

CHANGING THE WORLD
ONE GIRL AT A TIME



ADMISSION PREVIEW:
Sunday, Dec. 7
1:00 – 4:00 pm

DAY: PRE-K-12
BOARDING: 8-12

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PRESTON HOLLOW PEOPLE

ESD Trial, Day 20 UPDATED

The civil trial against the Episcopal School of Dallas resumes today, and rumor has it the defense just might rest. Anything is possible, though, as ESD could easily drag its side out for many more days considering the size of its witness list and the ability to recall those who've already taken the stand for the plaintiffs.

While speed has not been the hallmark of this trial, perhaps we'll get a few rulings out of Judge D'Metria Benson this a.m. The main issue is the admissibility of Mary Smith's testimony as well as ESD's desire to call other current/former students to the stand.

UPDATE 1:45 p.m.

As you know, it's Tuesday. That means I'm on print deadline and thus neglecting the online product. The woes of a 21st century reporter. Here's a tease until I get more time during a future recess.

10:50 a.m.

The jury is *finally* brought in. Before they were, Chrysta Castaneda brought three things before the court.

1. The personnel file of someone being known as "deceased math teacher" was presented to the plaintiffs, who had asked during discovery for the files of all individuals reprimanded for sexual inappropriateness since 1995.
2. A motion to present an offer of proof on Rebecca Royall. Castaneda says her questioning was "cut short" last week.
3. DCAD records for the Does' former home, which was sold in April.

Benson allowed all except for No. 3.

11 a.m.

Expert witness Dr. Rycke Marshall returns to the stand and begins rehashing much of her previous testimony. She says in sexual assault cases, the younger the victim, the greater the impact will be on the victim's emotional well-being.

Marshall says she's had 15 to 20 cases similar to this one, and in her opinion, Jane Doe wasn't sexually assaulted by Campbell in the "psychological sense." Marshall acknowledges that Campbell, who is facing two felony charges, did technically commit sexual assault.

11:05 a.m.

Marshall says ESD shouldn't be held liable for the damage the abrupt end of Campbell and Jane's relationship caused.

ESD "honored and respected" Jane's wishes as long as they could, Marshall says, adding that the girl's removal from the school was beneficial.

11:10 a.m.

Marshall disagrees with the testimony of the plaintiffs' expert witness Dr. Judith Alpert, who said that Jane's sexual abuse should have been used to educate others.

"In my opinion, that's a very slippery slope," Marshall said. "It would also be contrary to the cone of privacy Jane and her family requested ... There's a potential to stir up more concern and quite hysterical reactions among parents and students."

Marshall says she would advise waiting several months before addressing sexual assault in general with a seminar or training session.

11:20 to 11:40 a.m.

Lots o' objections and bench conferences related to Castaneda trying to use a powerpoint titled "Dr. Alpert's Opinions." Aldous objects that this mischaracterizes Alpert's testimony. Eventually, Benson agrees and Castaneda has to take it down.

11:45 a.m.

Marshall says the process as well as the decision to remove Jane from ESD was appropriate.

11:50 a.m.

Marshall says she doesn't believe Jane will have any lasting effects of the abuse because she's been "open and articulate" about her feelings in therapy.

"I don't think she's likely to be ambushed by these things later since she's dealing with them now [in therapy]," Marshall says in response to questioning about the "sleeper effect" and the notion of "passing."

11:55 a.m.

Castaneda brings up the idea of the "duty of care one owes to oneself," which was presented by Dr. David Thompson last week. Marshall agrees that there were things Jane could have done "to avert some of the harm in this case."

"She could've talked to someone about this," Marshall says. "She could've set limits in terms of his access to her ... If she'd taken steps to change or end the relationship, certainly she would've avoided some harm."

Noon

Marshall says ESD didn't re-victimize Jane by removing her from the school. In her opinion, this action saved Jane from further victimization by her peers.

12:05 p.m.

"Trauma, of any sort, doesn't have to last for a lifetime," Marshall says.

12:10 p.m.

Castaneda shows therapy notes from Jane's sessions. According to Jane's therapist Dr. Laura McCracken. 33 out of 49 sessions indicated a discussion of "litigation issues."

Marshall says that's an unusually high number.

"To discuss litigation on a frequent basis is not helpful to the therapy or investigation process," Marshall says.

12:15 p.m.

