

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

JULY 2023



From the Overseer



In 2018, at the conclusion of an investigation, St. Paul’s School and the office of the New Hampshire Attorney General [entered into a Settlement Agreement](#) that 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.” A large part of that agreement focused on the role of the compliance overseer.

The core of the agreement and the primary focus of the overseer is to ensure the School maintains compliance with mandatory reporting laws, which include the [Child Protection Act](#), the [Safe School Zones Act](#), and [Student Hazing](#). In short, the Child Protection Act requires schools to report any suspected child abuse or neglect to the New Hampshire Division for Children, Youth and Families (DCYF). The Safe School Zones Act requires 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) established between a school and local law enforcement. The MOU between St. Paul’s School and the Concord Police Department is more expansive than the law requires and includes the reporting of any claims of sexual assault involving students or employees regardless of where the assault happened.

Reports of student or adult misconduct can be submitted to SPS through direct, in-person reporting by individuals to faculty or staff members; through the context of medical or counseling settings (Clark House Health Center); or through multiple online reporting functions. All such reports are directed to the Office of the Vice Rector for School Life. Given the complexities of the multiple laws and the added agreement with the Concord Police Department, SPS encourages all adults to “widen the circle” when they become aware of any situation that could possibly fall under one of these laws. Employees are classified as either faculty or staff. Although members of the faculty typically have more direct contact with students, all employees are required to undergo yearly training that includes reporting requirements and how to maintain healthy boundaries with students and colleagues.

This will be my final biannual report, as the terms of the Settlement Agreement are due to expire in September 2023. The report includes information on two incidents of delayed reporting (noncompliance), which could only be categorized as violations because of the delays. This document also lists reported incidents from January 1, 2023, through June 30, 2023.

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".

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Incidents of Noncompliance

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.

Between Jan. 1, 2023, and June 30, 2023, there were two incidents of “noncompliance” with mandatory reporting laws. I will explain the two incidents to the best of my ability while protecting the identity and privacy of those involved. It should be noted that a report was made to the Concord Police Department within 24 hours of each incident, but only because a supervisor recognized the mandatory reporting obligation after hearing of the incident. Noncompliance was centered around the fact that the law requires “immediate” reporting with no time elapsing.

NONCOMPLIANCE INCIDENT #1

The Safe School Zones law defines a “safe school zone” as “an area inclusive of any school property or school buses.”

In this case, an employee was driving a School-owned bus and overheard a threat being made. Criminal threatening is listed as an offense that requires an immediate report under the Safe School Zones law and thereby the MOU with Concord Police.

The employee did not immediately notify their supervisor as required but instead called the supervisor the next morning looking for other related information. This supervisor immediately recognized the reporting requirement and notified their supervisor as required.

Once the second supervisor was notified, there was a delay of about six hours before the Concord Police Department received a report (a total of 20 hours since the threat was made). Although there is no definition of the word “immediate” used in the New Hampshire statute, it is clear 20 hours to report a threat would not be considered “immediate.”

NONCOMPLIANCE INCIDENT #2

The Child Protection Act requires that anyone who has a “reason to suspect that a child has been abused or neglected” to immediately report to DCYF. Although the Safe School Zones law only applies to instances that occur on school grounds, the current MOU with the Concord Police requires SPS to “consult with the Concord Police Department in the event that a current student or current staff member discloses any sexual assault related to a current student or current staff member that occurred off-campus or outside of Concord, New Hampshire”

In this case, an employee became aware of a student who was sexually active. (The identity of the partner and the location of the activity were not immediately known, although the student claimed the sexual activity was neither forced nor unwanted.) The legal age to consent to sexual activity of the type described is 16 years old in the state of New Hampshire. Despite the employee having a file open on their computer screen indicating the student was younger than 16, they failed to recognize the mandatory reporting requirements. Although this employee did speak to their supervisor immediately, it was for other reasons and they did not disclose the age of the student.

It was not until the next morning that the supervisor realized the age of the student and initiated the proper reporting procedures. This resulted in an approximate 12-hour delay in reporting this incident to both DCYF and Concord Police.

