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## Woman testifies on firing from Seton

Discrimination complaint  
preceded action, she says

BY WILLIAM KLEINKNECHT  
STAR-LEDGER STAFF

The former head of a program for disadvantaged students at Seton Hall University testified yesterday that she was fired from the position in 2003 after she filed a racial discrimination complaint against her superiors.

Carol McMillan-Lonesome, who was director of the university's Education Opportunity Program, took the stand for a third day in her lawsuit against the university and seven of its officials.

McMillan-Lonesome, who is black, alleges in the lawsuit that after she filed a discrimination complaint in 2002, the university retaliated by beginning an investigation and financial audit of her program.

In October 2003, the university accused her of insubordination and failure to cooperate with the investigation, and she was fired from the \$94,000-a-year position with only one day of severance pay, according to her lawsuit.

She testified yesterday before Superior Court Judge Donald Goldman in Newark that while putting up with the hostility of her superiors — including what she described as harassing and threatening conduct — she could not sleep or eat, lost 10 pounds and ended up on medication for anxiety.

"I still have stress, I'm still anxious, and some days I am depressed," McMillan-Lonesome said in answer to a question from her attorney, Andrew Dwyer. "What I did for Seton Hall was more than a job. It was my passion."

In addition to the university, the lawsuit named Catherine Kiernan, who was the vice president and general counsel; Mel Shay, who was provost and executive vice president for academic affairs; Mary Meehan, who was an executive vice president; W. King Mott, who was an associate dean; and James Gillson, who was the university compliance officer.

McMillan-Lonesome, 57, has two master's degrees and had been employed at the university since 1974. The suit alleges she had highly favorable employment eval-

uations, including one written by her immediate superior in 2002.

Her lawsuit also alleges that the EOP, a state-funded program aimed at recruiting and supporting disadvantaged students, brought in millions of dollars every year but cost the university less than a million.

According to the suit, she experienced discrimination for several years as university officials denied her promotions and blocked her from serving on academic committees.

In the spring of 2001, she resisted efforts by Mott to have her program's

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services offered to the general student population and not just disad-

vantaged students, which she protested would be misuse of grant funds, the suit says.

After she and a colleague, Erwin Ponder, filed discrimination complaints, Kiernan retained an outside consulting firm, Employment Practices Solutions, to investigate the issue.

While EPS was conducting the inquiry, Seton Hall asked the firm to have the same attorney, Lily Garcia, expand the investigation to also include the performance of McMillan-Lonesome and her program, the suit says.

The lawsuit alleges the university falsely accused McMillan-Lonesome of failing to cooperate with Garcia's investigation. It also says that Shay burst into her office in January 2003 while she was meeting with a subordinate and berated her for not meeting with Garcia.

"Shay told the plaintiff that she had better 'hop to it' and that plaintiff was in enough 'hot water' already," according to a brief Dwyer filed in the case. "... Shay's behavior on this occasion was bullying and threatening, and even somewhat physically intimidating."

John Bennett, who began his cross-examination of McMillan-Lonesome yesterday, pressed her on the reason Shay was angry when he entered her office.

Bennett suggested that she had

resisted meeting with Garcia and was ignoring a scheduled appointment with her at the very time Shay showed up at her office.

"Isn't it a fact that when Mr. Shay went to see you, you were past your time to see Ms. Garcia?" he asked, adding that when she finally went to see her, Garcia had to leave in a half-hour.

McMillan-Lonesome denied his version of the events, but she acknowledged that she and Ponder had reservations about the independence of Garcia because she had been retained by the very superiors they were accusing of discrimination.

Bennett also questioned McMillan-Lonesome on her 2002 performance evaluation. He pointed out that it was submitted by her superior after he had left the university and that it was not the usual time period for evaluations. And it was not signed by higher-ranking university officials, which is the usual procedure, he said.

Bennett asked her whether he wrote her up a positive review on the spur of the moment as a favor.

"Did you say, gee, he is leaving and you were having a fight with the university; it would be nice to have a performance review?" he said.

McMillan-Lonesome denied that he showed her any favoritism.