

Superintendent gets pay hike, extension

By SAM MARX

On Monday, July 10, the Bedford Central school district board of education and administration met for their first meeting of the 2006-07 school year.

District superintendent Dr. Debra Jackson received a vote of confidence from the new board, with a contract extension to June 30, 2011. This included a three-year extension on her contract, which already had two years remaining. Her new salary for 2006-07 will be \$234,386.

"I think it's very exciting," said board president Brad Sacks. "It's a confirmation of the board's confidence in Dr. Jackson and her leadership, and what she's brought to this district over the years."

"Not only is this our confidence in our superintendent, but it's the confidence in the whole community that came together two years ago to pick Dr. Jackson," said board vice president Susan Elion Wollin.

Other key issues discussed included the ongoing repairs to facilities within the district and formation of board committees. Ms. Wollin and Barbara Grossman, both re-elected board members, were sworn into office, and board member Brad Sacks was voted president of the board. Ms. Wollin was named vice president of the board.

Dr. Jackson said the commons area in the high school should be finished by the fall, and windows were

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Shakeup at Bedford Hills Elementary

By SAM MARX, R.J. MARX
AND CAROLINE C. SHERWIN

The principal of Bedford Hills Elementary School was put on paid administrative leave, the district announced this week. Victoria Graboski was immediately replaced by Fred Merz, former part-time principal at Bedford Village Elementary School. The decision to replace Ms. Graboski comes as a result of an investigation into the failure by the principal to report alleged sexual abuse of a student.

"We've assigned the principal of Bedford Hills Elementary School an immediate leave of absence," said school superintendent Dr. Debra Jackson on Tuesday. "It's a personnel issue, and I'm bound by confidentiality and therefore limited in what I can share with the public. I will make every effort to provide the community with updates."

In addition, the board of education rescinded the tenure and extended the probationary periods of two teachers at the school. Jennifer Conte, an ESL teacher, and Regina Smith, an elementary consulting teacher, had been awarded tenure, which was to have gone into effect today, Sept. 1. Board president Brad Sacks said that both Ms. Conte and Ms. Smith have been placed on paid

administrative leave and their probationary period extended until Oct. 31.

The decisions are a result of an executive session discussion on Monday night, said Dr. Jackson. "Right now we're very concerned about a series of events that have occurred," she said.

"Last week information of a serious nature came to the attention of the district leadership and board of education," said Mr. Sacks, reading a statement at Wednesday's board of education meeting. "On advice of the district's legal counsel, we are unable to discuss the persons involved in this situation. However, we can indicate that certain allegations of a failure to report the suspected abuse of a child to appropriate authorities are being investigated. The personnel involved have been placed on administrative leave. The district will continue its active investigation of this matter."

The district did not indicate if other employees may be included in this investigation.

The Bedford police are working with the Westchester County district attorney's sex crimes division and several law enforcement agencies, including state, local, and federal, in

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Principal, teachers, are put on leave

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a search for a 27-year-old Bedford Hills man, Cesar Joel Sagustume-Morales, wanted on charges of sexual conduct against a 9-year-old child. Lt. Robert Mazurak of the Bedford Police Department said he could not confirm or deny that police had conducted conversations with the principal regarding the investigation last week. "Bedford police continue to investigate the Cesar Joel Sagustume-Morales incident. We continue to look for Mr. Sagustume-Morales as our main suspect, and we are working closely with the Westchester County D.A.'s office to resolve this matter.

"This is basically part of a wide-ranging investigation," said Lucien Chalfen, spokesman for Westchester County District Attorney Janet DiFiore's office.

"People have asked me to talk about who we've interviewed," said Lt. Mazurak. "I'm not going to comment on who we've spoken with regarding the incident on Aug. 17. The reason is that it's an open investigation. There's more to come. All of our energy here is focused on trying to find our suspect. That's where we're putting our main emphasis."

Mr. Morales is wanted on the charge of sexual conduct against a child in the first degree, a class B felony, following a report to police on Thursday, Aug. 17, by family members of the child, a 9-year-old girl.

"We are cooperating fully with [Bedford Police] Chief [Chris] Menzel and the authorities," said Dr. Jackson last week. "We are in constant communication. We are doing whatever we can do to help the child."

Transition plan



Victoria Graboski

four years in a variety of positions in New York and Connecticut.

"I support the kids coming back to school," said Dr. Jackson following Wednesday's board meeting.

"We're going to have a great opening, and we have great teachers who are going to provide a great education for Bedford Elementary School."

Anger, concern over incident

While Bedford Hills Elementary School was quiet on Tuesday, the week before the start of school, parents were buzzing with talk about the removal of Victoria Graboski as principal.

"My main concern is for the well-being of the child," said Martin Polley, a Bedford Hills Elementary parent. "As parents of children, the child's welfare is disturbing."

The incident has also caused all-around concern, as reported by a parent who said that some of the people who

psychologist Sharon Silverman said that she hopes in the focus on locating the perpetrator and upheaval of the board's decision regarding staff, that the professionals and the community remain focused on the little girl herself.

"She is in need of therapy to address the obvious trauma, also at this point in time, may be having feelings of guilt about the uproar and the dismissal have occurred due to her," said Silverman. "Is she being prepared to re-enter our school or another school?"

...any one that Ms. Graboski no longer works at the school, and referred calls requesting to speak to Ms. Graboski to the superintendent's office.

Ms. Graboski, reached at home, also said that she had been instructed to refer all calls to the superintendent's office.

In 2004, Victoria H. Graboski was named as the new principal of Bedford Hills Elementary School. She was previously employed for 16 years as a learning specialist and special class teacher at West Patent Elementary School before teaching at Bedford Hills Elementary School.

Ms. Graboski received her bachelor's degree in elementary and special education from Wheelock College in Boston, a master's degree in special education from the College of New Rochelle, and a second master's degree in educational administration from Pace University. She holds New York State permanent certification in special education, elementary education, and school district administration and supervision as well as New York State permanent certification in school administration and supervision. Her position as elementary principal was for a three-year probationary period beginning July 1, 2004, to June 30, 2007, which started at an annual salary of \$120,000 for the 2004-05 school year.

"We've made the first step to hire Fred Merz, who's a retired elementary school principal who served as principal at Bedford Village Elementary School last spring," said Dr. Jackson this week. "He'll be meeting with us at the building tomorrow. We're in the process of developing a transition plan."

Mr. Merz, along with serving as interim principal in Bedford Village, was principal of a grade three to six elementary school in Millbrook. Mr. Merz earned his B.A. at SUNY Cortlandt and his M.A. at the University of Bridgeport. He began his career as a physical education teacher in the Greene Central School District and

September 8 2006

Principal ignored parent's warnings, mother's concerns

By CAROLINE C. SHERWIN & R.J. MARX

Bedford police arrested Bedford Hills Elementary School principal Victoria Graboski on the morning of Friday, Sept. 1. Ms. Graboski was charged with failure to report a suspected case of child abuse/maltreatment, a violation of Social Services Law. According to the misdemeanor complaint against Ms. Graboski, on or about Dec. 21, 2005, the principal is alleged to have received information from a parent of a student at the elementary school of suspected child abuse.

