

---

March 13, 2002

## Calls to Limit Powers of Next Schools Investigator

By ANEMONA HARTOCOLLIS

As city officials mourned the death yesterday of Edward F. Stancik, the special schools investigator, there were calls from both law enforcement and school officials to curb the powers of his office before a successor is appointed.

Critics said that the vacancy created by Mr. Stancik's death provided an opportunity to deal with longstanding complaints that the special investigator's office was not sufficiently accountable to either the mayor or the Board of Education.

The office of the special schools investigator was created in 1990, in an executive order by Mayor David N. Dinkins. The investigator was given extraordinary independence for an appointed official: the office has no term limits, and the investigator can be removed only for cause by the city's commissioner of investigation.

Mr. Stancik, who was 47, used his office to investigate political patronage, theft, gang warfare and school security, often winning praise from parents and education authorities. But in recent years, his independence also allowed him to focus heavily on what some critics saw as a single-minded agenda -- the pursuit of often sensational crimes like sex abuse -- as opposed to more fundamental issues like corruption and mismanagement in local school districts. On some high-profile cases, he came under fire for releasing charges to the news media against specific educators based on evidence that was later discredited.

At City Hall, Dennis Walcott, the deputy mayor for education, said that he, Mayor Michael R. Bloomberg and Rose Gill Hearn, the new commissioner of investigations, had been talking in general terms about how and whether to reshape the office that Mr. Stancik held for more than a decade.

But in deference to Mr. Stancik, who had been in the hospital for several weeks, the discussions remained general, he said. He said there had been similar discussions about other city agencies as well, especially in light of the need for budget cuts.

Ms. Hearn "is being very diligent and process oriented and listening to people about how we might reshape the office," Mr. Walcott said.

Carol Gresser, who was a member of the Board of Education under the chancellorships of both Joseph A. Fernandez and Rudy Crew, said that "when they wrote the enabling legislation that created the office, they forgot to put a term in, and it's a perfect time to look at the legislation and consider a term."

"I don't think it's appropriate for any person to hold an office for life," she said, adding that the chain of command for the new schools investigator should be made clear.

Ms. Gresser said she recalled a particularly frustrating experience with Mr. Stancik while she was on the board. The board was meeting to consider whether to extend the term of contracts for school bus companies, and Ms. Gresser asked Mr. Stancik to testify as to the integrity of the companies under consideration.

He came to the meeting, she said, "but he really didn't want to say whether they were O.K. or not, because they might be under investigation. That meant we as a board were flying blind. I wanted his assurance that they were O.K., and I couldn't get it."

Thomas D. Thacher 2nd, head of Thacher Associates, a corporate investigations company, said that as Mayor Michael R. Bloomberg tries to persuade Albany to give him direct control of city schools, "There is clearly a need to also reform the watchdog function." Thacher Associates was hired by the teachers' union in 1999 to review Mr. Stancik's investigation of cheating by teachers and issued a scathing report.

Like others who knew Mr. Stancik, Mr. Thacher, who was at one time inspector general in the school construction authority, tempered his criticism of the office with sadness over Mr. Stancik's death and praise for the job he did exposing corruption in the schools.

But he said that the office's structural flaws were much clearer than they were 12 years ago. Former chancellors like Mr. Fernandez and Dr. Crew complained that they often did not know what Mr. Stancik had been investigating until after the information was released to the press.

Mr. Stancik had strong defenders, however.

His post was an outgrowth of the Gill Commission, set up during the Koch administration to investigate corruption in the schools. "The

people who were complaining about him were the individuals who were between his cross hairs," James F. Gill, the commission head, said yesterday.

"I would fully expect that the office is going to be continued," Mr. Gill added. "By and large, Ed Stancik did a superb job."

Mr. Bloomberg said yesterday that because Mr. Stancik had been sick, there had been some discussion of a successor already, and that discussions would continue. "We are all much better off because of his work," the mayor said. "He will be sorely missed."

Most officials said yesterday that dismantling the office of the independent investigator would invite a return to the flabby in-house investigations of the past.

Mr. Thacher said he would impose term limits on the office, so a mayor could replace the investigator without having to document complaints against him. He would also, he said, require the investigator to file more frequent reports on his work; one is now required annually. Finally, he suggested creating a mechanism for people who felt they were wrongly accused to air grievances against the investigator.

Mr. Stancik did significantly change the landscape of the school system over the years. His investigation of corrupt community school board members helped persuade the State Legislature to strip the boards of most of their power in 1996.

But Jim Vlasto, the press secretary under Mr. Fernandez, said Mr. Stancik had often collected isolated incidents of wrongdoing -- like sex abuse by teachers -- over a long period of time, and then bundled them together to make it appear that the problem was more widespread than it really was.

In 1997, Dr. Crew accused Mr. Stancik of sending "panic through the system" by releasing what Dr. Crew called exaggerated reports to the news media. By the time the chancellor had a chance to respond, Dr. Crew said, the damage was done.