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SEMI-ANNUAL REPORT
on St. Paul's School



I am pleased to provide the first semi-annual report in accordance with the terms of the resolution agreement between the State of New Hampshire Attorney General's Office and St. Paul's School. It is the central and explicit responsibility of every school to foster a safe learning environment. Similarly, a school must act with integrity, leadership, and authenticity when incidents of harm occur. This report is intended to provide transparency about the frequency of sexual and physical misconduct in the St. Paul's School

community and to assess the efficacy of the institutional structures designed to prevent and respond to incidents of misconduct when they do occur.

Horace Mann wrote in 1848 that, "Education then, beyond all other devices of human origin, is a great equalizer of the conditions of men – the balance wheel of the social machinery." Sexual misconduct, in all forms, subverts the core mission of any school and interferes with a community members access to educational advancement. Within and outside the classroom, St. Paul's School offers extraordinary opportunities to its students. As such, it must be expected that the School apply at least equal rigor in its efforts to prevent harm, abuse, and harassment in all forms.

This inaugural report provides data and contextual information regarding the number of disclosures received by St. Paul's School between January 1, 2019, and June 30, 2019. It seeks to provide baseline information which may be helpful in identifying trends. Every effort is made to protect the privacy of those individuals involved in incidents while striving to make this report as informative as possible. As a result, this report can only offer a limited view of the complex circumstances that underlie individual events. Although necessarily constrained in detail, it is hoped that this report will be successful in bringing transparency to St. Paul's School programs and procedures.

St. Paul's is building on its work over the past years to educate the campus and community on its responsibility to support a safe and inclusive environment. I wish to thank the students, parents, alumni, and former and current employees who have shared valuable insight and institutional wisdom in helping to shape this report. Moving forward I hope to work in conjunction with faculty, staff, students, alumni and external stakeholders to support policies, procedures, and protocols that are rooted in evidence-based best practices. To that end, it is impossible to overstate the importance of the community's input and engagement in developing more meaningful ways to live into the shared values that form the foundation of the St. Paul's experience. I welcome your observations, questions, and suggestions about this report or any of the work underway.

Respectfully,

A handwritten signature in black ink, appearing to read "J. Maher".

Jeff Maher

Independent Compliance Overseer

Understanding the Report

Within St. Paul's School there is a belief among students, faculty, and staff that the school culture has undergone a seismic shift over the past five years. Less clear, however, is if this belief has gathered traction beyond the grounds of St. Paul's.

SCOPE

The terms of the settlement agreement between St. Paul's School (SPS) and the New Hampshire Attorney General's Office limit this semi-annual report to:

- Providing a numerical summary of sexual harassment and/or sexual or physical abuse incidents involving students
- Providing an assessment of the status of SPS policies related to sexual harassment and sexual and physical abuse

CONTEXT

As a new member of a community steeped in history which is both complex and multifaceted, it is important to appreciate that the layers of programs, processes, and protocols that have developed over time are greater than any new observer can expect to immediately grasp.

The dynamic nature of a fully residential boarding school environment invites ever changing demands and opportunities for development and change. As the school body has evolved over time, so too has the St. Paul's School understanding and response to matters of sexual misconduct.¹ Within St. Paul's School there is a belief among students, faculty, and staff that the school culture has undergone a seismic shift over the past five years. Less clear, however, is if this belief has gathered traction beyond the grounds of St. Paul's.

This report is not intended to be dispositive as to the state of St. Paul's handling of sexual misconduct disclosures. Rather, it captures a portrait of one aspect of what must be an integrated and redundant system designed to safeguard student wellbeing. Likewise, success in this endeavor cannot be measured as a 'snapshot in time' but rather through a sustained and persistent individual and institutional commitment to the development and support of structures which ensure student safety. Everyone at St. Paul's has a role to play. This shared responsibility exists to ensure that St. Paul's delivers on the profound, transformative experience its parents, students, alumni and community demand.

DATA COLLECTION

In order to ensure the consistency and validity of data gathered during the pendency of this Agreement, it is necessary to define how reports involving students are categorized. For instance, a single disclosure of sexual assault could constitute a simple assault, sexual assault, and sexual harassment. Likewise, a disclosure involving one reporting person² might also involve several incidents involving a multitude of actors.

