

SOUTHAMPTON SCHOOL DISTRICT

Retirement payout now a court dispute

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STAFF WRITER

A former assistant school principal in Southampton has been accused of taking an unauthorized retirement payout of more than \$40,000 in a deal worked out four years ago with the superintendent at the time without board permission, and the district is suing for repayment.

The payout was arranged in part to boost the pension of George Williams, a longtime school administrator. Williams, who is African-American, has denied any wrongdoing and has charged the district with trying to deprive him of benefits given white co-workers. He is seeking \$3.5 million in damages.

Jury selection in the civil lawsuit filed against Williams is scheduled to start today in U.S. District Court in Central Islip. School district representatives conceded the cost of the trial is likely to be greater than the amount of money they're seeking, but it is also clear their stance has been affected by instances of alleged financial wrongdoing in the Roslyn and William Floyd school districts.

"The school district felt strongly that it was wrong for these monies to be paid, and that's why it's taken this action," said Tom Volz, a Farmingdale attorney representing the Southampton district,

which Williams joined in 1996.

Williams retired from his assistant principal's post at Southampton High School in August 2000. He then signed an interim contract through Dec. 22, 2000 to do the same work. During this time, he received per diem payments, along with two payout checks on Sept. 1 — one check of \$19,355 for unused sick leave and another of \$21,330 for unused vacation days.

According to the district's lawsuit, the school board discovered the payouts in January 2001, when then-Superintendent Richard Malone tried to obtain board approval of the deal he made with Williams. The board refused and ordered an investigation, contending it had already denied Malone's request to make payments for unused sick and vacation days part of Williams' retirement package. Malone, who has since retired, insisted in an interview he was told by an attorney who then represented the district that the money could be paid to Williams as compensation for his work, but not as a retirement payout.

Williams' attorney, Frederick K. Brewington of Hempstead, defended the arrangement, noting his client took temporary reductions in his \$500 per-diem payments in return for the two lump-sum checks. He also contended white administrators received similar payouts and Will-

iams was the district's only black assistant principal at the time.

"He worked for the money — it was bargained for, it was agreed to, to enhance his retirement pay, as in the case of some white officials," Brewington said. "But he was treated differently."

Southampton's representatives deny any discrimination, saying that many other administrators received payouts, but the circumstances for them were different because the payouts were made under union agreements or as retirement incentives.

Greg Guercio, another of the district's attorneys, said, "Mr. Williams' charge of racial discrimination is simply a bogus effort against the district's effort to recover the money improperly received."

Under state rules, professional school employees who became part of the state's pension system before June 1971 may count payouts for unused sick and vacation days as part of salaries for the purpose of calculating pensions. Many school workers who joined the system after that date still get payouts, but may not count them toward pensions under a 1969 rules change aimed at curbing costs.

Southampton has informed the state's teacher retirement system that the payment in question should not be used in calculating Williams' pension.

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