

[Legal Notices](#) [Rates & Forms](#)

[Lawsuit filed last month under the state's whistle blower act, a former Warwick schoolteacher is alleging she was stalked, harassed, and fired from the Warwick School Department for refusing to reduce a student's grade from an A to an N "not complete" in 2006.](#)

The suit was filed in Kent County Superior Court.

The change would have prevented a student who was vying for the position of valedictorian or salutatorian from losing out on either honor. (The student shared the salutatorian ranking with another.)

Mary Katherine O'Neill, a 30-year veteran of the Warwick School Department, was placed on paid administrative leave in May, just one day after appearing on a local television station where she discussed the grade tampering allegations.

"You don't get much more temporal proximity than that," said David Scher, a lawyer for O'Neill.

Temporal proximity is lawyer-speak meaning that the small time frame between her appearance on television and her being placed on administrative leave signals that the television appearance is the real reason she was eventually terminated by the school committee.

O'Neill was fired Aug. 21 by a unanimous vote of the school committee, which is also named as a defendant in the lawsuit.

Scher said that was an unconstitutional reason to fire O'Neill merely because she talked to the press. "The problem is that in America we still have freedom of the press. We still have free speech rights," said Scher.

But the administration maintains that she wasn't fired for going to the press.

"The only person who has made a connection between her being terminated and the criminal investigation was Mrs. O'Neill. We categorically deny that her participation in the criminal investigation had anything at all to do with her termination," said Rosemary Healey, the school department's personnel director during a telephone interview yesterday.

In her lawsuit, O'Neill also accuses Toll Gate principal Steven Chrabaszc of, on numerous occasions, stalking and threatening her. O'Neill believes the reason Chrabaszc was so upset with her was because she refused to partake in the grade-changing scheme.

The school administration said that O'Neill's claims couldn't be substantiated, and maintained that she was fired for reasons other than her whistle blowing. Healey wasn't at liberty to say why, in fact, O'Neill was fired due to state statutes, which prevent administrators from doing so.

The investigation done by the school department, the administration maintains, found O'Neill's claims that she was harassed and pressured to change grades were unsubstantiated.

Her lawyer disagrees.

"You have a police report in which the school department's personnel director (Rosemary Healey) admits that the rank of salutatorian had been promised to another student. I would think that's proof that there was pressure to change grades," said Scher.

Chrabaszc, for his part, refused to comment on these allegations when contacted for comment last week, other than to categorically deny them.

"I can't wait for this thing to get to court because she lied so many times and I can prove it," said Chrabaszc.

School Superintendent Peter Horoschak said their investigation could never find any proof that specific grades were changed.

But a police investigation into Toll Gate High School concluded recently, however, found it to be a very open question as to whether different formulas were used to calculate grades for different students—thereby favoring some and punishing others.

The lawsuit also alleges that Horoschak discussed O'Neill's termination with the press prior to her being notified.

Horoschak denied the allegation.

"I don't even see how that's possible," he said.

Healey said that very few teachers have been fired over the past five years or so. She said she could



Teacher says she was harassed, fired for exposing unethical behavior



recall three off the top of her head. She said it is procedurally "very hard" to fire a teacher. "It requires a very high standard of proof," said Healey.

Jim Ginolfi, the Warwick Teacher's Union President, who has only been in office for about 6 months but has been a part of the union leadership for years, said he couldn't remember any besides O'Neill. He admitted he'd need to double-check the issue.

The union is currently proceeding to arbitration over the issue of O'Neill's termination. The lawsuit also brings up the issue of O'Neill's termination being held during a secret session. The open records law allows for the subject of the potential disciplinary action to request the hearing be held in public. She was denied that right.

Healey said she was denied the right because it involved allegations against Chrabaszcz. Scher said the school department misinterpreted the law.

"Witnesses have no right to request a hearing be held in secret," said Scher.

Scher maintains that O'Neill was fired in order to shield Chrabaszcz from scrutiny and to sweep the grade tampering scandal under the rug.

"The administration was clearly protecting this guy (Chrabaszcz)," said Scher.

O'Neill is seeking to have her job reinstated, compensation for lost pay and benefits, seniority rights, compensatory damages and attorney fees.

The lawsuit has been referred to the school department's insurance company (AIG), which will respond to and handle the complaint, Healey said.

< **Next**
Prev >

[[Back](#)]