¹ The term sexual misconduct is used to describe a broad range of conduct including sexual violence, interpersonal violence, bias, and gender-based harassment and discrimination.

² Reporting Person is used in place of terms such as victim, survivor, or complainant. Similarly, the term Responding Person refers to the accused, suspect, or respondent.

CATEGORIZING THE DATA

Hierarchy Rule

This report adopts the Hierarchy Rule commonly used in the FBI Uniform Crime Report and Clery Act Annual Security Report. Under this rule only the most serious offense will be counted when more than one offense was committed during a single incident. A single incident means that the offenses were committed at the same time and place. That is, the time interval between the offenses and the distance between the locations where they occurred were insignificant.

This document will make no distinction as to the outcome or finding of any disclosure received by the school. The information provided shall focus solely on the number of disclosures received by St. Paul's School. As a result, the information provided may include disclosures that were determined to be unsupported or lacking in such detail that the School could not effectively respond. Importantly, St. Paul's is obligated to report certain conduct that is disclosed by its students or observed by faculty regardless of when or where the incident occurred. Accordingly, this document will include disclosures received by individuals before they were affiliated with SPS or for incidents that occurred out-of-state, overseas, or while school was not otherwise in session.

The reader should be cautioned against drawing sweeping conclusions based on the information presented here. Each disclosure is unique. The School's response must consider the complex circumstances of each individual experience. While the data in this report is designed to promote transparency, its misinterpretation may lead to the converse – a decrease in internal reporting.

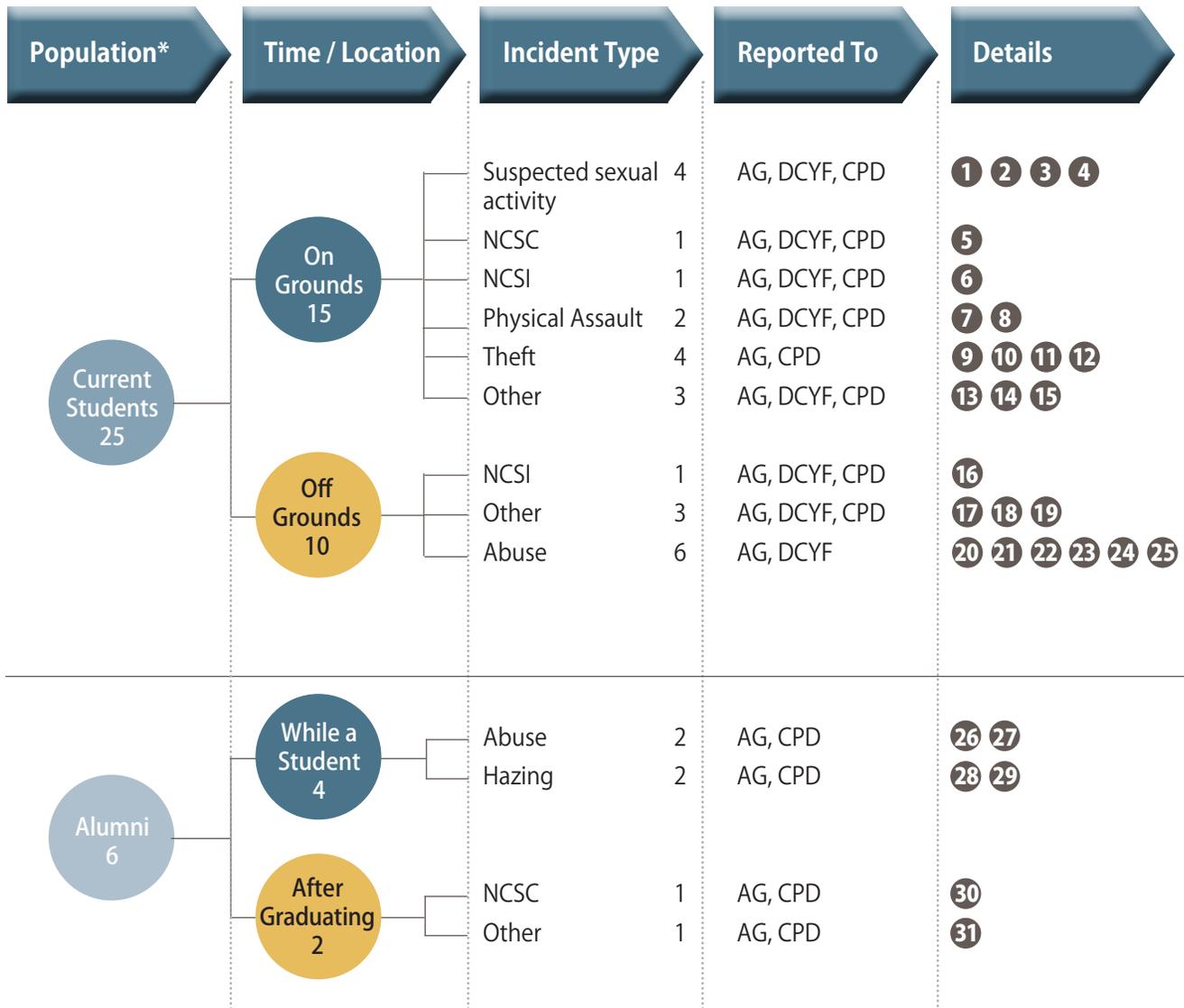
FOR EXAMPLE: Assume a fifteen-year-old student reports to an advisor that an unknown individual exposed themselves during winter break on a subway in Washington DC. Under applicable agreements, this incident, when disclosed, will trigger a mandatory report by St. Paul's School to the Attorney General's Office, Concord Police Department, and Division for Youth and Family Services. For the purposes of this report, however, this incident would be classified as "other conduct". Hopefully, this example illustrates the complexity underlying an assessment of a relatively clear-cut disclosure.

