

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

JENNIFER CARREÓN AMBERT,

Plaintiff(s),

-against-

THE NEW YORK CITY DEPARTMENT OF EDUCATION,

Defendant(s).

Index No.

**Summons**

Date Index No. Purchased:

To the above named Defendant(s)

THE NEW YORK CITY DEPARTMENT OF EDUCATION  
52 Chambers Street  
New York, New York 10007

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

The basis of venue is Defendant's headquarters  
which is New York County

Dated: New York, NY

April 25, 2023

Schwartz Perry &amp; Heller, LLP

by

Brian Heller

Attorneys for Plaintiff

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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JENNIFER CARREÓN AMBERT,

*Plaintiff,*

**Index No.:**

-against-

**VERIFIED COMPLAINT**

THE NEW YORK CITY DEPARTMENT OF EDUCATION,

*Defendant.*  
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Plaintiff Jennifer Carreón Ambert, as and for her Verified Complaint, all upon information and belief, respectfully alleges as follows:

**IDENTITY OF THE PARTIES**

1. At all relevant times mentioned herein, Plaintiff Jennifer Carreón Ambert (“Carreón”) was employed by Defendant the New York City Department of Education (“DOE”).

2. At all relevant times mentioned herein, the DOE was and is a New York City governmental agency responsible for the administration of New York City’s public-school system.

3. Carreón filed a notice of claim against the DOE on August 17, 2023 the DOE took a deposition of Carreón pursuant to §50-h of the General Municipal Law on December 21, 2022, so that all administrative prerequisites of Education Law §3813 have been satisfied.

**BACKGROUND RELEVANT TO ALL CAUSES OF ACTION**

4. Carreón commenced her employment with the DOE as a Third Grade Teacher in or around June 2002.

5. At all relevant times, Carreón was fully qualified for her position, as confirmed by her education and the numerous promotions she received.

6. During the many years of her employment, Carreón was promoted to Model Teacher, Assistant Principal, Principal, Director of New Principal Support, Director of Teaching & Learning and then Acting Superintendent.

7. In or around February 2019, Carreón was formally named Superintendent of District 27, which was the largest school district in Queens.

8. By all measures, Carreón succeeded as Superintendent, improving the services that the DOE offered to their students, including continuing to succeed during the COVID-19 pandemic.

9. Carreón received positive feedback from very senior DOE officials, including then-Chancellor Richard Carranza, First Deputy Chancellor Cheryl Watson-Harris, Executive Superintendent Dr. Andre Spencer and his successor, Dr. Mauriciere De Govia, as well as Chancellor Meisha Porter.

10. In June 2021, Carreón received a rating of “Highly Effective,” confirming her positive contribution to the DOE.

11. In December 2021, First Deputy Chancellor Donald Conyers raved about the impact of Carreón’s tenure as Superintendent, especially in the Rockaways.

12. Carreón was one of only three Asian American Superintendents, out of a total of 45 individuals serving as Superintendent throughout the DOE.

13. On or about January 1, 2022, David C. Banks (“Banks”) became the Chancellor of the DOE.

14. At or around the end of February 2022, Banks announced that individuals in the role of Superintendent would have to re-apply for their position and, if selected, they would have an increase in responsibilities.

15. The posting for the Superintendent positions were released at or around the end of March 2022, and Carreón applied.

16. On or about April 19, 2022, Carreón had an interview with Deputy Chancellor for School Leadership, Dr. Desmond Blackburn (“Dr. Blackburn”).

17. During that interview, Carreón presented a 20-minute PowerPoint describing the successes that she had achieved thus far and the advancements that she would be able to obtain, and Carreón received very positive feedback from Blackburn.

18. Carreón became aware that there were two other candidates for Superintendent, David Norment (“Norment”), who had served as Carreón’s Deputy Superintendent, and Shirley Wheeler-Massey.

19. Despite Carreón’s clear qualifications, she was not selected for the Superintendent position.

20. Instead, Blackburn advised Carreón on June 27, 2022 that Norment had been selected as Superintendent, even though he was clearly not as experienced as Carreón, as confirmed by the fact that he had been Carreón’s Deputy.

21. The DOE could not provide a legitimate reason for why Norment was selected over Carreón, as Blackburn told Carreón only that “the Chancellor decided to go in a different direction in [Carreón’s] district.”

22. The real reason why Norment was selected over Carreón was because he was an African American man, and she was an Asian American woman.

23. The DOE, in addition to its own preference to place African American men in high-level positions, acceded to the discriminatory push by certain members of the community to select Norment solely because of his race, as confirmed by social media posts that stated words to the

effect of, “Vote the Brother In.”

24. Additionally, Lisa Johnson Cooper, the President of the Community Education Council for District 27, who was on the panel making recommendations for Superintendent position, told Carreón that she felt the process was becoming “racist.”

25. Since Banks began as Chancellor, the DOE has more African American Superintendents than previously, while still having only three Asian American Superintendents.

26. Carreón was told that she could either retire or accept a lower role within the DOE, and that if she stayed, she would not receive the increased compensation that was assigned to the new Superintendent position.

27. Carreón subsequently learned that, during the onboarding for the appointed Superintendents during the week of July 11, 2022, the Chancellor’s team openly commented to the room, “Look around the room, what do you notice? There’s a black male at every table,” confirming that race and gender played a role in hiring decisions at the DOE.

28. As a result of the DOE’s discriminatory conduct, Carreón has been caused to suffer injuries resulting in financial loss, emotional anguish and suffering, and has been humiliated, demeaned and otherwise degraded because of the DOE’s outrageous conduct in violation of Carreón’s human rights, all of which impacted her well-being and the quality of her life.

**AS FOR A FIRST CAUSE OF ACTION ON BEHALF  
OF CARREÓN AGAINST THE DOE FOR RACE  
DISCRIMINATION IN VIOLATION OF §8-107(1)(a)  
OF THE NEW YORK CITY HUMAN RIGHTS LAW**

29. Carreón repeats, re-alleges and incorporates in full paragraphs 1 through 28 of this Complaint as though fully set forth at length herein.

30. At the time Carreón was subjected to the discriminatory conduct described herein, she was in a protected class under the New York City Human Rights Law because of her race,

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