



# STEVENSON

September 30, 2020

Dear Stevenson Community:

In December 2019, we wrote to provide you with an update regarding our continuing investigation of historical employee misconduct towards students (a process that began in April 2017). At that time, we explained that as survivors or witnesses come forward to share new or additional direct reports of such misconduct, the School will initiate or renew investigations and share the findings with you.

After the distribution of that letter, two graduates—having recognized one of the incidents it described as their shared personal experience—bravely came forward to provide their recollections. The information they offered to Ms. Stephanie Atigh—the outside investigator retained by the School’s general counsel, Fenton and Keller—allowed her to update the findings we summarized in that letter. Additionally, Ms. Atigh has investigated and made findings regarding two new direct reports of misconduct.

In order to protect the integrity of the investigative process, Ms. Atigh has had ultimate authority and discretion in conducting her investigations, including establishing criteria for evaluating the credibility of allegations. In providing a summary of Ms. Atigh’s findings regarding these three allegations, rather than her report, we seek to protect the privacy of survivors, witnesses, and other innocent people whom her report either names or makes potentially identifiable. Protecting the privacy of survivors and witnesses is a crucial aspect of this process: it encourages people to summon the courage required to share the direct reports and/or corroborating testimony essential to effectively investigating allegations of historical employee misconduct towards students.

Before proceeding, it will be helpful to briefly review our practices relative to *naming* and *notification*, and to also review Ms. Atigh’s *analytical standard and terms*.

## *Naming*

Consistent with the standard practice among peer schools, we do not name survivors or witnesses who wish to keep their identities confidential, and we avoid sharing details that may serve to identify them. We also seek to take reasonable precautions to avoid the possibility of making unfair public accusations against employees and/or former employees. Therefore, our threshold for the public disclosure of past employee sexual or other behavioral misconduct is established by:

- The severity of the misconduct, its effect on the former student(s), and/or whether the School was made aware of concerns surrounding the misconduct;

- Whether there exists an ongoing current risk to students at Stevenson or elsewhere;
- Whether the allegations could be substantially corroborated; or
- Whether the employee has already been named in our School communications or in another school’s investigation report.

### *Notification*

We make every effort to notify schools who are employing or who have employed any former Stevenson employee who, following an investigation, has been found to have engaged in sexual misconduct or related behavior. When appropriate, we make reports to the Child Protective Services unit (CPS) of the Monterey County Department of Social Services’ (DSS) Family and Children's Services branch (FCS), and/or the Monterey County Sheriff’s Office.

### *Analytical standard and terms*

The analytical standard that Ms. Atigh used for her findings is the preponderance of the evidence; that is, the evidence on one side outweighs the evidence on the other side. Her investigation report employs the following terms and defines them in these ways:

- Sustained  
An incident is sustained if a preponderance of the evidence obtained during the investigation supports that conclusion. In other words, a finding that reads “it is more likely than not that the allegation is sustained” means that she has concluded that there is a greater than 50% chance that the facts contained in the finding are true.
- Not Sustained  
There was insufficient evidence to determine that the alleged conduct occurred.

We employ these terms in what follows in order to stay true to the investigation report’s framework and vocabulary. Additionally, we generally employ either the word *student* or *peer* when describing events that transpired while a person was enrolled, and *graduate* when describing events that transpired subsequent to that same person’s graduation. Lastly, we maintain the enumeration of unnamed instructors, such that someone referred to as Unnamed Instructor #2 in one letter will continue to be identified that way in later letters, unless and until an investigator makes a finding that triggers the School’s naming protocol.

### *Review of earlier findings*

Our December 2019 letter explained that when Mr. Joseph Wandke, who served as Stevenson’s president from 1983 to 2015, was interviewed in 2017 by the School’s first investigator regarding allegations of historical employee misconduct, he provided three examples of how the School handled such matters as they arose during his tenure. All of the examples he cited occurred in the 1980s. Because the first investigator did not receive direct reports from survivors or witnesses regarding the incidents Mr. Wandke described, she determined that they were beyond her scope. Consequently, these incidents were referred to a second investigator—Ms. Atigh—for consideration. Our December 2019 letter included a summary of Ms. Atigh’s findings pertaining to these incidents, as well as to an unrelated direct

report of employee misconduct received from a 1960s graduate. [That letter, like our earlier ones, was sent by mail to all families of current students, current and former employees, and alumni for whom we have physical mailing addresses. If you did not receive it, please contact the School's alumni office.]

