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**FAX TRANSMITTAL**

DATE: 3/13/2013  
TO: Pat Shannon  
AGENCY: iMedia Ethics  
ADDRESS: \_\_\_\_\_  
TEL. #: 212-925-8812 FAX #: 212-925-0459  
FROM: Ann Ryan

This transmittal consists of 5 pages including this memorandum.

Additional Comments:

Pursuant to your FOIL request, attached is a redacted copy of the referral letter. The redactions were made to prevent the unwanted invasion of personal privacy pursuant to Public Officers Law § 87(2)(b). Should you wish to appeal our response to your request, you may send written notice to Regina Loughran, FOIL Appeals officer at the above address.

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

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May 17, 2012

Hon. Dennis M. Walcott  
Chancellor  
New York City Public Schools  
Department of Education  
52 Chambers Street, Room 314  
New York, NY 10007

Re: Felicia Barahona  
SCI Case #2012-1122

Dear Chancellor Walcott:

An investigation conducted by this office has substantiated that 32-year-old Felicia Barahona, a teacher assigned to DeWitt Clinton High School in the Bronx, engaged in a sexual relationship with an [REDACTED] year-old male student ("Student A") which resulted in Barahona becoming pregnant.

This investigation began on February 28, 2012, when [REDACTED] contacted the office of the Special Commissioner of Investigation ("SCI") and lodged a complaint against Barahona. Student A had reported to [REDACTED] that he was involved in a sexual relationship with Barahona.

SCI investigators spoke with [REDACTED] who said that, on February 28, 2012, Student A informed her that he had not been able to eat or sleep properly for two weeks because something had been disturbing him. Student A told [REDACTED] that he had fallen in love with and had a boyfriend/girlfriend relationship with Barahona. [REDACTED] learned from Student A that he first had sex with Barahona on his [REDACTED] birthday at Barahona's residence and Barahona was pregnant with Student A's child.

SCI investigators met with Student A who said that he was in the [REDACTED] Grade and had known Barahona since the fall of 20[REDACTED] when she was his [REDACTED] teacher. About 10

<sup>1</sup> Barahona was reassigned as a result of this investigation.

Hon. D. M. Walcott

-2-

May 17, 2012

days before Halloween in 2011, Barahona and Student A became "friends" on Facebook. Student A added that his Facebook conversations with Barahona continued for the next 10 days and they agreed to meet on Halloween in the vicinity of Columbus Circle in Manhattan. According to Student A, he and Barahona, who was accompanied by her [REDACTED] year-old daughter, went to eat at a McDonald's, and then visited the Disney store in Times Square.

Student A said that, thereafter, they dropped off Barahona's daughter at her mother's house and headed to the subway. Barahona told Student A that she had wanted to kiss him, but had restrained herself because her daughter had been present. According to Student A, he and Barahona did not kiss that day.

Barahona and Student A continued to communicate on Facebook; she invited him to her home on his [REDACTED] birthday, and he accepted. During the visit, Barahona and Student A had sexual intercourse and oral sex. Student A did not use a condom. Barahona and Student A next had sex about a week later and, again, it took place at her residence. According to Student A, he and Barahona continued to have sexual encounters — about five times a week, on weekdays and on weekends — and when he tried to use a condom, Barahona told him that she did not like condoms and not to worry. Student A said that Barahona always performed oral sex on him whenever they had intercourse and he occasionally performed oral sex on Barahona, but he added: "That's not my thing."

Barahona thought that she was pregnant and, if she was, then Student A was the father. At Barahona's request, Student A accompanied her to a doctor's appointment for a pregnancy test. Student A said that the test came back positive [REDACTED]. Student A added that [REDACTED] he embraced the idea of being a father; the baby is due on August 15, 2012.

Student A traveled to [REDACTED] for Christmas; after returning to New York, on December 27, 2011, he accompanied Barahona to another doctor's appointment, during which she had a sonogram. Student A gave investigators a copy of the sonogram. On January 2, 2012, Student A moved in with Barahona; he was having problems with [REDACTED] and Barahona agreed to take him in. According to Student A, he lived with Barahona for about three weeks, then their relationship soured because Student A told Barahona that he wanted to take the baby to [REDACTED] to visit his family members. Barahona responded that Student A was not going to take the baby anywhere and they argued.

