

The image shows a large, multi-story brick building with a prominent tower on the left. The building features horizontal bands of lighter-colored stone or brick. A large, multi-paned glass window is visible on the right side. The sky is a deep blue with wispy white clouds. The foreground is covered in snow. The text is overlaid in the top left corner.

BIANNUAL REPORT
on **St. Paul's School**

JANUARY 2023

From the Overseer



In 2018, St. Paul's School (SPS) and the office of the New Hampshire Attorney General entered into a settlement agreement following an investigation into whether the school had violated the New Hampshire statute on endangering the welfare of a child. Both parties agreed that the settlement would "facilitate the protection of children to a greater extent than a criminal proceeding, and will ensure a system of accountability, oversight, transparency and training"

At the core of the agreement is compliance with mandatory reporting laws, which include the [Child Protection Act](#), (NH RSA 169-C:29), the [Safe School Zones Act](#) (NH RSA 193-D), and [Student Hazing](#) (NH 631:7). In short, the Child Protection Act requires schools to report to the New Hampshire Division for Children, Youth and Families (DCYF) any suspected child abuse or neglect. The Safe School Zones Act requires the reporting of any acts of theft, destruction, or violence that occur on school grounds to be reported to the local police department in accordance with a Memorandum of Understanding (MOU). The MOU between SPS and the Concord Police is actually more expansive than the law requires and includes the reporting of any sexual assault claims involving students or employees regardless of where the assault happened.

The agreement also dictated the creation of an independent compliance overseer position. It is the duty of the overseer to review and assess compliance with the agreement and to issue biannual reports to the Attorney General. The agreement dictates the information that is required to be in the reports but mandates the report not contain any identifying information of current or former students or employees.

This will be the fourth of my biannual reports and seventh report overall (there were three reports filed by the previous compliance overseer). As required by the agreement, this document will contain a breakdown of all reports filed with external agencies between July 1, 2022, and December 31, 2022. I will also explain an incident of noncompliance by an SPS employee and provide a recap of the completed project with RAINN (Rape, Abuse & Incest National Network) and an update on the School's continued relationship with CCCNH (the Crisis Center of Central New Hampshire).

Please feel free to contact me at any time with questions, concerns, or ideas. Thank you.

A handwritten signature in black ink that reads "Donald E. Sullivan". The signature is written in a cursive, flowing style.

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Incident of Failure to Report

Since the purpose of this report is designed to be for general information only, the names of people involved are excluded. Other details are intentionally omitted to protect victims, witnesses, and people not convicted of any crimes from being identified.

Prior to the submission of my last report (July 2022), the School had initiated an investigation into several instances of misconduct by one student. The investigation was complex and lengthy and had not concluded by the time I filed my report. At the conclusion of the investigation, it was determined by the School that one of its employees had knowledge of at least some of the acts allegedly committed by the student and the employee did not properly report those acts internally according to procedure or externally pursuant to state law.

The investigation was initiated by an anonymous report filed through the School's online reporting system. Upon receipt of this report, the School properly notified the Concord Police and DCYF and took measures to ensure the protection of students on campus. Further inquiry on this report revealed the identities of several people who were either victims, witnesses, or had knowledge of misconduct by this student.

It is clear that once the School administration was made aware of the situation, they acted properly and took appropriate actions to ensure the safety of the victim(s) and the student body as a whole. External reports and parental notifications were made pursuant to law and School policy.

Once the Concord Police advised the School that it could move forward with its internal investigation, the School conducted a complete and thorough inquiry using an external independent investigator. The investigation found that an employee had prior information about at least some of the conduct and failed to meet internal reporting requirements, as required by School policy, as well external reporting requirements, required by policy and New Hampshire law. I was able to confirm the employee had attended several of the required annual Boundary and Mandatory Reporting trainings offered by St. Paul's School.

To be clear, the employee in question was never accused of directly harming a student, but rather failing to act properly upon information they received about misconduct. I can affirm that once the administration was made aware of the conduct, all proper reports were immediately made, and the School coordinated with the Concord Police on appropriate safety measures without interfering with the police investigation.

Update on the Engagement with RAINN

In September 2022, [RAINN submitted its final report to the School](#). The final phase of its yearlong project (Implementation) included Policy Development, Case Review Facilitation, and Training.

