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**News****Lawyer defends Harutunian****By Shawn Boburg and Davin Wilfrid***Staff writers**(single page view)**(view as multiple pages)*

NORTH ANDOVER — Embattled Superintendent Harry K. Harutunian gave school secretary Brenda A. Shea a 29 percent raise "well before" he began having an affair with her, Harutunian's lawyer said yesterday in his most direct response to the allegations so far.

In a one-page statement to The Eagle-Tribune, lawyer Michael J. Long said Shea's removal from the secretarial union and the \$10,000 raise she received in June 2005 were not connected to the interoffice affair with Harutunian, which started later. Long did not specify when the relationship began.

School Committee Chairman Alfred M. Perry refused to comment on the particulars of Long's letter, citing the committee's investigation into the affair. He would only say that a private investigator hired by the committee had been asked to look into a few more details before presenting his findings.

The committee, which met in private for an hour at the start of a public meeting last night at North Andover High School, is expected to vote on whether to discipline Harutunian at a meeting Tuesday at North Andover High. After the meeting, Perry said the committee was moving cautiously to protect the town.

"This group here is really taking the time and effort to find out what the facts are," he said. "While it's taking longer than we had hoped, we're not feeling pressure to make a decision that affects the entire community without the appropriate due diligence."

In his letter, Long stressed that both the School Committee and secretarial union approved Harutunian's recommendation to

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remove Shea from the union — a move that gave Harutunian authority over her salary. Negotiations to remove Shea and five other secretaries in the central administration office began as far back as November 2003, Long wrote.

"There simply was no connection between the change in Ms. Shea's status, which was related to a series of events beginning in November 2003, and the personal relationship which began well after the union and the committee came to a final agreement on Ms. Shea's position," Long wrote.

The statement indicates the School Committee's investigation — and Harutunian's defense — may center on the timing of the pay raise in relation to the start of the affair. The e-mail statement came hours before a private investigator hired by the School Committee to investigate Harutunian's relationship with Shea met with board members behind closed doors last night to report his preliminary findings. Perry said he expects the board to make a decision on Harutunian's future during a private meeting scheduled for Tuesday.

Harutunian's contract states he can only be fired for "good cause" but does not define good cause. It also allows him to appeal to an arbitrator if he is fired and seek a payout for the remainder of his contract. His contract runs through July 2010 and is worth more than \$600,000.

Harutunian has been on paid vacation since a private disciplinary meeting with the School Committee on March 24, when the superintendent issued a statement admitting to the relationship and apologizing for not foreseeing "the public's perception of a relationship I began with a school department co-worker."

In yesterday's statement, Long said Harutunian did not adjust Shea's salary arbitrarily. Her \$10,000 raise, from \$32,562 to \$42,058, brought her salary to the lowest level established for nonunion administrative assistants, Long said. The statement said the \$42,058 salary level was set before Shea was repositioned and was based on the salary of another nonunion secretary, the administrative assistant to the director of support services.

By comparison, the highest paid union secretaries earn \$34,883, after a 2.5 percent raise last year.

Long, who is a Quincy-based lawyer, issued the statement because he said Perry broke an agreement between the School Committee and Harutunian not to talk to the media during the investigation. Perry said in yesterday's Eagle-Tribune that he expected a private investigator to deliver the preliminary findings of his investigation into Harutunian at last night's meeting.

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