

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
ANONYMOUS STUDENT #4 and ANONYMOUS
PARENT #4,

Index No.:

SUMMONS WITH NOTICE

Plaintiff,

Plaintiffs designate
WESTCHESTER COUNTY as the
Place of Trial

-against-

CHAPPAQUA CENTRAL SCHOOL DISTRICT and
CHRISTOPHER SCHRAUFNAGEL

Basis of Venue
Accident Site

Defendants.

Chappaqua Central School District
WESTCHESTER COUNTY

-----X
To the above named Defendants,

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 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.

Dated: Bronx, New York
July 5th, 2016

The Law Office of William A. Gallina, PLLC
Attorney for Plaintiff
1250 Waters Place
Suite 708
Bronx, New York 10461
(718) 892-0400

TO:

CHAPPAQUA CENTRAL SCHOOL DISTRICT
66 Roaring Brook Road
Chappaqua, NY 10514

CHRISTOPHER SCHRAUFNAGEL
c/o Chappaqua Center School District
66 Roaring Brook Road
Chappaqua, NY 10514

Notice:

On or about the school year of January, 2011 through April, 2014 and prior thereto, the DEFENDANT, CHAPPAQUA CENTRAL SCHOOL DISTRICT, its agents, servants contractors, sub-contractors and/or employees were negligent, careless and reckless in failing to recruit, develop and maintain a teaching and administrative staff of the highest caliber; in failing to create a safe and proper atmosphere, community and learning environment to develop each student's full potential, including but not limited to that of ANONYMOUS STUDENT #4; in failing to properly nourish the student's emotional well-being and guide their social development including but not limited to that of ANONYMOUS STUDENT #4 ; in failing to properly instill in the students, particularly ANONYMOUS STUDENT #4 an appreciation of self-worth; in failing to help the students, particularly ANONYMOUS STUDENT #4 learn how to act ethically; in causing, allowing and permitting an unsafe learning environment; in causing allowing and permitting harassing and/or bullying to exist in the school; in failing to have an appropriate complaint/grievance procedure in place; in failing to maintain a proper learning environment; in failing to provide a school environment free of harassment and/or bullying and/or other improper conduct; in failing to provide students, including but not limited to ANONYMOUS STUDENT #4 with a proper and safe learning environment; in knowing CHRISTOPHER SCHRAUFNAGEL was abusing (physically and/or mentally and/or emotionally and/or verbally or otherwise) and harassing students, including, but not limited to, ANONYMOUS STUDENT #4, and failing to take the proper steps to have stopped such behavior; in failing to have in place a proper Code of Conduct, one reasonably calculated to end the abuse (physical and/or mental and/or emotional and/or verbal) and/or bullying and/or harassment and/or other improper conduct; in failing to eliminate any hostile environment, create a more positive school culture and climate, and prevent recurrence of the behavior and ensure the safety of the students, including ANONYMOUS STUDENT #4; in failing to properly examine and know the school's climate and culture, which has been defined as the quality and character of school life; in causing, allowing and/or permitting the teacher CHRISTOPHER SCHRAUFNAGEL to physically, verbally, mentally, and otherwise abuse the students in the school, including, but not limited to, ANONYMOUS STUDENT #4; in failing to take the proper steps to have avoided the abuse (mental and/or physical) suffered by students in the school, particularly ANONYMOUS STUDENT #4; in violating all laws, statutes, regulations, policies and the like relating to the abuse, harassment and other illegal or improper behavior and/or educating students; in failing to conduct a proper investigation of CHRISTOPHER SCHRAUFNAGEL after learning or otherwise knowing of his abusive, criminal or otherwise improper behavior; in failing to have in place a proper policy, scheme, plan or the like relating to texting or other forms of communication between student and teacher; in failing to bring charges against CHRISTOPHER SCHRAUFNAGEL; in failing to properly educate its students, including ANONYMOUS STUDENT #4; in failing to improve a student's self-understanding, increase their self-confidence, and enhance their respect for the qualities of their fellow human beings; in causing, allowing and/or permitting CHRISTOPHER SCHRAUFNAGEL to engage in improper, illegal, harmful and/or otherwise dangerous and/or improper conduct; in failing to properly own, operate, maintain, manage, control, administer, and/or supervise the school, its staff and other employees, including, but not limited to, CHRISTOPHER SCHRAUFNAGEL; in failing to adhere to its own policies and practices regarding alcohol and/or drug use by teachers on school grounds, including but not limited to CHRISTOPHER SCHRAUFNAGEL ; in failing to assure the rights of its students, including ANONYMOUS STUDENT #4, were safeguarded or otherwise protected; in failing to promote a climate of mutual respect and dignity; in failing to create an environment that contributed to the a student's civic responsibility; in failing to develop a sound and healthful atmosphere of mutual respect;

