

Independent Assessment & Investigation of Culture and Climate

Kirkwood School District

June 2021



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Introduction

This project was initiated by the Kirkwood School District (“KSD” or “the District”) after a series of social media posts relating historical experiences of sexual abuse of students by former staff appeared on the Kirkwood High School Alumni Facebook page in early July 2020. By July 9, the District created a mechanism that we refer to as the “KSD Report Form” for reporting concerns of abuse and misconduct (anonymously if desired) and publicized it on its website and the KHS Alumni Facebook page.

A request for proposals (RFP) for an independent assessment was announced by the District on July 14, 2020, seven days after the initial Facebook posting on July 7.¹ The District retained Encompass Resolution LLC in September 2020 to conduct an independent assessment and investigation of culture and climate in the District related to the reporting and handling of allegations of sexual abuse, misconduct, and inappropriate behavior.

In its initial communication about the project, the District noted its intention to better understand several factors:

- *The forces that are currently shaping the district and school culture and climate at KSD around these issues.*
- *Students, staff, and parent experiences or perceptions that are currently affecting the school district’s culture and climate, that may be hindering reporting, or undermining confidence that there have been timely and appropriate responses and interventions.*
- *An assessment of the impact of current district and school culture and climate on students, staff, and families.*
- *Best Practices to receive and address student, parent, and teacher concerns; support students, parents, and teachers who have been negatively impacted; and to be a leader in positive school culture.*

It is clear from these statements that the focus of this project is on current culture and climate. It is also evident that an examination of past experiences is essential to an understanding of the current culture and climate relative to reporting and handling of allegations of sexual abuse, misconduct, and inappropriate behavior.

The overarching goals of this project outlined by the District were to identify and investigate:

- whether there have been previously unreported incidents or failures to take prompt and appropriate action in response to complaints

¹ The original post made by Katie Pappageorge (Class of 1999) about her high school experience was removed by page administrators earlier that day, but then restored. Pappageorge, who has given us express consent to use her name in this report, told us that she had made a similar post in February 2019, but it was removed and not restored.

- whether students, staff and parents have confidence in reporting and know to whom and how they may do so
- whether there has been appropriate follow-through in terms of consequences and supports when complaints are substantiated
- and to identify, conduct trainings on, and help implement strategies to promote a positive school climate and culture

The terms sexual abuse, sexual misconduct, and sexually inappropriate behavior refer to a range of behaviors including verbal, written, visual, and physical conduct that is explicitly or implicitly sexual in nature. The notion of “consent” is irrelevant in the context of an adult’s² conduct toward a student; there is an inherent imbalance in the power relationship between an adult and a K-12 student.³ Beyond sexual behaviors that may be criminally prosecuted and/or actionable in a civil setting (e.g., violations of Title IX, which prohibits sexual harassment of students), inappropriate conduct in a school setting may include more subtle behaviors including using the adult/student relationship to groom the student for future sexual interaction, inadequate boundaries, and unwanted attention related to sex and/or bodies.

This report discusses the information gathered during the study and details common themes and the range of topics covered. We have reviewed multiple investigations conducted by the District prior to the 2020-21 school year. This report does not make findings regarding whether specific incidents occurred or did not occur. Any specific references to incidents and allegations set forth in this report or any attachment are included to provide relevant perspectives and examples of the District’s historic response to allegations of sexually inappropriate behavior as well as to identify barriers that hinder the reporting and/or investigation of such allegations. The inclusion of allegations does not necessarily indicate that the allegation or incident occurred as related. Similarly, our role is not to reach legal conclusions. With respect to District policies, we note that policies, requirements, and practices have changed over time.

Scope of Review and Methodology

Within days of the reports of sexual abuse on social media in July 2020, the District created and publicized the KSD Report Form, which elicited numerous responses. The District began responding to new and current allegations about current staff members prior to our engagement in September 2020.

All data from the KSD Report Form was shared with us upon our engagement and we had access to any updates. Our initial steps were to evaluate this information to determine whether current concerns

² These adults may be teachers, student teachers, administrators, coaches, other staff (e.g. custodians or bus drivers), or any other adult at a school activity (for example, a volunteer). When we use “staff” and “adult” in this report, we are referring to any adult mentioned above.