One of the allegations that Mr. Wandke shared with the first investigator in 2017 that was then investigated by Ms. Atigh concerns a former employee referred to in the December 2019 letter as "Unnamed Instructor #3." The relevant portion of the letter reads as follows:

Mr. Wandke reported that in the 1980s, the parents of a female student who had just graduated reported to him an act of sexual misconduct by a teacher and his wife. The alleged misconduct, involving the reporting student and a male classmate—both of whom were day students—had occurred in the teacher's dormitory apartment late in the evening on the day of the graduation ceremony. Mr. Wandke recalls that he met with the reporting student and her parents in his office the next morning, and that he then interviewed the teacher and his wife, who both acknowledged the essential validity of the allegations. Mr. Wandke recalls that he immediately dismissed the teacher and that both the teacher and his wife were required to leave campus that day. Mr. Wandke stated to the investigator that he never provided the teacher with a recommendation or endorsement for subsequent employment.

Ms. Atigh interviewed the former teacher twice by telephone. He flatly denied the allegation of sexual misconduct. He remembered being called at some point to Mr. Wandke's office—alone, without his wife—to respond to an anonymous report that Mr. Wandke had received regarding the students' presence in his apartment, at which time he claimed he explained to Mr. Wandke's satisfaction that nothing untoward had happened among them. He further claimed that he was not fired from Stevenson; rather, he had secured a new job that spring and was therefore already planning to leave Stevenson at the end of that academic year. This last claim appears to be supported by the School's personnel records. His now ex-wife declined to be interviewed by the investigator.

Though Mr. Wandke recalled consulting regularly with the board chair and a county district attorney on allegations of employee misconduct, both of these people are now deceased. The School does not possess any records as to whether the School or the reporting student's parents contacted DSS, the police, or the sheriff's department. More than thirty years later, Mr. Wandke cannot now recall the names of either the reporting student or her male classmate, and neither of these two people—now in their 50s—has yet chosen to come forward.

For these reasons, Ms. Atigh concluded that there is insufficient evidence to make a finding that the allegation is sustained or not sustained.

As noted above, after this letter's distribution in December 2019, two graduates recognized this incident as their shared personal experience, and contacted Ms. Atigh to provide their recollections. The information they each offered over the course of several individual interviews resulted in Ms. Atigh's updated finding that it is more likely than not that the allegation against Unnamed Instructor #3 is sustained.

*Mr. Paul Harrell*

On the basis of this finding, our naming standards lead us to identify Unnamed Instructor #3 as Mr. Paul Harrell. Mr. Harrell taught and coached at Stevenson from 1979-1981 and 1982-1985 (in 1981-1982, he held a similar role at Choate Rosemary Hall, an independent secondary school in Connecticut). Our notification standards have led us to share this information with all schools where to our knowledge he has been employed, and also to forward a copy of this letter to CPS.

On the evening of their commencement ceremony, the two graduates—who both lived locally, and were minors—arrived at the Harrells' dormitory apartment between 9:30 and 10:00 pm. The male graduate knew Mr. Harrell well. The female graduate had not had prior interaction with him. Mr. Harrell provided beer to the male graduate, who had been drinking alcohol earlier in the day but does not recall being intoxicated. The female graduate does not recall consuming alcohol at any point that day or over the course of the evening. The two graduates watched a movie while sitting together on a couch in the living room with Mr. Harrell and his wife, Marci, who was not a Stevenson employee.<sup>1</sup> Mr. Harrell made several comments that the male graduate recalls interpreting as sexual overtures. While they were watching the movie, Mr. Harrell touched the female graduate in a sexual way that made her feel embarrassed and uncomfortable. He then left the living room briefly, and returned clad in a t-shirt and underpants. Disturbed by his behavior, she left the apartment. The male graduate remained in the apartment, and Mrs. Harrell made sexual advances toward him, which later culminated in an act of sexual misconduct by her.

Within a day or two, the female graduate, accompanied by her mother and stepfather, met with Mr. Wandke because she felt it was her duty to report what she had experienced. She recalls feeling that her reports were not taken seriously by Mr. Wandke. Some time after this meeting, the male graduate recalls being asked to speak with Mr. Wandke, which he did alone. In a meeting on campus that he recalls lasting about twenty minutes, he responded to questions about the evening's events. In the course of answering these questions, he reported his observations of Mr. Harrell's inappropriate physical contact with the female student. Because he was not asked about the Harrells' conduct towards him, he did not disclose that Mrs. Harrell committed an act of sexual misconduct. He did not share this information with anyone else until shortly before deciding to come forward.