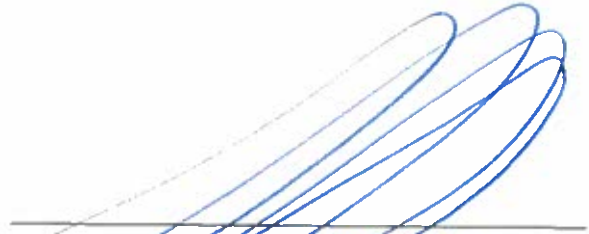
in failing to properly maintain and/or enforce a curriculum regarding drugs and alcohol abuse; in failing to stop such improper and/or illegal and/or dangerous conduct engaged in by CHRISTOPHER SCHRAUFNAGEL and to refer him to the appropriate authorities; in failing to timely commence the proper proceedings to have him terminated as a teacher in the school and/or district; in knowing CHRISTOPHER SCHRAUFNAGEL was verbally, physically, mentally and otherwise abusing students ; in failing to stop and/or report such conduct and/or refer CHRISTOPHER SCHRAUFNAGEL to the appropriate authorities; in causing, allowing and permitting improper security procedures to be implemented at HORACE GREELEY HIGH SCHOOL; in failing to take appropriate measures to secure the safety and welfare of the students, including but not limited to, ANONYMOUS STUDENT #4; in failing to employ and/or deploy sufficient personnel, in number and in training, to address security, hiring, supervision, reporting and monitoring of improper conduct at HORACE GREELEY HIGH SCHOOL; in failing to appropriately retain, train and/or supervise the school staff, including but not limited to CHRISTOPHER SCHRAUFNAGEL; in causing, allowing and permitting the bullying and/or harassment and/or abuse of the students at HORACE GREELEY HIGH SCHOOL, including but not limited to ANONYMOUS STUDENT #4; in failing to install and/or maintain and/or monitor surveillance equipment with respect to rooms, hallways, students, offices, auditoriums and surrounding areas, at HORACE GREELEY HIGH SCHOOL; in failing to properly investigate and/or evaluate and/or report its knowledge of the improper conduct committed by CHRISTOPHER SCHRAUFNAGEL; in failing to properly evaluate and/or report and/or refer the results of any investigation by those persons, agents, servants and/or employees hired to operate, manage, control, supervise, and maintain equipment and/or run the school and/or teach; in failing to properly and/or adequately supervise the activities provided by and/or at HORACE GREELEY HIGH SCHOOL; in failing to promulgate proper and/or adequate rules and regulations governing the supervision of employees, including but not limited to CHRISTOPHER SCHRAUFNAGEL; in failing to promulgate proper and/or adequate rules and/or regulations governing the proper care, guidance and/or supervision to be provided and rendered to students at HORACE GREELEY HIGH SCHOOL, including, but not limited to ANONYMOUS STUDENT #4; in failing to properly and/or adequately monitor the care, guidance and/or supervision provided at said facility; in failing to properly and/or adequately provide guidance for and/or supervise ANONYMOUS STUDENT #4; in failing to properly and/or adequately monitor and/or supervise the activities in which ANONYMOUS STUDENT #4 was involved in on the day and/or days of the incidents; in failing to properly hire, train, supervise, retain, orient and monitor the defendant, CHRISTOPHER SCHRAUFNAGEL; in failing to insure that said facility provided those in its charge and utilizing its facility, including ANONYMOUS STUDENT #4, with a safe and proper environment; in failing to properly and thoroughly vet and/or screen and/or investigate (initially and thereafter) the background of all employees, agents, servants, in order to ascertain whether said individual had a history and/or background , and/or propensity to engage in inappropriate and/or harmful behavior; in hiring and retaining a person with a known relevant history or propensity to engage in improper and/or harmful behavior, to teach children at HORACE GREELEY HIGH SCHOOL, including, but not limited to, ANONYMOUS STUDENT #4; in failing to prevent said activity; in failing to stop said activity, in otherwise being negligent, careless, reckless and grossly negligent in the premises; in failing to safeguard school property and persons lawfully on the property including, but not limited to, ANONYMOUS STUDENT #4; in engaging in harassing and/or bullying and/or badgering and other forms of vituperative behavior that was detrimental to the life, health and safety of the students, including, but not limited to ANONYMOUS STUDENT #4; in making sexually explicit and otherwise improper remarks to students of HORACE GREELEY HIGH SCHOOL, including, but not limited to, ANONYMOUS STUDENT #4; in making

