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General Counsel

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April 30, 2025

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

Re: Post-Employment Retention of Nathaniel Styer 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”) is, effective immediately, retaining former DOE employee Nathaniel Styer as a consultant, to comply with a federal court order issued on February 20, 2025. See *LV, et. al v. New York City Dept. of Educ., et al*, No. 03 Civ. 9917 (the LV February 2025 Court Order, or LV Court Order).¹ Mr. Styer was appointed to serve as the Interim Communications Advisor in direct response to this order. He started this role early in 2025, and he left DOE on April 15, 2025. He will continue to work in this role, as explained below, on a part-time basis, and he will train his replacement once hired and approved by the Court.

The class action LV lawsuit was filed against the DOE in 2003, alleging that DOE was not timely implementing favorable orders that parents of children with disabilities were receiving in special education administrative hearings. Parents also claimed DOE did not have a tracking and monitoring system to implement orders. A settlement was reached in the case in 2007, and in 2021, a Special Master was appointed. In July 2023, the judge issued an order compelling DOE to change its systems for complying with special education administrative orders. The order incorporates recommendations from the Special Master, including 41 required steps DOE must take within stated deadlines. See Case 1:03 cv 09917-LAP-KNF Document 323-1. In the LV February 2025 Court Order, the judge directed the DOE “to identify and onboard an individual or individuals with

¹ This document, and all other documents cited are public documents.

demonstrated expertise in communications from outside the Office of the General Counsel to assume responsibility for the communications functions of the [General Counsel's] Implementation Unit." The judge noted that DOE's Communications and Media Relations office likely has the skills to support the role. The judge further stated that the "approved individual(s) shall be responsible for overseeing and approving all public-facing content, including but not limited to training materials, emails, webpages, and guidance documents, to ensure a user-centered and effective communication approach." The judge further noted the role "will support both current and future public-facing initiatives." The judge directed the DOE "to identify the appropriate individual(s) and provide their qualifications to the Special Master no later than March 14, 2025."

The court was updated by DOE on the communications matter in a March 13, 2025 letter from the NYC Law Department to U.S. District Judge, the Honorable Loretta Preska. Assistant Corporation Council Jeffrey Dinowitz informed Judge Preska that: "On February 28, 2025, NYCDOE identified an individual from the NYCDOE Communications and Media Relations Office to serve as an Interim Communications Advisor. NYCDOE intends to post for a full-time position dedicated to public-facing communications. The Interim Advisor has standing meetings with the Implementation Unit teams to learn about the various workflows associated with the implementation process. The Interim Advisor has also started reviewing existing communications, such as training materials, emails, webpages, and guidance documents. Once this initial review is completed, the Interim Advisor will assist NYCDOE with updating its communications plan and strategies, with the goal of ensuring a user-centered and effective communications approach with various public-facing stakeholder groups (i.e., attorneys, advocates, vendors. The qualifications of this individual will be provided to the Special Master by March 14, 2025. NYCDOE will continue to provide updates to the Special Master on its progress with hiring a full-time resource for this position."

Mr. Styer started his employment with DOE in March 2020 as Deputy Press Secretary, and in January of 2022, he became the Press Secretary. In January of 2025, he became the Executive Director of Policy Communications. He has worked on the LV case for two years in his press office role, ever since the 2023 court order. The DOE chose Mr. Styer to serve in the court-mandated role outlined in the LV Court Order because of his subject-matter expertise in the complicated LV case.

Special Master David Irwin approved Mr. Styer for the court-mandated role and affirmed his qualifications and suitability for this role. In his April 1 letter to Judge Preska, the Special Master made the following statement: "I interviewed the interim NYCPS

Communications advisor [Mr. Styer] and am impressed with his background and the ideas he has shared with me about improving communications with parents, advocates, and providers. As he begins his assessment of current practices, I have encouraged him to meet with Plaintiffs and other advocates and providers to collect their feedback. I also shared the results of the survey I conducted regarding NYCPS's recent SupportHub launch and training provided in January 2025. I plan to monitor his progress and conduct additional interviews with him and his team as needed."

Mr. Styer has been performing and needs to continue to perform the following duties, in order for DOE to be in compliance with the February 2025 LV Court Order on communications:

- Oversee and approve all public-facing content for the Impartial Hearing Order, Implementation Unit, including but not limited to training materials, emails, webpages, and guidance documents.
- Ensure all communications are user-centered and responsive to stakeholder needs, especially families, attorneys, advocates vendors.
- Conduct standing meetings with the Implementation Unit staff to gain familiarity with operational workflows and implementation processes.
- Review existing communications and advise on necessary revisions and improvements.
- Engage with parent stakeholders (including parent advocates and attorneys) and vendors stakeholders (through the Division of Financial Operations to gather feedback on communication clarity and accessibility.
- Meet with the General Counsel and Chief of Staff, Executive Deputy Counsel for Special Education Case Management, and other relevant personnel, and the federal court-appointed Special Master, to report on progress and recommend improvements.
- Support additional public-facing initiatives aligned with the above functions.
- Perform other duties as needed and directed by DOE's General Counsel and/or the Court.

The Special Master Informed the DOE in January 2025 that a communications advisor would need to be hired and that he would advise the court to so order. Therefore, Mr. Styer has been working with DOE's General Counsel's Office and the Court on many of these matters since mid-January 2025.

Under the consulting agreement, Mr. Styer will be compensated at a rate of \$100.00 per hour, which is comparable to his annual salaried rate when he was employed at DOE. His salary prior to his departure was \$194,073. We expect he will work between 5-10 hours a week. More hours may be required as needed, but the hours will be part-time. The

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consultancy will end after six months but could end sooner. As soon as DOE hires a full-time employee to serve as Communications Advisor as ordered by the Court, and as soon as Mr. Styer trains them, and the Court approves them, the consultancy will end. It is also possible the consultancy could end sooner if the Court becomes satisfied DOE has met all its communications mandates.

The Court has been clear that the DOE must hire a full-time communications advisor to implement the LV 2025 Court Order. DOE has told the Court we will hire a full-time employee. We asked Mr. Styer to take on the interim role because of his prior knowledge and work on the complex LV case. There is no one at this time in the DOE Communications Office that has knowledge and expertise in this case that Mr. Styer has. The work he is doing on the LV case as Interim Communications Advisor is very specific and goes well beyond the typical duties of employees who work in our communications office. We need to comply with the LV Court Order now.

Mr. Styer's consultancy clearly satisfies all the requirements of COIB Rule §1-07(d)(1).

- Pursuant to §107(d)(1)(i), the consulting agreement was made for the purpose of continuing and/or finishing the work Mr. Styer was doing before he left DOE, and he will train his replacement once hired.
- Pursuant to §107(d)(1)(ii), the duration of the consulting agreement is no longer than reasonably necessary, as it will end no more than six months after it starts.
- Pursuant to §107(d)(1)(iii), Mr. Styer has subject-matter expertise and skills not otherwise available at DOE currently, and he has been working on the complex LV case since 2023. The Special Master was impressed with Mr. Styer's background and ideas on how to communicate with the various stakeholders to implement the Court's orders.
- Pursuant to §107(d)(1)(iv), the compensation is comparable to what Mr. Styer was being paid when he left DOE.
- Pursuant to §107(d)(1)(v), we are submitting this notification of DOE approval of Mr. Styer's consultancy within 30 days of the approval.

Thank you for your time and attention to this matter.

Sincerely,

Melissa Aviles-Ramos / Ad MP

Melissa Aviles-Ramos
Chancellor



cc: Samantha M. Biletsky
Liz Vladeck
Ron Prescott