

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

80 MAIDEN LANE, 20TH FLOOR
NEW YORK, NEW YORK 10038

ANASTASIA COLEMAN
SPECIAL COMMISSIONER

Telephone: (212) 510-1400
Fax: (212) 510-1550
WWW.NYCSCI.ORG

VIA ELECTRONIC MAIL

September 20, 2023

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

Re: Amy Schless
Ben Houghton
Broadway for Arts Education
SCI Case #: 2023-0752

Dear Chancellor Banks:

An investigation conducted by this office has substantiated that community-based organization (“CBO”) Broadway for Arts Education (“BAE”), through BAE Director Ben Houghton (“Houghton”), failed to properly vet ██████████ pursuant to New York City Department of Education (“DOE”) Chancellor’s Regulation C-105, before allowing ██████ to have contact with DOE students at The Bronx Academy of Letters (“BAL”). This office also substantiated that BAL Principal Amy Schless (“Schless”) failed to confirm that ██████ was properly vetted before allowing ██████ to have contact with students.^{1,2}

¹ BAE dismissed ██████ upon learning of the initial SCI complaint against her. There is no problem code associated with anyone related to this investigation.

² “Broadway for Arts Education provides arts education, creating a bridge between the Broadway Community and underserved youth to open the doors through which tomorrow’s leaders can emerge.” Accessed from <https://www.broadwayforartsed.org/about-us> on September 11, 2023.

I. Investigation & Findings:

The investigation began in January 2023, when the office of the Special Commissioner of Investigation for the New York City School District (“SCI”) received a complaint from BAL Principal Schless, who reported allegations of ██████████ having a sexual relationship with a then 13-year-old female student. This initial allegation was investigated and ultimately not substantiated.

During the investigation of the initial allegation, SCI investigators spoke with Principal Schless, who said that ██████ graduated from BAL, and returned to BAL the next year as an unpaid intern who worked at the school through BAE. Schless said that BAL did not conduct a background investigation of ██████ because she assumed that BAE already conducted all the necessary background checks of ██████ before allowing ██████ to work at BAL.

BAE Director Houghton told investigators that ██████ helped BAE’s teaching assistants in an unpaid, unofficial capacity, and that ██████ had contact with BAL students two to three times per week. Houghton said that ██████ herself was a graduate of the BAE program. Due to ██████ unpaid and unofficial status, Houghton did not conduct a background check of ██████. Houghton said that ██████ was dismissed as soon as he was made aware of the initial complaint against her, and that there were no plans for ██████ to return to BAE in the future.

Investigators reviewed DOE Chancellor’s Regulation C-105, *Background Investigations of Pedagogical and Administrative Applicants and Procedures in Cases of the Arrest of Employees*, which states in part: “No one may be licensed, certified, employed by or work in the New York City Public School System without background investigation and clearance from either the [DOE Office of Personnel Investigation], or the Chief Executive of [the DOE Department of Human Resources].”

II. Conclusion and Recommendation:

Upon review of the above facts, SCI substantiated that CBO Broadway for Arts Education and its Director Ben Houghton failed to properly vet ██████████ pursuant to DOE Chancellor’s Regulation C-105 before allowing Jones to have contact with DOE students. SCI also concluded that Principal Amy Schless failed to confirm that ██████ was properly vetted before allowing her to interact with BAL students. It is the recommendation of this office that the DOE take appropriate action regarding Schless and BAE, at a minimum DOE should ensure that all relevant employees of BAL and all relevant employees of BAE familiarize themselves with the vetting requirements of Chancellor’s Regulation C-105 for employees who will be in contact with DOE students.

Please respond in writing within 30 days of receipt of this letter as to any action taken regarding Amy Schless, Ben Houghton, and Broadway for Arts Education. We are sending a copy of this letter to the DOE Office of Legal Services.

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.
Monica Davis-Thorne - Director