Therapy notes show McCracken diagnosed Jane with an unspecified adjustment disorder. Marshall says the criteria for this is that a person has had “a disruptive reaction to a stressor.” She says the duration of the disorder is typically 6 months.

“It is a transient, situational disorder,” Marshall says.

12:20 p.m.

Notes from a June 30, 2010 session indicate that Jane saw herself “on a positive path” in life.

Marshall says this is particularly significant because it shows Jane has a future orientation. She also referenced her faith as giving her strength, which Marshall says is a good indicator of future recovery.

12:25 p.m.

Now looking at the therapy notes where Jane mentioned having a crush on a teenage boy. Marshall says this “age-appropriate relationship” speaks to Jane’s ability to move on after being sexually abused.

Court is in recess until 1:45 p.m.

2:20 p.m.

The jury is sent home early today due to one jury needing to attend to a sick child. If this problem persists, one of the alternate jurors will be called up to the big leagues.

ESD presented an offer of proof on Rebecca Royall. Castaneda presented items from Jane’s file at ESD dating back to the 3rd grade.

Benson ruled the evidence (and testimony on it) would not be allowed.

2:30 p.m.

Castaneda re-petitions the judge to consider the testimony of Mary Smith.

Brent Walker, attorney for the plaintiffs, argues the witness was not properly designated from the outset.

“The rules don’t allow for this kind of conduct,” Walker says. “This is a lay-behind-the-log attempt to ambush us at trial.”

Benson rules the testimony will not be allowed because ESD failed to meet the rules of civil procedure.

Castaneda objects, but Benson won’t hear it.

“That is done,” Benson says.

2:35 p.m.

Walker presents a motion on why the plaintiffs' three rebuttal witnesses (Former Student, Former Parent, and a recall of Stephen Swann) should be allowed.

3:15 p.m.

Cynthia Timms, arguing for ESD, says the incidents are "grossly dissimilar" to the Doe case and should not be admitted.

3:30 p.m.

Benson withholds a ruling and recesses court until 9 a.m. tomorrow.

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By [Claire St. Amant](#) Sep. 6, 2011 | 8:21 am | [37 Comments](#) | [Comments RSS](#)

37 comments to "ESD Trial, Day 20 UPDATED"

one who knows ESD @ September 6, 2011 at [9:33 am](#)

well keep us informed. missed the last four days. have no idea what I will do with the trial is over. Get a real life, I guess.

CarolinaBorn @ September 6, 2011 at [10:59 am](#)

Still can't see how mary's testimony serves ESD well. Just looks like the admins were actively seeking SOMETHing to blame on Jane — and encouraging students to help them. I hope the judge lets it in.

Now I wonder Did Mayo and Royall ask jane about the horrible, terrible, terrifying "wedding ring incident" before they booted her? You know — the way they allowed a teacher — who said a student made his pants "happy" — to rewrite his record?

CarolinaBorn @ September 6, 2011 at [11:33 am](#)

EagleParents says:

"carolinaborn ... the only board member that has been on the stand is John Eagle and he said he can only fire Steve Swann. You really need to re-read Claire's posts before you appear to be an expert on this case."

Shoot, I'm no expert on ESD testimony! It keeps changing too much.

But you might like to review Eagle's words on Day 17, @2:50 pm. That's where he "disagrees" that Mayo's very revealing emails could be grounds to fire her. He then goes on to say he only controls Swann anyway.

Nancy, it's true Jane tried to hide the abuse. That's what victims do — they try to protect the molester, they fear being blamed. But I disagree with your conclusions. I dont see this as making her "creepy" and "not a victim."

But the ever-shifting stories of ESD admins those I question.

So the molester's wife worked at ESD — and could see his victim walking by? And the victim could see her sometimes too?

And that meant the child had to go....

Imagine this: Mayo and Royall say to Campbell's wife — You know, it's really embarrassing for us to see you here — a constant reminder of his crime. You're fired. And how come you didn't know about this — what with your husband's meeting Jane so often and all? Your fault too.

You know — blame and boot their friend instead of Jane and her family? Wouldn't be right would it.