³ See generally Mo. Rev. Stat. § 566.086 (consent of the student is not a defense to criminal prosecution).

were being addressed and begin tracking historical concerns. We also began gathering information related to policies and processes, both current and historic.

Surveys were developed and distributed to current staff, students and parents at the high school and middle schools. A link to an electronic reporting form was provided in the same communication as the survey as well as a phone number, both of which were routed directly to Encompass Resolution to permit additional mechanisms for reporting concerns.⁴

Relevant social media mentions of current and former District students, parents, and employees were also researched and reviewed. The information gleaned from these sources was used to develop our lines of inquiry and to contact individuals with relevant information about their experiences and observations or interactions with District employees and/or the District's response to concerns raised.

Further, a review of the District's documentation of past concerns reported and investigated was conducted and interviews were conducted of former and current District personnel charged with receiving, investigating and assessing reported concerns. Interviews were also conducted of former students, present and former District employees as well as parents of students who provided relevant information regarding their participation in the District's investigative process and/or their perception of the investigative process. Interviews were conducted primarily via Zoom video conference and/or telephone. In all, more than 40 lengthy interviews were conducted and relevant information was gathered by email and through survey responses from 100s of stakeholders. During a year where in-person focus groups were not practicable, a review of social media postings served a similar purpose.

A review of additional resources, including relevant District policies, procedures, police reports, newspaper/media reports and relevant District employee personnel files, was also conducted.

After analyzing the information gathered and reviewed, our reporting to the Board has and will set forth common themes and opinions pertaining to the range of topics covered. Policy evaluation and our analysis of survey responses was provided to the Board at its January 2021 meeting along with recommendations. Key issues addressed in January were sufficiency of policies, their distribution, and the familiarity with and confidence in the reporting process.⁵

Policies

Key policies that relate to the issues examined are AC (Prohibition Against Discrimination, Harassment, and Retaliation), GBH (Staff/Student Relations), GBCB (Staff Conduct), JHG (Reporting and Investigating Child Abuse and Neglect). KSD policies are consistent with other Missouri school districts. The Board

⁴ The phone number and email address of the President of Encompass Resolution (Ann Molloy) was also provided to the administrators of the private Facebook group created by survivors (*KHS Voices*) and publicized in that group as well as the publicly available *Kirkwood High School Alumni* Facebook group.

⁵ Middle school student survey responses were received after the January Board meeting. Relevant information from their responses is included in this section.

adopted Policy ACA (Sexual Harassment under Title IX) in its February 2021 meeting to conform with new regulations promulgated by the U.S. Department of Education in the second half of 2020. The Board plans to update this policy again this month to ensure that it is updated in accordance with current law and regulations.

Access to Policies

Parent and student survey responses revealed uncertainties related to locating the policies and reporting concerns. Handbooks reviewed, including *District Information for Families* and school-specific handbooks for students and families were inconsistent in terms of policy inclusion.

Employee handbooks reviewed provide specific guidance on staff conduct as well as information about appropriate conduct between staff and students and expectations of staff if they encounter or otherwise learn about inappropriate conduct (Policies GBH and GBCB). Handbooks directed at students and family have no reference to policies GBH or GBCB and contain no information advising students or parents what behavior is expected of staff or informing them what students should do if they witness or are the subject of inappropriate behavior or how to report concerns. Short of reading through all Board Policies, the only reference to GBH in student/parent facing materials is on the website on the ***Report Abuse or Misconduct*** link.

Familiarity With and Confidence in Reporting Process

Staff: Nearly all staff at every level reported that they were familiar with and knew where to find policies. Virtually all staff reported receiving annual training. Some suggestions in staff survey responses related to clarification of specific topics, notably social media and digital communication. There were numerous suggestions for live, rather than recorded, training on topics related to sexual misconduct and appropriate boundaries.

Parents and Students: Survey responses revealed a need to better communicate policies and processes to students and parents. Just over half of parents responding to the survey said they knew how to find District policies and know how to report concerns of sexual abuse or inappropriate conduct. Less than a third of high school students reported that they knew how to find policies. Middle school student responses paralleled the high school student responses.

Handbooks: One-third of responding parents said they received a handbook; another third was not sure if they had. Most high school students were unaware whether they received a handbook at the beginning of the year.⁶

Confidence in the Process

Adults: High school and middle school parents expressed a willingness and comfort level with reporting concerns about sexual abuse, misconduct, or other inappropriate conduct by staff.

