

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

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November 21, 2019

Hon. Richard A. Carranza
Chancellor
New York City Public Schools
Department of Education
52 Chambers Street, Room 314
New York, NY 10007

Re: Peter Muhlbach
SCI Case #: 2018-8827

Dear Chancellor Carranza:

An investigation conducted by this office has substantiated that Peter Muhlbach (“Muhlbach”), a 53-year-old teacher formerly assigned to Long Island City High School (“LIC H.S.”) in Queens, engaged in inappropriate behavior, and inappropriate relationships with several female students, including a sexual relationship with one student. In addition, Muhlbach altered students’ grades.

I. Investigation & Findings:

a. Initial Complaints

The investigation began in December 2018, when the office of the Special Commissioner of Investigation for the New York City School District (“SCI”) received an anonymous complaint forwarded by the Chancellor’s Strategic Response Group’s Clerical Associate Lissette Roman, alleging misconduct against Muhlbach.¹ The complaint alleged that Muhlbach had an inappropriate relationship with an unidentified female student (“Student A”), and that there were photos on social media of Muhlbach and Student A at a bar.²

¹ Muhlbach was reassigned to the Queens North Reassignment Center on May 9, 2019, and a problem code was attached to his record. He resigned from the DOE effective September 1, 2019.

² Student A remains unidentified. SCI could not substantiate allegations concerning Student A, as SCI was unable to obtain the alleged social media images.

During the course of SCI's initial investigation, several additional allegations against Muhlbach were reported.³ SCI received a second allegation on February 25, 2019, when LIC H.S. Assistant Principal ("AP") Maria Argyris ("Argyris") called SCI to report that the parents of 15-year-old female student ("Student B") discovered inappropriate text messages on Student B's phone, and that Muhlbach had given Student B a sweatshirt for Christmas.⁴

b. Inappropriate Comments and Conduct

On February 28, 2019, SCI investigators interviewed AP Argyris, who stated that on February 25, 2019, she was informed by Guidance Counselor Maria Vergidis ("Vergidis") that Student B's parents reported that the text messages were sent by "mr.m," and contained a heart emoji next to the name. In the messages, "mr.m" told Student B that he missed her, "hopes [she is] good," wanted her to visit him in Florida, and called Student B "mi amor." SCI investigators subsequently met with Student B's father, who said that Student B advised him that the texts were reflective of how Muhlbach spoke to all of his students.⁵ SCI investigators met with Student B on March 28, 2019, who advised that Muhlbach was her Geometry teacher who cared about her and wanted her to do well in school. Student B stated that Muhlbach never behaved inappropriately with her.

On April 5, 2019, AP Argyris called SCI to report additional allegations of misconduct against Muhlbach. Argyris reported that 16-year-old female student ("Student D") observed Muhlbach give another 16-year-old female student ("Student G") twenty dollars, and stated that Muhlbach texted a 16-year-old female student ("Student F") to ask to meet over the summer, and that Muhlbach commented on 17-year-old female student ("Student H")'s social media account – specifically, by placing an emoji with heart eyes on a provocative picture.⁶

SCI investigators met with Student G, who advised that Muhlbach was always the "cool" teacher that students knew they could "hit up" as needed – including the fact that Muhlbach gave her money when she performed well in class on at least five occasions. SCI investigators also spoke with a 16-year-old male student ("Student E"), who stated that he heard from other students that Muhlbach liked "to give girls money," a fact he heard directly from Student G and a 17-year-old female student ("Student J").⁷ Student E advised that he was also friends with Student F and another 18-year-old female student ("Student K"), and heard that Muhlbach complimented their appearances and acted "all flirty" with them.⁸

³ SCI cases 2019-1581, 2019-3006, and 2019-3744, were made part of the instant investigation.

⁴ Student B has since turned 16-years-old.

⁵ SCI investigators also met with Vergidis, whose account was consistent with what Argyris had already told SCI.

⁶ Students D, G, F, and H are all presently 17.

⁷ Student E is currently 16, and Student J is 18.

⁸ Student K is currently 18.

SCI investigators spoke with Student H on May 20, 2019, when she advised that Muhlbach “gave girls money for no reason,” and that Muhlbach gave her \$50 in cash on her 16th birthday. Student H – who has since transferred from LIC H.S. – said that Muhlbach found her on Facebook, sent her a friend request, and commented and liked her photos. Per Student H, most of Muhlbach’s timeline was “full of photos” of Muhlbach with current and former students.

On June 14, 2019, SCI investigators interviewed Student F, who stated that Muhlbach was known to give students food or money, and that he was “flirty” and would often call her beautiful. Student F stated that she and Muhlbach exchanged numbers upon his request. Student F also observed a message on Student K’s phone, in which Muhlbach had texted her an emoji with heart eyes, and also heard Muhlbach refer to Student K as “his wife.”