Lisa @ September 6, 2011 at [4:47 pm](#)

"Incestuous, homogeneous fiefdoms of self-proclaimed expertise are always rank-closing and mutually self-defending, above all else."
— Glenn Greenwald

CosmoMartini @ September 6, 2011 at [7:30 pm](#)

I'm confounded by the concept presented previously that ESD (and apparently other private schools as well) can expel students for having sex with teachers. Its a crime for adults to have sex with kids under the age of 17. So unless the student is at least 17 (some juniors and most seniors), how can you have a policy statement that says—in essence—its against our policy for you to be a victim of a sexual crime by a teacher? Really? Its against our policy for you to be a victim of a felony sexual assault and we'll hold you responsible too if you are?

Mindboggling to me.

I can accept it as against school policy if someone is over the age of consent in the state of Texas, but think its total hogwash to be a "school policy" for those up to age 16. The policy and practice, first and foremost, must be to uphold the law, period.

Interested DAD @ September 6, 2011 at [8:34 pm](#)

Cosmo in the state of Texas it is also a felony for a teacher(male or Female) to have sex with a student(Male or Female) at any age. So the state has Campbell on Statutory rape and Sex with a student

EagleParent @ September 6, 2011 at [9:05 pm](#)

@CarolinaBorn— go back to Carolina. You do not know the school, the plaintiff, Nathan Campbell, or any of the other students and faculty involved. Go get a crime novel.

I cannot believe this judge will not allow the testimony of "Mary Smith." It is so obvious that Jane Doe knew what she was doing. This will get deleted, but anyone who knows the "Does" be sure to check out her sister 's facebook posts— very interesting.

Blame The Victim? @ September 6, 2011 at [9:05 pm](#)

I wonder if Dr. Marshall tells all sexual abuse victims that they should have told someone and could have set limits. I wonder if she believes that sexual abuse can be caused by the decisions made by a child.

Jane is a victim. Jane was a minor. Jane was legally unable to consent to sex because she was a minor. Jane was not responsible for the abuse in any way, period.

As stated by Dr. Marshall during her previous testimony, the abuser is not a pedophile. She forgot to include that he is an ephebophile, that is, someone who is attracted to pubescent and adolescent children.

It seems to me that so many are making this issue way more complicated than it is. It seems that every one is talking about Jane's departure from the school, her parents, her actions, etc., but in reality, the basic issue is whether the school supervised their employees and students properly. Jane's teacher broke the law and sexually abused her. ESD should supervise their employees better than ever before considering that we all have superior knowledge about what has happened and can happen within schools and religious organizations. With all the information made available over the last years, there is no excuse to allow even the appearance of impropriety with a child.

Or maybe the victims should have told someone or set limits.....

Peter @ September 6, 2011 at [9:36 pm](#)

Why is it so difficult for several of you to understand (or perhaps admit) that Jane wasn't asked to leave because she had sex with a teacher? She was asked to leave for failing to live up to her agreement to not discuss her relationship with Campbell at school. She blew it.

Interested Dad @ September 6, 2011 at [10:35 pm](#)

I find it so hard for several of you to understand or admit that a crime was committed here, at least two felony's most likely more depending on the sexual relationship (how many times) while she was 16. I find it hard to believe that people are going to hold a young woman, a victim of statutory rape, to keep her mouth shut? Not because she swore an oath, but because the school wanted to keep it quiet. I find it hard to believe in the 21st century that someone would blame the victim, would you blame the woman who was brutally raped after the Mav's won the world championship down on lower Greenville. I would like to meet the man who would stand up public ally and say a raped victim deserved it and see how you come out

HMills @ September 6, 2011 at [10:41 pm](#)

If the condition of Jane Doe staying was not talking about the most significant event in her life, then it was actually the school who blew it. It would be unnatural for a sixteen year old girl not to talk about it, and they should have sufficient experience with 16 year old girls to know that. If that was truly the school's bottom line, they should have had a sensitive discussion with both the parents and the child at the outset and persuaded them to their view that school would be a toxic environment for Jane. But they didn't. I don't know if they deliberately set Jane up for failure, so that Jane could be blamed (or they could be blameless) when the victim was actually expelled or whether they were just dense. In any event, while it may or may not let the school off the hook legally, it certainly doesn't let the school off morally IMO. As educators, they simply botched the whole situation.

marie anderson @ September 6, 2011 at [10:43 pm](#)

Peter: I agree with you. iWhy also is it so hard to understand that no one has a right to attend a private school? A private school can expel a student for any reason at any time, and if you don't like that fact, public school is your other option. Jane's family requested anonymity and privacy, and Jane chose to ignore the plan that her parents and the school put in place to protect her privacy. My child was in that class, and no one knew what had happened until Jane started talking about it. Jane did blow it. Accept the consequences and move on.....

