

Salem student denies net threat Appeal to board to clear his name

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By Steven Rosenberg, Globe Staff | May 16, 2004

A Salem High School senior who was suspended last month for posting a message on an unofficial school Internet site has appealed to have his name cleared.

At an appeal hearing on Wednesday, Ray Buso, an attorney for Todd Graham, the 18-year-old student, will meet with Superintendent Herbert Levine and ask the administration to expunge Graham's seven-day suspension from his record, and publicly exonerate him of any alleged wrongdoing. Last Monday, Buso informed the School Committee that he would appeal Graham's case.

Graham was suspended April 29, a day after he posted the message on www.salemhigh.net, and the same day high school officials called for a school lockdown.

On April 28, Graham, stated on the website (as written): "I haven't been in class for the last couple of days due to being sick . . . to my stomach because of the school and what this is turning into. When i get my chance i will show everyone how I feel. I have never held back before and i wont start now."

Graham does not deny writing the note but contends that it was not intended to be threatening. "It had nothing to do with a threat," Buso said. "It had to do with him making statements about what had been happening to him [and] other students in the school."

Buso said he would bring Graham's case to the School Committee and also vowed to take it to a civil court if the appeal is rejected.

On April 29, Graham was taken by Salem detectives from his home to the police station, where he was interviewed, photographed, and fingerprinted before being released. He was not charged with a crime, and police have closed their investigation.

Police Captain Paul Tucker said the Police Department was contacted by the school

administration after Graham's April 28 Internet posting.

That same day, Graham was informed by Salem High School principal Ann Papagiotas that he was being suspended for posting the Internet message. On April 29, the student's parents, William and Pam Graham, received a letter from Papagiotas informing them that the school planned to take steps to expel their son. In her letter, Papagiotas cited the student for: "threatening the health, safety and welfare of the entire Salem High School community through the use of the Internet," and "causing a school disturbance as a result of the above."

Buso represented Graham at a May 6 pre-expulsion hearing, overseen by Papagiotas. At the meeting, seven teachers submitted written testimony in support of Graham, and against the proposed expulsion. One of the educators was assistant high school principal Deborah Sorrentino, who said Graham had no previous disciplinary problems.

Buso argued that the suspension, and pre-expulsion hearing were "retaliatory" measures by the school administration for previous actions by Graham, unrelated to the April 28 posting.

Buso cited Graham's involvement as the editor of the student newspaper, when he asked the American Civil Liberties Union for representation after Graham said the school administration wanted to edit the publication. Buso also referred to a statement Graham posted on the same website in early April, in which the student made a remark that denigrated the superintendent. After this posting, Graham and his parents met with Levine, but no disciplinary action was taken against him. Graham resigned as editor.

On May 7, Graham learned that he would not be expelled from school. He returned to classes on May 10 after completing his seven-day suspension.

Levine declined to comment on the specifics of the incident, but criticized Buso for making the student's case public. "Why an attorney would choose to go public and violate confidentiality statutes is beyond me when he decided to speak publicly at a School Committee meeting. I can only imagine he's trying to sensationalize the story and win the day in the media," said Levine.

Graham declined to comment on his case, but his mother said she wants her son's record cleared. "I want him to be able to attend a college that he would like to go to without being blackballed about what happened," she said. Pam Graham said that

until this year, her son had never been cited for disciplinary issues at school, or been assigned to detention.

Responding to the confidentiality issue, Buso said, "If he's talking about me using Todd's name in public, Todd, his parents and I made a decision to do just that for one specific reason: Dr. Levine and Dr. Papagiotas have already used his name when they called an emergency faculty meeting on April 29 and told the faculty their versions of the events and basically trashed his reputation."

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