in May 2013, he left Gym class early and returned to his classroom where he found that the lights were off. When Student D entered the classroom, he saw Student A and Criscuolo in the back of the room and they were kissing. With Student D's arrival, Criscuolo and Student A separated. Student D added that he then returned to Gym class and spoke with Student C about his observation.

Following Student D's disclosure, Student C informed Student D about seeing a note passed between Student A and Criscuolo which contained a sexually explicit comment. Student D confirmed that, toward the end of the school day, he and Student C,

along with Student B and Student E, went to Principal Donald and told her about the note and the kiss. According to Student D, Donald told Student C that she would look into the allegation. Donald told Student D that she needed proof and advised him not to spread rumors.

SCI investigators met with 12-year-old female Student E who said that, in Principal Donald's office in May 2013, she heard Student D report to Donald that he had witnessed Criscuolo and Student A kissing in the classroom. Student E added that Donald did not believe Student D, she told him that she wanted proof, and then dismissed Student D. Student E's mother would not allow her daughter to speak with SCI investigators a second time.

In an interview with investigators from this office, conducted in the presence of her union representative, Angelyn Donald asserted that no student ever came to her office with an allegation of something inappropriate occurring between Student A and Teacher Criscuolo. Donald maintained that, if a student had come to her with an allegation, then she would have called in the case.<sup>4</sup>

Donald claimed that Student C did not tell her about notes being passed between Student A and Criscuolo. Donald denied advising Student C that she would look into such an allegation. Donald also claimed that Student D did not inform her about observing Criscuolo and Student A kissing in the classroom.

SCI investigators spoke with an 11-year-old male student ("Student H") who said that, before Criscuolo was arrested, Student D informed Student H that Student D had seen Criscuolo and Student A kissing.<sup>5</sup> Student D also told Student H that Student D reported his observation to Principal Donald, but she did not believe him.

It is the recommendation of this office that Angelyn Donald's employment be terminated, that she be made ineligible for work with the Department of Education, and that this matter be considered should she apply for a position in the New York City school system, with one of its vendors, or in one of its facilities, in the future.

We are referring our findings to Bronx County District Attorney Robert T. Johnson for whatever action he deems appropriate.

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<sup>4</sup> Donald contacted SCI on June 19, 2013, and reported that New York City Police Department Detective Daryl Sims was at the school looking for Criscuolo because Student A's mother had alleged that the teacher raped Student A. Detective Sims arrested Criscuolo on June 19, 2013.

<sup>5</sup> Student H has turned 12.

We are forwarding a copy of this letter to the Office of Legal Services. We also are sending our findings to the New York 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 Angelyn Donald. Thank you for your attention to this matter.

Sincerely,

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

By:

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Regina A. Loughran  
First Deputy Commissioner

RJC:RAL:gm

c: Courtenaye Jackson-Chase, Esq.  
Laura Brantley, Esq.  
Katherine Rodi, Esq.