

Resident files suit against Oldham school district

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The Oldham County school district is facing a lawsuit stemming from a crackdown that started last year on parents who illegally send their children to the district's schools.

Donna Claggett, one of the first people charged, has sued the Board of Education and Assistant Superintendent Dan Orman, claiming they were negligent in an investigation and that they defamed, slandered and libeled Claggett.

Claggett, owner of the Skylight Country Store was charged in August with theft by deception of \$10,000 or more, a felony, after school officials said she provided her address to Charles Lauron of Lyndon, to use on his son's enrollment papers

Since then, the case against Claggett has been dismissed. In a 12-0 vote an Oldham County grand jury chose not to indict her in February

"She really felt like her name was drug through the mud with all of this," said her attorney, James Ballinger. The lawsuit, which was filed March 26 in Oldham Circuit Court, "is mainly about damages to her reputation."

During this school year, Oldham school officials have investigated 61 families involving 90 children regarding residency, said Anne Coorssen, the school board's attorney. Fifty-five cases have been resolved, some of which went through the court system and six are under investigation.

Lauron's case is going through the courts. He pleaded not guilty to theft by deception and was indicted. A pretrial conference is set for June 21.

At the beginning of the school year, Lauron submitted the required residency affidavit for his son at North Oldham Middle School, with Claggett's name and signature on the form -- one of the key pieces in the school district's case against Lauron and Claggett.

But Claggett denies signing it. One of her main points of contention is the fact that her last name is misspelled in two places on the affidavit.

Also, the signature is unlike her signature on other documents she signed when her children attended Oldham County schools, which school officials could have located to compare to the affidavit, Ballinger said.

"There are lots of reasons that people's handwriting changes over time," Coorssen said. "We feel like we used good faith in filing" the case against Claggett.

Coorssen said district officials noticed the misspelling and thought it was "a little questionable." But they gave all the evidence to the Oldham County attorney's office, which made the final determination to pursue the case.

County Attorney John Carter said he decided to move forward with it and that Oldham District Judge Diana Wheeler decided there was probable cause.

Carter also noted that Claggett's signature on the form was notarized. Oldham schools receive hundreds of residency affidavits from parents every year, and officials rely on notaries to make sure the signatures are authentic, Coorssen said.

The affidavit filed under Claggett's name was notarized by an employee of PNC Bank, her filing said, but if she did not sign the form, she could not have been present when it was notarized, Ballinger said.

The bank is also a defendant in the suit. PNC spokesman Fred Solomon declined to comment, saying PNC does not discuss pending litigation.

A 2004 note in which Claggett wrote that "Chuck Lauron is renting a room in the basement" of her Goshen home was also evidence in the school's case against her.

But Ballinger pointed out that the note does not mention Lauron's son or that they lived there

Claggett did sign that note, he said, but added that she did it so Lauron could get his mail sent to her house

Lauron, a customer at her store, had been separating from his son's mother at the time, and Claggett was trying to help him, Ballinger said.

The note also carries a handwritten notarization, but Ballinger said Claggett was not present at that notarization either.

Orman said at Claggett's probable cause hearing in district court that she never returned his phone call when he was investigating the case, but her suit said that she called him back twice and has records to prove it

Orman would not comment on the case citing the pending litigation

Orman does not have any record of Claggett calling, Coorssen said. He also tried to reach her at her home more than once, but she wasn't there

Along with gross negligence, defamation, slander and libel, the lawsuit said the school district's allegations amounted to malicious prosecution, oppression, fraud and malice

Claims made in filing a lawsuit provide only one side of a case

Reporter Emily Hagedorn can be reached at (502) 582-4621

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Abstract (Document Summary)

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