Blame the Victim: I don't know where you are getting your facts, but there is no evidence that Campbell is attracted to pubescent and adolescent children.

Mary Smith should testify @ September 6, 2011 at [10:45 pm](#)

Mary Smith is prepared to testify that she had knowledge of the crime while in progress. This raises two questions:

- 1) Could Mary, another 16 yr old, possibly be the source of the student gossip? Was not her secret a difficult one for a 16 year old hard to keep?
- 2) What type of training was in place at ESD? Mary a second party has knowledge of statutory abuse (both age of consent and teacher student) and does not report it?

Texas born @ September 6, 2011 at [11:52 pm](#)

Actually eagleparent I think most of us would like for you to move to Carolina and for Carolinaborn and his/her rational commentary to come to Texas!

PastESDStudent @ September 7, 2011 at [12:32 am](#)

CosmoMartini, your post confused me a bit. In Texas, it is against the law for a teacher to have sex with a student (up through the high school level) regardless of their age/the age of consent. The idea is to keep teachers from abusing their authority to manipulate adolescents into sexual relations, whether consensual or otherwise.

As an ESD alum who knew JD2 and her family, I would have to say that I agree with the testimony of Dr. Marshall in the sense that I/as do a great majority of JD2's classmates, think that she did not do much to keep the teacher-student relationship between she and Campbell completely professional. The amount of times that she put herself in harm's way (based on the testimony that has been shared with us here, i.e. meeting a teacher in a parking lot for outside tutoring, etc) was completely her doing. Not that Campbell doesn't share the blame as well. But at sixteen/seventeen, I think that JD2 should be able to think for herself and decide if acts such as the answering her door in a towel incident, are the right thing to do in that kind of situation.

I do also agree with the lawyer's comment on a previous entry (couldn't find it to quote exactly) but it said something to the affect of how the jury decides to

see the case will determine what the outcome is. Because, honestly the plaintiffs don't really have a legal leg to stand on compared to ESD. And anyone who has attended a private school in the greater Dallas area will tell you that when you agree to pay "x" amount of money each year for an education, you have to sign a contract. And that contract (if I'm remembering correctly, it's been a while) says something about expulsion and withdrawal on the basis of the school's judgment, depending on the situation. But there is also the moral and emotional side of the trial that could sway the jury towards the plaintiffs side of the playing field. It all depends.

However, I think we can all agree that this is a very sticky situation, and that no one deserves to be a part of any type of victimization, regardless of the situation. I just hope that JD2 has learned from this experience and will think twice before she continues to make decisions that might hurt her further.

Feel free to correct me on any part of this post, as I could be wrong (I am after all, human). But please, do so with concrete evidence. I do hate it when personal attacks become the basis for debate. It is neither funny nor appropriate for this type of blogging atmosphere, since we are missing the key component of voice inflection from other responses. Happy discussing to all! :)

PastESDStudent @ September 7, 2011 at [12:46 am](#)

@EagleParent. Mary's testimony was not included to a technicality. If I am remembering correctly, I think the reason was that the defense did not provide Mary as a witness they were going to call in discovery.

@Blamethevictim?. The average age of an adult to have lost their virginity (whether willingly or unwillingly) is 17. JD2 was sixteen, approaching seventeen when the relationship began to turn sexual. Therefore it can be concluded that she knew what she was doing. I am in no way saying that she isn't a victim of a very sick man, but to say that she is completely innocent in this scenario is to simplify it too far. And from your post as well, you do not appear to personally know JD2. Anyone who knew her will tell you that she was a victim, but she didn't necessarily do anything to help herself out of the situation either. You also mentioned that "ESD should supervise its employees better", but how, when a sexual relationship first occurs outside of school, during the summer, is the school supposed to know and react to that? When the school found out (which was very quickly after the fall semester began) however, they handled the situation as rapidly and as well as they could think to.

Erica @ September 7, 2011 at [1:05 am](#)

Many children are molested and abused by family members or other adults. Very often they only share the information with a trusted friend. The friend will tell their parent and the friend's parent will contact the authorities and the child will get the help they need deal with and arrest the predator.