- **POLICY DEVELOPMENT:** After the discovery and analysis phases of its engagement with the School, RAINN developed sample policies and an internal response plan — both related to sexual misconduct. Clear and concise policies and established response plans lead to transparency and trust in the system. The new policies reinforce a fair and trauma-informed response to sexual misconduct reports.
- **CASE REVIEW FACILITATION:** Regular reviews of cases and trends can provide insight into the effectiveness of policies, practices, and response strategies. RAINN provided to SPS a framework to conduct such reviews and facilitated the first session to provide guidance going forward. These reviews can be “After Action,” which include studying a specific case or parts of a case to identify process improvements or noting trends in types of cases or particular parts of multiple cases to look for areas of response that can be improved. The School already has used the “After Action” review process to look at specific issues independently and participated in a facilitated review with RAINN. Plans have been made to continue these formalized reviews on an ongoing basis.
- **TRAINING:** There were several trainings throughout the project, culminating in a 2 1/2-hour session for about 30 School employees who would be considered “Key Responders.”

During the project, RAINN took note of several areas related to student safety in which SPS already was doing well and identified several other areas where SPS had made improvements. RAINN provided recommendations for additional improvements over the next three years. I personally witnessed School senior administrators express concern over any delay in implementing RAINN’s recommendations over that three-year period and communicate a preference to instead implement as many of the suggestions as soon as possible.

SPS has either completed or started to initiate all of RAINN’s recommendations. Some of the key components have been appointing an administrative sexual misconduct program coordinator and a victim support coordinator. Both of these roles are being filled by current employees. Even though reported instances of sexual misconduct are rare on campus, having dedicated positions involved in overseeing the response procedures is important to keep policies and response protocols up to date and applicable to current best practices.

The final outcome of the project with RAINN is a set of policies and procedures that represent current best practices in the area of sexual misconduct prevention and response. The project provided a renewed focus on a victim-centered and trauma-informed response to such reports. Most importantly, the project provided the framework to continue this important work and to evolve as further advances are made in how to better prevent and respond to incidents of sexual misconduct.

Crisis Center of Central New Hampshire

When the previous Crisis Center of Central New Hampshire (CCCNH) advocate assigned to have office hours on the St. Paul's School campus left the organization, staffing shortages caused a gap in coverage as far as an on-campus advocate was concerned. (Students and employees always have been able to reach out to CCCNH by phone or through the text line). The staffing issue is now resolved and the new advocate, Elizabeth, is on campus two days a week.

In addition to advertising her position and accessibility to students and employees in various School communications, as mentioned in previous reports, plans are in the works to increase her visibility in student life so that her availability to students is even more readily apparent.

The relationship between SPS and CCCNH continues to improve and has progressed to more of a partnership. Not only was SPS a main sponsor of the Walk A Mile fundraiser for CCCNH, the School also took home the prize for the largest team of participants. Victims of sexual misconduct on campus need to know that not only is there an independent resource for them to access but also that the School encourages students to use it.

As required by the Settlement Agreement, the New Hampshire Coalition Against Domestic and Sexual Violence provided annual training for the School's Board of Trustees and senior leadership this year. The training was attended by the full Board (exceeding the requirements of the agreement). The training included a structured, interactive role-playing activity that was so well received by the Board and senior leadership that plans are in place to have CCCNH provide the same training to identified faculty and staff "Key Responders." The training has participants walk through the steps a victim who has experienced sexual misconduct must go through in reporting and see the difficulties and frustrations that can be experienced during the ordeal.

Reporting Data

The agreement between St. Paul's School and the New Hampshire Attorney General's Office calls for this biannual report to include a "numerical summary of sexual harassment and or sexual or physical abuse incidents involving students that the Compliance Overseer has been made aware of since the issuance of the prior biannual report to the NHAG."

The following is a list of all incidents reported to DCYF or the Concord Police Department since the last biannual report. There are times when reports are filed with outside agencies out of precaution and with the added thought of safety, even if they are not mandated by statutes. These reports will be indicated by an asterisk (*). Historically, the vice rector for school life was the sole person responsible for ensuring that reports were properly made. For the term of the Settlement Agreement, the compliance overseer is consulted on all cases that may require outside reporting. Policies and procedures have changed to "widen the circle" when reports are made to ensure proper reporting and student support.

As required, all identifying information has been removed and all reasonable steps have been taken to reduce the ability for anyone to link any of the listed reports to a particular case. The data provided is based solely on the information received with the initial report and is not indicative of any results of or further information learned during the investigation. Because of this, the list may show incidents that were reported by a third party but further investigation may have found that the incident did not happen as suspected.