While the data presented here is limited in scope, the triggering events are rich in information and may be useful in informing further education, safety, and prevention strategies within the St. Paul's community. The age of the parties involved, locations of incidents, dates and times of occurrences may all be useful in shaping future prevention and safety planning efforts.

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Report Data

EXTERNAL REPORTS – TOTAL 33 | JANUARY 1 TO JUNE 30, 2019



* OTHER 1 – Pre-employment background check disqualified applicant
 OTHER 2 – Physical assault

Definitions used for the purpose of this report: These definitions denote policy violations and possible criminal offenses. While these definitions may align with criminal and civil statutes policy definitions can, and should, encompass a broader range of conduct.

Abuse: A minor who experienced sexual abuse, intentional injury, or psychological mistreatment or neglect.

Dating violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; includes sexual and physical abuse or threat of such abuse. Also includes verbal and/or emotional abuse.

Hazing: Coercion or intimidation of a student to act or to participate in or submit to any act, when such act is likely or would be perceived by a reasonable person as likely to cause physical or psychological injury to any person; and such act

is a condition of initiation into, admission into, continued membership in, or association with any organization.

Physical Assault: Unprivileged physical contact and/or bodily injury.

Non-consensual sexual contact (NCSC): Intentional contact or touching of the intimate parts of another, whether directly or through clothing, or the intentional exposure of intimate parts of self, without consent. Intimate parts may include but are not limited to breasts, genitals, buttocks, groin, or mouth.

SUMMARY OF COMPLAINTS

Reporting Person	Responding Person	Description of Complaint
1 Student	Student	Suspected sexual activity under age of consent
2 Student	Student	Suspected sexual activity under age of consent
3 Student	Student	Suspected sexual activity under age of consent
4 Student	Student	Suspected sexual activity under age of consent
5 Student	Student	Non-consensual sexual contact
6 Student	Student	Non-consensual sexual intercourse
7 Student	Student	Disclosed physical assault that occurred years earlier
8 Student	Student	Report of possible bullying/physical assault
9 Student	Unknown	Theft
10 Student	Unknown	Theft
11 Student	Unknown	Theft
12 Student	Unknown	Theft
13 Student	Alumni	Questionable interaction between alumni and students
14 Student	Unknown	Students located drug paraphernalia in the woods
15 Student	N/A	Student was unaccounted for during daily check-in
16 Student	Non-student	Student was victim of a crime that occurred during school break and in a different state
17 Student	Unknown	Student was victim of a crime that occurred during school break and in a different state
18 Student	Non-student	Student disclosed harassment that occurred at another school
19 Student	Non-student	Student disclosed concerning conduct of employee at another school
20 Student	Non-student	Disclosed bullying/harassment/threats which occurred prior to affiliation with SPS
21 Student	Non-student	Disclosed they experienced abuse prior to their affiliation with SPS
22 Student	Non-student	Disclosed they experienced abuse prior to their affiliation with SPS
23 Student	Non-student	Third-party report that a student experienced abuse prior to their affiliation with SPS
24 Student	Unknown	Disclosed they experienced abuse prior to their affiliation with SPS
25 Student	Non-student	Third-party report that a student is or was experiencing abuse off-grounds
26 Alumna/us	Non-student	Alumna/us disclosed incidents of historical abuse
27 Alumna/us	Employee	Alumna/us disclosed unwanted interaction (historical incident)
28 Alumna/us	Alumna/us	Alumna/us disclosed incidents of historical hazing
29 Alumna/us	Alumna/us	Alumna/us disclosed incidents of historical hazing
30 Alumna/us	Alumna/us	Disclosed assault occurring on grounds after graduation from SPS (historical incident)
31 Alumna/us	N/A	Alumna/us made verbal threat against SPS
32 N/A	N/A	Disqualifying information discovered during hiring process of prospective employee
33 Non-student	Non-student	Physical assault on the grounds