"At the time the investigation was initiated, Ms. Graboski was the principal of the elementary school," said Lt. Ed Collins of the Bedford police. "An allegation of a failure to report suspected child abuse had been brought to the attention of the Bedford police."

The arrest is part of an ongoing investigation into the alleged sexual abuse of a 9-year-old Bedford Hills girl by Cesar Joel Sagustumtorales. Police are still searching for

Mr. Morales on charges of sexual conduct against a child, a class B felony.

On Tuesday, Aug. 29, Ms. Graboski was put on paid administrative leave. In addition, two teachers, Jennifer Conte, an ESL teacher, and Regina Smith, an elementary consulting teacher, had their tenure rescinded

and their probation periods extended. On Thursday, Aug. 31, three other school employees were placed on administrative leave. They have not yet been publicly named.

According to the misdemeanor complaint against Ms. Graboski, the principal was a school official and a

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District engages p.r. firm

By R.J. MARX

In the wake of the ongoing criminal investigation at Bedford Hills Elementary School, on Tuesday the board approved a resolution to engage the services of Zimmerman/Edelson Inc., a public relations and marketing firm. The decision came late Tuesday after an executive session discussion.

"Due to the exigencies of an ongoing criminal investigation into matters including members of the services staff, the district is in need of the services of a public relations firm,"

the board said in a statement.

The board of education authorized the superintendent to engage the services of the firm from Sept. 1. "We've authorized \$5,000 a month," said school board president Brad Sacks yesterday. "It's Sept. 1 through Dec. 31, a four-month contract, and we will review it after that. They come with high references; they're a well-known PR firm — they represent 25 school districts."

Mr. Sacks said that many school districts employ full-time public relations staff.

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Municipal ignored warnings, concerns

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mandated reporter pursuant to Social Services Law. As such, in the course of her duties at the school, she had "reasonable cause to suspect that a student in her school" was an abused child. The complaint states that Ms. Graboski received information from a parent of a student at Bedford Hills Elementary School that the victim had said to another student that she [the victim] was having sexual intercourse with an adult family member.

The complaint states that Ms. Graboski had information at the time that the mother of the victim had reported to the school "that her daughter was sad and acting differently at home. The defendant, in receipt of this information, willfully failed to call the New York State Central Register to report this information, did not contact law enforcement, and conducted her own investigation with school personnel."

The criminal charges against Ms. Graboski are a result of a joint investigation involving the Bedford police and the Westchester County district attorney's office. The Bedford Central School District continues to work with these agencies, said school board president Brad Sacks.

"We are doing our investigation, we are moving along slowly and diligently, and things are far from concluded," said Mr. Sacks yesterday. "We're on top of this, we're doing our job, and we certainly understand all of the dynamics and care very deeply of course about the family and our teachers."

In a statement sent to parents last week, Mr. Sacks said that the alleged abuse did not take place on school district grounds or during school district hours.

He added that the arrest is one step

the district attorney's office has taken in this matter. "It would be inappropriate to comment further while this matter is under investigation," he said. "When the school district is given permission by police and the district attorney's office to make more information public, it will be done immediately."

Ms. Graboski has been relieved of all her duties as principal of Bedford Hills Elementary School. The district is continuing its own investigation into this matter, which may lead to

further disciplinary action against Ms. Graboski, Mr. Sacks said.

"The events of this case are very unsettling and troubling to us all," Mr. Sacks said. "The safety and security of the children in our school district is our most critical priority."

Former Bedford Village Elementary School interim principal Fred Merz has been hired by the district as Bedford Hills Elementary School principal. "We were very lucky and fortunate to have him,"

said Mr. Sacks yesterday. "He's just a great guy."

Bedford police and the Westchester County district attorney's office sex crimes division are still investigating and seeking Cesar Joel Sagustume-Morales, who was last seen on Thursday, Aug. 17, prior to the girl's mother reporting the allegations of sexual abuse to police. Ms. Graboski was released without bail pending an appearance in Bedford Town Court on Thursday, Sept. 14, at 7 p.m.

Bedford Central hires public relations firm

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didn't have a 'pure' communications officer. Right now, it's like everyone's second job. Sometimes it can get secondary — but it can't be."

Mr. Edelson said that in terms of the current district investigation, the media and public will still be able to ask questions of the school board and administration. "It's our job to track them down when you need them," he Edelson said.

The firm, based in Great Neck, has numerous school districts as clients, including the Mamaroneck Public Schools, the North Babylon Public Schools, and the Bridgehampton Public Schools. "Our success in representing our clients has been based on the development of important contacts with the national and regional editorial community, broadcast and business press, as well as our working relationship with various

"We're putting a system of getting information out to the press, to the community, positive stuff, in a timely fashion," said Ron Edelson of Zimmerman/Edelson Inc. on Wednesday night. "This district

governmental bodies at the local, state and national levels," Zimmerman/Edelson states on their Web site. "Our philosophy and strategy revolves around having personal contacts with editors, writers, and governmental officials as well as understanding that there are many ways to accomplish our clients' objectives. We believe this approach has been critical in enabling us to achieve the marketing, public relations and advertising goals of our clients."

"It's some assistance in getting the right message out to the public," said Mr. Sacks. "They're entitled to information. They're our public. We want them to have all the information that's available. We have lawyers, auditors, accountants, it's another professional that's going to assist us in doing the best job."

'Don't blame us'

September 15
2006

By NEAL RENTZ

An attorney for Jennifer Conte, one of five Bedford Hills Elementary School teachers on paid leave, said Monday his client had done nothing improper in interviewing a student who was a sex abuse victim.

In another interview Monday, Ken Kurzweil, a former president of the Bedford Teachers Association, said the union was supporting the teachers.

*'She's a young woman
who depends on
her salary.*

*It's a very important
thing to keep her job.'*

— GEORGE SANTANGELO, ATTORNEY

Bedford police arrested the school's principal, Victoria Graboski, on Sept. 1 on a misdemeanor charge of failure to report a suspected case of child abuse/maltreatment, a violation of Social Services Law. According to the complaint against Ms. Graboski, on or about Dec. 21, 2005, the principal is alleged to have received information from a parent of a student at the elementary school about suspected child abuse.

On Aug. 29, Ms. Graboski was placed on administrative leave. Ms. Conte, an ESL teacher, and Regina Smith, an elementary consulting teacher, had their tenure rescinded and their probationary periods were extended. Two days later, three other school employees, who have not been named, were placed on administrative leave.

