

City of New York
THE SPECIAL COMMISSIONER OF INVESTIGATION
FOR THE NEW YORK CITY SCHOOL DISTRICT

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VIA ELECTRONIC MAIL

June 14, 2022

Hon. David C. Banks
Chancellor
New York City Public Schools
Department of Education
52 Chambers Street, Room 314
New York, NY 10007

Re: Marc Haynes
SCI Case #: 2021-4652

Dear Chancellor Banks:

An investigation conducted by this office has substantiated that Marc Haynes (“Haynes”), former co-treasurer of the Parent Teacher Association (“PTA”) for Public School 267 (“P.S. 267”) in Manhattan, stole \$185,717.53 from the P.S. 267 PTA checking account.¹

I. Investigation & Findings:

a. The Initial Complaint

The investigation began in October 2021, when the office of the Special Commissioner of Investigation for the New York City School District (“SCI”) received a complaint from [REDACTED], who reported that [REDACTED] had been attempting to reconcile the finances of the P.S. 267 PTA in preparation for a general PTA meeting on October 26, 2021. [REDACTED] discovered a transaction of \$9,081.02 from the P.S. 267 PTA checking account with TD Bank (“the P.S. 267 PTA checking account”) for which there was no backup documentation. Prior to this discovery, [REDACTED] had been asking Haynes – who had been P.S. 267 PTA co-treasurer during the 2020-2021 school year – for access to the P.S. 267 PTA checking account since the beginning of the handover of treasury records to the 2021-2022 school year co-treasurers. When asked by [REDACTED] about the \$9,081.02 transaction, Haynes replied that the \$9,081.02 purchase was for desks.

¹ Haynes is not a DOE employee. No problem codes were issued, and no one was reassigned during the course of this investigation.

Haynes said that the purchase was initially made with a credit card, and the \$9,081.02 transaction from the P.S. 267 PTA checking account was to reimburse the credit card purchase. Haynes added that he would provide [REDACTED] with the invoice for this purchase, but he never did. [REDACTED] asked [REDACTED] to provide documentation for the transaction, but they had no knowledge of the transaction.

[REDACTED] [REDACTED] [REDACTED] finally got access to the P.S. 267 PTA checking account on October 30, 2021. They uncovered a total of 17 transactions paid from the P.S. 267 PTA checking account to an account titled “ELECTRONIC PMT-WEB, CHASE CREDIT CRD EPAY,” between October 26, 2020 and July 6, 2021, for which there was no documentation or explanation. The total of the 17 transactions was \$185,717.53. [REDACTED] continued to seek information and backup documentation for the 17 transactions, but Haynes never replied.²

b. The Investigation

SCI investigators spoke with [REDACTED], who said that P.S. 267 PTA Co-Treasurers Haynes and [REDACTED] were responsible for the P.S. 267 PTA checking account during the 2020-2021 school year, although only Haynes was an authorized signatory to the P.S. 267 PTA checking account. [REDACTED] said that, per New York City Department of Education (“DOE”) rules, PTAs were not authorized to have debit or credit cards linked to their PTA checking accounts, and that all transactions were completed by check. Haynes became co-president of the P.S. 267 PTA for the 2021-2022 school year after his stint as co-treasurer for the 2020-2021 school year. After [REDACTED] [REDACTED] questioned Haynes and [REDACTED] about the unauthorized transaction, Haynes abruptly resigned his position as co-president.

[REDACTED] provided SCI investigators with documentation from the P.S. 267 PTA checking account showing that the following transactions were made on the following dates from the P.S. 267 PTA checking account to the same J.P. Morgan Chase (“Chase”) credit card account:

<u>Date</u>	<u>Amount</u>
October 26, 2020	\$9,300.45
November 26, 2020	\$18,892.49
January 11, 2021	\$30,529.56
January 29, 2021	\$15,000.00
March 8, 2021	\$4,695.95
March 22, 2021	\$32,000.00
April 12, 2021	\$15,500.00
April 28, 2021	\$8,011.42

² A police report was filed with the New York City Police Department on October 26, 2021, for the initial \$9,081.02 transaction. Haynes was indicted by a New York County grand jury on one count of Grand Larceny in the Second Degree, P.L. §155.40(1), for all of the unauthorized transactions. He was arraigned in New York County Supreme Court on March 22, 2022, where the case is currently pending.

May 10, 2021	\$9,000.00
May 24, 2021	\$10,040.39
May 24, 2021	\$3,028.28
May 26, 2021	\$3,724.41
June 1, 2021	\$2,976.01
June 1, 2021	\$2,389.72
June 7, 2021	\$4,386.36
June 28, 2021	\$7,161.47
July 6, 2021	\$9,081.02

The total amount of these 17 transactions is \$185,717.53.

SCI investigators obtained account records for the Chase credit card account to which the additional 16 transfers from the P.S. 267 PTA checking account were delivered. The Chase credit card account was in the name of “Marc T. Haynes Jr.” The records confirmed that all 17 unauthorized transactions from the P.S. 267 PTA checking account were made to this Chase credit card account registered to Haynes.³

II. Conclusion and Recommendation:

Upon review of the above facts, SCI substantiated that Marc Haynes used his position as co-treasurer of the P.S. 267 PTA to steal \$185,717.53 from the P.S. 267 PTA checking account. It is the recommendation of this office that, to the extent possible, the P.S. 267 administration see to it that Haynes be permanently barred from any future PTA positions. In addition, this office recommends that the principal, or the principal’s designee, of any school with a PTA should ensure that all PTA members familiarize themselves with Chancellor’s Regulation A-660, particularly section III, “Financial Affairs of Parent Associations and Presidents’ Councils.”⁴

Please respond in writing within 30 days of receipt of this letter as to any action taken. We are sending a copy of this letter to the DOE Office of Legal Services.

³ Haynes was previously convicted of Grand Larceny in the Second Degree, P.L. §155.40(1), in a separate criminal case in New York County Supreme Court in July 2016, for stealing money from his former employer. For that matter, he was sentenced to five years of probation and ordered to pay \$51,247 in restitution. The restitution was to be paid through Safe Horizon, which is the agency designated by New York City to collect and disburse restitution that is ordered in criminal cases in New York City. Two payments totaling \$23,838.58 were made from the Chase credit card account in Haynes’s name to Safe Horizon on March 17, 2021 and December 29, 2021. Thus, Haynes was using some of the funds stolen from the P.S. 267 PTA checking account in this case to pay court-ordered restitution for funds stolen in a previous criminal case.

⁴ In recent referral letters involving similar fact patterns – SCI Case #: 2019-7363, dated February 8, 2022, and SCI Case #: 2019-7956, dated February 23, 2022 – SCI offered a Policy and Procedure Recommendations (“PPR”) that “[t]he DOE should maintain a central database of any and all PTA members who have been determined to have mishandled PTA funds, and, to the extent possible, permanently bar those individuals from any PTA positions which allow them access to funds or management of finances.” The DOE declined the PPR in response to both letters.

Should you have any inquiries regarding the above, please contact David Casanova, the assigned attorney for this matter, at (212) 510-1419 or dcasanova@nycsci.org.

Sincerely,

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

By: /s/ Daniel I. Schlachet
Daniel I. Schlachet
First Deputy Commissioner

AC:DS:DC:lr

cc: Elizabeth Vladeck, Esq.
Karen Antoine, Esq.
Katherine Rodi, Esq.