



Rabbi Seth Linfield  
Executive Director

בס"ד

June 14, 2013

Mr. Mark Goldstein, President  
Yeshivah of Flatbush

Rabbi Dr. Raymond Harari,  
Rosh Yeshivah and Head of School,  
Joel Braverman High School

Dear Mr. Goldstein and Rabbi Harari:

You have asked me to investigate an incident involving our students as they boarded AirTran Airways Flight 345 on Monday, June 3, 2013. Your only instructions were to follow the truth wherever it may lead, without hesitation. In the course of my investigation, I communicated in various ways and means with students, chaperones, other passengers on Flight 345, and AirTran. AirTran has been cooperative even without making its flight crew available to me. I am simultaneously releasing this report to Southwest/AirTran.

In what follows, I will set forth the sequence of events, as I can determine for now to the best of my information, knowledge and belief. I do not identify any individuals. I will then offer conclusions and recommendations arising from the facts of the sequence of events.

#### SEQUENCE OF EVENTS

1. One of the highlights of senior year is the senior trip. Following student and faculty input, our students were slated for a three-day trip to the Atlanta area from June 3 to June 5, a final opportunity to enjoy each other's company and their remarkable journey of intellectual growth and maturation from, for many of them, the course of Kindergarten – 12<sup>th</sup> grade in our school.
2. Before the senior trip, in accordance with school policy, all students participated in an orientation session which stressed the need to behave maturely on the trip.
3. Before the senior trip, in accordance with school policy, each student -- and his or her parents -- signed a contract pledging, among other good behaviors, to observe all applicable rules and regulations and to be a proud ambassador for their families and school.
4. The group had made reservations on AirTran Airways Flt. 345. AirTran Airways is a wholly-owned subsidiary of Southwest Airlines. The two are still operating as separate carriers, though

in this report I will use both interchangeably. Flt. 345 was scheduled to depart at 6:00 AM on Monday, June 3.

5. For reasons beyond the scope of this report, AirTran struggles to get Flight 345 to depart on time; its on-time performance is 50 percent, one of the worst records in the system. It is not unreasonable to presume that Southwest has placed significant pressure on the flight crew to decrease the delays on the flight.
6. By all accounts, the gate area before boarding was chaotic. Flight 345, the first flight out from New York to Atlanta on Monday morning, is essentially a “commuter” flight. Southwest/AirTran had significantly overbooked Flight 345, with at least 50 passengers, many of them full-paying frequent fliers, told that they could not get off the standby list and would have to wait for the next flight at 8:10 AM.
7. At approximately 5:30 AM, the 101 students, accompanied by seven chaperones, began to board the plane. The seven chaperones had a median experience of 15 years in leading student trips. One of the chaperones is a military veteran with special forces training. Another one is a certified EMT. An eighth chaperone intended to meet the group in Atlanta and was not on Flight 345.
8. The plane for Flight 345 was a Boeing 737-700, with 12 business seats in Rows 1-3 and 125 coach seats in Rows 10-31. Therefore, the Flatbush group accounted for 108 of the 125 seats in coach.
9. Southwest/AirTran had assigned our chaperones to one seat in Row 12, five seats in Row 14 (there is no Row 13), and one seat in Row 15. Our students filled the five other seats in Rows 15 and every seat in Rows 16 -31, the furthest back row back in the plane.
10. The primary locus of the behavior which gave rise to this situation was in Rows 28-31.
11. At approximately 5:40 AM, while some passengers were still boarding and before the cabin door had closed, the flight crew directed the passengers to turn off all cellphones, MP3 players and other electronic devices (the “First Directive”). By this time, all of our students were in their seats and the aisle was clear and no student was speaking on his or her cellphone (a circumstance aided by the fact that there aren’t that many people to talk with that early in the morning).
12. A couple of minutes later, at approximately 5:42, the flight crew repeated their instruction to turn off all electronic devices (the “Second Directive”). At least three students in Rows 28-31, however, instead switched their cellphones to “airplane mode” and continued to listen to music, believing it was permissible to do so while the cabin door remained open.
13. At no time did the students disrespect the flight crew in words or tone – beyond not immediately complying with the First and/or Second Directives to turn off all electronic devices.
14. Immediately after the First Directive, when a dialogue between a flight attendant and a student indicated that the student had not complied, chaperones offered to assist the crew in securing full compliance. The flight attendant declined this offer, on the grounds that all passengers needed to remain seated to help advance takeoff. A chaperone then asked the flight attendants to identify any students who were not complying and the attendants were either unable or unwilling to do so.
15. Immediately after the Second Directive, a flight attendant asked two students to deplane.