Ms. Conte's lawyer, George Santangelo, said his client "has done nothing wrong." He added that Ms. Conte has not been charged by the Westchester County district attorney's office, but has been cooperating with officials from the district attorney's office, as well as the school dis-

Teachers seek to retain positions

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Ms. Conte interviewed the young victim in December 2005 and reported back to the principal, Mr. Santangelo said.

"She was part of an investigation," he said.

The attorney declined to say what the student told her client during the interview.

Ms. Conte is being paid by the school district and is working on assignments from her home, Mr. Santangelo noted.

Ms. Conte had been given tenure earlier this year by the board of education. It was to have become effective on Sept. 1, but it has been rescinded, Mr. Santangelo said. Her probation period for tenure has been extended until Oct. 31, he noted.

Mr. Santangelo said if Ms. Conte lost her job in the district, she probably could not obtain a teaching position in the future.

"She's a young woman who depends on her salary," he said. "It's a very important thing to keep her job."

Union supports teachers

Mr. Kurzweil, who was president of the teachers union for 14 years through June, said current president Adam Yuro

asked him to assist the union in the current matter concerning the five teachers.

The union is strongly backing the teachers, Mr. Kurzweil said.

"We support the teachers in all ways," he said.

"All five of the teachers are dedicated, caring professionals," he said.

Mr. Kurzweil wanted to make clear that the teachers have not been suspended.

"The five teachers have not been suspended. They have not been accused of doing anything wrong," he said.

He added, "The district felt they had to do an investigation."

Mr. Kurzweil said he did not know how long the investigation would last and also said, "I can't talk about the specific details of the cases.

"It's something the district needs to do to protect the children and I understand that," he said.

Messages left for Michael Simco, head of the administrator's union, which includes Ms. Graboski, were not returned.

Superintendent comments

Bedford superintendent of schools

Debra Jackson said she could not reply to Mr. Santangelo's comments about Ms. Conte's interview with the student.

"I can't comment on that. The conversations are part of the investigation," Dr. Jackson said Monday.

Dr. Jackson agreed with the comments by Mr. Santangelo and Mr. Kurzweil regarding the status of the five teachers.

"The teachers are not suspended. They have been placed on leave of absence," Dr. Jackson said.

Asked to address the union's support of the five teachers, she said, "I'm aware of the teachers union's position on this," Dr. Jackson said.

Dr. Jackson said schools in the district do not employ social workers.

"We don't have social workers, we have school psychologists," she said, adding that a psychologist was on staff at the Bedford Hills Elementary School in December 2005.

The school psychologist, Kelly Cieszinski, was not at Bedford Hills Elementary School this week, and calls to her were referred to the district office.

September 15 2006

Emotions high at Bedford Hills

By ANN DENION HOSKINS

Emotions ran high at a meeting attended by more than 200 parents to discuss the recent paid "home assignment" of the principal and five staff members of Bedford Hills Elementary School.

On Sept. 1, just days before the start of school, principal Victoria Graboski was arrested and charged with failing to report a case of suspected child abuse, a misdemeanor. The alleged abuse took place off school grounds and did not involve any staff, Bedford Central School District superintendent Debra Jackson said. No charges have been brought against any other staff member, she said.

Describing the past three weeks as an "emotional roller-coaster ride," Dr. Jackson assured frustrated and sometimes tearful parents that "our goal is to give you as much information as possible." She was referring to events surrounding the alleged rape of a 9-year-old student by Cesar Joel Sagastume-Morales, a 27-year-old construction worker from Guatemala who lived near the school. The child's mother found lewd pictures of her on the suspect's cell phone, according to reports.

But aside from describing the extensive steps taken to provide counseling and to ensure that the students receive seamless instruction, the information Dr. Jackson

'We love the teachers here. Tell them we support them now more than ever.'

— JOE TORRES, BHES PARENT

could provide was scant. The school district's attorney, John Gross, outlined the laws that preclude district officials from discussing the case, and a panel of mental health experts were on hand to answer questions about how the news is being digested by the schoolchildren.

"We love the teachers here. Tell them we support them now more than ever," said parent Joe Torres to loud applause. But most of the comments expressed frustration and anger about a situation in which most of the facts have yet to be uncovered.

School board president Brad Sacks fielded a question from Sharon Silverman regarding the board's recent hiring of the Long Island-based public relations firm Zimmerman Edelson Inc. on a four-month trial basis at \$5,000 a month. "Was it in response to this?" asked Ms. Silverman.

"It provided the impetus to do something we've considered anyway," said Mr. Sacks. The board had previously discussed engaging the firm, which represents some 25 school districts, to provide information about positive things happening in the district, he said.

Dr. Jackson, who was also accompanied by a Spanish translator, said the children's welfare is her primary concern.

Staff and mental health experts compiled a list of answers to possible questions with the plan of letting the students broach the subject to avoid burdening them with more information than needed, she said.

Dr. Jackson had the protection of the children in mind when she decided not to send written information home to the parents via mail or the children's backpacks, she said. Any parent of a child whose teacher was put on home assignment received a call from the replacement teacher, but due to the late timing of the events that unfolded, the Sept. 7 meeting was the first and best opportunity to inform the other parents, she added.

"This affects the entire community," said parent Elizabeth Reed, who said she recently removed her daughter from the school for unrelated reasons. "It's like a family. When one person gets hurt, we all suffer."

Abuse case raises quality of life issues

September 22 2006

By R.J. MARX

The Bedford Town Board meeting was attended by dozens of Bedford Hills residents on Tuesday night, as the residents sought action on what they described as a deteriorating hamlet, with overcrowding, the stench of urine in public places, garbage in front yards, and dangerous living situations.

They said that the recent incident involving the rape of a 9-year-old girl mobilized them into seeking changes at a townwide level.

Bedford Hills resident Robert Luparello spoke on behalf of many of the residents at the meeting. "In light of some of the publicity that's happened in the last few days or few weeks, we wanted to address the board and start a process, start getting on the agenda to work with the town, talk about the occupancy

laws, how they're being applied in Bedford Hills," he said. "Are the police tied, with their hands behind their back; is the town tied; are these laws enforced?"

He said that he saw this as a safety issue, and one that could add burdens on police and fire departments. "Who's living in that dwelling at any given time or any given day? That's putting departments at risk," said Mr. Luparello. "Public drunkenness, people showing up at the wrong house because they heard they could stay at one of these houses.

"For the majority of the people who maintain their residences around these so-called illegal houses, it probably isn't fair to them," he said. "We all know about the situation with the rape — a child was involved. The people that live in

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Community responds to public outcry after abuse case

logue?

Ms. Roberts: There's Neighbors Link in Mount Kisco, which has a national support group, and I'm sure that there are other groups.

Q: Do you think some of the residents might be scared to come to the town? How would you encourage them to come out?

A: I don't know, I don't anticipate that a lot of them are scared. That's beyond the town's scope. I think we have to be open to talking to all people.

