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## Sexual assault victims file lawsuit against New Hanover County Schools

**By Joey Chandler StarNews Staff**

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### Superintendent Tim Markley, school board named in suit

NEW HANOVER COUNTY -- A lawsuit was filed against the New Hanover County Schools on Tuesday by attorneys from both the Lea/Schultz and Rhine law firms representing the victims of sexual assaults by a former district teacher.

Michael Kelly, formerly a science teacher at Isaac Bear Early College High School, pleaded guilty to 59 charges related to child sexual abuse on June 25. He was arrested in February 2018 following a joint investigation by the New Hanover County Sheriff's Office and the FBI. Investigators found that Kelly had abused nearly 20 victims during his years as a teacher. Kelly was sentenced to between 17.6 and 31.8 years in prison.

“This lawsuit is on behalf of the victims of Michael Kelly,” attorney Jim Lea said. “It’s not about anything but that. It is to help rectify the wrongs inflicted upon them not only by Michael Kelly himself as a teacher, but by the administrators and school system for the last 20 years that have failed to do their jobs to protect these students.”

The class action complaint is against the New Hanover County Board of Education, Kelly, former deputy superintendent Rick Holliday and Superintendent Tim Markley, among others. By filing a class action suit, the law firms have opened the door for additional plaintiffs to sign on.

“The school board can do the right thing here,” attorney Joel Rhine said. “They can take insurance money and create a fund to help take care of their victims. We are not trying to take money away from the school system. We’re trying to help the school system come to their senses and use the funds that they have purchased from their insurance policy to help these children.”

School spokeswoman Valita Quattlebaum sent the following statement to StarNews: “At this time, the district has not had an opportunity to review the lawsuit just announced today. Therefore, we will not have a comment regarding it until we can read it to determine an appropriate response.”

During Kelly’s sentencing, prosecutor Connie Jordan of the New Hanover County District Attorney’s Office said that Kelly had told the FBI that the school district was aware of an allegation that he had exposed himself to a student in 2006. Kelly claimed that the district conducted an investigation and cleared him.

New Hanover District Attorney Ben David and Sheriff Ed McMahon jointly requested the assistance of the State Bureau of Investigation to conduct an investigation of the New Hanover County Schools Administration's handling of recent sexual offense claims.

A statement released by David said Kelly, during questioning by FBI agents immediately prior to his arrest, alluded to an internal investigation that the school administration had allegedly performed that Kelly claimed cleared him of any wrongdoing. David said he and the Sheriff's Office were unable to follow up those claims until his cases were resolved. Detectives with the sheriff's office interviewed Kelly the day after his guilty plea.

In light of the information uncovered, the SBI was asked to step in.

Rick Holliday announced his retirement as deputy superintendent of New Hanover County Schools six days after Kelly plead guilty.

Holliday's resignation announcement also came hours before a New Hanover County Board of Education closed meeting, after which members announced they would open an internal investigation into the district's handling of Kelly's allegations. The board has since hired an outside law firm, Brooks Pierce, to conduct an independent investigation.

Holliday served for years as the district's Title IX coordinator, responsible for handling allegations of sexual abuse within NHCS. Title IX is the federal law meant to ensure equity between the sexes in schools. The board finalized plans to hire a Title IX Supervisor during last week's Title IX Committee meeting.

Superintendent Dr. Tim Markley said he hopes to hire someone for the position before the next Board of Education meeting, which is scheduled for Aug. 6.

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