

Flaherty assigned her own attorney in Abramson suit

BY CAROLYN JAMES

The Massapequa School District has authorized the hiring a separate attorney to represent Superintendent of Schools Dr. Maureen Flaherty in a lawsuit lodged against her and other members of the district, by employee Arlyn Abramson. Flaherty, who was suspended by the board for unrelated matters in late June, is represented by Rondiene Novitz of Cruser, Mitchell and Novitz of Melville. The school board, and Dr. Charles Sulc, acting superintendent, are represented by Steven Stern of Miranda, Sokoloff, Sombursky, Slone & Verveniotis of Mineola, who described the move separating legal counsel for the defendants as 'not atypical.'

"While the School Board passed a resolution approving this move, it was NYSIR, (the district's insurance carrier, New York State Insurance Reciprocal) that made the decision," said Mike Conte, a district spokesman. Conte added that the legal costs associated with the lawsuit are being paid by NYSIR under its contract with the school.

The Abramson lawsuit alleges, among other things, that Flaherty made sexual overtures to her and that she and Sulc violated her First Amendment rights and right to practice her religion. (See *Massapequa Post*, June 27). It also charges that the district failed to report a suspected 2004 incident of sexual abuse by a teacher against a student.

The New York State Department of Education has confirmed, however, that the district filed a complaint against a male music teacher, who left the district in November 2004. A spokesman for the department said that their investigation did not produce evidence to support removal of the teacher's credentials.

In related matters, the school district continues to decline to discuss why it moved to suspend Flaherty. Conte cited privacy and legal concerns again this week, but offered a public statement earlier that the move, which came as a surprise to the community, had nothing to do with sexual misconduct, child abuse or theft of funds.

While no one from the district would discuss the case, other sources said the district's list of complaints against Flaherty total more than two dozen and include allegations that Flaherty was insubordinate. That stemmed from what one individual described as a power struggle between the embattled superintendent and then school board president Arlene Martin. Martin lost her bid for reelection and stepped down days after she voted to suspend Flaherty. Charges include that Flaherty was disrespectful to Martin, used foul language and hung up on her during a heated telephone conversation.

Flaherty is represented in the district's action to oust her by Barry Peek of Meyer, Suozzi, English & Klein. Peek also declined to discuss the charges against his client.

"I am preparing my defense so it is not in my client's best interest to talk about it," said Peek. "I am not a person who tries his case in the newspapers."

Peek added that his client denies the charges, however, and that both sides would come together before a hearing officer.

One option the board has is to allow Flaherty's contract to expire in June; to continue to pay her her salary until that time and have Sulc continue in the capacity of Acting Superintendent. Once her contract expires, the district can then seek to name a successor. School officials would not say whether that was an option they are considering or how they intend to handle the situation. "I simply am not going to be debunking any and all of the rumors," said Conte. "That is not productive."

Peek said simply, "can't comment."

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