— R.J. Marx

...think in building

...no less jobs

...because there are different situations, although I'm confident in our enforcement — [code enforcement officer] Bill O'Keefe and [building inspector] Rick Megna are on it.

Q: Along with Steven Reddicker of Face to Face of Mount Kisco, who was at this meeting, who else would you like to see in this dia-

logue?

...every part of the community should come together, I would like to see landlords, I would like to see the board of health, as there are water and sewer issues.

Q: Does the town have a way to go in terms of slumlords? Do you

...Reddicker's remarks, and I think

...everyone, every part of the community should come together, I would like to see landlords, I would like to see the board of health, as there are water and sewer issues.

Q: Does the town have a way to go in terms of slumlords? Do you

...see for our community.

Q: Are you afraid this could tar-

...see for our community.

Bedford Central *September 29*
2006

District seeks 'closure' after abuse report

By NEAL RENTZ

The matter involving Bedford Hills Elementary School principal Victoria Graboski and five other educators who are on paid leave may be coming to an end as far as the Bedford Central School District is concerned.

The board of education has instructed the school district's attorney "to contact individual counsel [for each educator] and to come to some closure on this issue," board president Brad Sacks said. "We hope to bring it to closure shortly."

Mr. Sacks did not define what he meant by "closure," and he declined to provide elaboration during a brief interview on Wednesday.

Schools' superintendent Dr. Debra Jackson did not address the issue during the meeting.

Following a roughly 20-minute executive session Wednesday night, Mr.

Sacks said he hoped the matter could come to "closure" in the near future, but he did not provide specifics about which steps the board would take to resolve the educators' status.

Bedford police arrested Ms. Graboski on Sept. 1 on a misdemeanor charge of failure to report a suspected case of child abuse/maltreatment, a violation of Social Services Law. According to the complaint against Ms. Graboski, on or about Dec. 21, 2005, the principal is alleged to have received information from a parent of a student at the elementary school about suspected child abuse.

On Aug. 29, Ms. Graboski was placed on administrative leave. Two teachers, Jennifer Conte and Regina Smith, had their tenure rescinded and their probationary periods extended. Two days later, three other school employees,

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District seeks 'closure' after abuse report failure

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 who have not been named, were placed on administrative leave.

Mr. Sacks acknowledged that several supporters of the principal were in attendance during the meeting. About 14 parents and educators came, armed with posters with such phrases describing the principal as an "Exemplary Educator," "Dedicated Professional," and "Valuable Incredible Caring Kind Integrity."

"There's a lot of folks here about the ongoing Bedford Hills situation," Mr. Sacks said.

Some of Ms. Graboski's supporters addressed the board and administrators during the public forum portion of the meeting. They said the board should not consider firing the principal until her case was determined in the courts.

Danielle Levin, who has been an educator in the district for 16 years,



NEAL RENTZ PHOTO

Some of the roughly 14 parents and educators who came to support Bedford Hills Elementary School principal Victoria Graboski at Wednesday's board of education meeting. The sign says "I am interested."

educator whose contributions to the district have been enormous," Ms. Levin said. "During her two years as principal Vicki was responsible for many accomplishments. One of the most important has been leading by example."

The board should not consider firing Ms. Graboski at their next regular meeting, on Oct. 11, Ms. Levin said. Instead the trustees should not take action "until her legal case is completed."

During an interview after she left the meeting, Ms. Levin said she did not know if the school board was going to fire Ms. Graboski. ESL teacher Ms. Moran gave the board several "character letters" from those supporting the principal. "There are many more to come," Ms. Moran said.

Following the comments made by Ms. Graboski's supporters, Mr. Sacks said, "We do appreciate as a board statements made and said he and his colleagues would "take appropriate action," but did not spell out what action would be taken.

Graboski gets the boot at Bedford Hills

October 13 2006

By NEAL RENTZ

The end of the Bedford Hills Elementary School career for principal Victoria Graboski, who has received vocal support from teachers, came quietly Wednesday night.

The Bedford Central School District Board of Education, without comment, voted unanimously to terminate her probationary appointment effective Nov. 10. She will continue to be paid through Nov. 10.

In interviews minutes before the start of Wednesday's meeting, superintendent of schools Dr. Debra Jackson and school board president Brad Sacks would not give details about why the board decided to fire Ms. Graboski, even though she has not been convicted of any crime.

Bedford police arrested Ms. Graboski on Sept. 1 on a misde-

meanor charge of failure to report a suspected case of child abuse/maltreatment, a violation of Social Services Law. According to the complaint against Ms. Graboski, on or about Dec. 21, 2005, the principal allegedly received information from a parent of a student at the elementary school about suspected child abuse.

On Aug. 29, Ms. Graboski was placed on administrative leave, with pay.

The attorney for Ms. Graboski, Keith McMillan, planned to seek a dismissal of her case in Bedford Town Court.

The arrest of Ms. Graboski followed an ongoing investigation into the sexual abuse of a 9-year-old Bedford Hills girl, who attended

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District fires Graboski as school principal

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Bedford Hills Elementary School. The suspect, Cesar Joel Sagastume-Morales, is still at large.

Mr. Sacks said Ms. Graboski will be relieved of her duties next month as a "result of the ongoing investigation and the recommendation of the superintendent."

He said the board was "not driven by court cases or court actions. We work independently from the court, and it's the superintendent's recommendation that this action be taken now."

Mr. Sacks declined to say why Dr. Jackson requested that Ms. Graboski should lose her job. "That's a personnel issue regarding that, and regarding her reasons and thoughts, that is really a confidential personnel matter," Mr. Sacks said.

"Personally, for me, it is a sad day," he said. "In fairness to Ms. Graboski, based upon the fact that there is still an ongoing criminal case, I think it would be improper to make any further comments on the situation."

teachers and parents came to support Ms. Graboski, none of her supporters came to Wednesday's meeting to comment on the matter.

Dr. Jackson said that she wanted to tell Ms. Graboski's supporters that "it's a personnel matter. It cannot be discussed. And court matters are court matters and school matters are

school matters."

When asked if it was unfair to let Ms. Graboski go even though she has not been convicted of a crime, Dr. Jackson said, "Probation of non-tenured staff has a standard that allows us to do a continual evaluation. We make that decision based on that evaluation."

A hard day for Vicki, says attorney

This has been a hard day for Vicki, said her criminal attorney, Keith McMillan, on Thursday the day after her termination by the Bedford Central School District. Mr. McMillan said that Ms. Graboski's being represented in the termination case by another attorney, who could not be reached by press time.

"This has no impact on my case, but it causes problems for me," she said. "I'm not sure if it's a personnel matter or a court matter, but it's a hard day for me."

Mr. McMillan said that he and his client were hopeful of success in criminal court. "We're optimistic our motion to dismiss will be successful. We just have to wait to see what the judge says."

