



## Frequently Asked Questions

### 1. Why did the Board launch the investigation?

The investigation was initiated as a result of two courageous alumnae survivors from the eighties and nineties who came forward in the last decade to share their experiences. After learning of these two cases, the Board and Administration commissioned an independent investigation to uncover the full history of incidents of sexual misconduct by employees of Cate School. Doing so would allow us to not only hold ourselves and our School accountable for any failures, but more importantly to support the healing process for our survivors and use what we learned from the investigation to ensure the safety and well-being of current and future students.

### 2. What was the scope of the investigation?

The scope of the investigation was to examine any and all complaints brought forward by former or current Cate students regarding adult-on-student incidents of sexual misconduct/harassment/assault (including grooming behavior) from any time period. In addition, the investigation was to determine what Cate administrators knew about such conduct, and what steps they took to respond.

### 3. How was the investigator selected? What experience does the investigation team have in these types of cases?

In October of 2020, the Board engaged Oppenheimer Investigations Group (OIG), an independent law firm whose sole focus is school and workplace investigations around misconduct. Managing Partner Ms. Amy Oppenheimer, a leading expert in workplace and school investigations and former administrative law judge in California, led a team of experienced investigators who have collectively conducted hundreds of previous investigations involving sexual misconduct.

### 4. How extensive was the investigation?

Over the course of the investigation, Oppenheimer Investigations Group (OIG) spoke with 54 former and current students, faculty, and staff. OIG was given full access to all requested Cate records. They reviewed thousands of pages of documents including Cate student files and employee personnel files, email communications, yearbooks, magazines, newsletters, faculty and student handbooks, letters, records, notes from prior investigations, articles, books,

social media posts, and other materials provided by those interviewed. They were also able to access the physical campus including dorms and faculty housing. The Board and the School reached out to the Cate community eight times over a period of 14 months to ask survivors to contact the investigative team at OIG. A full archive of prior communications on the investigation is located on the website at [www.cate.org/investigation](http://www.cate.org/investigation).

#### **5. Who managed the investigation process?**

In order to coordinate and oversee the work around the ongoing investigation, the Board established the Committee on Community Accountability (CCA) which includes both trustees and school leadership. No school representatives or Board members or CCA members have any affiliation with OIG, and no efforts were made to influence the findings of the investigative report.

#### **6. What has the School learned from this investigation that will make Cate safer?**

The Board and the School have made extensive commitments and taken actions in response to the findings of the investigation which are detailed in the corrective measures.

In addition, there have been several communications shared with the community over the course of the investigation which detail both programming and external supports that have been enhanced and improved in order to provide the highest level of care for our students.

Since 2016, the School has been actively engaged in updating and improving our policies and practices for both preventing and reporting sexual misconduct. A detailed overview of our current protocols and practices is provided [here](#).

#### **7. Who is deciding whether any corrective actions are needed as a result of the investigation?**

Upon receiving the report from OIG, the Board reviewed the findings and worked with the School to issue [corrective measures](#). Those included both immediate actions as well as commitments to the community. The Committee on Community Accountability (CCA), along with other responsibilities, will work with School leadership to ensure the implementation of these corrective measures.

#### **8. What methodology was used to determine which former employees who committed misconduct would be named in the report?**

The naming policy was based on these considerations:

- The severity of the misconduct

- Evidence of a pattern of misconduct with multiple students
- Whether the individual's conduct involved either physical or emotional coercion/grooming behavior
- The number of reports made about a particular individual
- The presence of independent corroborating evidence
- Ongoing current risk to students at Cate or elsewhere

**9. How many former employees were named in this investigation and when did the sexual misconduct occur?**

The conduct described in the report occurred between the late 1960s through 2019, however no allegations of sexual misconduct were made against any current faculty or staff, and no current employees were named as perpetrators of sexual misconduct in the report. Of the seven named perpetrators, six committed their abuses in the late 1980s and early 1990s, and one did so in 2019.