⁶ Middle school students were not specifically asked about handbooks.

Middle school staff expressed a very high degree of comfort in reporting such concerns. Of note, high school staff expressed a greater degree of discomfort about reporting sexual abuse, misconduct, or other inappropriate behavior by staff.

Students: Of the high school students who responded, a greater number expressed that they were uncomfortable with the idea of reporting concerns than said they would be comfortable making a report. Narrative responses offered specific reasons. While middle school students generally expressed that they knew how to report concerns about staff conduct, some comments revealed a need for additional education on the process and narrative responses offered examples similar to those of high school student responses.

Key Concerns from Survey Responses

Student responses:

- Availability of Information - students were unsure if they received handbooks and did not know where to find policies; very few reported that they had received education on the topics at issue or information to help them understand appropriate boundaries between staff and students.
- Trust - there are inherent difficulties in reporting an authority figure in any organization, but many students also expressed a disbelief that a student would be taken seriously or believed when raising concerns of this nature (whether this is true or not, this comment was made multiple times). Some spoke of specific events with students in their cohort who did not believe concerns were addressed.
- Perceived Favoritism - some students expressed a belief that teachers have favorites and that someone who is not popular or a “favorite” would be less likely to be believed. Some were concerned that male decision-makers would favor male staff.
- Perception of Failure to Act in the Past - some expressed an awareness of concerns about past District response to reports of sexual abuse. This impacts their current level of trust and was cited as a reason not to report.

Staff responses:

- Reputation of District and Individuals - some expressed concerns that protection of the reputation of the District as a whole or specific individuals in the District factored into decision making. “The Kirkwood Way” was cited, and described as a predisposed belief that nothing bad could happen in our school community.
- Social connections within the community and District were cited as a factor in reporting patterns. Certain staff, particularly those with a current or past association with athletics, were perceived as favored.
- Perception of Past Failures - some spoke of both past failures and the culture of the school to ignore or diminish actions by “male perpetrators;” high school staff in particular expressed an interest in the use of resources outside of the school to investigate concerns.⁷

⁷ An aggregated set of staff responses is being provided to the Assistant Superintendent of Human Resources contemporaneously with this report.

Parent responses: Concerns expressed by parents were similar to staff concerns. A legacy of distrust could be detected in some multigenerational Kirkwood families. Alumni who perceived failure by the District to respond effectively to previous concerns foster this distrust, which is imparted onto their children.

Adults Accused of Sexual Abuse, Misconduct, or Other Inappropriate Conduct Related to Sex

Information in this section was gathered from social media posts, the reporting process established by the District in July 2020 (“KSD Report Form”), the reporting process established by Encompass Resolution in fall 2020, direct communication with stakeholders (including victims, survivors, witnesses, and other affected parties), employment files, investigation files⁸, survey responses, and other written and verbal communication and documentation.

Some information was reported anonymously, which made follow up communication about specifics very difficult, and in a few instances the staff member was not named⁹. In instances where we were unable to communicate directly with stakeholders we relied upon information available from sources noted above.

We requested and reviewed nearly 40 individual employment files (not all were of accused staff members) and the full set of HR investigation files going back 12 academic years (which included matters unrelated to sexual abuse or misconduct), plus additional specific investigation files related to accused staff members. Our role was not to re-investigate each reported matter, but to review the investigation files and the District’s process during the investigation.

In all, information relating to 30 accused staff members was examined. Alleged conduct ranged from verbal comments to texting to hugging to sexual assault and spanned five decades.¹⁰ Of these 30 accused staff members, it appears from the information analyzed that reports about sexual abuse, misconduct, or other inappropriate conduct related to sex were made against 14 of them prior to summer 2020. The first of these reports took place in the late 1980s. The remaining 16 were not reported until the District initiated reporting mechanisms during the summer of 2020, referenced earlier. Specific information about each accused staff member we reviewed is included as Attachment A.

⁸ It has been reported to us that the historic practice in the District was to maintain investigation files separately from employment files during a staff member’s employment with the District. Upon separation from employment, any investigation file would be filed with the individual’s employment file. Any disciplinary action, memo about policy violation, or memorialization of a performance counseling (including counseling for inappropriate conduct) should be part of a current staff member’s employment file.