Caroline C. Sherwin

Dr. Jackson said the public might receive some information about the matter involving Ms. Graboski in the future. "There may be information available eventually, but any information that involved children or involved personnel matters would not be made public. "It would have to be when this situation was settled, and that may be some time," she said.

Unlike her Sept. 14 court appearance, when she was accompanied by several teachers, and the Sept. 27 school board meeting, when several

led to sexual abuse

October 27 2006

By CAROLINE C. SHERWIN

A week after former Bedford Hills Elementary School principal Victoria Graboski said that she was not to blame for the failure to report suspected sexual abuse, the district attorney's office shot back that it was Ms. Graboski's conduct that led to the repeated sexual assault of a Bedford Hills girl.

Westchester County District Attorney Janet DiFiore's office responded to Ms. Graboski's attorney's motion to dismiss the charges leveled against her. In the eight-page document, Assistant District Attorney Courtney Johnson states, "As a result of Ms. Graboski's failure to report the suspected child abuse, the victim continued to be sexually assaulted repeatedly over the eight months following the victim's disclosure." The charges were filed by the district

attorney recap the timeline leading to the arrest of Ms. Graboski on Friday, Sept. 1, by the Bedford police. The arrest was part of the investigation into the reported sexual abuse of the 9-year-old victim. The suspect, Cesar Sagastume-Morales, is still at large and believed to be in Guatemala. Ms. Graboski was arrested after an investigation determined that she had failed to report the abuse to appropriate authorities after learning of the abuse from a parent of another student in December 2005. Ms. Graboski's lawyers said last week that since the information came from a fourth party — the parent — there was no legal requirement for her to report.

According to the district attorney's report, a friend of the victim had been playing on the playground of the elementary school when the victim said

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that her "father liked to have sex with her." At a slumber party the next evening, which the victim did not attend, the same child and her friends discussed what the victim had said. The child's mother heard about this and passed the information on to Regina Smith, a consulting teacher, further stating that another mother had heard the same account from her child. Around the time of the mother's reporting the playground incident to the teacher, a parent-teacher conference was conducted with the victim's mother. "The mother inquired as to whether her child was acting differently at school, because the child was acting sad at home," the district attorney says in the affidavit. "The teachers told the mother that she appeared happy at school and was progressing academically." Following the conference, Ms. Smith repeated what she had been told by the concerned parent to the attending teachers at the conference.

The concerned mother also told the district attorney's office that she had shared this information with two other mothers. One of the other mothers confirmed that her daughter had also told her that the victim had disclosed the report of sexual abuse.

Ms. Smith told Ms. Graboski, who had not been at the school during the previously described events, what she had been told by the concerned parent.

"Ms. Graboski did not report the suspected child abuse," the papers stated. "Instead, on Dec. 21, 2005, she contacted the concerned mother by phone, who related the events directly to Ms. Graboski. Soon after, rather than report the suspected abuse as required, and permit Child Protective Services to investigate, she began a misguided personal investigation into the suspected abuse." An investigation was begun by Ms. Graboski, which included five employees of the elementary school.

Shortly after speaking with the concerned mother, a teacher who had attended the parent-teacher conference told Ms. Graboski what the vic-

tim's mother had said about her daughter's behavior. "Even after Ms. Graboski pieced together this newly acquired knowledge with the fact the victim had disclosed the recurring abuse, she yet again failed to report the suspected child abuse," the papers stated. On Aug. 17, the victim's mother contacted police after she discovered Mr. Sagastume-Morales had been sexually abusing the victim. Arrest warrants were immediately issued for Mr. Morales, who fled the area.

"On or about Aug. 22, Ms. Graboski went to the police station to discuss the events," the papers stated. "After having been advised of her Miranda rights, she requested an attorney,

refusing to make further statements. On Aug. 24, she called the police, informing them that she had typed out a statement and would drop it off. She was advised to seek counsel and that normal police procedure was to have people come to headquarters and provide statements directly. The following day, Ms. Graboski arrived at headquarters and delivered her personal typed statement of the events. She was arrested on Sept. 1 and charged with willful failure to report a case of suspected child abuse, as mandated by Social Services Law. Since her arrest, Ms. Graboski has appeared in Bedford Town Court with her attorney Keith McMillan, of Bailly and McMillan. Mr.

board president Brad Sacks said the trustees would not deal with all five teachers at one time. "From the moment we were made aware of the events regarding the failure of certain members of our school district to report the alleged sexual abuse of a child in our community, this board has been focused on investigating and resolving this issue," he said. "Our actions have been guided by two clear and uncompromising principles — that the safety and welfare of our children are paramount, and that our educators must demonstrate, in all their interactions with our children, sound judgment and professionalism."

"Approximately three weeks ago, we directed our attorneys to meet with counsel from the school district personnel involved in these events to review the district's conditions for their return to classroom assignments," Sacks said. "We believe that discussions were progressing in a resolution, approximately two weeks ago, in the

McMillan says that she is not guilty and did nothing wrong, as the information came to her through a fourth party, the concerned parent. He also stated there was no reasonable cause to report the alleged abuse. On Thursday, Oct. 19, Mr. McMillan and the prosecuting attorney, Assistant District Attorney Audrey Stone, appeared before Bedford Town Justice Kevin Quaranta, who received Mr. McMillan's reply to the district attorney's opposition to the dismissal of charges. Justice Charles Banks is expected to make a decision on the motion to dismiss after Ms. Stone submits a response to the latest motion to dismiss from Mr. McMillan.

District to consider each case separately

continue their individual legal representation and enlist a teachers union representative to represent them collectively.

"Please be assured that this change in teacher representation does not change our position — that the appropriate terms and conditions for each of these teachers' return to service must be addressed on an individual basis."

Mr. Sacks said no resolution regarding the teachers' situation has been reached.

"We look forward to a definitive response from the union representatives. It is important to make clear that the decisions in this matter are the province of education officials, not the board of education."

We have established a definitive policy for the board of education in the future. We will be employing that policy in the final outcome of this case. We will be employing that policy in the final outcome of this case. We will be employing that policy in the final outcome of this case.

Two teachers will return to Bedford Hills

November 4, 2006

By NEAL RENTZ

Two of the five Bedford Hills Elementary School teachers who have been suspended since just before the start of the school year will be returning to the classroom next week, while another educator has resigned.

Following a roughly two-hour executive session at the Bedford Central School District administration building, the board of education on Thursday night voted unanimously (with trustee Mark Chernis absent) to allow Regina Smith and Jennifer

Conte to come back to the classroom next Monday. The probationary period for tenure for Ms. Smith and Ms. Conte was extended to June 30, 2007.

The board also voted unanimously to accept the resignation of ESL teacher Karen Dakin, which will be effective Nov. 27.

The trustees did not determine the

fate of the two other teachers, but will attempt to by next week, board president Brad Sacks said.