Non-consensual sexual intercourse (NCSI): Having, or attempting to have sexual intercourse with another by force or threat of force; or without consent; or where that person is incapacitated. This also includes sexual penetration, however slight, of another person, without consent.

Retaliation: Actions or conduct which are designed, intended or otherwise cause harm for involvement in any proceeding. This includes actions or conduct which can reasonably be determined to cause a 'chilling effect' on participation or involvement in any proceeding.

Report: Any information the School becomes aware of, through any means.

Sexual harassment: Persistent, offensive, and unwelcome conduct of a sexual nature that denies or limits a student's ability to participate in or benefit from the School's programs.

Suspected sexual activity: Information and/or circumstances that suggest sexual activity is likely and/or probable when one or more of the involved parties is under the age of consent.

Unknown/Other: behavior or suspected behavior does not fit into one of the above categories.

External Reporting Obligations

The Resolution Agreement requires that this report provide an “assessment of the status of SPS policies related to sexual harassment and sexual and physical abuse.” Any assessment of policy must naturally extend beyond words written on a page and toward the application of those policies (i.e. protocols and procedure). In short, a policy review requires an assessment of procedures, outcomes, record keeping, and institutional sustainability in practice. To that end, this report and all future reports will focus on reviewing one aspect of an integrated system which ultimately, is designed to support student safety. For this report, the focus will be on both internal and external reporting obligations and protocols.

LEGAL LANDSCAPE

St. Paul’s School (SPS) is mandated to report certain incidents to the Division for Youth and Family Services (DCYF), Concord Police Department (CPD), and the Attorney General’s Office (AGO). Broadly speaking, the instruments which govern these reporting requirements include NH RSA 193-D (Safe Schools Zone), RSA 169-C:29 (Child Protection Act), RSA 631:7 (Hazing), a Memorandum of Understanding (MOU) with Concord Police, and the Settlement Agreement with the Attorney General’s Office (Agreement).

In the broadest possible language, SPS is required to report externally incidents of abuse, neglect, theft, destruction, violence, and hazing. The meaning of these terms are outlined in the relevant statute, MOU or Agreement. Furthermore, the type of conduct disclosed will dictate which agency(ies) should receive the report. SPS has agreed to broader reporting requirements than what is contemplated under state law. For instance, SPS is required to report incidents of *suspected* sexual assault.

METHODOLOGY

In order to assess the landscape of reporting at SPS, all policies, MOU’s, state laws, and agreements which outline external reporting requirements were reviewed. A review of internal protocols, when available, was conducted and individuals who have external reporting responsibilities were interviewed. Internal documentation surrounding a broad range of student and employee conduct was reviewed. Information received or developed through an investigation was assessed to determine if it would have triggered a reporting requirement and if so, was a report made. This process could only be completed with the cooperation of SPS and their participation and candor was valuable. External partners were also contacted to ensure that the record keeping within SPS was consistent with reports received by these external agencies.

SPS has agreed to broader reporting requirements than what is contemplated under state law.

ANALYSIS

The assessment of an external reporting obligation is often more intricate than imagined. For instance, does a staff member hearing a third-hand rumor trigger a reporting requirement, and if so, is it before or after the school conducts further inquiry? Does a student posing a hypothetical question to an advisor rise to the level of 'suspected abuse' which would then trigger a reporting requirement? Is a report of bullying in a dormitory actually an incident of hazing? The complexity of these issues requires a thoughtful and ethical analysis supported by protocols and ample documentation.

