

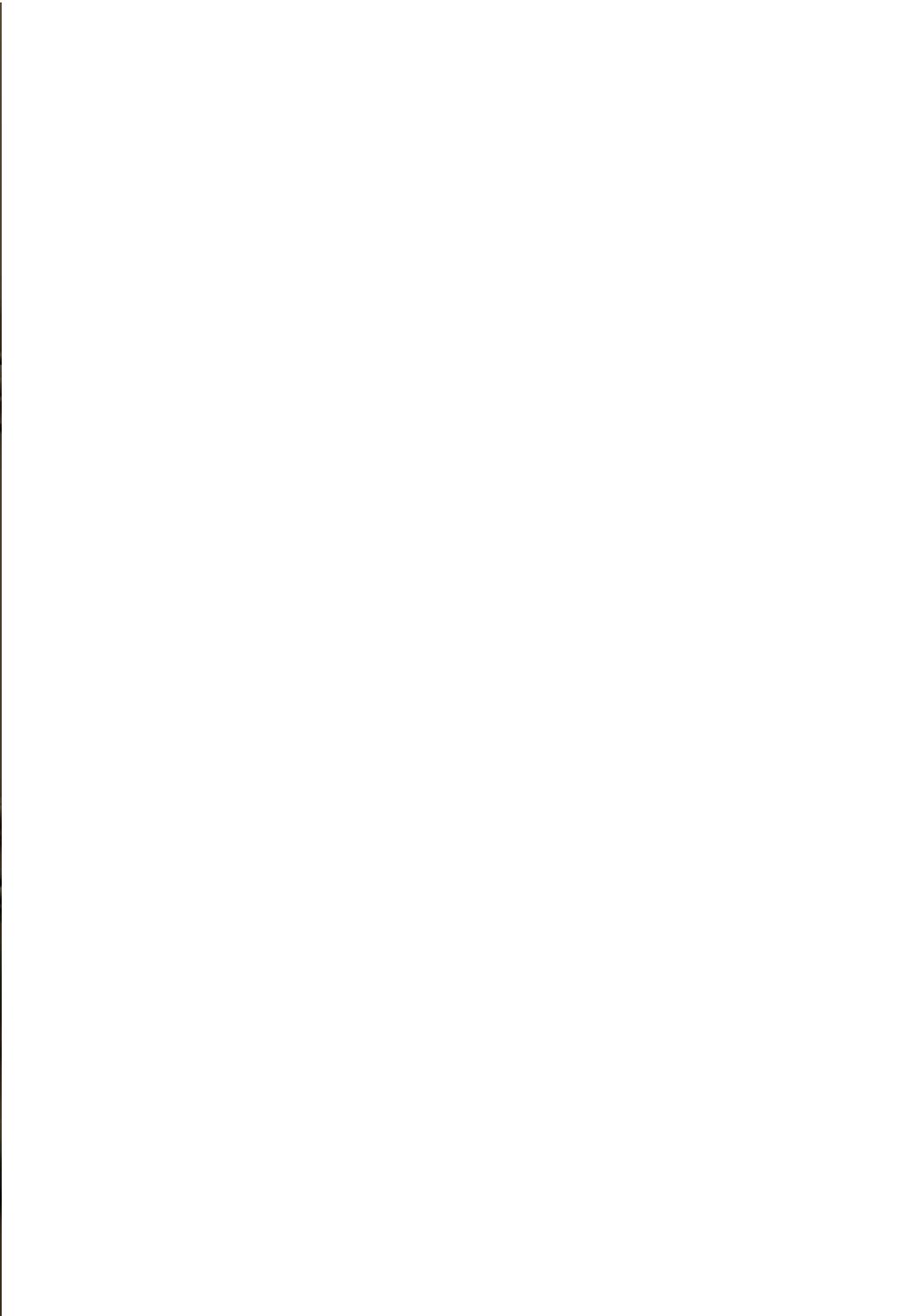
# The ESD Sex Scandal

*When an exclusive private school discovered a teacher was sleeping with a student, administrators did their best to make the problem vanish.*

**BY CLAIRE ST. AMANT**

FROM D MAGAZINE OCTOBER 2011

CAMPBELL HAD THE ABILITY TO PACIFY AND AGITATE EMILY, OFTEN IN THE SAME BREATH. AND DESPITE HER DISCOMFORT WITH CAMPBELL'S ADVANCES, THERE WAS SOMETHING ABOUT THE CLEAN-CUT, ATHLETIC TEACHER THAT KEPT EMILY INTERESTED.  
ILLUSTRATION BY MARK ROSS



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*Editor's Note: On Sept. 21, after this story had gone to press, the jury found in favor of the plaintiffs, ruling that the Episcopal School of Dallas committed fraud and was grossly negligent. The jury awarded more than \$9 million in punitive and compensatory damages.*

On a cool November night in 2009, Emily Northrup drove to the abandoned parking lot her history teacher had described to her. It had once served an Office Expo, but that store was long closed. The lot was in a secluded area of Farmers Branch, hidden from main roads. Already waiting for her there, J. Nathan Campbell climbed into Emily's Lexus. He was 34; she was a 17-year-old junior.