16. Immediately after the Second Directive, another flight attendant visited the cockpit. At approximately 5:45, the captain/pilot announced on the public address system that poor behavior by students would not be tolerated.
17. In response, the lead chaperone arose from his seat to instruct all students to be still and “as quiet as mice” until the flight took off. Barely had he finished his sentence when, at approximately 5:47, the captain/pilot returned to the public address system to order the entire school group to deplane.
18. The pilot never left the cockpit and instead relied throughout upon the reports of the flight attendants. Had he checked the cabin after his first announcement, he would have seen that everyone in our group was seated, attentive and compliant.
19. For purposes of this report, I do not reach whether the flight crew had the legal authority to order the students to deplane.
20. As the students deplaned, the pilot explained to the lead chaperone that the actions of the students with the plane on the ground, as reported to him, had caused him to lose confidence in the capacity of our students to behave safely in the air.
21. Three separate Southwest ground professionals, on separate occasions, appealed to the pilot to reverse his decision and allow the group to fly on to Atlanta. The pilot refused.
22. By all accounts, all of our students got off the plane quietly and in an orderly manner, even though they were bewildered and upset. The lead chaperone spoke politely with captain/pilot and crew and stressed that, although we disagreed with pilot’s decision, we respected the decision.
23. After our students were forced to deplane, more than fifty standby passengers waiting at the gate were allowed to board the plane.
24. The Southwest ground crew, with extraordinary diligence, rebooked the entire group, in different subsets, on alternative Southwest flights and routes to Atlanta.
25. Southwest has offered, to each of the students and chaperones, two round-trip tickets anywhere Southwest flies, a recognition of the inconvenience caused by Southwest.
26. After deplaning, a few students began to actively post details of their experience on social media sites. At least one student reached out to major media outlets, ostensibly to protest what had happened. There is no indication that Southwest was the source of any news story.
27. One student suggested to CNN and in social media posts that anti-Semitism must have animated Southwest’s decision. That assertion was repeated in many media outlets and seemed to be the primary driver of the story’s “pickup.”
28. We categorically affirm that anti-Semitism did not play any role in Southwest’s decision, however misguided it may have been. When our chaperones spoke with CNN, they expressly noted this point. This is the position of the Yeshivah of Flatbush and its trustees, officers and faculty.
29. Over the next three days, the students flew on a variety of different flights to get to Atlanta and then participated in myriad activities without incident. On the return flight, our students sat patiently in their seats during a one-hour delay at the terminal.
30. The 101 students who boarded the plane, individually and collectively, are a remarkable group of young men and women. Each was required to devote a minimum of 160 hours to community

service to graduate. I estimate that collectively the group devoted more than 2000 man-hours to Hurricane Sandy relief efforts, distributing food and clothing and easing the plight of hundreds of families of all religions, races and ethnicities. In previous class trip to locations ranging from the World Trade Center memorial to Washington and Albany to homeless shelters, there has not been a scintilla of questionable behavior.

31. Since its founding in 1927, the Yeshivah of Flatbush has stood for excellence, in education and values, inside and outside our classrooms. Good citizenship and courtesy are linchpins of our school experience, and we offer an intensive program of formal and informal learning, buttressed by modeling by our faculty, to reinforce these values. We are proud of our more than 2,200 students and 11,000 alumni who live these values day in and day out.

### CONCLUSIONS

1. Under all of the facts and circumstances set forth above, Southwest/AirTran abused its discretion in ordering any, much less all, of our students to deplane.
2. To the extent any of our students behaved in a way that was perceived by the flight crew to be disrespectful or disobedient, we apologize. We all recognize with reverence and humility the immense responsibility borne by the flight crew to keep all passengers and the aircraft safe and their efforts daily to do so.

### RECOMMENDATIONS

1. On all high school trips that use public transportation, there should be a minimum of 1 chaperone for every 12 students.
2. To the extent there is assigned seating on a mode of transportation, the school should request in advance that the chaperones be interspersed and evenly distributed among our students.
3. When traveling in a large group, if feasible avoid heavy business flight times, in particular the first flight of the work week.
4. In collaboration with our faculty and students, we should study and then develop a comprehensive communications and social media policy. Students as well as faculty and parents are representatives of the Yeshivah of Flatbush, especially when they are in the public eye. They need to keep that reality in mind and be responsible if and when they choose to participate with traditional media, social media, or online communities. Their postings in those media reflect upon – and impact – the reputation of our school.
5. Use this experience as a case study for discussion with our high school students, within our already robust emphasis on model behavior.

As an alumnus of the school (Class of 1976), I am highly confident that the next time you read in the news about the young men and women in the Class of 2013 it will be because of their contributions, in ways big and small, to the arts and sciences, to commerce, and to our communities of tomorrow.

We are a people for whom *Kiddush ha-Shem*, the sanctification of the Divine name, is not a theoretical construct but rather a daily operating principle. See, e.g., Leviticus 22:31-31. We vigorously teach our

students, across our formal and experiential curriculum, that ethical conduct drives *Kiddush Ha-Shem*. As educators and parents, our calling is to raise the normal to the exemplary.

Respectfully submitted,

/s/ Rabbi Seth Linfield  
Executive Director