

KINGS PARK

Court action on student's suspension

BY STACEY ALTHERR

stacey.altherr@newsday.com

A federal judge issued an order compelling the Kings Park School District to appear in court tomorrow to say why they suspended a 17-year-old student from extracurricular activities after she admitted to passing a container of alcohol at a school event.

Jeffrey K. Brown of Carle Place, attorney for the student, Nina Ottaviano, argued in an emergency written motion yesterday to U.S. District Court Judge Arthur D. Spatt that failing to reverse her suspension from activities during her senior year would do irreparable damage to her future.

"We're talking about a senior year," said Brown. "What is more irreparable than something that could shape the landscape of someone's future?"

In late October, the family filed a lawsuit claiming the punishment "has destroyed her prospects of being accepted to colleges on an athletic scholarship or recruited by various top colleges to play sports in college." It says the punishment is "far more severe" than sanctions levied on others, particularly male athletes, who have been caught drinking.

The family's lawsuit, filed in Eastern District Court in Central Islip, is seeking a temporary restraining order that would allow her to return to activities immediately.

Kings Park Superintendent Susan Agruso, reached by phone, said, "The district is not permitted to comment on ongoing lawsuits." Ottaviano has been expelled from the athletic and scholastic teams for the rest of the year under the district's "zero tolerance" policy.

In addition to soccer and basketball, Ottaviano said she had been editor of the school newspaper and a member of the National Honor Society, Spanish Honor Society, Students Against Drunk Driving and Peer Support program.

The lawsuit states that on Sept. 16 another student gave Ottaviano alcohol hidden in a bottle of hair spray to give to a friend during a senior banquet.