Campbell had sounded a bit upset when he called earlier, but seeing him now, Emily could tell something was wrong.

"I just had the biggest fight ever with my wife," he told his teenage lover. "I think it's over."

As she was trying to process what he was telling her, a police car pulled up next to them. Emily panicked, but her teacher was calm and collected.

"I'll handle it," Campbell said, climbing out of the car.

But for all his charm, Campbell couldn't talk his way out of the problem entirely. When the Farmers Branch police officers learned he was a teacher at the Episcopal School of Dallas, where Emily was a student, the questions got more serious.

"Isn't this weird, that you're meeting in a parking lot with your teacher?" an officer asked Emily (whose name has been changed for this story).

"Everyone at ESD is a family," she said. "Everyone is really close."

What Emily didn't tell the police was that she had been sleeping with Campbell, a married father of a 3-year-old boy. She didn't tell them how he'd seduced her with compliments and caresses in his office. Or how Campbell, a man twice her age, said he loved her, and they'd be together forever. Instead, Emily lied to the police and was permitted to go home.

But eight months of secrets are difficult to hide under close scrutiny, and soon, Emily and Campbell's story began to fall apart. Forty-eight hours after being questioned by police, Campbell resigned from ESD. Two months later, Emily—by law, a victim of sexual assault—would be forced to withdraw from the school under threat of expulsion.

Emily eventually filed criminal charges against Campbell, and her family filed a civil suit against the school seeking \$10 million in damages for negligence, fraud, mental anguish, and all the tuition they'd paid since Emily entered ESD, in kindergarten.

The civil trial, begun in July of this year, has been a parade of ESD's dirty laundry, including sex in company vehicles and hotel rooms booked using a school credit card. It seems ESD's insignia is branded on nearly every dirty deed the pair engaged in. Their meetings revolved around football and exam schedules, and explicit messages were sent from an ESD-owned iPhone and school email accounts. While this would be detrimental to any school's reputation, it's particularly troubling to one whose kindergarten tuition begins at \$14,000. The school has come a long way from its founding in 1974, when Father Stephen Swann, then only 30 years old, opened the school with eight students.

Originally housed at Saint Michael and All Angels Episcopal Church, ESD grew into three campuses, educating 1,100 students from preschool through high school. It is the largest co-ed private school in Dallas. The 39-acre upper school campus has an athletic and wellness center (named after Swann) with facilities that would make a professional team feel at home. The school grounds also include a greenhouse, a lake, and a quarry.

ESD administrators claim Campbell was a stealthy predator who victimized Emily through an elaborate ruse they couldn't reasonably be expected to detect. Her presence at the school after the affair was unhealthy for her and the entire community, administrators claimed. Difficult as it was, they had no choice but to remove her. But when Emily took the stand, just shy of 19, a ponytail tied low on her neck, she told a different story.

**Emily sat in her bedroom, staring at the computer screen.** “Should I do this?” she thought. “This is my teacher.” It had been half an hour since Campbell emailed his cell phone number to Emily, then 16 and a sophomore in his world history class. He had been tutoring Emily privately for months, and, by April, they had grown accustomed to exchanging emails late at night. But they'd never talked on the phone.

Emily felt confused and flattered that one of the most popular teachers in school was giving her special attention. In his office, Campbell would tell Emily how pretty she was, how she was one of the most attractive students at ESD. He'd also asked Emily if he was the most attractive teacher at the school. These conversations left Emily feeling strange.

“Why are you asking me this?” Emily would question Campbell, who’d just brush off her discomfort with an easy laugh.

Campbell had the ability to pacify and agitate Emily, often in the same breath. And despite her discomfort with Campbell’s advances, there was something about the clean-cut, athletic teacher that kept Emily interested.

She picked up her iPhone and dialed.

When Campbell answered, Emily told her teacher she felt weird. He laughed and told her that there was nothing wrong with what they were doing. They were just talking.

And talk they did. For nearly two hours the pair chatted about school, sports, and Emily’s virginity. Emily was nervous, but the more she talked to Campbell, the more it felt to her like she was talking to a boy in her class, not the man who taught it.

During the next few weeks, Campbell continued to reach out to Emily. He attended her sporting events, popped in on her other classes, and started calling and texting her regularly. “You played really well tonight,” he told Emily, a star on the athletic field though not always one in the classroom. The attention made Emily feel special, and after months of conversations and compliments, Campbell asked her to meet in a church parking lot near her house.