The list of former employees named in the report along with their tenure at the school is as follows:

- Kirk Phelps (1983 - 1985)
- Scott McLeod (1965 - 1993)
- Robert Kusel (1983 - 1988)
- Martin Lowenstein (1987-1989)
- David Mochel (1989 - 1993, 2001 - 2012)
- Andy Campbell (1988 - 1993)
- Da'Jon James (August 2019 - February 2020)

**10. Based on what you learned from the report, did any employee fail to make any mandatory report?**

There were no findings that any adults at the School failed in their mandatory reporting obligations. However, in response to a variety of issues that were raised in the report, the School is working towards evaluating and enhancing policies and protocols to better coordinate and react to any future allegations of misconduct in a thoughtful, comprehensive and timely manner.

**11. How are the School and the Board holding themselves accountable in light of the findings from the report?**

To honor the survivors who came forward to assist in the investigation, the Board and the School are committed to doing all the necessary work to make amends for the harm that has occurred and to do everything possible to ensure that our students today and in the future will be safe. The Board has reviewed the report and is committed to making a number of protocol changes at the School going forward. While many of these changes were recommended by outside expert consultants, some were made as a direct result of the report itself. [Here is a list of corrective actions.](#)

**12. How long did the investigation take?**

The Board hired Oppenheimer Investigations Group in October of 2020 to conduct the investigation which lasted roughly 14 months. OIG received their most recent intake call on December 2, 2021. The Board recognized the urgency in completing the report, and also believed that allowing the time for the investigators to create a thorough and complete report was essential to a full documentation of Cate's past. The Board released the report to the Cate community within two days of receipt.

**13. Do you think more students will come forward? Will the Oppenheimer Group be available to take additional reports after their report is released?**

It is not known at this time if others will come forward, but OIG will continue to be available in the coming months, if someone wishes to share additional information or has a report of misconduct, please contact Madeline Buitelaar at 1-410-530-6549. If you would prefer to contact someone at the School with regards to an incident of sexual misconduct, please contact Assistant Head of School for Finance and Operations and SHIRT Lead [sandi\\_pierce@cate.org](mailto:sandi_pierce@cate.org).

**14. How are you supporting survivors now?**

In an effort to support our survivors, Cate School has established a therapy fund to assist alumni and former students desiring reimbursement for therapy related to sexual abuse perpetrated by school employees. We have engaged [RAINN](#), the nation's largest anti-sexual violence organization, to operate the dedicated [Cate School Therapy Fund Hotline](#), and to provide confidential support and information on how to access the fund.

**15. What resources and avenues are available to help students process the findings of this report?**

The report's release was announced to students during a regularly scheduled assembly. Immediately following the assembly, students met with their advisors for a facilitated meeting which included many of the questions answered in this document. Additionally, STESA will provide ongoing support and resources for students who need it including 1:1 support, a designated wellness center, optional community conversations by dorm, and community self-care and support sessions. If additional support is needed, advisors will coordinate with the Counseling Office.

**16. If I have comments, concerns or questions about the investigation process or findings, who should I contact?**

We have a designated email address ([ccatrustees@cate.org](mailto:ccatrustees@cate.org)) for those wishing to reach out to our Board about the investigation. In addition, on the [investigation webpage](#) there is a question submission form. You will be connected to members of the standing committee of the Board Committee

on Community Accountability (CCA). Should you have questions about our school policies or programming, please reach out to Ben Williams or other members of the senior administration.

**17. Are there any honors given or public recognition of named perpetrators? If so, have they been removed?**

There is a named perpetrator who was associated with two endowed funds. The Board made the decision in their corrective measures to rename these, however the funds will continue to support their original purposes.

**18. Will there be other opportunities for alums to be heard about their reactions to this report?**

Yes. We welcome dialogue and inquiry from all of our community. We have established a number of vehicles for reaching out with questions and concerns and these are reflected on the investigation website. The School and the Board will continue to provide updates as we work towards implementing our corrective actions.

**19. Is what was released a full report?**

The Board has released the full investigative report, which has been drafted in a manner that protects the identity of the survivors and former students who participated in the investigation. Where appropriate, school leaders who were involved in the handling of reports are identified by name. OIG used victim-centered and trauma-informed protocols while interviewing survivors, and were only in contact with survivors who agreed to participate in the investigation. In following well established best-practices and in order to avoid retraumatization, the investigators did not reach out to any victim who chose not to come forward after the investigation was announced.