⁹ In the instances where we were able to determine to whom the information referred, we have included it in the section specific to the accused staff member.

¹⁰ Distribution across decades: 1970s – 4, 1980s – 7, 1990s – 10, 2000 – 5, 2010 – 4.

While the information gathered revealed unique factual circumstances and experiences of students and staff over several decades, several common themes emerged from our analyses of the vast body of information. The themes discerned are set forth below.

Concerns Not Previously Reported

In some instances, historical allegations that came to light in 2020-2021 were previously unreported. This is not unexpected, especially the older the underlying conduct. Culturally, the nation became more closely focused on these issues over time, in part because of media attention at various moments on particular events including Anita Hill's testimony in 1991, the sexual abuse in the Boston archdiocese reported by the *Boston Globe* in 2002, the Penn State sex abuse scandal that emerged in 2011, and the #metoo movement of 2017.

Various reasons were offered by stakeholders for not previously reporting incidents, including: "It just wasn't done," "The teacher was popular," "I didn't think anyone would believe me," "As a young lady I received lots of male attention and was taught to believe getting male attention is something to be proud of," and "I didn't know what to do." Some students were so victimized by the adult involved that they believed they were in a relationship. As the brother of a woman who identifies herself as a survivor of sexual abuse by a Kirkwood staff member wrote on the KHS Alumni Facebook page:

There are many reasons the victims of abuse, particularly children, do not speak out then or for decades. Being disbelieved, being derided, being accused of causing the abuse, being accused of being disloyal to one's family or school or church or community, the risk of stigmatization as long as they live there, and at times the perceived threat of retribution from the perpetrator himself or herself, are more than enough to provoke silence. If you do not realize this, you have likely never been physically or sexually abused.

Several affected parties spoke of avoiding teachers - and even dropping classes and avoiding specific subjects for the remainder of their high school years - because of their sexually charged experiences with teachers.

Concerns Expressed by Current Staff About Reporting

As reflected in the survey results, high school staff in particular expressed a greater degree of discomfort about reporting sexual abuse, misconduct, or other inappropriate behavior by staff than middle school staff.

We received reports, through various means, of individual accounts by KHS staff members who observed concerning interactions between staff members and students, but who were reluctant to report their concerns because they did not trust how the information would be used and because of the potential for negative consequences for reporting the concerns (e.g. greater scrutiny, falling out of favor with the administration, raising concerns about a favored staff member). One staff member related being told by an administrator that reporting concerns about a particular staff member would not be well received.

One staff member opined that the administrators with the most tenure and who are well-connected in the community tend to act as though they are bulletproof, saying, “[t]hey can get away with things others simply cannot.”

Given the observations in the points below, these perceptions appear to stem from particularized historical origins.

Investigation Process Observations¹¹

Insufficient Investigative Training

The former HR administrators interviewed who were primarily responsible for conducting investigations of accusations of sexually inappropriate behavior that we examined reported they had not received any formal or specialized training in investigative methods or investigation best practices; nor any particularized training relevant to sexual misconduct/abuse accusations.

These former administrators advised they essentially learned “on-the-job” through “situational training.” If guidance was requested for investigations of serious allegations such as accusations of sexual misconduct, the administrators sought assistance from legal counsel and sometimes their predecessors in the role.

Further, building principals and other building level administrators were also found to have investigated accusations of sexual misconduct or assisted in the investigation of accusations of sexual misconduct. The HR administrators interviewed who delegated investigative responsibilities to building level administrators did not know whether the building level administrators possessed the skill set necessary to properly investigate accusations of sexual misconduct.

Our examination of pre-2020-21 investigative files revealed inconsistencies in methodology, in reaching conclusions, and in documenting concerns and evidence gathered. Former HR administrators advised no defined standard of review was utilized or applied to the evidence gathered in an investigation to make their findings. One former administrator interviewed described wanting to be “really sure” that the evidence supported finding the allegation occurred in order to substantiate the allegation. If not, the allegation would not be substantiated.

In a number of investigative files, information contained within some files containing an assessment of the alleged conduct demonstrated an emphasis on determining whether *unlawful* conduct took place, and criminally unlawful conduct in particular, rather than whether Board policies were violated.