Emily drove a few minutes to Preston Hollow Presbyterian Church, which was already closed. She spotted a blue Suburban owned by ESD. Campbell invited her inside and began rubbing his hand on her thigh. When Emily told him she felt uncomfortable, he moved his hand to her shoulder.

“It’s okay,” he told her. “Don’t worry.”

But Emily didn’t feel okay. Campbell asked if he could kiss her. She told him no.

“You have such a nice, athletic body,” Campbell said, stroking her thigh once again.

Emily asked him not to touch her down there, and Campbell played dumb.

“I’m not going to do that,” he said. “Are you kidding?”

As Emily went to leave, Campbell kissed her on the cheek. She got out of the Suburban and drove straight home.

Back at school, Emily tried to focus on her classwork. Campbell was known for his demanding course load, and she struggled to keep up. He'd been helping her, teaching her how to take more effective notes in class and how to prepare for exams. Her history grades had started to improve.

On a day in April, Emily went to Campbell's office to turn in a paper. She glanced at the clock; she had only a few minutes to spare before practice. She arrived already in her uniform and tried to leave as quickly as she'd arrived.

"Wait a minute now," he told her. "You don't need to be in a hurry."

Campbell sat perched on a table, reclining with his hand behind his back. He asked her about her day, and they chatted for a bit.

Then Campbell swept his hand across her crotch.

Without either of them saying a word, Emily left the room.

**The next day, Emily felt uncomfortable** around Campbell. She wondered if he'd told anyone, or if he was going to talk to her about what had happened. But the day passed without incident, and Emily started to feel a sense of pride about their relationship. Here was a man admired by students and teachers alike, and he was showing attention to Emily.

Campbell wasn't just any teacher at ESD. He was the dean of the freshman class and the director of a new school program, the Center for Global Citizenship. As the director, Campbell helped make arrangements for visitors from around the world and was their host when they arrived. The role came with access to company vehicles, a credit card, and a key to a furnished house on campus.

In an email to Campbell, his boss, head of the upper school, Erin Mayo, told him, "I'm your No. 1 fan." Emily was also close with Mayo, who was her English teacher as well as her principal. Campbell would brag to Emily about how much Mayo and Rebecca Royall, ESD's chief academic officer, liked him.

"She thinks the world of me," Campbell would smugly say of Royall. "I could go to her for anything."

When Campbell wanted to see Emily during school hours, he'd text her two simple words: "It's safe." Campbell shared his office with another history teacher, Marc Salz, who happened to be Emily's adviser. As such, Salz was responsible for reviewing her report cards. Salz and his wife, Tolly, both worked at ESD, as did Campbell's wife, Sara. Salz was the ESD employee charged with reviewing the comments on Emily's report cards; questionable remarks were never brought to the attention of administration.

In a report card sent home in January 2009, Campbell described Emily as "a dog with a bone," and said he looked "forward to more late-night emails with in-depth questions." As the relationship became more intimate in the spring, Campbell never hid that he and Emily frequently met outside class. He wrote that he enjoyed their daily visits and commented that Emily was one of the few students who came to his office regularly for help. By the time Campbell penned those words, Emily had already become a regular visitor at his home as well.

In May, Campbell invited Emily over to his house a week before finals. They'd had a half day at school, but since his wife worked in alumni relations, she was still on campus. He greeted Emily at the door and put his hands on her hips.

"I can't stay long," she told him. "I have to study."

But he whisked her to the backyard to show off his new porch. "Isn't that awesome that I built that myself?" he asked Emily. "Now my son will have somewhere to play."

The pair took a seat on the couch, and Campbell started kissing her.

"You aren't a very good kisser," Campbell told her. "But it's okay. I'll make you a better one."

Emily was embarrassed, but she kept kissing him. Campbell took off Emily's shirt and led her into the bedroom, where he removed his clothes. Emily, who had never seen a boy, much less a man, in his underwear, asked him to put his shorts back on. Campbell complied and pulled Emily up on the bed.

"It's not going to hurt," Campbell said as he slid his hand beneath her underwear. "I'll make you better."

After this encounter, the summer began, and Emily and Campbell started calling and texting each other more frequently. Emily told Campbell that she loved him, and he said he loved her, too. His marriage was dead, Campbell said, and he wanted Emily to raise his son as her own. Emily was enthralled with the idea of a lifelong relationship with her teacher. They planned to live together once she graduated.

"We'll be together for the rest of our lives," Campbell would say.

**With those promises** fresh in her mind, one day in August 2009 Emily told Campbell that her parents were away for the afternoon. Her dad was sailing, and her mom was shopping with a friend. Campbell hurried over. Emily answered the door fresh out of a shower, wearing only a towel. She said she needed to change, but Campbell told her it wasn't necessary.

"I have to leave soon, anyway," he said.

