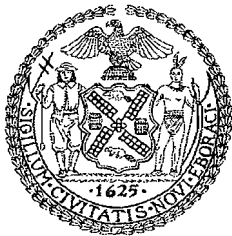


IN THE MATTER OF LUZ ARRUFAT-HALE
COIB CASE NO. 2006-424
JULY 19, 2007

SUMMARY: The Board issued a public warning letter to a teacher at the New York City Department of Education (“DOE”) for accepting compensation from the parents of two students from her school whom she tutored for several months. While not pursuing further enforcement action, the Board took the opportunity of this public warning letter to remind public servants that Chapter 68 of the City Charter prohibits a public servant from having a financial relationship with the parents of students who attend their schools because it creates at least the appearance that the public servant has used his or her position for personal financial gain. *COIB v. Arrufat-Hale*, COIB Case No. 2006-424 (2007).



CITY OF NEW YORK
CONFLICTS OF INTEREST BOARD

2 Lafayette Street, Suite 1010

New York, New York 10007

(212) 442-1400

Fax: (212) 442-1407 TDD: (212) 442-1443

Steven B. Rosenfeld
Chair/Board Member

July 19, 2007

Monica Blum
Board Member

Kevin B. Frawley
Board Member

VIA FIRST CLASS MAIL

Angela Mariana Freyre
Board Member

Luz Arrufat-Hale
[REDACTED]

Andrew Irving
Board Member

Re: COIB Case No. 2006-424

Mark Davies
Executive Director

Dear Ms. Arrufat-Hale:

Wayne G. Hawley
*Deputy Executive Director
& General Counsel*

It has come to the attention of the New York City Conflicts of Interest Board that you are currently employed by Department of Education ("DOE") as a teacher and that during the 2005-2006 school year you tutored two students from your school for several months, for which service you received weekly compensation from the students' parents. The Board has also been advised that upon being informed by the DOE that your conduct was improper, you ceased tutoring the students and that you later refunded to the parents the monies that they had paid you.

Felicia A. Mennin
*Special Counsel &
Director of Financial
Disclosure*

Carolyn Lisa Miller
Director of Enforcement

Alex Kipp
*Director of Training &
Education*

Ute O'Malley
*Director of
Administration*

Derick Yu
*Director of Information
Technology*

Chapter 68 of the New York City Charter ("the Charter") prohibits public servants from using their positions to obtain any private or personal advantage. Charter Section 2604(b)(2) states that "[n]o public servant shall engage in any business, transaction or private employment, or have any financial or other private interest, direct or indirect, which is in conflict with the proper discharge of his or her official actions." Charter Section 2604(b)(3) states that "[n]o public servant shall use or attempt to use his or her position as a public servant to obtain any financial gain, contract, license, privilege or other private or personal advantage, direct or indirect, for the public servant or any person or firm associated with the public servant." Having a financial relationship with parents of students who attend your school creates at least the appearance that you used your position for personal financial gain, which is strictly prohibited under the Charter. Thus, you are advised that you may not tutor students from your school for compensation.

While the Conflicts of Interest Board has concluded that no further enforcement action is required in this matter under the particular circumstances presented here, it is issuing this public warning letter in order to provide guidance to other public servants in similar situations. This letter should be regarded as a formal reminder of the importance of strict compliance with the City's conflicts of interest law, contained in Chapter 68 of the Charter and the Board Rules. Precise compliance with these provisions avoids even the appearance of impropriety and helps to strengthen public confidence in City officials.

In the future, if you have any questions concerning the conflicts of interest law, please contact the Conflicts of Interest Board staff at (212) 442-1400.

Very truly yours,

/s/

Steven B. Rosenfeld
Chair

I hereby waive any right I may have to confidentiality and agree that the Board may make this document public. I represent that I have entered into this agreement freely, knowingly, and intentionally without coercion or duress and that I have had a full opportunity to consult with counsel of my choice.

/s/

LUZ ARRUFAT-HALE

/s/

EDWARD H. WOLF
Attorney for Luz Arrufat-Hale
910 Grand Concourse, Suite 1F
Bronx, New York 10451

The New York City Department of Education accepts the publication of this document as a final disposition of this matter and affirmatively states that it will take no further action against Luz Arrufat-Hale based upon the facts and circumstances set forth above.

/s/

THERESA EUROPE
Deputy Counsel to the Chancellor
NYC Department of Education