Ken Rodriguez: Lewd Web posting about principal leads to lawsuit, school options

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I used to think vice principals had it easy. All they did, I thought, was administer licks to wayward students.

Back in the day, they called it "paddling." Today, they call it "child abuse."

Vice principals have among the toughest jobs of all — administering discipline in a hypersensitive, lawsuit-fearing, politically correct public school system.

Try dealing with the student who yells at you, swears at you, threatens you. "That happens everywhere," one school administrator said Thursday.

Then there's the kid who takes aim at your reputation. Ask Anna Draker. As assistant principal at Clark High School, she can tell you all about it.

Over the course of the 2005-06 school year, Draker disciplined one particular student on multiple occasions. In return, the student savaged her in cyberspace.

Last spring, a dean showed Draker a Web page from MySpace.com. On it was her face, lifted from Clark's Web site. Also on the page were lewd comments, obscene pictures and images of sexual devices.

Thanks to an act of student revenge, Draker became an unwitting target of sexual propositions on MySpace. She also became the talk of the school. Almost everyone but Draker seemed to know about the Web page.

The offending male student admitted to making the MySpace post. He did it during nonschool hours, on a computer at home, with help from at least one friend.

For defaming an assistant principal, the student received a three-day suspension.

Was that enough?

I don't think so.

The District Attorney's Office doesn't think so. Prosecutors are pursuing a case against the Web page creator, alleging retaliation and identity theft.
Anna Draker does not think enough was done, either. She is pursuing a lawsuit, alleging defamation against two students and negligent supervision against their parents.

At this point, I can hear moms and dads everywhere going, whoa!

*How am I, a single mother, supposed to work, cook, clean, do laundry, review homework and police my three kids on the computer?*

Or:

*How are we supposed to take one kid to soccer, a second to piano, a third to karate and monitor the fourth on the Internet?*

Good questions. Draker's lawsuit will certainly spark debate on parental responsibility.

But I hope the suit answers another question about the wild frontier of cyberspace: What should be done to the student who defames a teacher or administrator on the Internet?

There appears to be little case law on the subject.

In Georgia earlier this year, a science teacher claimed a 15-year-old student defamed him on MySpace. The student wrote that the teacher wrestled alligators and midgets, liked Michael Jackson and enjoyed having "a gay old time."

The teacher filed criminal charges; a Georgia court dismissed them as "unconstitutional."

By comparison, that case pales compared to the one here.

"It's not like somebody called Anna Draker a name," said Murphy Klasing, a Houston lawyer representing the assistant principal. "This was four pages of filth. It rose to a level which was so unbelievably vile, the only thing we could do is what we did."

The suit against the Clark students does not specify the damages sought. Klasing says the intent is not to bankrupt the families — "or the suit would say we're seeking a million dollars" — but to hold them accountable.

Five months after the Web posting, Draker may get her wish. By pursuing charges against the Web page creator, she has given the Northside Independent School District a new disciplinary option. District policy precludes harsh penalties for off-campus transgressions — unless criminal charges are filed.

Now that prosecutors are pursuing the case, NISD could re-assign the student to an alternative school.

"That hasn't taken place," said district spokesman Pascual Gonzalez, "but that is a possibility."

No one knows if the criminal case will collapse, if the civil suit will succeed. It appears Anna Draker may be plowing new legal ground, and that's some job. It's one thing to be an assistant principal. It's another to be a pioneer.
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