The pair sat on Emily's bed and began kissing. Though they had made out before, Emily could tell this time was different. The kisses were more passionate, and things escalated quickly. The next thing she knew, Campbell took off her towel and started kissing her everywhere. Then Campbell removed his clothes.

"I don't want to have sex," Emily told him.

"We won't," Campbell said as he climbed on top of her.

This was yet another promise Campbell wouldn't be able to keep. As her teacher succumbed to temptation, Emily felt confused.

"Did we just have sex?" she asked him when it was over.

Campbell looked down and, with a tinge of defeat, he informed Emily that, yes, they had just had sex.

Emily was furious. This wasn't the way she was supposed to lose her virginity. She'd imagined her first time would be with her husband, and she'd cry because it felt good and she was happy. But the tears running down Emily's face weren't happy ones.

"You've ruined this now," she told him. "I want you to leave. I want you to leave right now."

Campbell apologized and tried to comfort her, but she picked up his clothes and threw them at him.

"Get out," she said.

Between texting and calling, Campbell and Emily were normally in near-constant contact with each other. For the next couple of days, however, they didn't speak at all. Finally, Campbell broke the silence. "Aren't you glad you got it over with so you aren't so nervous to lose your

virginity?” he asked her. Emily was still too angry to respond. But after a week, she gave in, and the relationship resumed.

courtesy of the Texas Department of  
Criminal Justice

Despite a rocky beginning, Campbell and Emily began sleeping together frequently (the second time they had sex, Campbell made sure to ask her first) and engaging in other sexual acts. Campbell sent Emily naked photos of himself, and she responded with her own. Campbell would tell Emily that their physical relationship was further proof that he loved her.

As the summer came to a close, the pair decided it would be best to cool things off when classes started, and they agreed not to see each other during the school day. Emily kept up her end of the bargain, but Campbell couldn't resist walking by her classes and stealing glances of her. Emily worried someone would find out about them. One day in the library, a teacher explained that emails over the ESD server could be monitored. Until this point, the pair had always exchanged emails from their ESD accounts. Fearful of detection, Emily helped Campbell set up a Yahoo account.

With a thin layer of security in place, the pair grew bolder. In the fall, Campbell sent Emily emails and texts throughout the school day, often while he was teaching history classes. They had sex in an ESD Suburban more than once. Campbell also monitored Emily more closely and would get mad at her for talking to boys her age. Around this time, Campbell began taking Emily to hotels he'd reserve with his ESD credit card. Upon checking out, he'd pay in cash. Emily asked him why he didn't just use his personal credit card.

“My wife would see the bill,” he said. “I can't do that.”

To explain his overnight absences, Campbell told his wife he was sleeping at the Center for Global Citizenship because of car trouble or commitments to ESD's out-of-town guests. Emily told her parents she was spending the night at her best friend's house.

At what would be Emily and Campbell's final hotel tryst, he brought her a pregnancy test. After the results came back negative, they had sex, ordered a pizza, and fell asleep watching television. A month later, they'd be caught.

**On the morning of November 30, 2009**, an administrator approached Erin Mayo, head of the upper school, and chief academic officer Rebecca Royall as they exited chapel. The Farmers Branch Police Department had called to report that Campbell and Emily had been found in an abandoned parking lot the day before. Immediately, Mayo

ordered a search of Emily and Campbell's school email accounts, which came up clean. She then called Emily's mother, Sharon, and arranged a meeting for that afternoon. Before Mayo could locate Campbell, he showed up in Royall's office.

He explained that he had happened upon Emily in the school's parking lot Sunday afternoon, and she was crying. The two hadn't had any contact since last year, when he'd been her world history teacher, Campbell said, but seeing her so emotional, he felt obligated to help and offered a sympathetic ear. Emily was going to have coffee with a friend, so Campbell suggested meeting afterward in the Best Buy parking lot near Midway Road and LBJ Freeway. The store was on his way home, and he'd be returning some videos there later. They were chatting in Emily's car when the police pulled up and questioned them.

"With good intentions, I made a bad call in judgment," Campbell said apologetically.

In a meeting a few hours later, Emily told the same story, nearly word for word. Mayo's suspicions began to grow, as she believed many of the details were implausible, such as the idea that they'd been able to find each other in a large commercial parking lot without ever exchanging phone numbers. After Emily and her mother left, Mayo reviewed the Farmers Branch police report with Father Stephen Swann, the school's founder and headmaster. Mayo was disturbed at the inconsistencies between the pair's story and the report, which stated the parking lot was behind a closed Office Expo, not a bustling Best Buy. Mayo began to suspect the worst.

Back at home, racked with doubts, Mayo couldn't sleep. In her pajamas, she drove out to the location listed in the police report and examined it. She noticed there was no way to access the parking lot from the main roads or the Best Buy parking lot, making the idea that they'd first met at Best Buy and relocated highly unlikely. The pair hadn't wanted to be seen, Mayo realized.