The school told the girl to keep the information "private" It is very clear to me they wanted the 16 year girl to keep her molestation by her teacher a "secret" I don't think I could keep the information a secret as an adult.

Should we keep molestation a secret?

Sure the event would disrupt the school and so would the death of a student's parent. Would they kick a child out if their parent died?

CosmoMartini @ September 7, 2011 at [5:57 am](#)

@Peter. Oh thanks for that. She was expelled for talking about what 16 year old girls talk about. @__@ Does the cheerleader get expelled for talking about her sexual escapades with the football player too?

So ESD wants to spin this that she made a bargain that she-the victim of a sexual felony at the hands of THEIR employee- could stay if she didn't talk about the sexual felony committed against her. Why was there bargaining where the crime victims behavior was concerned? Because of their inexplicable policy that an undersage student cant be the victim of a sexual crime? The so called accountable adults here are trying to hold her accountable to a bargain that should never have existed to begin with? Good grief.

amanda @ September 7, 2011 at [6:49 am](#)

@ Peter. Yes, we do understand. We just don't agree.

And, like the darling Carolina, I'm also having a hard time keeping the defense testimony straight. It keeps changing.

So, which is it? JD2 was a "trollp"? Or, that the dismissal "was for her own good"? Or, that she, a minor victim of a sex crime was in a contract with the school and she violated it?

Can minors even execute these kind of "contracts"?

07DAD @ September 7, 2011 at [7:27 am](#)

It is "statutory rape" in Texas to have sex with someone 14 to 16 unless you are married to the person or you are no more 3 years older than that person (an affirmative defense). So a "hold back" senior (19) and a non hold back sophomore (15) or freshman (14 or 15) who have sex together are engaging in statutory rape. Same for an 18 year old senior and a 14 year old freshman.

If you are a teacher, it is an assault to have sex with a student while they are a student regardless of the age of the student or the teacher.

ephebophile is not formally accepted as a mental disorder. Most articles acknowledge that it is made an assault in the US on legal and moral grounds.

Is anyone really contending that a private school that had proof that one or both participants in the "statutory rape" were students at that school and were using a school vehicle to do so could not expell them?

Also, a school could have a problem with the "cooties" factor. Once a student is known to have become sexually active, the other parents may have a concern that their student might catch "the itch" for sexual activity from that student. Some parents like to believe that they have avoided having their child come into contact with "those kind of kids" by placing them in a religious based private.

Vinny Gambini @ September 7, 2011 at [9:35 am](#)

PastESDStudent:

"Not that Campbell doesn't share the blame as well."

People want to know why ESD is going to get whacked by this jury, and you have managed to capture, in one pithy line, exactly the attitude that will ultimately cost ESD millions of dollars.

Frustrated @ September 7, 2011 at [10:00 am](#)

If a child is molested/abused in her home by her father, is it the mother's fault? She should have known, it occurred on her personal property, it is her job to protect her daughter...right? Come on people, this crime is not ESD's fault anymore than it would be a mother's. Nathan Campbell is to blame. Let's stop accusing a wonderful school for the evils of one sick man.

Cosmo Martini @ September 7, 2011 at [10:38 am](#)

In the case of child abuse in the home, correct me if I'm wrong, but cant a mother be held culpable if she allowed it and did not attempt to stop it? I fully admit I find the question of an employer's culpability in a crime committed by the employee in the process of doing their job a slippery slope. But yes-responsibility does exist...the question of how much, to what extent seems to be on the fact pattern presented. So while in my mind there is indeed a question of how much ESD should be held accountable for the teachers actions, there is SOME culpability there. Good grief, the teachers notes were red herrings, come on~! The sloppiness on expenses, cell phone bills, etc. didn't help. But where ESD is 100% wrong and culpable was expelling the girl. Completely, totally utterly WRONG. My 2 cents.

Blame The Victim? @ September 7, 2011 at [11:22 am](#)

marie anderson: The man had sex with an adolescent girl. Surely he was attracted to her or he wouldn't have done it.

Past ESD Student: Jane is not responsible for "helping herself out". Teenagers do not always make sound decisions which is why they have to be properly supervised. Just because she was near the age of consent and could have had sex with someone her own age doesn't make this any less of a crime.