It should also be noted that SPS reports all cases required under statutory rules if the information is new to the School, even if the involved party claims that a report has been filed. This is to be absolutely certain that the incident has in fact been reported to the proper authorities. SPS also reports all cases of suspected child abuse regardless of the current age of the victim, meaning that if SPS becomes aware of an adult who was abused or neglected when they were a child, the School will make a report to DCYF and, if required by the MOU, a report to the Concord Police Department as well.

It also should be noted that if there is an incident that involves multiple people, either as victims or responsible parties, this chart will likely show it as one incident. For example, if there was a report of several students acting together to damage a sign valued at over \$300, this would generate one report to Concord Police and be counted just once on the list below. However, if there were two different students who damaged that same sign at different times, it would generate two reports.

There are many factors that can affect the number of reportable incidents, including timeframe of the analysis (Jan-June or July-December), increased or decreased COVID-19 restrictions, policy and procedure updates, and many more. It is important to look at the overall picture and not put too much emphasis of any one number or contributing factor. Remember a decreased number of reported sexual misconduct instances on campus could mean that there were fewer incidents or it could mean that people are reporting less. Conversely, more reported instances could indicate more actual occurrences or a culture that encourages more people to come forward.

Reporting Data

One trend that I have noticed but cannot be quantified in this report is the increase of reports coming forward that may be duplicates of already reported incidents. For example: if there is an incident that is reported on campus, as word travels and other people hear about it, the administration is likely to receive more calls from adults who are just ensuring that the incident had been reported and that they didn't have any "additional information." I have also noticed an increase in reports to administration of incidents that don't rise to the level of external reporting requirements. These trends likely indicate that students and faculty are both aware of the importance of reporting incidents and more comfortable coming forward.

Many of these reports have involved boundary violations that may be precursors to more serious sexual misconduct. When these situations are addressed early, they can possibly be addressed through education instead of discipline. I see this trend of more early reporting as a major sign of success of revised reporting structures, education, and prevention efforts. It has become common for students to come forward with concerns following LiNC (Living in Community) modules on consent and boundary violations.

Reporting Data

COMPILED LIST OF REPORTED INCIDENTS

REPORTER	OFFENDER	ON/OFF CAMPUS	REPORT	ACTIVE/HISTORIC	REPORT FILED/W
1 ASP	Non-affiliated	Off	Prior DV/Sexual assault	H	CPD/DCYF
2 ASP	Non-affiliated	Off	Sexual assault	H	CPD/DCYF
3 ASP	Non-affiliated	Off	Abuse	H	DCYF
4 ASP	Non-affiliated	Off	Neglect	H	DCYF
5 ASP	Non-affiliated	Off	Neglect	H	DCYF
6 ASP	Non-affiliated	Off	Sexual assault	H	CPD/DCYF
7 Faculty Spouse	Non-affiliated	Off	Abuse	H	DCYF
*8 Clark House	Unknown	Online	Harassment	A	DCYF/CPD
9 Student TO FACULTY	Contractor	On	Simple assault	A	CPD/DCYF
10 Faculty	Student	On	Possession of THC	A	CPD
11 Sanctuary	Student	On	Possession of THC	A	CPD
12 Student TO COUNSELOR	Parent	Off	Abuse/Neglect	A	DCYF
13 Student	Non-affiliated	Sch. Trip	Stolen phone, debit card	A	CPD
*14 Faculty	Staff	On	Possible threat	A	CPD
15 Clark House	Parent	Off	Endangering welfare of a child	H	DCYF
16 Outside SPS	Unknown	Unknown	Possible sexual assault	H	CPD/DCYF
17 Safety	Unknown	On	Property damage	A	CPD

*Reports filed out of precaution and with the added thought of safety, and not mandated by statutes.

ASP = Advanced Studies Program (summer)

CPD = Concord Police Department

DCYF = NH Division for Children, Youth and Families

ANONYMOUS REPORTS

The online reporting function available to students and the public through Maxient allows the reporter to remain anonymous if they choose. Although there is value in having this option available in reporting incidents, everyone needs to be aware that it can greatly hinder the ability to fully investigate a claim. It also can create the image that SPS is not responding to complaints, since there is no way to report back to the original complainant. I have monitored these reports and the investigations and feel that SPS investigated to the best of its ability given the limited information.