On September 12, 2019, SCI investigators interviewed Student K, who stated that Muhlbach gave her a gift for her birthday, a stuffed baby flamingo from Florida. Student K stated that she knew that Muhlbach had the phone numbers of several students because she had seen them on his phone. She also saw pictures of students on the home screen of Muhlbach’s phone. Student K stated that Muhlbach was “flirty,” which always made her feel uncomfortable, and that Muhlbach would call her his “wife” in front of the class. Student K stated that he openly told the female students who were about to graduate that they could go out for drinks after graduation.

c. Inappropriate Sexual Behavior, Drugs, and Alcohol

On May 2, 2019, Argyris called SCI to report that a now 24-year old female former student (“Student I”), reported that during the 2014-2015 school year, Muhlbach gave her alcohol and marijuana on several occasions. Student I reported that she and Muhlbach engaged in sexual intercourse in his apartment (while Student I was a student). She also reported that upon her graduation, Student I moved into Muhlbach’s apartment.

On May 15, 2019, SCI investigators interviewed Student I, who recounted a detailed history of her relationship with Muhlbach from 2014 to present. Student I stated that throughout their relationship, Muhlbach supplied her with various drugs and alcohol, while in school and after she graduated. Student I stated that she began a sexual relationship with Muhlbach in January 2015 – while she was a student – and she moved in with him after she graduated. Student I stated that throughout their relationship, Muhlbach financially supported her, including giving her an American Eagle credit card and free use of his car. Student I stated that things ended with Muhlbach when she discovered that he had been hiding her mail from her throughout the years along with Muhlbach’s decision to move to Florida. To corroborate her account, Student I provided SCI investigators with videos, photos, and text message conversation histories with Muhlbach.

d. Phone Records

SCI obtained phone records from Muhlbach's cellular carrier for a period between September 1, 2018 and March 7, 2019. The records indicated:

- Approximately 99 contacts between Student B and Muhlbach, from January 17, 2019 to March 4, 2019, all within daytime hours.
- Over 3,250 contacts between Student I and Muhlbach, from September 1, 2018 to March 7, 2019, at all hours of the day and night.
- Approximately 213 contacts between Student K and Muhlbach from October 30, 2018 to March 4, 2019, within both day and nighttime hours.

e. Grade Alteration

Student B's parents reported that they were concerned that Student B's grades were all consistently low, except for Muhlbach's math class, in which she received a grade average of 90. SCI reviewed Muhlbach's grades, from Student B's class. Two students in particular were noteworthy: one, a female student with a 77% average, received a 95; the second, a male student with a 28% average who received a passing score of 65. Argyris stated that it definitely appeared that these grades were inflated. A review of Student B's grades found that Student B's grades in all subjects for the third marking period, except Muhlbach's Geometry class, were between 50% and 65%, with numerous absences. Muhlbach gave Student B grades of 90% and 91% for the marking periods. Once Student B transferred out of Muhlbach's class at the end of February 2019, her current teacher gave Student B a 65% for the fourth marking period.

Student K stated to SCI investigators that if you were pretty and a girl, Muhlbach would offer to give you "whatever grade" you wanted. Student K was in Math classes taught by Muhlbach during her freshman and sophomore years, and Muhlbach twice texted her to ask what grade she wanted in class. Per Student K, she told him she wanted a 90, and that is the grade she received – despite the fact that, by her own estimation, she was "failing miserably" and got a 35 on her math Regents exam. In fact, a review of records revealed that Student K received a 100 in the class, despite having received a 35 on the Geometry Regents exam. Student K also amassed 30 absences during the school year.

f. Attempt to Speak to Muhlbach

On June 11, 2019, SCI investigators spoke with Attorney Elysa Greenblatt, who stated that she was acting as Muhlbach's counsel regarding all of the above-mentioned complaints. Greenblatt stated that based on Muhlbach's tenured status, he declined to be interviewed by SCI.

II. Conclusion and Recommendation

It is substantiated that Peter Muhlbach engaged – repeatedly – in significant inappropriate conduct with students and engaged in employee misconduct, specifically when he altered grades or gave unwarranted or unmerited passing grades. Muhlbach consistently provided female students with money or gift cards; had consistent inappropriate phone contact with female students; and provided at least one student with alcohol and drugs, and engaged in sexual intercourse with her both during and after her time as a student. All interviewed parties gave consistent, credible accounts of Muhlbach’s behavior. Those, coupled with the phone records demonstrating the content and frequency with which Muhlbach texted current students, demonstrate that Muhlbach repeatedly went well beyond acceptable norms for a DOE employee. It is the recommendation of this office that the problem code currently attached to Peter Muhlbach’s personnel file be made permanent to prohibit him from future employment with the DOE or any of its vendors.

Please respond within 30 days of receipt of this letter as to any action taken or contemplated regarding Peter Muhlbach.

We are sending a copy of this letter to the DOE Office of Legal Services. We are also sending a copy of our report to the New York State Education Department for whatever action they deem appropriate. Should you have any inquiries regarding the above, please contact Jonathan Jacobs, the assigned attorney for this matter, at (212) 510-1423.

Sincerely,

ANASTASIA COLEMAN
Commissioner

By:



Daniel Schlachet
First Deputy Commissioner

AC:DS:JJ:ss

cc: Howard Friedman, Esq.
Karen Antoine, Esq.
Katherine Rodi, Esq.