Teenagers in high school are not adults and therefore cannot be held to the same standards. The law states that it is a crime for her to have sex with a teacher as long as she is in high school. There is a sound reason for the law as that since teenagers lack maturity and can easily be taken advantage by someone in a position of power over them. As far as the school better supervising their employees, it seems the checks and balances are out of whack. I realize the school is not technically owned by the Diocese, but there policies can't be too far off from the standards put in place several years ago by Bishop Stanton to prevent child abuse. As an Episcopal private school teacher, you have to follow strict guidelines to make sure no one ever can say you had a chance to take advantage of a child. Those guidelines are only as good as the person who supervises their use.

Nancy @ September 7, 2011 at [11:29 am](#)

Texas Born@ I just couldn't let that pass. Are you really from Texas? I have my doubts. What part of Texas? Where in Texas do mothers teach their children to be so rude.

For all of you still using the word "child" you can stop now. The jury may not hear Ms. Smith but I got to hear plenty. (thank you Claire) Jane is no child. A child doesn't know the difference between right and wrong and Jane does and did. She knows how to lie too. Jane is/was a young woman not a child.

The school clearly tried to do the right thing for Jane. And they did the right thing by asking her to leave.
I things are better for Jane because it. Period.

Frustrated@ I agree. Where were the parents!?

As I understand it they were sailing and shopping.

Mom saw Campbell "every other day" during the summer! Never bothered to involve herself. Just off to the mall I guess. Ta ta. It is really shocking that these parents are not accepting any responsibility here. LOL. They want 10 million dollars. That doesn't sound like justice to me.

We will see what the jury thinks I guess.

More Frustrated @ September 7, 2011 at [11:39 am](#)

@Frustrated @ September 7, 2011 at 10:00 am

Actually, the mother IS at fault. Her job IS to protect her child. If she knows of the abuse, she MUST stop it and protect her child. Both parents CAN go to jail, if the father does the actual abuse and the mother knowingly does nothing. Read a newspaper every now and then and you might learn.

Lisa @ September 7, 2011 at [1:00 pm](#)

Ummm..Nancy? Lying and obfuscation have been obvious in much of the testimony from both school employees and pillars to date. Ever known anyone in your own rarified stratosphere of a life who lied to keep up appearances? Right, didn't think so.

We get it. You hate Jane and you object to her being seen as a victim. You also think they lie and their attorneys are money grubbers. And, private schools get to say who's in and who's out. But, the Does are legally entitled to their day in court. Better be more careful about who gets into ESD from now on. The Does were a big mistake, huge! Better double tuition and tighten up those background checks.

Frustrated @ September 7, 2011 at [3:18 pm](#)

@more Frustrated

The key phrase is "IF she knows of the abuse". As soon as ESD learned of the abuse, Campbell was forced to leave. Others in Jane's circle who had clues did nothing. Seems to me that ESD did the most in this situation to stop the abuse. In the same way a mother would not want to remind her child of her victimization by frequenting the site of the abuse, maybe ESD thought a fresh start would do her good. Also, let's not forget the other students at ESD and the wronged wife who was still employed there. Maybe everyone needed a new beginning regarding this travesty. Many mistakes have been made handling this situation. I just don't feel ESD is \$10M negligent.

Cosmo Martini @ September 7, 2011 at [3:33 pm](#)

Apparently yes -by law-a private school can expell a student for being the victim of a sexual crime at the hands of their teacher. Its the Christian thing to do, apparently. Sorry but I just cannot get beyond the existence of a policy that allows for the dismissal of a minor student for being a victim of a sexual felony. It's just mind boggling to me. But I promise that's the last time I say that.

But go ahead and proclaim that private schools can do what they want. I sent mine to a private school for 12 years. Didn't choose ESD (thankfully). I chose one who did the RIGHT thing, not "whatever they want". But private schools are not exempt from all laws.

Laws are changed and introduced all the time.

This may well be a watershed event that leads to change in multiple ways. Let's hope, shall we?

Avid Reader @ September 7, 2011 at [3:37 pm](#)

Jane was a child.

Texas born @ September 7, 2011 at [3:39 pm](#)

Nancy I was born in Texas and have lived in Dallas for forty years. My two children attended Episcopal schools and are the most polite children you could ever meet. Do you have children? Better yet a daughter? It would be hard for me to believe you do. I think you might need to attend chapel and learn about forgiveness!

esdsupporter @ September 7, 2011 at [3:39 pm](#)

@Lisa - exactly what part of the background check would have prevented this??? It is shocking how many people with absolutely no relationship to ESD or the Does feel a need to air hostile comments...