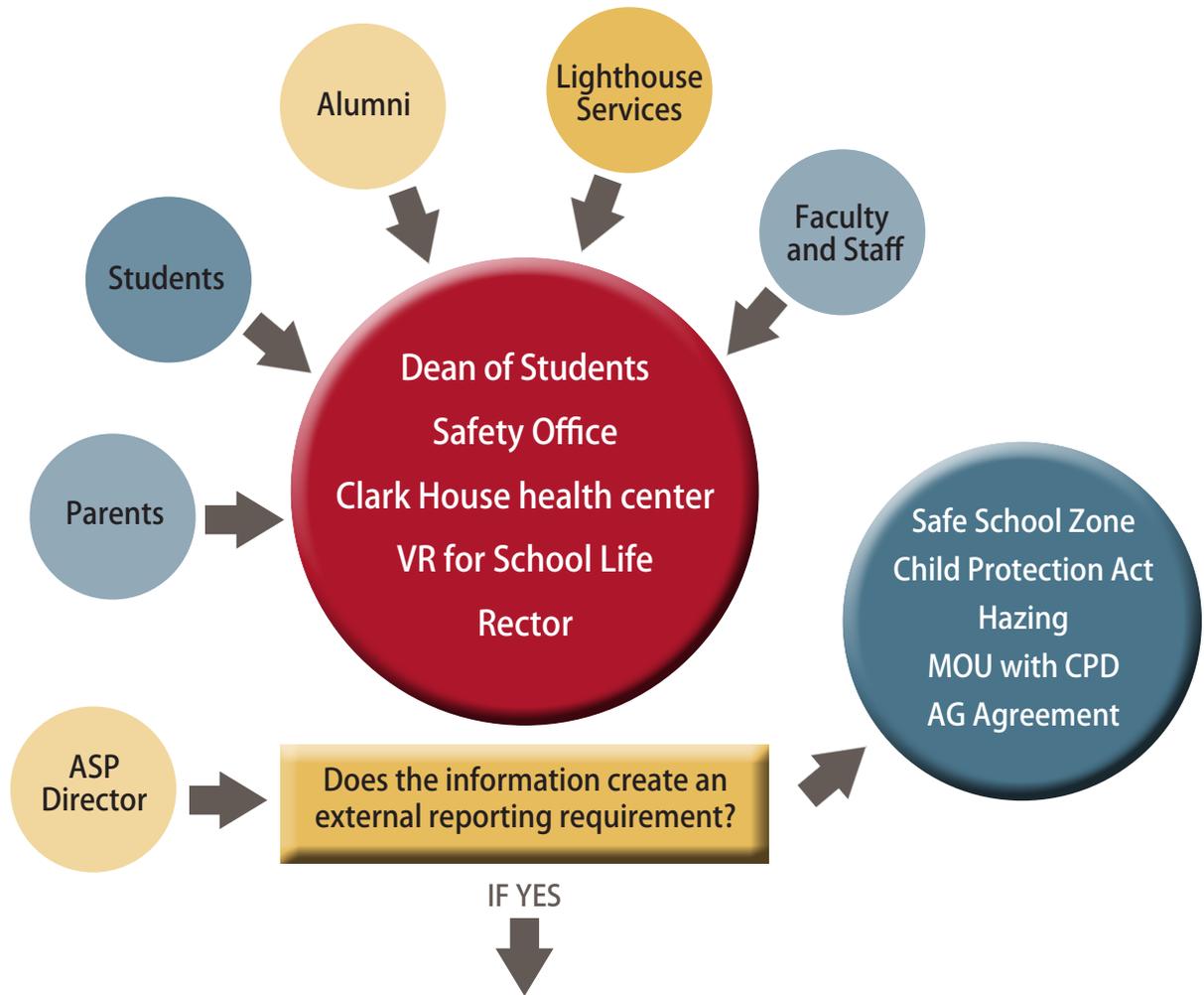
Information concerning external reporting obligations is featured prominently in the staff and faculty handbooks. In fact, expectations concerning faculty responsibility towards student safety are discussed in nearly a dozen locations within the faculty handbook. Furthermore, information about reporting obligations is provided in offer letters provided to each prospective employee. Each employee receives annual training on reporting requirements and signs an affirmation that they have received this training. Moreover, SPS has demonstrated that it will take corrective disciplinary action when an employee fails to meet expectations a reporting. It appears that SPS, as an institution, has enacted strong and sustained communication and training around reporting requirements.

