

**Liz Vladeck**  
*General Counsel*

**Samantha M. Biletsky**  
*Ethics Officer*

June 21, 2024

New York City Conflicts of Interest Board  
2 Lafayette Street, Suite 1010  
New York, NY 10007

Re: Post-Employment Retention of Vicki Bernstein as a DOE Consultant Pursuant to COIB Rule Section 1-07(d)(1)

Dear Conflicts of Interest Board Members:

This letter serves to notify the Conflicts of Interest Board ("COIB") that in accordance with COIB Rule 1- 07(d) (I), the New York City Department of Education ("DOE") retained former employee Vicki Bernstein as an Education Consultant. Ms. Bernstein's last day of employment with DOE as the Chief Human Resources Officer (CHRO) was February 29, 2024, and since mid-April, she has been retained as an Education Consultant for the purpose of continuing and completing critical unique projects that she was working on during her employment. As the CHRO, Ms. Bernstein played a lead decision-making role in the development and implementation of comprehensive human resources policies and procedures, as well as the following work:

- Lead the development and implementation of recruitment and retention strategies for instructional, managerial, and administrative staff.
- Developed and recommended to the First Deputy Chancellor and the Chancellor personnel policies and regulations for all employees throughout the DOE and administers related implementation.
- Advised and coordinated with other instructional and operational offices including for related work with including Finance, Budget, Legal/Labor, DEI, and Information Technology.
- Advised on policies to promote employee engagement and development and human resources practices that promote diversity, equity, inclusion, and belonging.
- Played a decision-making role in union negotiation sessions and the crafting of collective bargaining agreements.
- Oversaw coordination and response to legal matters including employment related lawsuits and formal complaints.

Ms. Bernstein is being retained for a period of up to one year primarily to support in the implementation of DOE human resources responsibilities regarding the Gulino lawsuit. Gulino is a 25+ year old class action employment discrimination case where the DOE and City are responsible to pay damages to plaintiffs who failed to pass a state teacher certification exam and lost employment and/or compensation as a result. The case is in

the final stages of determining individual judgements for the over 5,000 claimants. As each individual judgement is entered, the DOE must provide related updates to service and salary for active employees and support data and technical assistance requests by City Corporation Counsel. Ms. Bernstein has been involved with the Gulino case for many years as the point person from Human Resources and has unique knowledge of the case and the requirements. The DOE does not have the capacity to absorb the related human resources work without major consequences for other priority functions. As it is anticipated the individual Gulino judgements will be complete this year, it is most efficient and effective for Ms. Bernstein to be able to work as an Education Consultant during this period to help carryout DOE-Human Resources responsibilities on this case. Ms. Bernstein may also be asked to continue work on other high priority projects that were incomplete when she retired, including implementation of new union contract agreements and response to COVID-19 employment policy related legal matters. She may also be asked to provide training and technical assistance to her successor Patrick Fagan in the role of Chief Human Resources Officer.

Under the consulting agreement, Ms. Bernstein will be compensated at a rate of \$100.00 per hour, working up to 15 hours per week/ 3 days per week from April 2024 – February 2025. This is comparable to what similar consultants have been paid and less than her annual salaried rate (\$222,972) when she was employed at DOE.

Sincerely,

A handwritten signature in black ink that reads "David C. Banks" followed by a stylized flourish or set of initials.

David C. Banks  
Chancellor



November 12, 2024

Ethan Carrier  
General Counsel  
New York City Conflicts of Interest Board  
2 Lafayette Street  
New York, NY 10007

Re: Post-Employment Retention of Susan Dombrow as a DOE Consultant Pursuant to COIB Rule 1-07(d)

Dear Mr. Carrier:

This letter serves to notify the Conflicts of Interest Board (“COIB”) that in accordance with COIB Rule §1-07(d), the New York City Department of Education’s (“DOE”) Office of the General Counsel, Audit, Risk-Management, and Compliance Services, is retaining former employee Susan Dombrow as a consultant. Ms. Dombrow retired on October 25, 2024, and she is being retained as a consultant for the purpose of completing work left unfinished at the time she separated from DOE. Ms. Dombrow’s last position at the DOE was Associate Counsel, Regulatory Compliance and Litigation. A significant part of her responsibilities included providing support in ongoing litigation, including requests for representation, discovery, and related issues. Ms. Dombrow reviewed and processed requests for representation by DOE employees and searched for and located information and documents in connection with litigation against DOE and individual employees thereof.

Ms. Dombrow is being retained, effective immediately, for a period of eight months, which is no longer than reasonably necessary to complete the outstanding work. Retaining Ms. Dombrow is necessary because she possesses subject-matter expertise that other employees currently do not. Specifically, Ms. Dombrow is currently the DOE’s subject-matter expert on investigating and locating records to defend lawsuits under the Child Victim’s Act and Adult Victim’s Act, and other litigation. She will continue to work on investigations in active litigation. She will also provide training for her replacement once her replacement has been hired.

Under the consulting agreement, Ms. Dombrow will be compensated at a rate of \$75.00 per hour, which is comparable to her annual salaried rate when she was employed at DOE. Her salary prior to her retirement was \$154,153.

Sincerely,

*Melissa Aviles-Ramos/by SMB*

Melissa Aviles-Ramos  
Chancellor