¹¹ Investigations discussed in this section were conducted prior to the 2020-21 school year.

Incomplete Investigations

Historic investigations were incomplete in some cases. That is, they were initiated, but were abandoned after the accused staff member resigned or was separated. Notes found in more than one investigative file suggested an investigation may have been discontinued by the District after the Kirkwood Police Department began to investigate the allegations.

Many files we reviewed either lacked the formal notice required by the Missouri Teacher Tenure Act in order to move toward termination or those documents were not retained in the employment files.

Biased Investigations

More than one administrator interviewed advised that investigations of alleged conduct by Kirkwood High School administrators and certain KHS teachers were not treated the same way as investigations of alleged conduct by other District employees. When asked to explain, more than one administrator interviewed advised that they felt that certain former superintendents treated KHS administrators more favorably than other District personnel with regard to the thoroughness of the investigation as well as to the findings of the investigation.

Particularly troubling, more than one former administrator advised that in certain cases, a former superintendent was believed to have actively “protected” certain KHS administrators alleged to have engaged in serious misconduct by influencing the way the investigation was conducted as well as the outcome.

For example, in hindsight, one administrator advised that certain interviews should have been conducted as part of an investigation of misconduct by a KHS administrator but were not because the superintendent at the time felt no further investigation of the allegations was necessary. This same administrator spoke of one instance of delaying the notification to the superintendent about a report of KHS administrator misconduct so that the administrator could conduct a cursory review of the allegations out of concern that no investigation of the allegations would occur.

Additionally, a former administrator who was responsible for conducting an investigation into allegations of misconduct by a KHS administrator advised that a former superintendent kept a separate file related to the allegations separate from the official investigative file. Although the former administrator was not privy to the contents of the file, the former administrator observed that the file existed and believed that the former superintendent’s file likely contained documentation relevant to the allegations that were not included within nor filed in the official investigative file. Upon reviewing the documentation contained within the official investigative file, the former administrator advised that some documents that the administrator had created and filed in the official file were missing.

Recordkeeping Deficiencies

Insufficient and Unreliable Filing System

A current administrative assistant observed that in her experience scanning and organizing employment and investigation files for this project: “there does not appear to be a consistent process for maintaining investigation files/records. Each [administrator in the HR Assistant Superintendent role] had a different way of organizing investigations.” She determined that the District “did not have ‘investigation’ folders for each year in a specific place. Some years, they were labeled by year, but in other cases [the information and documents related to investigations] was kept in personnel files.”

Investigation files have been maintained by school year in most cases and are kept in hard copy format rather than electronically. Investigation folders labeled with the name of the accused staff member are created in which the complaint information, interview information and other documented evidence is contained in the folder.

For the current school year, generally, these files are kept in a locked cabinet located in the office of the Assistant Superintendent for Human Resources. For completed school years, the investigation folders are placed behind indexes and stored in a locked file cabinet located in a locked file room. For separated employees, the District’s practice has been to archive the employment files and store them together with any investigative files that may have been created for the separated employee.

We found that indexes created for some years listed all of the files by names of the accused. Indexes for other school years, however, were sometimes incomplete, and other times non-existent.

Further, when reviewing requested investigation files, some of the files appeared to be missing information, some contained misfiled information, and some were voluminous and disorganized.

The District’s historic investigative filing system (by school year) makes it difficult to track the frequency of concerns brought against the same staff members from year to year. Further, that system makes it virtually impossible to analyze and understand the historical landscape and track policy violations on an individual basis which may contribute to inconsistent recommendations and/or outcomes for the same or similar conduct.

Further, former administrators stated that “official investigation files” are kept in a central location. However, building level administrators were known to maintain separate files organized by employee. Documentation of investigations initiated and conducted at the building level were and are kept at the building level and hard copies of investigative documents created at the building level or by building level administrators may not be routinely forwarded to the official investigation file. Further, they advised investigative documents created by building level administrators who were delegated by Central Office administrators to conduct interviews as part of an investigation or who were present during parts of the investigative process conducted by Central Office administrators may also be kept in such files at the building level.