The operationalization of these reporting obligations is not without its challenges, however. Like any complex organization, SPS receives information from a variety of sources – parent phone calls, counseling sessions, alumni emails, etc. Reporting lines are based on the way the disclosure is received and the nature of the disclosure. St. Paul's staff is demonstrably adept on recognizing what triggers a reporting requirement and in identifying the nuances inherent in a disclosure. However, the sheer complexity and capacity of managing the diverse needs of a residential campus allow opportunities for errors to be made. Furthermore, the identification of an external reporting obligation often relies on the awareness and aptitude of individuals in key roles. SPS must ensure that written internal protocols exist to ensure that awareness of these obligations become second nature for even the newest employee.

Some tension exists between the extensive reporting requirements of SPS and the agencies receiving these reports. This tension is driven primarily by resource scarcity within external agencies and the demands inherent in managing a residential boarding school. Similarly, an increase in reporting obligations has strained resources at SPS, primarily within the Dean of Students Office. When responding to a student behavioral issue the Dean of Students may be required to contact the AGO, CPD, and DCYF. Frequently these notifications occur well outside of regular business hours. Additional notifications are made to the respective parents of the involved students, many of whom reside overseas or in different states. Lastly, the Dean of Students must manage internal notifications, coordinate student support, and organize an institutional response.

The complexity of these issues requires a thoughtful and ethical analysis supported by protocols and ample documentation.

Reporting Pathways



	DCYF only	DCYF and CPD	CPD only	CPD only (historical)
TYPE	Off-campus abuse/neglect that is non-sexual, including suspected abuse/neglect	Sexual assault by statute or force, suspected sexual activity by minors, physical assault including minors, etc. "Everything else"	Theft, criminal mischief, arson, simple assault, substance abuse, etc.	Historical sexual or physical abuse, hazing, etc.
EXAMPLE	Student discloses physical abuse as a minor by a relative	17-year-old student and 15-year-old student found together in an unauthorized space	Student reports a stolen iphone	Alumni discloses abuse from the '80s
WHO	Clark House Vice Rector for School Life Dean of Students	Rector Vice Rector for School Life Dean of Students Clark House	Safety Office Vice Rector for School Life Dean of Students	Rector Vice Rector for School Life Dean of Students

REDUCING BARRIERS TO INTERNAL REPORTING

Sexual misconduct is widely agreed to be significantly underreported. The unique nature of an immersive, residential educational experience coupled with the age of the student population compels the development of a 'culture of reporting.' The frequency, type, and manner of reporting can also serve as a barometer of a healthy school environment.

Reducing barriers to internal reporting is an important step in the development of such a culture. At SPS, relationships form the foundation of a vibrant student experience. Students have strong relationships with advisors and other faculty. Not surprisingly, this is a common pathway by which disclosures are made. SPS also enlists the services of an independent third-party reporting service called Lighthouse. A third-party reporting service can be of benefit and offers unique opportunities not available through other platforms. Here, however, Lighthouse is not easily accessible. The website links are difficult to find on the external facing website and bring the user to a generic website which encourages new subscribers, not reporting. Similarly, there are no reporting links available on the internal website (Millville) nor the parent portal. As such, it can be difficult to report allegations of misconduct anonymously or through means that some students may prefer.

SPS is taking steps to correct these deficiencies. New case management software is being added that should permit on-line, anonymous reporting.

RECORD KEEPING

As currently structured, all external reports, at some point, are intended to be referred to the Dean of Students to be preserved in a spreadsheet. Many reports begin with an email or phone call and may lead to the creation of a Safe Schools incident report. The report can be handwritten or typed and is often e-mailed directly to CPD – often contemporaneously with a phone call to DCYF. That document is later saved to internal storage along with any associated notes, e-mails, etc. Access to this drive is limited based on role within SPS. The data is backed up regularly and can be recovered if inadvertently changed or deleted.