sexually explicit and/or otherwise improper gestures and/or comments and/or requests to the students of HORACE GREELEY HIGH SCHOOL, including, but not limited to, ANONYMOUS STUDENT #4; in engaging in improper games and activities including "Train Wreck" and "Sick Secret Santa" with the students HORACE GREELEY HIGH SCHOOL, including but not limited to ANONYMOUS STUDENT #4, which involved, *inter alia*, placing human feces in coffee cups, Photo-shopping images of students in various photographs in a prurient and otherwise improper manner, placing semen or other bodily fluids in a bottle, and baking pubic hairs in cakes; in failing to take the steps necessary to have prevented the occurrences of inappropriate conduct and/or behavior; in ignoring that CHRISTOPHER SCHRAUFNAGEL was engaging in a persistent course and/or pattern of inappropriate behavior; in failing to take notice that CHRISTOPHER SCHRAUFNAGEL was engaging in a persistent course and/or pattern of inappropriate behavior: in failing to take notice that CHRISTOPHER SCHRAUFNAGEL was drinking alcohol and intoxicated during teaching hours; in knowing that CHRISTOPHER SCHRAUFNAGEL was engaging in a persistent course and/or pattern of inappropriate behavior, with students, including but not limited to, ANONYMOUS STUDENT #4 but failing to take the appropriate steps to stop that behavior; in violating laws, statues, regulations, rules and the like relating to the proper ways to teach and otherwise educate students, including but not limited to ANONYMOUS STUDENT #4; in failing to take steps to timely terminate and/or suspend and/or otherwise remove CHRISTOPHER SCHRAUFNAGEL from HORACE GREELEY HIGH SCHOOL so he would no longer pose a threat to any student, including, but not limited to, ANONYMOUS STUDENT #4; in causing allowing and permitting CHRISTOPHER SCHRAUFNAGEL to act in a manner likely to be injurious to the physical, mental and/or moral welfare of a child less than seventeen years old, including but not limited to ANONYMOUS STUDENT #4; in causing, allowing and/or permitting CHRISTOPHER SCHRAUFNAGEL to direct and/or permit a child less than seventeen years old to engage in activities that involved a substantial risk of danger to students in HORACE GREELEY HIGH SCHOOL, including but not limited to, ANONYMOUS STUDENT #4; in asking ANONYMOUS STUDENT #4 to expose his genitals; in asking ANONYMOUS STUDENT #4 to photograph his genitals and other body parts and transmit the photographs to CHRISTOPHER SCHRAUFNAGEL via text or other electronic means; in causing , allowing and permitting CHRISTOPHER SCHRAUFNAGEL to touch, caress and otherwise make contact with the inner thighs, buttocks and other portions of the body of ANONYMOUS STUDENT #4; in causing, allowing and/or permitting CHRISTOPHER SCHRAUFNAGEL to promote illicit drug and alcohol use; in causing, allowing and permitting CHRISTOPHER SCHRAUFNAGEL to request ANONYMOUS STUDENT #4 to perform oral sex on him; in causing, allowing and permitting CHRISTOPHER SCHRAUFNAGEL to request to perform oral sex on ANONYMOUS STUDENT #4; in causing, allowing and permitting CHRISTOPHER SCHRAUFNAGEL to request ANONYMOUS STUDENT #4 to remove various articles of clothing; in offering students at HORACE GREELEY HIGH SCHOOL, including, but not limited to, ANONYMOUS STUDENT #4, illegal drugs and/or alcohol; in causing, allowing and permitting CHRISTOPHER SCHRAUFNAGEL to touch and/or pet and/or grope the body of ANONYMOUS STUDENT #4; in causing, allowing and permitting CHRISTOPHER SCHRAUFNAGEL to repeatedly ask ANONYMOUS STUDENT #4 to engage in various sexual acts; in failing to have in place the proper policy and/or plans regarding communications between teacher and student; in failing to have the proper methods of deterring and/or preventing improper communications between student and teacher; in ignoring the safety of the students at HORACE GREELEY HIGH SCHOOL ; in causing, allowing and permitting CHRISTOPHER SCHRAUFNAGEL to endanger the life and health of the students at HORACE GREELEY HIGH

SCHOOL, including, but not limited to, ANONYMOUS STUDENT #4; in committing intentional torts; and in otherwise being negligent, reckless, and careless under the circumstances.

The relief sought is: Money damages in an amount which exceeds the jurisdictional limits of all courts of lesser monetary jurisdiction.

Dated: Bronx, New York
July 5th, 2016



David L. Engelsber, Esq.
The Law Office of William A. Gallina, PLLC
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Bronx, New York 10461
(718) 892-0400

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SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF WESTCHESTER

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ANONYMOUS STUDENT #4 and ANONYMOUS PARENT #4,

Plaintiff,

-against-

CHAPPAQUA CENTRAL SCHOOL DISTRICT and
CHRISTOPHER SCHRAUFNAGEL

Defendants.
-----X

SUMMONS WITH NOTICE

LAW OFFICE OF

WILLIAM A. GALLINA, PLLC

Attorney for Plaintiff

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Suite 708
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FAX (718) 892-0033

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: July 5, 2016

Signature _____


Print Signer's Name: David L. Engelsher, Esq.