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<sup>1</sup> In Ms. Atigh's report of her second interview with Mr. Harrell, she writes that he "stated that being questioned in this matter was 'inhumane' since it relates to what happened 35 years ago when he was 'in the middle of a tragedy.'" In February 1985, the Harrells' infant son died as the result of physical injuries. In December 1985, Marci Harrell pleaded no contest to a single felony count of child endangerment.

We sincerely apologize to both graduates and to their families for the sexual misconduct that these graduates experienced, and for the incomplete way in which the School responded at the time to the information that it had received. We are sincerely grateful to both graduates for choosing to come forward now, and for cooperating fully with Ms. Atigh. We have spoken with each one of them directly to express our regrets and support.

*Unnamed Instructor #4*

After the distribution of our December 2019 letter, a graduate reported that on the evening following her commencement ceremony in the 1980s, a teacher hosted a gathering at his dormitory apartment that included other new graduates, and that the teacher offered her an illegal drug. She could not recall the teacher's name, but told Ms. Atigh that she reported the incident to Mr. Wandke soon after it happened. Ms. Atigh attempted to contact a former School employee who matched aspects of the graduate's description of the teacher, but never received any response to the messages she left for him. Ms. Atigh concluded that while there is no reason to doubt the graduate's credibility, there is insufficient evidence at this time to make a finding that the teacher did or did not engage in the reported misconduct. We have assured this graduate that should additional witnesses come forward to share new or further information about this report, the School will renew this investigation and share the factual findings and conclusions we receive.

*Mr. Robert Henderson*

After the distribution of our December 2019 letter, a graduate reported that on the evening following her commencement ceremony in the 1980s, Mr. Robert Henderson—who at the time was a history teacher in his early twenties—hosted a gathering at his dormitory apartment at which he provided beer to attendees, including new graduates who were not old enough to legally consume alcohol. The graduate did not consume alcohol at this gathering or at any other time during this evening. The graduate reported that in greeting her, Mr. Henderson took her by the hand and spun her into a dip, as if they were dance partners, and attempted to kiss her. She recalled that she “brushed him off” and “chalked it up to his having had some beer.” Within a few days, the graduate reported the incident to Mr. Wandke, accompanied by her mother and another family member.

Ms. Atigh, after interviewing both the graduate and her mother, presented their allegations to Mr. Henderson by telephone. Now retired from schools, he explained that he was very young and inexperienced at the time of this gathering, which he described as “the dumbest thing he ever did.” He recalled being severely reprimanded (“read the riot act,” in his words) by Mr. Wandke soon afterwards. He said Mr. Wandke did not mention the dance move and attempted kiss in their conversation, and Ms. Atigh found this claim consistent with the graduate's recollection, and her mother's memory, that Mr. Wandke seemed to them to be focused on the allegations regarding the provision of alcohol. Mr. Henderson acknowledged to Ms. Atigh that there was no excuse for his poor judgment in hosting the gathering, and stated that a long overdue apology for his conduct that evening was in order.

On the basis of this admission, Ms. Atigh found that the allegation that Mr. Henderson permitted minors to consume alcohol in his campus apartment to be undisputed. Owing to his self-confessed intoxication at the gathering, Mr. Henderson explained that he does not recall the dance move and attempted kiss. Because he can neither confirm nor deny this aspect of his conduct, Ms. Atigh has found that it is more likely than not that the allegation is sustained. Our naming standards lead us to identify Mr. Henderson—who taught and served in several different administrative roles at the School from 1981-1992, and then served as a consultant to the School in 2017-2018—by name. Our notification standards have led us to share this information with all schools where to our knowledge he has been employed, and also to forward a copy of this letter to CPS.

When Ms. Atigh’s findings and the School’s naming and notification standards were shared with the graduate, she asked that this letter include the following points:

- She recalls Mr. Henderson was an excellent teacher with whom she had good relations as a student.
- She harbors no negative thoughts or feelings about him, and was not traumatized by his conduct.
- She appreciates and accepts his apology for his behavior that night.

We apologize to this graduate and to her family for what happened that evening, and for the School’s incomplete response to the information they reported. We are deeply sorry for what they experienced—including feelings of confusion and disappointment. We have spoken with the graduate directly to convey our apology on the School’s behalf, and to share our gratitude for her cooperation in this investigation.

