

**IN THE MATTER OF PETER IANNIELLO  
COIB CASE NO. 2006-383  
MAY 3, 2007**

The Board and the New York City Department of Education (“DOE”) fined the DOE Deputy Executive Director of Recruitment \$1000 for accepting two US Open tickets and four Ringling Bros. & Barnum & Bailey Circus tickets, which had the total approximate value of between \$144 and \$270, from *The New York Times*. The DOE Deputy Executive Director acknowledged that this conduct violated the City of New York’s conflicts of interest law, which prohibits any public servant from accepting gifts valued in the aggregate at \$50 or more from any firm doing business with the City within any twelve-month period. *COIB v. Ianniello*, Case No. 2006-383 (2007).

**STIPULATION AND DISPOSITION:**

**WHEREAS**, the New York City Conflicts of Interest Board (the “Board”), the New York City Department of Education (“DOE”), and Peter Ianniello wish to resolve this matter on the following terms,

Respondent Peter Ianniello states the following:

1. From July 1, 2003, to the present, I have been employed by the DOE as Deputy Executive Director of Recruitment.
2. At all relevant times hereafter mentioned, I have been a public servant within the meaning of Charter Section 2601(19).
3. In or around 2005, I accepted two US Open tickets, valued at between \$22 and \$125 each, from the New York Times Company (the “Times”), a firm that has business dealings with the City.
4. In or around 2005, I accepted four Ringling Bros. & Barnum and Bailey Circus tickets, valued between \$25 to \$30 each, from the Times.
5. I freely and voluntarily admit that my above-described conduct violated City Charter Sections 2604 (b)(2), (b)(3), and (b)(5), which provide in pertinent part:

No 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 duties. [Charter Section 2604(b)(2)]

No public servant shall use or attempt to use his or her position as a public servant to obtain 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. [Charter Section 2604(b)(3)]

No public servant shall accept any valuable gift, as defined by rule of the board, from any person or firm which such public servant knows is or intends to become engaged in business dealings with the city, except that nothing contained herein shall prohibit a public servant from accepting a gift which is customary on family and social occasions. [Charter Section 2604(b)(5)].

6. In recognition of the foregoing, I agree to pay a fine of \$1,000 (One Thousand Dollars) to the Board upon signing of this Disposition, by money order or by cashier, bank, or certified check, made payable to the “New York City Conflicts of Interest Board.”
7. I agree that this Disposition is a public and final resolution of the charges against me. I knowingly waive on my behalf and on behalf of my successors and assigns any rights to commence any judicial or administrative proceeding or appeal before any court of competent jurisdiction, administrative tribunal, political subdivision, or office of the City or the State of New York or the United States, and to contest the lawfulness, authority, jurisdiction, or power of the Board and DOE in imposing the penalty which is embodied in this Disposition, and I waive any right to make any legal or equitable claims or to initiate legal proceedings of any kind against the Board or DOE, or any members or employees thereof relating to, or arising out of this Disposition or the matters recited therein.
8. I confirm that I have entered into this Disposition freely, knowingly, and intentionally, without coercion or duress, and after having been represented by an attorney of my choice; that I accept all terms and conditions contained herein without reliance on any other promises or offers previously made or tendered by any past or present representative of the New York City Conflicts of Interest Board or DOE; and that I fully understand all the terms of this Disposition.
9. Any material misstatement of the facts of this matter, including of the Disposition, by me or by my attorney or agent shall, at the discretion of the Board, be deemed a waiver of confidentiality of this matter.
10. This Disposition shall not be effective until all parties have affixed their signatures below.
11. Respondent and DOE consent to making the Conflicts of Interest Board a party to this Disposition.

12. The New York City Conflicts of Interest Board and DOE accept this Disposition and the terms contained herein as a final disposition of the above-captioned matter only, and affirmatively state that other than as recited herein, no further action will be taken by the Board and DOE against Respondent based upon the facts and circumstances set forth herein, except that the Board shall be entitled to take any and all actions necessary to enforce the terms of this Disposition.

Dated: April 5, 2007

\_\_\_\_\_/s/  
Peter Ianniello  
Respondent

Dated: April 9, 2007

\_\_\_\_\_/s/  
Anthony Cincotta, Esq.  
Counsel to Respondent

Dated: April 30, 2007

\_\_\_\_\_/s/  
Theresa Europe, Esq.  
Deputy Counsel to the Chancellor  
NYC Department of Education

Dated: May 3, 2007

\_\_\_\_\_/s/  
Steven B. Rosenfeld, Esq.  
Chair  
NYC Conflicts of Interest Board