Student A asserted that his last sexual encounter with Barahona was on January 22, 2012. Student A explained that, on January 26, 2012, he and Barahona had an argument and she asked him to leave; he recalled their last sexual act was a few days

Hon. D. M. Walcott

-3-

May 17, 2012

earlier. Student A said that Barahona's mother observed him drinking some rum and began to argue with him. When Barahona came home, she sided with her mother, and asked Student A to move out. Barahona subsequently blocked Student A from her Facebook page.

In an interview with investigators from this office, Felicia Barahona admitted that she was involved in a sexual relationship with Student A and that they lived together during January 2012. Barahona said that she was in love with Student A, whom she acknowledged was still a student at DeWitt Clinton High School, and that they had planned to marry. Barahona added that she had purchased wedding rings, but they had since broken up.

Barahona explained that, in the fall of 2011, as Halloween approached, they agreed that Student A would join Barahona and her [redacted] year-old daughter for trick or treat and, on October 31, 2011, they met at Columbus Circle in Manhattan. According to Barahona, when they finished trick or treating, she and Student A took her daughter to her mother's apartment and then they went to a McDonald's located in the area.

Barahona acknowledged that she and Student A began communicating on Facebook where she learned his date of birth.<sup>2</sup> Barahona admitted that she invited Student A to her home to celebrate his birthday; during his visit, they had sex for the first time. Barahona said that she was very conscious of Student A's age when she had sex with him.

Barahona added that she again had sex with Student A on November 22, 2011, the day she believes she became pregnant. Barahona acknowledged that Student A accompanied her to the doctor's appointment when she had a sonogram and that she gave him a copy of the sonogram [redacted].

[redacted]. Barahona said that she and Student A continued to have sex into December 2011, before Student A traveled to [redacted].

According to Barahona, in January 2012, Student A moved in with her for about four or five days. Barahona asserted that Student A did not get along with her [redacted] year-old daughter and he made an inappropriate comment about her daughter which made Barahona uncomfortable. Barahona confirmed that she arrived home to find Student A arguing with her mother because he had been drinking alcohol and was under age. As a result, Barahona asked Student A to move out of her apartment.

<sup>2</sup> SCI obtained Facebook exchanges between Barahona and Student A; the conversations were in Spanish. An SCI investigator translated the communications. Barahona reviewed the translated information and acknowledged that it accurately depicted her conversations with Student A.

Hon. D. M. Walcott

-4-

May 17, 2012

According to Barahona, in total, she had sexual intercourse with Student A about 12 times. For investigators, Barahona wrote a two-page statement describing her relationship with Student A.

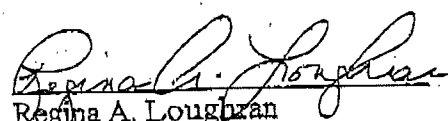
It is the recommendation of this office that Felicia Barahona's employment be terminated, that she be made ineligible for work with the Department of Education, and that this matter be considered should she apply for a position in the New York City school system, with one of its vendors, or in one of its facilities, in the future.

We are forwarding a copy of this letter and of our report concerning this investigation to the Office of Legal Services. We also are sending our findings to the New York State Education Department for whatever action it deems appropriate. Should you have any inquiries regarding the above, please contact First Deputy Commissioner Regina Loughran, the attorney assigned to the case. She can be reached at (212) 510-1426. Please notify First Deputy Commissioner Loughran within 30 days of receipt of this letter of what, if any, action has been taken or is contemplated regarding Felicia Barahona. Thank you for your attention to this matter.

Sincerely,

RICHARD J. CONDON  
Special Commissioner  
of Investigation for the  
New York City School District

By:

  
Regina A. Loughran  
First Deputy Commissioner

RJC:RAL:ss

c: Courtenaye Jackson-Chase, Esq.  
Theresa Europe, Esq.