#### *Protection for today’s students*

From the information Ms. Atigh collected from survivors and witnesses, it appears likely that the School’s responses to these incidents at the time they were reported were not in keeping with all of the expectations the School now has for responding to such reports, and on behalf of the School we apologize for that fact. Were School employees to receive a report of employee misconduct toward a student now, they would be expected to act in concert with fellow administrators, and consistent with their training relative to the state’s Child Abuse and Neglect Reporting Act (CANRA). They would notify the reporting student’s parents or guardians, notify the parents or guardians of witnessing students, and either make an immediate report to CPS and/or the sheriff’s office, or ensure that such a report is made. If CPS or the sheriff’s office declined to investigate the School’s report, the School would likely arrange for an external investigation to be conducted, such that the reporting students and other potential witnesses could be interviewed, the extent of a teacher’s alleged professional misconduct could be determined, and each step of the process documented.

As noted above, and in all of our earlier letters on this subject, Stevenson has initiated a number of efforts over the past decade to ensure that our community is free from sexual and other behavioral misconduct. For example, our hiring process involves exhaustive background and reference checks. We enlist the counsel of nationally recognized experts on boundaries and conduct, provide relevant annual

faculty training and student programs, and continually update our School policies, practices, and handbooks in light of the emerging standard of care. Our training for all employees is now both regular and thorough, and we maintain records to substantiate reports. Any employee who, in the language of CANRA, “reasonably suspects abuse or neglect” of a student is expected to make a report to CPS or the sheriff’s department, or to ensure that such a report is made, and this expectation is made explicitly clear to all employees during our annual training, as are a host of related requirements associated with CANRA.

Additionally, relevant School personnel regularly work together as a coordinated team to ensure that a student who reports such misconduct will be safe and supported. It is also now more likely that an outside investigator retained by the School’s general counsel would look into contemporary concerns regarding sexual misconduct, including allegations of student-to-student behavior, and make findings that would guide the School’s further response. Lastly, non-supervisory employees are not permitted to provide endorsements of their colleagues or former colleagues on School letterhead, and are strongly encouraged to consult with the appropriate supervisors before responding favorably to any such requests.

Students are regularly instructed to reach out to specific administrators, as well as to other trusted adults, including their parents and/or guardians, in the event they experience any behavior that contributes to a hostile environment—whether it is verbal, non-verbal, written, electronic, physical, or psychological; whether it takes the form of harassment, misconduct, hazing of a racial, sexual, religious, class- or team-based nature; whether it occurs between or among students, or between students and employees. The student handbook includes a range of features—developed in partnership with nationally recognized experts—that inform and guide students and their families concerned about misconduct committed by both employees and peers.

All of these measures—and others—are intended to prevent any student from suffering abuse while in our care, and to help adults and students benefit mutually from safe and appropriate relationships with one another, informed by an alertness to roles, boundaries, hierarchical power imbalances, and accountability.

We welcome your help in three ways. First, if you directly experienced employee sexual or other behavioral misconduct, please consider contacting either the School or Fenton and Keller, the School’s legal counsel, to request contact information for an outside investigator, such that your allegation can be investigated. Second, if an outside investigator contacts you to provide witness testimony in response to someone else’s allegation, please confirm the identity of the outside investigator with either the School or Fenton and Keller before responding to any questions. [Consistent with the standard of care, outside investigators only initiate contact with people named by others as potential witnesses; they do not initiate contact with people named by others as possible survivors.] Third, please refrain from speculating with Stevenson acquaintances and others as to the possible identity of unnamed survivors and witnesses, as doing so may unintentionally contribute to an environment in which they are less likely to feel safe coming forward with the new or additional information upon which effective investigations depend.

*Conclusion*

On behalf of Stevenson and its board of trustees, we apologize once again to all former students who experienced employee sexual or other behavioral misconduct, and to survivors' peers and families who were adversely affected by those events. Our recognition that the School could have in some cases supported these students with greater effectiveness and care inspires our present vigilance on behalf of our current and future students. We do not assume that the reports received thus far by outside investigators represent the totality of historical employee misconduct, and we will continue to do what we can to build survivors' confidence in the School's process for investigating allegations as they arise. We will continue to share the findings of our investigations in a timely and transparent manner, and we ask for your patience and trust as we move forward. If you have questions or concerns, please write to either of us at [president@stevensonschool.org](mailto:president@stevensonschool.org).

Sincerely,



Dr. Kevin M. Hicks '85 P '29  
President



Mr. David Colburn '76 P '11  
Chairman