September 10, 2024
To: The University School of Nashville Board of Trustees

We, the undersigned faculty of the USN High School, are compelled to express our concern regarding the administration's handling of sexual misconduct allegations by Gidgie Bass '24 against Dean Masullo. Our understanding of these events is based on publicly available documents: Alex Little's August 22 letter to the Board (shared with many of us) and subsequent media reports. We have not received clear communication from administrators as to the veracity of these reports, nor do we find answers to the important questions below in Eric Kopstain's email (sent today), which is why we are reaching out to you now.

First, as teachers who relate deeply with our students, sharing their joys and their pains, we fear that the administration's response to this situation has not fulfilled the values we uphold every day at USN, nor met the duty of care expectations set forth by the **2018 NAIS Task Force on Educator Sexual Misconduct**. If Little's letter is true, the administration's response to Gidgie's courageous report exacerbated her emotional distress and left the Bass family without adequate support or closure. The NAIS report emphasizes the importance of ongoing support, stating that "a school's commitment to helping survivors must continue long after any investigation has concluded" (p. 32). Schools should "continue to ask survivors how the school can help them" and recognize that all victims of sexual abuse "heal in their own way and at their own pace. It is imperative that institutions discern what further help survivors want and address requests for counseling, restorative justice, restitution, or other forms of redress." (ibid.) We are worried that the school's response to Gidgie's report might appear to have privileged "**misguided concern about community disruption; the reputation of the school, the abuser, or the abused; or personal loyalties … over caring for victims, protecting students, and preventing future misconduct**" (p. 5-6)

Second, based on what we know, the administration's handling of this case appears not to have followed victim-centered and trauma-informed guidelines endorsed by NAIS. The NAIS report clearly advises that "an investigator with appropriate expertise and **who is independent of the school and its regular counsel** can help reassure survivors and the public that the school genuinely wants to learn the truth" (p. 30). If our understanding of events is correct, Fisher Phillips lawyers, including Marie Scott, conducted the investigation while at the same time providing legal counsel to Mr. Reed and Dr. Walker. To our knowledge, Fisher Phillips lawyers presented themselves to Gidgie and other interviewed students simply as the school's counsel, and informed the students that they were legally obligated to disclose this.

Answers to a few questions might help to settle our minds on this front:

- Were Mr. Reed's and Dr. Walker's words and actions in response to Gidgie's reports of Dr. Masullo's 'violation of school policies' consistent with existing USN policy as found in our Employee Handbook?
- If Mr. Reed's and Dr. Walker's actions were guided by other school policies and procedures, where might the community find them? When were those policies implemented, and what data and understanding of current best practices informed them?
- To what extent are USN's existing policies and procedures in line with the recommendations of the NAIS Task Force? If USN's policies are inconsistent with those recommendations, why does that disparity exist in light of our membership in NAIS and its subsequent obligations?

If USN's current policies and NAIS best practices are at odds, we feel that the school must urgently reevaluate its investigation protocols to prioritize objectivity, transparency, and compassion. **In order to restore confidence and**

trust, we urge the Board to immediately appoint a qualified, independent, third-party firm to undertake this evaluation and to handle future investigations. The way to transparency and a new policy that protects the children of USN also demands that findings from the Fisher Phillips investigation be released to this firm for a thorough and impartial review of both Dr. Masullo's actions and the school's response to Gidgie's report. The details of this review need not be public, but the recommendations for protecting current and future students in Gidgie's position should be. **Further, we request that if the administration and Board continue to use the term "third-party investigation" in communications with faculty, families, and the press, it should be made clear that the term refers in this case to the school's own legal counsel,** not to the term as it is understood by the NAIS Task Force.

Third, many of us are dismayed by Mr. Reed's characterization of the letter from Mr. Little, written on Gidgie's behalf and including her testimony, as "inaccurate and full of omissions" (faculty meeting, morning of August 23rd). Whatever Mr. Reed's intentions, he should be aware that this response appears to some of us to dismiss the painful account of a student harmed by a USN employee, and as such breaks trust with our values, with us as educators, and with the students we serve. **We ask that Mr. Reed either acknowledge to those in the room that morning that the salient points in Gidgie's letter—that is, both her accusations against Dr. Masullo and her description of USN's response—are corroborated and credible, *or* that he provide a specific explanation, supported by evidence, to substantiate his accusations of dishonesty on her part**. To be clear, because Mr. Little's letter consists of Gidgie's own first-hand accounts of abuse, Mr. Reed's characterization of the letter could be perceived as an attempt to discredit the student victim in this case.

In sum, we have four requests to safeguard our current and future students, all rooted in NAIS best practices.

1. We request that the administration **fulfill the duty of care to survivors**, as outlined in the NAIS Task Force's report, by discerning what further help survivors need and by taking into consideration all requests for counseling, restorative justice, restitution, or other forms of redress. The care should extend to all alumni. This may require the school to evolve the current mechanisms for alumni to report past grooming and abuse, perhaps including contacting Dr Masullo's former students. At minimum, the Board's door should open to welcome testimonies of survivors such as Gidgie, who may feel that their attempts to find justice have not been adequately resolved by administration, past or present.

2. Commence an **independent review of USN's policies for educator sexual misconduct** in order to align with NAIS recommendations and evidence-driven best practices for students and families. This should include the recruitment and retention of a qualified, independent firm to handle future investigations, with the firm's name formally included in school policies to ensure consistency and transparency. These updated policies should be shared with the entire community when they are put into place.

3. **Approve the release of previous investigation's findings to the independent third party** to ensure an impartial review of the original misconduct allegation and of the school's response.

4. **Acknowledge that Gidgie's report of events was credible and corroborated**, or, if Mr. Reed maintains that the letter from Mr. Little is "inaccurate and full of omissions," provide a clear and specific explanation, supported by evidence, of where and how Gidgie's report contains falsehoods.

If the Board is unable to honor any one of these requests, we ask for **a meeting between the faculty and the Board** (or Board leadership) to discuss your decision. Please email a response to the signers of this letter (or, preferably, to all High School Faculty) within one week (by Tuesday, September 17) to let us know the Board's position.

Transparency and accountability in addressing these issues are critical to rebuilding trust in the governance of our school. We urge the Board to act swiftly and decisively to restore our confidence in USN's leadership and to ensure that the safety and well-being of all students remain paramount, as administration repeatedly claims in communications to the community. By formalizing our desire to prioritize the wellbeing of people who have been victimized, we can emerge on the other side of this terrible sequence of events as a stronger institution and community, and we believe that your decision to honor the requests given above will allow us to do so.

Respectfully,

Kyle Barboza

Phil Bandy

Trent Boysen

Chris Cheney

Richard Espenant

Justin Fitzpatrick

Katie Greenebaum

Michael Hansen

Andy Hedman

Wilson Hubbell

Julianna Lewis

Mackey Luffman

Dana Mayfield

Robbie McKay

Susan Meador

Cam Parsons

Miranda Russell

Kate Sullivan

Debbie Van Slyke

Ann Wheeler