The next day at school, Mayo had a security officer look through the parking lot surveillance tapes from Sunday, November 29, when Emily and Campbell claimed to have had a chance meeting on campus. A review of the tapes showed that while Emily was at the school for practice, Campbell's car was never in the lot, and neither was he. They hadn't met that afternoon at ESD as they'd both emphatically stated.

Swann called Campbell to his office for more questioning. Campbell arrived visibly shaken and tried to apologize once more.

"I've learned from my mistake," Campbell said. "It was stupid to put everything on the line like that on an impulse."

Swann told Campbell his career was in danger. “We’re going to comb the records, son, and if you’ve done anything inappropriate, you’ll never work in teaching again,” Swann told him.

That afternoon, Campbell walked into Royall’s office with an envelope in his hand.

“If something happened other than what you told me, slide the envelope to me,” Royall said. Campbell slid his letter of resignation across the table. In it, he accepted full responsibility for his actions and closed by offering his “heartfelt apologies.” Campbell taught his last class of the day and was escorted off campus by CFO Chris Burrow. Before leaving, Campbell told Burrow he’d had sex with Emily. Even though ESD filed a report with Child Protective Services the very next day, the school never told Emily’s parents. They didn’t learn that a teacher had had sex with their daughter until a week later, when CPS interviewed Emily.

When Mayo announced Campbell’s resignation at an emergency faculty meeting the morning after he’d quit, there was a visible and audible reaction from the crowd.

“We know the shock of our students will be about 10 times what it is here,” Mayo said.

She told her faculty not to speculate about the reason for Campbell’s abrupt departure, assuring everyone that he and his family were in good health. That same day, Mayo and Royall grilled Emily, asking her explicit questions about the nature of her contact with Campbell. She continued to deny it had been sexual until meeting with CPS officials the following week.

In meetings with Emily and her parents in December 2009, Royall and Mayo repeatedly reassured the girl she wouldn’t be forced to leave ESD. This was Emily’s main concern in coming forward, as Campbell had told her she’d be kicked out if anyone ever found out about the relationship. Emily’s father, Paul, said Royall and Mayo were going to be her “best friends” until she graduated (all family names have been changed for this story). He encouraged his daughter to go to them with any concerns. Royall suggested that Emily should enter therapy and offered the school psychologist as a starting point. She also asked Emily’s parents to consider changing their daughter’s cell phone number so Campbell wouldn’t be able to contact her. Royall told Emily her door was always open and that she was there to help her get through this difficult time.

In the coming weeks, Emily would follow ESD’s recommendations about therapy and confiding in Royall and Mayo. She reported hearing several rumors concerning her involvement with Campbell. Days after Campbell resigned, Emily’s French teacher approached her after class and asked, “Are you the reason Campbell had to leave ESD?” Emily

was hurt by this question, and immediately told Mayo, who reprimanded the teacher and threatened to fire her if she continued to gossip. That same day, Mayo sent an email to the faculty, reminding them not to speculate about reasons for Campbell's exit.

Emily was attending regular sessions with her therapist, Dr. Laura McCracken. Mayo saw signs of improvement in Emily's emotional state, especially as she began to express anger toward Campbell for the first time. But Emily's feelings about Campbell weren't always negative, and she'd often wonder aloud to Mayo why he hadn't tried to contact her or if he'd told his wife. During Christmas break, Emily would call Campbell's house and hang up as soon as someone answered. She also drove by his house several times, but never went in.

When the new semester began in January, the rumors persisted. On January 22, Marc Salz made an appointment with Mayo to discuss Emily's inappropriate behavior from the previous year when he'd been her adviser and shared an office with Campbell. He said Emily had pressed her breasts against him during chapel and had sent texts to other teachers. He hadn't thought to report it at the time, but considering the rumors about Emily, Salz wanted to make sure he set the record straight on their interaction and his feelings about it. Mayo never approached Emily about these accusations.

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A few days later, two more teachers made reports about Emily. Susan Weil told Mayo that a group of students in her yearbook class said Emily had asked a couple of girls to see if Campbell's wife was wearing her wedding ring. Weil reported the incident because the students were visibly uncomfortable and the conversation had disrupted her class. Hours later, theater teacher Elaine Biewenga shared a similar story with Mayo. Her class was also fixating on the wedding ring story, and though Biewenga hadn't heard Emily's name as the source of the request, she inferred her involvement.

Mayo considered the ramifications of Emily's purported request. No longer suffering in silence, Emily was disrupting the entire campus. Feeling Emily was a long way from closure, Mayo met with Royall and Swann, and, without input from Emily, her parents, or her therapist, the trio of administrators decided Emily had to go.

In an email that would become central to the civil case against ESD, Mayo wrote to Royall: "I don't want the girl haunting the halls with her sad story for the rest of the week."