The teachers were suspended with pay just days before the beginning of the 2006-07 academic year during the district's investigation of why

staff at the school failed to report a suspected case of child abuse/maltreatment involving a 9-year-old pupil. At their Oct. 11 meeting, the board fired principal Victoria Graboski, who will continue to be paid until next Friday, Nov. 10.

In September, Bedford Teachers Association president Adam Yuro

demanded that the teachers, who are on paid leave, be immediately returned to the classroom.

Last week, the five teachers chose to have an attorney from the teachers union represent them collectively. But Mr. Sacks said the move did not mean that the trustees would stray from their policy of dealing with

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'We're happy to have Regina and Jennifer back in the classrooms and we look forward to their return on Monday.'

— BOARD PRESIDENT BRAD SACKS

Kaplowitz says it's going ailer system'

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member item funds while not taking stands on many important issues. Mr. Leibell "brings back checks, makes people feel good, spreads that around, but takes no positions on any controversial issues," Mr. Kaplowitz said. Mr. Leibell's record reflects "very little accomplishment," he said.

He was especially critical of how Mr. Leibell used \$5.5 million in member item money for two foundations he created to build affordable housing. "Five years into it, you've built 24 units that cost \$3 million," Mr. Kaplowitz said. "You're telling us there's more units to come. There's been vacant land ever since. You ripped off the Putnam County taxpayer by buying 40 acres of land for \$150,000 ... There was an offer for \$300,000. You then sell 8.8 of those acres to the [Putnam Community] hospital for \$1.1 million when the hospital was on the balls of their feet."

"I'm calling on him to give back the land to the county because he's not using it," Mr. Kaplowitz said. "It's an Enron-style financing with no disclosure until people question him on it and he attacks the messenger."

"Why is he doing this? Why is he setting up personal foundations with the ostensible purpose of the transferring of taxpayer dollars?" Mr. Kaplowitz said, adding that Mr. Leibell has set up a total of five foundations.

"I'm saying this smells," he said. "He has used these dollars as if it's his own piggy bank, and appropriating these dollars in an unsenatorial fashion, in ways that are secret, where there's no check and balance. There's no Legislature that decides that this is appropriate or not appropriate. And it's emblematic of exactly what's wrong with Albany."

Mr. Kaplowitz stressed that member item funds should only be distributed for programs in a state legislator's home district.

To those who say "everybody does it" regarding the use of member items, Mr. Kaplowitz said, "and everybody's wrong."

"I'm running against Albany to reform Albany. I working with minority members in the Senate, that will hopefully become the majority, and with a new governor to say we must change Albany now, that the way work is being done by Republicans and Democrats is wrong. This is wrong across the board," Mr. Kaplowitz said.

The current \$200 million member item allocation should be cut in half, he said. "I want to do away with \$100 million of what I'm considering the worst of pork and the trichinosis that we're all getting," he said. "I believe that there's a waste of money, that's my basic point."

Under his system, worthy projects would continue to receive member item money, Mr. Kaplowitz said.

"Why are you giving our money away" to groups and programs outside the district, Mr. Kaplowitz asked Mr. Leibell rhetorically. "Why isn't he doing it through the process." Rather than member items, funding for programs outside a legislator's district should be a line item in the state budget, Mr. Kaplowitz said.

Mr. Kaplowitz has been critical of Mr. Leibell's distribution of previously undisclosed member item money to Sienna College in 2004, the year one of the senator's sons enrolled there. "He never gave money to Sienna before," Mr. Kaplowitz said, noting that he first learned about the money for the college in an article published by the Albany Times Union.

Mr. Kaplowitz said 36 percent of Mr. Leibell's \$1.4 million member item funds in 2004 were distributed to his foundations, but added that many positive programs received much of the rest of the money.

Public disclosure about how mem-

ber item funds are being spent is just one of the changes Mr. Kaplowitz would seek in the member item system if elected next month.

Under his proposal, every member of the Senate and Assembly would receive the same amount in member item dollars. The current system provides more money to "major members," Mr. Kaplowitz said.

"For 60 days before an election you turn the spigot off to avoid the appearance of impropriety," he said.

Mr. Kaplowitz said he would be the only legislator to give residents in his district the opportunity to say where member item funds should be spent. Residents would state where the money should go via his Web site, he said. After receiving the responses, a committee of nine individuals would make recommendations of how the member items funds should be spent and he would make the final decisions, Mr. Kaplowitz said.

Mr. Kaplowitz said every year he would disclose information on why he made his decisions on the allocation of the member item funds through mailings and on his Web site. "It's a process of trying to restore some confidence," he said.

Member items is only one area of reform needed in Albany, he said. Mr. Kaplowitz is advocating the creation of Assembly-Senate conference committees, which would work out differences in legislation, with the revised proposed laws sent back to each chamber for final votes. The current system sends legislation to rules committees, which have bottled up worthy proposed laws because they have not been supported by the leadership in one of the houses of the Legislature, he said.

Though the last two state budgets were passed by the Legislature before the April 1 deadline, after years of being approved weeks or even months late, Mr. Kaplowitz was

unimpressed. "It's a Band-Aid on a patient with cancer," he said, adding that Governor George Pataki vetoed portions of the two on-time budgets.

Mr. Kaplowitz wants the law to be changed to move up the date for the Legislature's passage of the annual budget from April 1 to May 1 and to have the state fiscal year begin on July 1.

Though Mr. Leibell has touted legislation passed last year to reform how state authorities operate, it did not go far enough, Mr. Kaplowitz said. Additional legislation in the area proposed in 2006 did not go to the full Senate, even though Mr. Leibell chairs the committee that oversees authorities, Mr. Kaplowitz said.

The current format of having local property taxes fund public schools must be altered, he said. "People can't afford to live here," Mr. Kaplowitz said. "I absolutely support, and will actively promote, a hybrid funding source." Currently, while there is state aid for schools in a form of a hybrid system, Mr. Kaplowitz said income taxes should make up a larger share of school revenues. "I am urging a much more substantial piece of the state piece, which is progressive and which you could spread out now over more than just senior citizens and more than just people living in the community." Mr. Kaplowitz said income taxes are fairer because they are progressive.

Though Mr. Kaplowitz said he has not made personal attacks against Mr. Leibell, he did say this has been a tough campaign.

"I have been hard-hitting and critical in calling him an 'ineffective, unfocused legislator,'" Mr. Kaplowitz said. "Everything I see leads me to believe that I should remain, on behalf of people and on behalf of this campaign, continually critical. And if he takes that as negative and ugly, I'm not name-calling, he is."

Bedford Central teachers' board, hold no-confidence vote

By NEAL RENTZ

While a highly anticipated midterm election was held nationally on Tuesday, another ballot was taken on the same day in the Bedford Central School District.

Members of the Bedford Teachers Association received "no confidence" ballots on Tuesday, seeking the educators' response to how five Bedford Hills Elementary School teachers have been treated by district officials.

In a Nov. 1 memorandum to all BTA members, union president Adam Yuro sharply criticized the district's handling of the matter. Mr. Yuro stated that the board of education trustees should resign over the handling of the matter.