Illustrative Example of Historical Investigation

We have not had the opportunity to speak with every affected party for each accused staff member. Some have chosen not to speak to us for various reasons; others we have been unable to contact. Some may not want the details of their stories told. The story of one accused staff member's sexual abuse has been shared in the media and criminal charges are pending in this matter. This story is illustrative of several observations we have made about the District's response to reports.

Katie Pappageorge (Class of 1999) posted an account of her sexual abuse by Chris Stephens on the Kirkwood High School Alumni Facebook page on July 7, 2020. Her post encouraged others to share their own experiences in the group. Her story was recounted in several news reports, as was the experience of a member of the class of 1996 ("Affected Party 1").

We have spoken with both women and have reviewed numerous documents, including a 200-page file containing documents related to an investigation conducted by the Principal of Kirkwood High School at the time. He initiated the investigation after Affected Party 1 met with him on December 17, 1997,¹² to report her sexual relationship with Chris Stephens that had begun in 1996.

After meeting with Affected Party 1, the Principal spoke with eight individuals, one of whom he called overseas to interview. The file contains information, and in one case a transcript, related to communication with six of the eight. The transcript shows a detailed discussion, one in which he allowed the young woman to fully explain her story. With others, he required a detailed written account. In all, there are accounts of sexual abuse by Stephens of four girls¹³ who ranged in age at the time of the abuse from 16 to 19. The information they provided was compelling and the District determined that Stephens was not fit to continue his employment.

Per the investigation file, Stephens admitted to some of the allegations and denied others. He was told he had two options: he could resign and surrender his teaching certificate or, if he did not, they would continue and expand the investigation, present charges to the Kirkwood Board of Education, and recommend termination of his employment with the District.

On January 9, 1998, Stephens chose to resign in order to avoid a hearing with the Board on the allegations. Acceptance of his resignation was conditioned upon the surrender of his teaching

¹² Some media accounts reported that Affected Party 1 made her report to the Principal over the 1996 holiday break. We reviewed the file containing documents related to the investigation, which contains his detailed timeline, notes of conversations with various individuals, and written statements of Affected Parties. Based on this information, we believe it is more likely that Affected Party 1 first approached him with a detailed account of her experience in December 1997. We believe this is an important clarification, as it suggests that the Principal took action once she met with him in 1997, rather than delaying for a year before investigating the matter.

¹³ Years later, this Principal communicated by text with another Affected Party who is not named in the file. He told her that one former student brought misconduct concerns to him and that other girls he interviewed said Stephens had not engaged in sexual conduct with them. This contradicts the investigation file.

certificate. According to correspondence authored by the Missouri Department of Elementary and Secondary Education (DESE), Stephens also negotiated, through the NEA attorney, changes to the standard stipulated agreement language, no allegations being attached to his file, and a departure from DESE's standard practice of accepting a Stipulated Agreement after receipt of charges by the local board of education.

One staff member we spoke with credits the Principal with conducting a faculty meeting the morning after Stephens left his employment to inform them why he was gone and to encourage them to report any concerns directly to him. It appears that no information was provided to the student body, who simply were told that he resigned. Testimonial and documentary evidence indicates that students involved in theater productions seemed to intuit the reason. There is only one documented conversation with a parent, which took place during the investigation prior to his resignation.

Although the District's investigation of Stephens was halted when he agreed to resign, it was incomplete and stopped short of determining whether he was sexually abusing any current students in violation of school policy. Once Stephens agreed on January 9 to resign and surrender his teaching license, no current students were interviewed, and the investigation stopped. Miss Pappageorge has identified with relevant detail an instance that she believes was subsequent to the date the investigation was halted.

From the notes in the investigation file and other documentary evidence obtained, it appears that the Principal had suspicions that a current student was, or had been, in a sexual relationship with Stephens. Miss Pappageorge was not identified as a potential victim until March of 1997 when rehearsals for the musical resumed. When she was brought to the Principal's office at that point and questioned by him, she – out of confusion about what she was being asked and fear that she was in trouble – denied that she had been “involved” with Stephens. She remembers that the conversation was brief and uncomfortable. She is unsure if the words “sex” or “sexual” were used. She recalls, and indeed it is reflected in her diary, being told that Stephens was gone because he was “involved” with one of his students. There was no counselor present, and no woman present, when the Principal questioned her. She was 15 years old at the time.