Emily's father was summoned to the school on January 27. Paul had a lot on his mind that Wednesday morning. Emily was headed to the East Coast the next day to tour her first-choice college with her mother. It had been about two months since he'd learned about his daughter's relationship with her teacher. He and his wife were in therapy of their own, trying to cope with such a shocking revelation. Emily seemed better, though, and her therapist reported progress and signs of healing. Paul had never looked at Royall and Mayo as anything but allies in Emily's path to recovery. He met them that morning with a smile.

"I'm here today to offer you two choices," Royall said. "Withdraw your daughter today, or we will begin the process to expel her. There is no Door No. 3."

Paul went numb.

Royall said that ESD was no longer a healthy environment for Emily. The entire school community was associating her name with Campbell's departure. If he withdrew Emily, she'd still receive college recommendation letters from her teachers, and the family would be given a refund for the spring semester tuition, which was more than \$10,000. If ESD had to expel Emily, there'd be no helpful accommodations. Paul asked if he could have a few days to think about the decision, but he was told he couldn't leave the room without making a choice. If he left without signing the voluntary withdrawal form, Emily would be expelled.

Royall consented to a phone call, and Paul reached his wife at home packing for Emily's college trip. Sharon was stunned. She begged Royall to reconsider.

"Kids have done worse stuff than this and gotten to stay," Sharon pleaded.

But Royall said, "This comes straight from Father Swann. You have no say in the matter."

Paul hung up the phone, and Royall slid the withdrawal form across the table. With the stroke of a pen, Paul ended his daughter's 11-year education at ESD.

Meanwhile, Emily finished up what, unbeknownst to her, was her last English class with Mayo. As Emily walked out the door, Mayo addressed her.

"Have a great trip," she said.

On the advice of Emily's therapist, her parents waited until after the college visit to share the news with their daughter. On Sunday night, as Emily was laying out her homework for the next day, her parents called her into the living room. Sitting her on the couch, her father delivered the painful news. Emily went into hysterics, and her father had to hold her down. Emily asked her father if he fought for her.

"They didn't give me a choice," he said through tears.

At that moment, Emily felt her whole world collapse. First Campbell had betrayed her. Then she'd been fooled into believing Mayo and Royall were her allies. In the end, she was cast out from ESD, just as Campbell had predicted. Worst of all, any doubt that she'd been the one involved with Campbell was erased by the clear signal of her leaving.

"Now everyone is going to know it's me!" she cried out.

**That night, Emily barely slept,** and when she awoke, her mind was filled with thoughts of suicide. Her parents frantically tried to enroll her in a new school, one that met her unique academic and athletic needs. At Emily's request, they also contacted a lawyer.

"I'm tired of getting stomped on," she said. "This isn't right."

In the following months, Emily would bounce around at schools before finding the right fit. She filed criminal charges against Campbell in February, and the police began investigating her claims. She continued therapy and met Charla Aldous, a heavyweight Dallas attorney known for winning big settlements. Aldous told Emily the relationship with Campbell and her resulting expulsion from ESD hadn't been her fault, that she'd twice been a victim of people abusing their power.

The civil suit against the school was filed in May, and Campbell was arrested in July for sexual assault and improper student-educator relationship. Around the same time, Emily earned an athletic scholarship to the college she'd visited after leaving ESD. Entering her senior year in high school, with college plans and a new social circle intact, Emily, it seemed, was finally moving on from being a victim.

But then came the civil trial. In September, ESD's CFO, Chris Burrow, was deposed in the case. That deposition apparently gave him an idea, and he called Campbell. "Hey, buddy," he said in a message left on Campbell's cell phone. "I want to pass on a little information that might be helpful. I'm not going to ask you anything, but I will tell you something."

Campbell was taken aback. No one from ESD had contacted him for months. He sought the advice of his lawyer, Mark Nancarrow, who recommended that Campbell call Burrow back and record the conversation.

“One of the things you ought to know about is, it’s a little vague from what exactly she says happened before she turned 17. That’s really, really important for you,” Burrow said on the phone. “I’m thinking it will really work in your favor.”

In Texas, 17 is the age of consent. Campbell kept his responses short and prodded Burrow for more information.

“Is there anything you want me to say on behalf of the school?” Campbell asked.

“You were using vehicles for school reasons. That’s what they will have,” Burrow said, adding there wasn’t any proof that Campbell had improperly used his school credit card, cell phone, or laptop. “The case is weak. It’s just her word.”

Campbell asked Burrow if there was anything he needed him to do.

“One thing you need to make sure you do is protect me on this, in terms of sharing information with you,” Burrow said before telling Campbell three times to “bide his time” in the criminal case. “Wait until our part is over. Then figure out your situation.

“Rebecca [Royall] and I both are very, very hopeful you come out of this in the best, best possible way you can,” Burrow said in closing.