On Nov. 1, the board agreed to have Bedford Hills Elementary School teachers Regina Smith and Jennifer Conte return to the classroom on Monday, at different schools. Ms. Smith is now teaching at Bedford Village Elementary School and Ms. Conte has been reassigned to Mount Kisco Elementary School.

Also on Nov. 1, the board accepted the resignation of another teacher, Karen Dakin.

The teachers were suspended with pay just days before the beginning of

November 10 2006

the 2006-07 academic year during the district's investigation of why staff at Bedford Hills Elementary School failed to report a suspected case of child abuse/maltreatment involving a 9-year-old pupil. At their Oct. 11 meeting the board fired principal Victoria Graboski, who continued to be paid through today, Nov. 10. The board has not yet determined the fate of the other two teachers who were also suspended with pay.

'We are appalled with the board's decision and subsequent conditions in which the teachers may return to work.'

— ADAM YURO

"Five members of the Bedford Teachers Association were mandated to home assignment at the beginning of the academic year by the school district while the administration and board of education conducted an

'investigation' connected to the matter of reporting the alleged sexual abuse of a child," Mr. Yuro stated in the letter. "Based on the findings of this so-called investigation, which concluded last month, the Bedford Central School District board of education has determined that the five teachers exercised a lack of judgment in not ensuring that there was a filing of a report of suspected child abuse to Child Protective Service and/or the superintendent of schools. Four of the five teachers were offered reinstatement pursuant to the signing of documents with conditions set forth by the school district. The Bedford Teacher Association couldn't disagree more strongly with the board's conclusions."

Mr. Yuro said that the educators did nothing improper. "We are appalled with the board's decision and subsequent conditions in which the teachers may return to work. We believe that these five teachers are being treated unfairly by the school district and are being used as scapegoats," he wrote. "In fact it is the board of education that has violated state law, not our members."

Mr. Yuro quoted state law as mandating that the board of education must
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Teachers group says board acted wrongly

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dating school districts to "develop, maintain and disseminate written policies and procedures pursuant to ... the mandatory reporting of child abuse or neglect, reporting procedures and obligations of persons required to report, provisions for taking a child into protective custody, mandatory reporting of deaths, immunity from liability, penalties for failure to report and obligations for the provision of services and procedures necessary to safeguard the life or health of the child ... and establish, implement on an ongoing basis, a training program for all current and new school officials regarding the policies and procedures established pursuant to this section."

But the district has not followed the law, Mr. Yuro stated. The district "has not developed, maintained or disseminated ANY policies or procedures on this matter," he wrote. The district also "has NOT trained any of its employees. If anyone should be coerced into signing a document, it is the board members who should sign letters of resignation for their failure to develop, maintain and disseminate written policies and procedures that would deal with matters such as the one described above."

Mr. Yuro further stated, "The Bedford board of education has acted like prosecutor, judge and jury with the five teachers of Bedford Hills Elementary School. It is because of the school board's erroneous behavior toward these five teachers that the Bedford Teachers Association is calling for a 'no confidence' vote."

In an interview Monday, Mr. Yuro said Ms. Smith and Ms. Conte did not admit wrongdoing when they agreed to the district's terms to come back to the classroom. "The teachers

are not admitting blame," Mr. Yuro said. "They didn't have any reasonable cause to suspect any kind of mistreatment, of any form, with this child."

"They were acting within the law," he continued. "They took care of their legal responsibilities." Had the educators suspected maltreatment of the pupil, "they would have acted differently," he said.

Mr. Yuro declined to say what the union would do after the "no confi-

dence" ballots were tallied until after their executive committee discussed the matter.

He said it was not fair that Ms. Smith and Ms. Conte were not allowed to go back to their Bedford Hills Elementary School classrooms. "The teachers and the children are missing out," he said.

Mr. Yuro declined to discuss the terms that Ms. Smith and Ms. Conte accepted to enable them to go back to the classroom. "I can't divulge

that," he said. He said he did not know if Ms. Dakin would seek to sue the school district. "She hasn't said anything like that to me," he said.

The final tally of the ballots was not completed because the voting did not take place until Wednesday at Fox Lane High School, Mr. Yuro said Wednesday. But 65 percent of the ballots have been counted and "they're overwhelmingly no confidence," he said.

School board seeks 'just resolution'

By NEAL RENZI

In response to the unions' memorandum of "no confidence" in the board of education, released a state month of its own on Tuesday.

It is unfortunate that the union leadership asked its membership to vote on a subject without knowing the full facts of the situation, board president Brad Sacks stated. Mrs. Sacks stated that the educators should have been aware of the regulation regarding the reporting of possible child abuse.

"This situation has always been about whether these teachers should have demonstrated better judgment in regards to their reporting responsibilities," he stated. "There has never been a question of whether these individuals knew what was required under the law. They are all certified teachers. To receive their State Education Department certification, each had to complete a two-hour course on

reporting responsibilities.

"Our decision to offer certain of these teachers terms for their return to active classroom service came only after we concluded a thorough investigation and considered all the facts as they became known to us," he continued. "We would have liked to share this information, but as we have consistently stated in the past, and as the union leadership well knows, we cannot. This is in deference to legal privacy issues as they relate to the young girl and to the teachers involved."

"The board had only one agenda in coming to its decision — that a fair and just resolution be reached that acknowledges the gravity of this situation and the impact our decision would have on everyone involved," Mr. Sacks stated. "We have always treated our teaching staff with fairness and dignity, and believe our actions in this situation

support that position.

"Our teaching staff comprises the best in the profession. We do expect them, as does the community, to demonstrate sound judgment, especially when it comes to the safety and welfare of our children. That is what guided our actions in this case, and what will continue to be the foundation of any future actions we might take."

In an interview Tuesday, Mr. Sacks reacted to the teachers' vote. "As far as the board is concerned, no matter what the vote is the board has a vote of confidence in the teachers," he said. "That's how we've always felt. It's been a difficult situation."

Mr. Sacks said the status of the two remaining teachers could be determined by next week. "We could announce it on the 15th [of November]," which is the date of the board's next regular meeting, he said.

Bedford Central

'Climate of fear' distresses teachers

November 17 2006

By NEAL RENTZ

Flanked by about 50 teachers and other supporters, the president of the Bedford Central School District's teachers union blasted district officials Wednesday about their dealings with five Bedford Hills Elementary School teachers who were put on paid home assignment just prior to the start of the school year over their handling of the investigation of child abuse/maltreatment involving a 9-year-old pupil last year.

Adam Yuro read a seven-page statement during the public comment period of the board of education meeting at the Fox Lane Middle School Little Theater, in part saying the school district had "a climate of fear" regarding teachers' relationships with district officials, a charge

that was vigorously denied by board president Brad Sacks.