Notes from the investigation file reflect that key decision makers for the District were concerned about the impact of this situation on Stephens' family. Other notes in the investigation file suggest that administrators who met with him in early January offered to help him, and some stakeholders believe the District was instrumental in assisting him to secure a position teaching at a community college. Others believe he continued to socialize with his KHS department chair.

There is no indication in the file that any assistance was offered to his victims. It appears that the Principal spoke with one parent of a girl he interviewed, but not Miss Pappageorge's or Affected Party 1's parents. While notes about DFS and potential criminal charges appear in the file, there is no indication that anyone from the District contacted Kirkwood Police or DFS.

A witness who was in position to hear conversations between adults - including the Principal – recalls them questioning the timing of Affected Party 1’s report and her motivation. They suggested she was jealous because she believed Stephens was involved with another student. This witness also recalls a strong interest expressed during that conversation in protecting the reputation of the school.

It would appear from our communication with Affected Party 1 and our review of the investigation file that she – as a college sophomore in 1997, having had some space and time away from Kirkwood – recognized the danger in Stephens’ conduct and was concerned that he was abusing current students. In fact her written statement ends with this: “My decision to tell the truth is in no way a personal action against Chris. I am telling the truth for young girls in the future who may have found their idolization of Chris being taken advantage of, and for the girls in the past who couldn't find the courage to make the truth be known.”

Recommendations

In order to keep the District's students and the community's children safe, Board policies related to sexual misconduct and appropriate boundaries between staff and students must be successfully communicated to students, parents, and staff and effectively enforced.

It is essential that staff, students, and parents have accessible and effective avenues for reporting concerns. Students in particular must feel safe to freely communicate concerns about these issues and have them addressed. The District should consider more robust measures for supporting students who report staff misconduct. Likewise, the trusted adults to whom they express their concerns must be empowered to take the steps necessary to have the concerns reviewed and resolved.

Staff

Expectations should be communicated fully and effectively to staff generally as well as in specific instances when deficiencies are discovered. When concerns have been expressed, care must be taken to ensure that the student is supported and faces no negative consequences for elevating concerns. Likewise, staff members must have the support and appropriate follow up to ensure that behavior conforms to expectations.

The District should enhance training for all staff on sexual misconduct and appropriate boundaries between adults and students, as well as particular topics staff members have suggested need clarification.

Parents and Students

To enhance awareness of and access to policies for student and parents, the District should consider creating a dedicated Title IX section on website and in handbooks to address and explain concepts related to sexual harassment, sexual abuse, and other sexually inappropriate conduct and provide forms and documents related to the process can be provided in this location.

Students would benefit from dissemination of policies by means of the use of online mechanisms most familiar and obvious to them. Several students suggested a link from Infinite Campus and Schoology.

We recommend updating handbooks directed at students and parents to provide guidance about boundaries and inappropriate conduct directed at students by staff (GBH concepts) using language that is readily understood.

- Consider using a broad panel of current students to assist in tailoring these sections.
- Also consider hard-copy distribution of handbooks at the beginning of school year 2021-22.

Investigations

Consistent processes, comprehensive documentation, and well-trained, strong and capable investigators are critical to foster the confidence in the reporting and handling of sexual misconduct allegations. We recommend providing on-going opportunities for specialized training to personnel responsible for conducting investigations.

The District has already begun the process of providing specialized training to personnel responsible for investigating sexual misconduct/abuse allegations. This training should be supplemented on a regular basis.

Other recommendations related to investigations:

- Consider creating a direct reporting avenue to the Board of Education or other resource specifically for District investigators with any concerns of bias related to investigations.
- Consider outsourcing investigations of concerns brought against administrators.
- Consider outsourcing investigations of sexual misconduct/sexual abuse accusations.

Recordkeeping

Because the District's historic filing system for investigations (by school year) makes it difficult to track the frequency of concerns brought against the same staff members from year to year we recommend the following considerations:

- Consider developing an electronic filing system. Electronic records are more easily searched and more easily accessed.
- Consider developing an HR duty manual outlining investigative process procedures to include identifying the contents of an investigative file with a case file checklist.
- Consider developing a duty manual outlining investigative procedures for building level administrators to include identifying the contents of an investigative file with a case file checklist and instructions to route such files to Central Office administrators for inclusion in the "official investigation file."