Campbell told Burrow he appreciated the sentiment and ended the call. Stunned, he gave the tapes to his lawyer, who mailed them to Aldous. This set off a chain of events that resulted in Judge D’Metria Benson, who was assigned to the civil case, turning the tapes over to the district attorney, likely so that the matter could be investigated for witness tampering. But not before Aldous had made a copy.

**The civil case was contentious** from the outset. About two weeks before the trial was scheduled to start on June 6, ESD requested a change of venue from county to federal court because of issues surrounding the school’s 501(c)(3) status. This was eventually denied, but it delayed the trial date until July 25, which angered the plaintiffs, who had hoped to have a verdict before sending Emily off to college.

When the trial finally began, it was a parade of big-name attorneys. Lisa Blue Baron helped Aldous & Co. pick an all-female, all-minority jury. Despite joining ESD's defense team only days before, State Senator Royce West cross-examined the first witness. Behind him was an accomplished team of attorneys from Locke, Lord, Bissell & Liddell, including partners Chrysta Castañeda and A. Shonn Brown. Eventually, former U.S. Attorney Paul Coggins represented ESD in court as well. Aldous primarily relied on partner Brent Walker, a young but capable attorney, and longtime friend Cyndy Goosen, of Cooper & Scully.

Father Stephen Swann, ESD's founder and headmaster, was called as one of the first witnesses on July 28. On the stand, Swann was aloof at best. He testified that at the time of the affair, he wasn't aware of the age of consent, or that it was always illegal for a high school teacher to have sex with a student. His long pauses between answers seemed more calculating than compassionate, and it was hard to sympathize with a man who showed so little empathy for a victim of sexual assault. Aldous dropped a bomb during Swann's second day of testimony, accusing him of lying about his knowledge of another case of a teacher having sex with a student. ESD promptly objected, and the judge declared the court in recess so she could rule on the matter.

Swann returned to the stand for his third day of testimony in a clerical collar. But the cloth failed to increase his believability, and he frequently replied that he didn't recall a number of events and details. During cross-examination, ESD's attorneys elicited information about Swann's consumption of memory-altering medication, providing a questionable explanation of the priest's inconsistencies in testimony and arguably invalidating all of it.

On the stand, Burrow cited memory loss as well, though not chemically produced, and said he couldn't recall any details of his conversations with Campbell. Arguing for ESD, Coggins doubted the authenticity of the recordings and said he didn't believe Burrow would recognize them as his own voice. Burrow did contradict himself on the stand, however, when he said the reason for calling Campbell was to "conduct an investigation" and ask him "important financial questions." The recordings showed that Burrow explicitly stated he had no questions for Campbell. Instead, Burrow offered him information he'd learned in his deposition that might be helpful for Campbell's criminal trial. Burrow would say only that the voice "sounded like his" and that he couldn't confirm or deny its authenticity.

In its defense, ESD clung to the fact that Emily and Campbell started having sex during the summer and never had intercourse on campus. They also called witnesses who disparaged Emily's character and said she was "sexually suggestive" and "overly friendly" with teachers. On the stand, Emily was demurely dressed and still looked very much

like a child. But the ESD community seems largely resolved to blame the girl for ousting its most popular teacher. On blogs and message boards, people asserting ties to the school decry Emily for seducing Campbell and then bragging about it, claims that have never been verified in court.

Rebecca Royall gave testimony on three occasions, each time offering a different version of history. Her deposition statements were delivered coldly, showing no concern for Emily. Royall initially said she didn't care one way or the other what happened in Campbell's criminal trial, but by the time her third turn on the witness stand arrived, she was asking "for justice to be served," and calling Campbell "completely stupid." Her feelings toward Emily also evolved. In her deposition, Royall said she wasn't sure whether Emily had been sexually abused. On the stand in front of the jury months later, Royall referred to Emily as "sweetie" and said she didn't blame her for being a victim.

On August 15, the day Emily testified, a group of ESD students sat in on the proceedings. They took care to duck out before being seen by their former classmate. After Emily took the stand, representatives from Lisa LeMaster's crisis-specialist public relations firm released a statement on behalf of the school. They sent out another release weeks later, after the recordings of purported conversations between Campbell and Burrow were played in court. Rumors circulated that the firm was hired by a disgruntled group of parents, but ESD maintains LeMaster, who put two children through the school, volunteered her services.

In an email to alumni on August 29, Swann described the trial as "a difficult and stressful time" for Emily and her family, but as an "enormously difficult situation" for ESD. Several families pulled their children out of the school as a result of the relationship coming to light, and at least one student besides Emily entered therapy. Emily's graduating class walked the stage without her, but the experience of a peer's sexual abuse was an education in itself.