On Nov. 1, the board agreed to have teachers Regina Smith and Jennifer Conte return to the classroom last week, at different schools. Ms. Smith is now teaching at Bedford Village Elementary School and Ms. Conte has been reassigned to Mount Kisco Elementary School.

Also on Nov. 1, the board accepted the resignation of another Bedford Hills Elementary School teacher, Karen Dakin.

Mr. Sacks noted Wednesday that the board has yet to take action regarding the two remaining Bedford Hills Elementary School teachers, who have not been publicly identified.

The teachers were suspended with
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Teachers blast board for 'climate of fear'

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pay just days before the beginning of the 2006-07 academic year during the investigation of why staff at the school failed to report a suspected case of child abuse/maltreatment in December 2005.

The board fired principal Victoria Graboski on Oct. 11. Ms. Graboski was paid through Nov. 10.

Mr. Yuro was flanked by the roughly 50 teachers, many of whom were holding signs with such phrases as "No Confidence," "BOE Take Responsibility Now," and simply, "Take Responsibility."

Mr. Yuro said Wednesday district officials were wrong in how they treated the five teachers who were removed from Bedford Hills Elementary School.

Last month, the board of education "determined that the five teachers exercised a lack of judgment in not ensuring that there was a filing of a report of suspected child abuse to Child Protective Services and/or the superintendent of schools," Mr. Yuro said. "At no time during this so-called investigation were any of the teachers told that they had done anything wrong. At no time up to this moment have any of these teachers had the opportunity to respond to whatever it is that the board felt they did wrong. Four of the five teachers were offered reinstatement pursuant to signing documents with onerous conditions set forth by the school district.

"We are not here this evening to discuss personnel matters, but rather the overwhelming lack of confidence that the teachers union and membership have in the board of education," Mr. Yuro said. "On Tuesday, Nov. 7, the BTA held a 'no confidence' vote. We posed the following statement on the ballot, 'If you feel that the school district's board of education has



NEAL RENTZ PHOTO

About 50 Bedford Central School District teachers gave Mr. Yuro a standing ovation after he addressed school officials Wednesday.

scared to vote out of fear of reprisal or retribution by the school district.

"This most certainly indicates a general feeling that we are working in a climate of fear," he said. "The current morale, districtwide, is at an all-time low. Teachers are feeling alone, isolated, and unprotected. They feel that they are working in a district where the board and administration do not care a bit about them personally, and would easily sacrifice them if it was expedient for the dis-

trict. Our veterans are exploring earlier retirement options. Those who are younger are asking about child-care leaves and those who are mid-career are investigating leaves of a different nature provided by our contract. All of these teachers, as well as others, have cited that they are seriously talking about whether they want to stay in a district that does not come to the defense of teachers instinctively.

"On several occasions this board

has identified itself as teacher friendly," Mr. Yuro continued. "The BTA and its membership do not agree. A teacher-friendly board would not act as prosecutor, judge, and jury towards its employees. With the five teachers of Bedford Hills on home assignment, the district tried with difficulty to fill each vacancy. One of the teacher replacements stayed with us for a short time period, but eventually resigned for personal reasons.

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Graboski to attend mandatory classes

December 4, 2006

By CAROLINE C. SHERWIN

Last Thursday night the former principal of Bedford Hills Elementary School, Victoria Graboski, stood next to her lawyer, Keith McMillan, of McMillan and Bailly, as Westchester County District Attorney Audrey Stone listed the conditions for adjournment of the charge of failure to report suspected child abuse. Teachers in the audience there to show their support for Ms. Graboski, burst into applause following Bedford Town Justice Charles Banks's acceptance of the agreement.

The agreement was reached between the lawyers in the case of Ms. Graboski's nonreporting of alleged child abuse of a 9-year-old Bedford Hills girl. Ms. Graboski is required to attend mandatory reporting classes in which she will share

her failure as a reporter. Bedford Town Justice Charles Banks set May 24, 2007, as the date for Ms. Graboski to complete the seminars. On that date, the charges will be dismissed.

The Bedford police arrested Ms. Graboski on Friday, Sept. 1, as part of the investigation into the reported sexual abuse of the 9-year-old victim. The suspect, Cesar Sagastume Morales, is still at large and believed to be in Guatemala. Ms. Graboski was arrested after an investigation determined that she had failed to report the abuse to appropriate authorities after learning from a parent of another student of the abuse in December 2005. Ms. Graboski's lawyers said that since the information came from a fourth party, a parent of another child, there was no

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Former principal agrees to attend reporting classes

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legal requirement for her to do so.

"Ms. Graboski will be required to attend six mandatory reporting training classes in which she will participate in a public education campaign," said Lucian Chalfen, spokesman for Westchester County District Attorney Janet DiFiore, following the Thursday night court appearance. "The community service is directed for the good of her and other targeted mandated reporters. The state law clearly states that educators who come in contact with children, such as the victim, do not make unilateral decisions, like Ms. Graboski did, and immediately call the authorities, without self-investigating. She realizes that now. If she knew before this incident, she would have made the call."

Mr. Chalfen said that the decision Thursday night was in lieu of a guilty

plea. "If she does not follow through by the date set by Judge Banks, there will be consequences," Mr. Chalfen said. "This is not a joke and she's not getting away with anything. This was well thought out."

"Ms. Graboski has agreed to participate in six training classes for mandatory reporters, approved by the district attorney's office," said Ms. Stone on Thursday evening. "She will share her story with other mandatory reporters of what she knows now and what she would have done differently. It will be stressed that even hearsay can be specific cause to call the appropriate authorities, law enforcement, and child protective services, not a self-investigation. When there is any doubt, report."

"I don't want to see or hear from the district attorney's office that the training has not been followed

through with," said Judge Banks. "I'm mindful of the fact Ms. Graboski has suffered enough and she wants to help people avoid her experience. This will be a beneficial effect to her audience. I hope the training will be coordinated in good faith with the district attorney's office."

As Judge Banks adjourned further proceedings until May 24, 2007, the assembled teachers showed their support with applause. "I don't know what that's about," said Judge Banks tersely as the clamor subsided.

"We made a request to have the charges dismissed for Vicky," said attorney John Bailly. "This request was consented to by Ms. Stone and Judge Banks with one of the conditions being Vicky conduct six presentations over the next six months for educators in the county regarding her experiences and advocating

broad reporting of all suspected child abuse to Child Protective Services, no matter how the information is received.

"Vicky is looking forward to getting back to normal in her personal life and moving forward with her personal career," said Mr. Bailly. "She wants to thank her family, friends, fellow educators, and parents in the school district for their support."

"I'm personally happy for Vicky," said Bedford Central School District president Brad Sacks. "She can put this behind her and move on. The legal results and process were between her, her lawyers, and the district attorney's office."

He said that Ms. Graboski's status as a future employee of the school district would be a topic of discussion between the administration and board. "We hope to resolve that soon," said Mr. Sacks.