Vinny Gambini @ September 7, 2011 at [4:32 pm](#)

"It is shocking how many people with absolutely no relationship to ESD or the Does feel a need to air hostile comments..."

I'm sorry, but what is shocking is the seeming inability of a few ESD athletic supporters to take a step back and see the forest for the trees, who claim to be Christian and then engage in whispering campaigns and gossip about the character and actions of a young lady who was a minor at the time she was sexually abused by an ESD teacher; who are not horrified by that fact; who point to a child's facebook page to prove who-knows-what; who say they are not blaming the victim and then do exactly that in post after post after post; who begrudgingly acknowledge that Campbell "shares" some of the blame with her; who claim that threatening expulsion was only looking out for her best interests, yet fail to explain how failing to give the father 24 hours to think about it and talk it over with her therapist served that supposed purpose; etc, etc, etc.

I get the frustration of a largely fantastic ESD community who rightly wonders what else could have been done by ESD to prevent the abuse, that also could not have been done by others who were in a position to see what was going on and stop it, specifically the parents. Don't kid yourselves, the parents are asking themselves that same question, and it will haunt them for the rest of their lives.

Were this lawsuit confined to those issues, all of the "legal eagles" explaining the legal niceties of why there is "no case" against ESD would have a point, perhaps a decisive one. But it's not. ESD may have had a legal right to expel Jane, but the ham-fisted way that they went about it suggests that what they were doing was throwing her under the bus to protect their own reputation, to keep her quiet, and they may not have had the legal right to do that. ESD did not have carte blanche to advance their own interests at the expense of their student's, particularly one who was sexually abused by one of their teachers. Common sense says you tread lightly when dealing with that; ESD it seems chose to emulate a bull in a china shop.

I've said it before and I will say it again. The jury is not going to like that approach, and they will hit ESD very, very hard. It didn't have to be that way.

Excuse me? @ September 7, 2011 at [5:15 pm](#)

The ESD supporters do a switch/fake again! *it's the mother's fault!!*

Well, then what about Mrs. Campbell?

Nancy @ September 7, 2011 at [9:20 pm](#)

Vinny, you say "it didn't have to be that way"? What way should it have been? ESD did the right thing. Maybe they should have done it different and they probably should have done it sooner but they did the right thing. Can't see how Jane staying would have helped her or anyone else. This lawsuit is all about the money. What else could it be.

just sayin' @ September 7, 2011 at [10:47 pm](#)

oh Amanda... there you go again... why so much dislike against a school you "don't know..."? I wonder...

Vinny Gambini @ September 7, 2011 at [10:55 pm](#)

Nancy,

If ESD were really concerned only, or even mainly, with Jane's best interest, they would have consulted with their own psychologist or counselor, they would have consulted with Jane's doctors, they would have consulted with Jane's parents. The way they handled it suggests more than just bungling or ineptitude, it suggests that they were handling it in what they perceived to be the school's best interest regardless of the effect on Jane. This is what is so damaging about the Burrow tape: the jury will take the actions of one man who was actually acting against the school's express orders and impute his actions and attitude to the school. Their takeaway will be that ESD not only failed to protect Jane (something her parents also failed to do despite being in a better position to do so), but that they will do whatever it takes to protect the school, even if it means "beating" Jane by helping out the pervert who sexually abused her. The Burrow tape confirms (rightly or wrongly) that ESD had no interest in Jane's best interest.

I don't know enough about the facts to know what the "right" thing in this case was, but I do know this. Once your teacher is discovered to have abused the position of authority you gave him and committed multiple felonies by sexually abusing one of the students you were charged with protecting, you had better take every step to make sure that it is very, very clear that every step you are taking from that point forward is only being taken because it is in the best interest of the students, and primarily the victim in question. You consult and you document. You suggest and you listen. You not only take actions that you genuinely believe are in Jane's best interest, you do everything you can to make sure that if anyone digs deep into the story, that what they will find is a school and school administrators who were desperately trying to do the right thing.

ESD may well have done all or most of that. If they did, shame on the lawyers because that's the not the way the story has unfolded.