In both instances, the School took steps to ensure the safety of the parties involved. Employees did, however, fail to make the proper reports to outside agencies in a timely manner. It should be noted that once supervisors and administrators became aware of the situations, reporting was immediate. There is no reason to believe that there was malicious intent or purposeful “hiding” of any information. Once the noncompliance came to light, I received complete cooperation from employees, supervisors and administrators during my investigations. It is imperative that SPS continue to train employees — especially those who don’t deal with mandatory reporting on a regular basis — on the requirements and importance of reporting these types of incidents.

Ongoing Work, Community Engagement

St. Paul's School continues to follow RAINN's recommendation to conduct biannual case review sessions. These sessions are attended by key personnel and have resulted in open and honest discussions and actionable recommendations. It has been encouraging to witness a willingness on the part of the School's administration to engage in true self-reflection and a willingness to continue to learn and improve. Utilizing preset guidelines, these review sessions address all aspects of student safety. Topics discussed include campus physical features (cameras, locks, etc.), School policies, official responses to incidents, impact on students, and record keeping. These case reviews are a crucial tool for evaluating policy effectiveness and identifying areas of improvement.

SPS continues to strengthen its relationships with community partners to provide the safest campus possible for students. The School continues to exceed the requirements of the Settlement Agreement by not only providing a workspace for a Crisis Center of Central New Hampshire advocate but also encouraging the partnership through Schoolwide advertising of the Center and invitations to the advocate to participate in School events. The actions of the School show a true willingness to encourage students to reach out outside of SPS for help if needed — a significant change from the past.

SPS also has initiated the process of forming a Sexual Assault Resource Team (SART) with other high schools in the area. SART teams are common throughout the state, however the focus of this SART will be on public and private high school settings. Although it is in its early stages, this SART shows promise as a mechanism to collaborate with other professionals, share best practices, and continue to focus on a victim-centered, trauma-informed approach to reports of sexual assaults on campus.

Reporting Data

As required by the Settlement Agreement, attached is a list of incidents reported to outside agencies from Jan. 1, 2023, through June 30, 2023. As always, the information provided is intended to be generic and not identify any persons involved. To further de-identify the individual cases, I have used the term "possession of a controlled substance" to cover everything from THC vapes to prescription medications.

When the reporting person is listed as "Sanctuary," it implies that either the student or another person requested help for the student, so the student could receive the help needed without facing discipline. "Amnesty" is similar but intended to encourage either a witness or victim to come forward to report an incident without facing discipline for their own violations.

Reporting Data

COMPILED LIST OF REPORTED INCIDENTS

REPORTER	OFFENDER	ON/OFF CAMPUS	REPORT	ACTIVE/HISTORIC	REPORT FILED/W
1 Faculty	Student	On	Possession of a controlled sub.	A	CPD
2 Sanctuary	Student	On	Possession of a controlled sub.	A	CPD
3 Amnesty	Student	On	Possession of a controlled sub.	A	CPD
4 Clark House	Unknown	Online	Online solicitation	A	CPD/DCYF
5 Clark House	Non-affiliated	Off	Unwanted touch	H	CPD/DCYF
6 Adviser	Parent	Off	Abuse	A	DCYF
7 Sanctuary	Student	On	Possession of a controlled sub.	A	CPD
8 Faculty	Unknown	On	Possession of a controlled sub.	A	CPD
9 ASP	Parent	Off	Abuse	H	DCYF
10 Clark House	Parents	Off	Abuse	H	DCYF
11 Clark House	Non-affiliated	Off	Unwanted touch	H	DCYF
12 Student	Student	On	Criminal mischief	A	CPD
13 Staff	Non-affiliated	On	Threat	A	CPD
14 Clark House	Unknown	Unknown	Underage sexual activity	H	CPD/DCYF
15 Clark House	Faculty	On	Unwanted touch	A	CPD/DCYF
16 Clark House	Student	Off	Unwanted sexual touch	H	CPD/MOU
17 Admissions	Potential applicant	Off	Sexual assault	H	CPD/MOU DCYF
18 Clark House	Student	Unknown	Scam/threat	A	CPD
19 ASP	Parent	Off	Abuse	H	DCY

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.