The Dean of Students Office maintains a detailed master spreadsheet. A complete review of internal record keeping clearly, and not surprisingly, demonstrates an increase in sophistication in managing and documenting incidents. As this system has developed SPS has identified the need to retain a deeper and broader level of documentation. Today, it is not uncommon to find a mixture of digitally recorded Word documents, notes, screen shots, e-mails, and PDFs within a case file. Not every report noted in the spreadsheet, however, has a corresponding file within the SPS database. There are a number of reasons for this. In summary, the record keeping system and work flow do not currently meet the needs of the School. This problem is not unique to SPS. Both secondary and post-secondary schools have struggled to keep up with the diversity and volume of data and its attendant storage needs. As mentioned, SPS is aware of this and is in the process of bringing in new hosted, case management software.

In summary, the recordkeeping system and workflow do not currently meet the needs of the School. This problem is not unique to SPS.

SPECIAL CONSIDERATIONS

Clark House

Clark House is where students receive medical care, including counseling services. It occupies a unique place within the reporting hierarchy due to additional overlays of privacy legislation (HIPPA) and ethical concerns associated with professional licensure requirements. As a result, the Clark House maintains a separate, confidential record keeping system for medical records.

The professional staff of the Clark House receive annual training on reporting requirements. This training is supplemented by a written protocol for the Clark House counselors.

For matters that require external reporting, the Clark House will report directly to DCFY. They generally will not report to Concord Police, however, and instead rely on the Dean of Students or Vice Rector for School Life to make a report. A redacted review of the record keeping for this time period demonstrated that the Clark House records align with the records maintained by the Dean of Student's Office.

Advanced Studies Program (ASP)

The Advanced Studies Program (ASP) is a school in and of itself. Each Summer the school welcomes roughly 240 rising New Hampshire seniors. The faculty and staff invited to lead this program are contractual employees and generally not the full-time St. Paul's staff here during the academic year. The same external reporting requirements that exist during the regular academic year exist for the summer program.

The staff receive a two-hour training on reporting requirements and boundary issues prior to students arriving. There is a condensed student code of conduct. Individuals are encouraged to report incidents of misconduct through advisors, interns, and Lighthouse. The Director of the ASP program has sole authority to impose disciplinary action.

Historically, the ASP did not retain formal documentation of reports that are made to DCYF or CPD. As such, it was not possible to review any internal records of reports made. A review of records held by external agencies indicates that no reports were made to Concord Police in the last five years. DCYF was unable to provide information on reports received from SPS during the ASP program. ASP has begun to align their external reporting process with that of the standard academic year.

SUSTAINABILITY

A relationship between a complex organization such as SPS and state and local government agencies exist on a variety of levels. For instance, upper level administrators should be expected to communicate often about matters of interest and concern while others may communicate on matters of operational concern. SPS enjoys a strong operational relationship with the Concord Police Department. The relationship is professional, and employees communicate frequently and easily through a variety of means. A Memorandum of Understanding exists and is beneficial in clarifying roles and expectations. Nonetheless, both entities have and will continue to experience turnover. While this turnover is healthy and expected, it would be of benefit to SPS to memorialize mutually understood work flows so that established protocols are not lost due a departure or retirement. Regular monthly meetings with external stakeholders may not only enhance professional relationships, but also support increased communication and coordination.

RECOMMENDATIONS

- Continue to develop strong collaborative relationships with area service agencies. Such collaboration will serve to allay any mistrust or miscommunication between entities. Evaluate the efficacy of regular monthly meetings.
- Consider creating reporting pathways through means most often utilized by adolescences. Consider implementing a reporting tool/link that is easy navigable and within ‘two-clicks’ of the main SPS web page.
- Develop internal written protocols, where needed, outlining reporting pathways. Such documents are beneficial not only for accountability but also, in ensuring the appropriate decisions are made despite the longevity or experience of a particular employee.
- Implement case management and/or data management tools to ensure appropriate record keeping.
- Align ASP reporting protocols and record keeping with the regular academic year to ensure that the requirements of the Agreement are met.
- Leverage data to identify trends and patterns and to complement prevention efforts.

UP NEXT:

*SPS protocol
and response
to allegations
of misconduct*

FUTURE REPORTS:

*Examination of
the hiring process*

*Prevention, education,
and training*

*Physical safety
measures*

General policy review

FEEDBACK WELCOME

Contact Jeff Maher by e-mail at jmaher@sps.edu, or call at 603-229-4774.