Although the relationship ended nearly two years ago, tales of the affair still haunt the hallways at ESD. Students now entering the upper school weren't even on the same campus as Emily, but with current teachers serving as witnesses and the trial spilling into the 2011 school year, the story just won't go away. All the efforts of the ESD administration to squelch gossip have ironically led to a lawsuit more public and damaging than any whispered rumor ever was.

When the school called its first expert witness, Dr. David Thompson testified that Emily was negligent and culpable for the crime perpetrated against her because we all have a reasonable duty to exercise care of our own body. He maintained he didn't "blame" Emily for what happened, but that by telling someone, she could have prevented some of her own sexual abuse.

None of ESD's administrators expressed any remorse for their handling of either the circumstances that led to a teacher sexually assaulting Emily, or her subsequent departure. Swann repeatedly stated he had no regrets, save for the fact that Emily wasn't allowed back on campus to clean out her locker. Despite testimony that Campbell used his ESD-issued credit card, Suburban, cell phone, and email account to perpetrate sexual assault, his employer maintains it would do nothing different in monitoring his activity.

On the stand, Emily emotionally recalled the moment she saw the relationship with Campbell for what it really was.

"I learned I was used for a sick man's game," she said.

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**UPDATED, Sept. 21:** After eight weeks of testimony and three days of deliberation, a jury found ESD liable for fraud and gross negligence. Total punitive and compensatory damages awarded were more than \$9 million.

ESD board chairman John Eagle testified that the school had learned its lesson and planned to make changes. "If there was some way I could've taken this back, I would've," he said.

The gross negligence finding stemmed from the way that the school handled the expulsion of Emily Northup, not from her 2009 relationship with teacher J. Nathan Campbell. ESD will reevaluate its expulsion policy to "make sure it's a thoughtful process," Eagle said. The school is going to set up a committee to look at best practices from other private schools in regards to expulsion.

Eagle said ESD, which has a reported operating budget of \$38.8 million, "doesn't have very much cash." When plaintiffs attorney Charla Aldous cross-examined Eagle, she presented a recent financial record showing the school had \$11 million in cash. Eagle said those were tuition payments and could only be used "for educating students."

In an important ruling, the jury found that while ESD is a charity, it's not protected by the Texas Charitable and Immunity and Liability Act, which caps damages at \$500,000. The school's 501(c)(3) status has been questioned since June, when the case was sent to federal court for consideration. It was eventually remanded back to the county courtroom of Judge D'Metria Benson, who declined to rule on the matter and instead deferred to the jury.

The jury awarded the most damages for Emily's "loss of enjoyment of life" in the future, making that worth \$1 million. The verdict capped a few weeks of surprises in the trial. On Sept. 8, a man, who will be referred to as Bill Black to protect his daughter's identity, offered never-before-heard testimony that Swann threatened to kick his daughter out of ESD after she came forward about being sexually harassed by her math teacher in the fall of 1993.

During a heated exchange with Swann, Black said his wife called the priest "a sanctimonious son of bitch," and suggested she would tell the board and parents about the incident. At which point, Black said, Swann asked the couple if they were threatening him. "You bet your sweet ass we are," Black recalled saying at the time. The Blacks eventually made a deal with Swann, where they agreed to keep quiet about the harassment and he agreed to let their daughter stay at ESD.

Swann was all set to testify the same day (and arrived decked out in full priestly garb), but before he could take the stand, Judge Benson declared the court in recess for three days so that "new evidence" could be investigated. It appeared that another surprise witness would take the stand, but when court resumed the next week, Swann was the final rebuttal witness for the plaintiffs. The only sign of new evidence was a filing by the defense that said they hadn't tampered with an alleged witness, a current ESD teacher who had allegedly contacted the plaintiffs and offered to testify. The teacher's name and purpose for testifying has never been revealed.

When Swann took the stand for the third time during this trial, on Sept. 13, he described an altogether different set of circumstances than had Black. The complaint, Swann said, was an allegation of staring, not physical contact or inappropriate comments. And the idea that the girl should leave ESD came from her parents, not Swann. He also disagreed with the timing of the complaint, saying it was in the spring of 1993, not the fall.

Family attorney Aldous produced Swann's handwritten notes from the meeting, which included "administration wants problem to go away," "won't go away," and "how can I risk bankrupting ESD." Swann said he was quoting Black in all of those statements. During closing arguments, Aldous hammered home the idea that ESD needed to learn a lesson. "This is your charge, ladies of the jury: to decide if ESD will be allowed to treat children like this in the future."

ESD attorney Chrysta Castaneda argued that the school made the right decision in removing Emily, calling it "the hard choice that was the right choice."

For many more details of the trial, and further updates, [visit prestonhollowpeople.com](http://www.prestonhollowpeople.com)

(<http://www.prestonhollowpeople.com/category/blog/episcopal-school-of-dallas/esd-lawsuit-episcopal-school-of-dallas-blog/>).

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