

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

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**VIA ELECTRONIC MAIL**

October 13, 2023

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

Re: Ellen Huynh  
SCI Case #: 2023-1255

Dear Chancellor Banks:

An investigation by this office has substantiated that a New York City Department of Education (“DOE”) teacher at the Civic Leadership Academy (“CLA”) in Queens, then-26-year-old Ellen Huynh (“Huynh”), engaged in an inappropriate relationship and text communications with an 18-year-old male student (“Student A”).<sup>1</sup>

**I. Investigation & Findings:**

The investigation began when ██████████ reported two separate incidents involving Huynh and Student A to the office of the Special Commissioner of Investigation for New York City School District (“SCI”). In her complaint, ██████████ wrote that on January 30, 2023, after the school day ended, ██████████ witnessed Huynh exit a park in Maspeth, Queens, with Student A at approximately 4:30 p.m. Per ██████████ January 30<sup>th</sup> was a Chancellor’s Professional Development Day, and no students were present in school. ██████████ reported this incident to ██████████.

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<sup>1</sup> Huynh was reassigned on February 8, 2023. There is a problem code assigned to her personnel file.

also alleged that in October 2022, two teachers independently reported that they observed Huynh and Student A hugging in the school building. Both teachers stated that Huynh and Student A were alone, with the classroom door shut.<sup>2</sup>

When [REDACTED] spoke with investigators, she confirmed that she reported seeing Huynh and Student A together to [REDACTED]. She stated that on January 30, 2023, she was driving westbound on Grand Avenue in Maspeth around 4:30 pm., when she noticed Huynh exiting a park with Student A. According to [REDACTED] when she reported the incident to [REDACTED] he showed her a photo from the student registry, and she identified Student A as the individual she saw with Huynh.

Investigators also interviewed [REDACTED], who stated that on January 31, 2023, [REDACTED] reported that on her commute home from work the previous night, she witnessed Huynh and a student she recognized from CLA walk out of a park together in Maspeth, Queens. [REDACTED] told investigators that he recalled another incident with Huynh and Student A from October 2022, so he showed [REDACTED] a photograph of Student A to determine the identity of the student observed by [REDACTED]. Per [REDACTED] [REDACTED] confirmed that the student she saw was Student A. Regarding the incident involving Huynh in October 2022, [REDACTED] explained that he spoke with Huynh about student-teacher boundaries.

To investigators, [REDACTED] denied knowing of any issues involving Student A and Huynh but mentioned a past incident involving Student A. According to [REDACTED] one of his teachers, [REDACTED], emailed her about an incident where Student A felt he was labeled a misogynist. [REDACTED] also stated that Student A had issues with stress and anxiety, and occasionally resulting in outbursts where he needed to be calmed down. Consequently, [REDACTED] spoke with Student A's father ("Father A"), and they arranged for Student A to have private counseling.

[REDACTED] and [REDACTED] met with investigators to explain the October 2022 incident. [REDACTED] and [REDACTED] both stated that on either October 26<sup>th</sup> or October 27<sup>th</sup>, they went to Huynh's classroom, where they found Huynh and Student A standing face-to-face, hugging. Huynh and Student A quickly dropped their arms and stepped away from each other. [REDACTED] told investigators that she did not hear Huynh or Student A exchange any words. Both [REDACTED] and [REDACTED] reported the incident to [REDACTED], and [REDACTED] stated that she also approached Huynh and expressed that she was uncomfortable with what she observed. Huynh reportedly told [REDACTED] that Student A had a "rough time at home" and that his parents were "strict."

Investigators then met with Student A and his parents to discuss the allegations against Huynh. Student A denied that he was ever present at a park with Huynh, and asserted that on January 30, 2023, he was with Father A, opening a bank account.<sup>3</sup> He also denied engaging in any communication with Huynh via phone or social media. Student A admitted that he hugged Huynh in October 2022, but could not recall how long it lasted. He explained that at the time, he was under a significant amount of pressure and was stressed because he had six exams that day. He also described himself as a "perfectionist" and asserted that he spent the night before the exams

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<sup>2</sup> Investigators spoke with [REDACTED] who reiterated the allegations she detailed in her complaint.

<sup>3</sup> Father A verified that this statement was true.

crying. While at school, he went to his former Math teacher – Huynh – for support as he had confided in her in the past. Student A claimed that the classroom’s door was open and that he did not remember being alone with Huynh. Rather, according to Student A, [REDACTED] was also in the classroom.

A review of Huynh’s phone records, which investigators obtained from Verizon, and Student A’s phone records, which T-Mobile supplied, revealed that Huynh and Student A did engage in phone communications. Over 9,000 contacts occurred between Student A and Huynh. In just a two-week period, from September 14, 2022, to September 30, 2022, Student A and Huynh contacted each other 152 times after 9 p.m. and over 200 times during the weekends. Subsequently, investigators reinterviewed Student A.

During his second interview, Student A admitted he “lied” about phone contact with Huynh. When asked to explain what he and Huynh spoke about, Student A stated, “I don’t want to say.” Investigators specifically asked if the conversations were about schoolwork, to which Student A responded, “a little bit.” Student A refused to explain further, stating only that “there was no sex.”

Investigators attempted to interview Huynh regarding the allegations against her, however, invoking her Fifth Amendment rights, she refused to speak to investigators.

## **II. Conclusion & Recommendations:**

Upon review of the above facts, SCI substantiated that Teacher Ellen Huynh engaged in an improper relationship and inappropriate phone communications with Student A. telephone records demonstrated extensive contact between the two, including late nights and weekends, and eyewitness accounts place the two together in several inappropriate situations. When asked about the nature of their extensive communication outside of school, Student A was evasive and provided vague answers. For her part, Huynh offered no explanation for her behavior. Therefore, we recommend that the DOE terminate Huynh, that the problem code attached to her personnel file remain in place, and that this matter be considered should she seek future employment with the DOE, within any of its facilities, or with any of its vendors.

In addition, SCI offers the following Policy and Procedure Recommendation (“PPR”):

1. The DOE social media policy should be amended so that all DOE personnel are prohibited from contacting students using personal cellphone numbers, personal social media accounts, and other associated applications.<sup>4</sup>

Please respond in writing within 30 days of receipt of this letter as to any action taken regarding Ellen Huynh or the recommendations made herein. We are sending a copy of this letter to the DOE Office of Legal Services. We are also sending a copy of this letter to the New York

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<sup>4</sup> SCI has made similar recommendation in the past. *See i.e.* SCI cases 2018-6208, 2019-2183, 2019-9283, 2020-3205, 2021-1339, and 2021-4394.

State Department of Education. Should you have any inquiries regarding the above, please contact me at (212) 510-1418 or [DSchlachet@nycsci.org](mailto:DSchlachet@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:cl

cc: Elizabeth Vladeck, Esq.  
Karen Antoine, Esq.  
Katherine Rodi, Esq.  
Monica Davis-Thorne, Director