

Statement by Michael and Alissa Reed:

Our children have attended schools in the Northwest Allen County Schools (“NACS”) system for many years. The education our children have received, thanks to the teachers and staff at these schools, has been exemplary. Until recently, we had absolutely no reason to complain about our children’s NACS experience.

Things changed on May 4, 2021. On that day, our 5-year-old child went to the nurse’s office at an elementary school in the NACS system. Without any effort to contact us or obtain our consent, the nurse – an employee and representative of NACS – conducted an invasive and wholly inappropriate physical examination of our 5-year-old child, which included touching and treatment of our child’s genital area. Only afterward did the NACS nurse attempt to contact us.

We are appalled by this conduct. Worse, we are devastated by the trauma inflicted upon our child and fearful of the long-term effects our child will suffer as a result of this experience.

After the incident, the elementary school administration reacted as one would expect when informed of what had happened to our child – with deep sadness, shock and regret. However, we wanted to ensure this would not happen to a child in the NACS system again, by requesting from NACS leadership updated written policies to protect our children. To that end, we set meetings with the NACS leadership in the days, weeks and months that followed. These efforts were in vain.

At first, Mr. Sam DiPrimio (NACS director of secondary education) acknowledged the gravity of the situation – that a NACS nurse had conducted an invasive and inappropriate examination on a 5-year-old child without first obtaining parental consent.

However, after reviewing with NACS leadership, Mr. DiPrimio shifted course and informed us that NACS’ stance on our child’s care was now that it was proper and appropriate; and he added that parental consent was preferred but not required. In the weeks following, NACS’ leadership sought to minimize and justify the inappropriate conduct. NACS leadership also continued to make empty promises to implement change.

Ms. Sherri West (NACS head nurse) sought to downplay the harm inflicted on our child, claiming that the NACS nurse had acted appropriately, although – despite repeated requests – she could not explain how this could be true.

Dr. Chris Himsel (NACS superintendent at the time) spent several weeks trying to avoid the matter altogether, ignoring our repeated efforts to contact him.

Our driving concern is the safety of our children and others attending NACS schools. We asked NACS to update its written policies and procedures for treating children in non-emergency situations. Although NACS promised to provide us with the new procedures, it did not follow through. We asked NACS to create an oversight committee (composed of parents and healthcare professionals) to ensure that the procedures were adequate to protect children and were being sufficiently implemented. NACS refused. We explained the invasive and inappropriate treatment examination was traumatic for our child. We asked NACS for an apology and a clear explanation concerning its stance on the traumatic treatment of our child.

To date, we have received no apology. We have received no explanation. We have received no inquiry from NACS about our child's wellbeing. Nor have we received any sign from NACS that it is prepared to be accountable for what happened to our child or to prevent it from happening to other children.

What we have received from NACS leadership was Dr. Himsel's callous, dismissive and unprofessional remarks, including that **"WE CAN'T PUT THE TOOTHPASTE BACK IN THE TUBE."**

This experience – the trauma inflicted on our child on May 4, 2021 and the ensuing indifference by NACS leadership – convinced us that, to ensure the safety of our children (and all other children attending NACS schools) and to stand up for the voiceless, we would need to file a lawsuit against NACS. Promises are empty without boundaries and accountability to back them up. We as parents cannot rely on empty promises when leadership seeks to avoid accountability. We must be a voice for all children as we continue to seek accountability for the failure to protect children, as well as ensuring future actions and implementation of procedures. The case is now pending in Allen County Superior Court No. 1, under Cause No. 02D01-2203-PL-000074.

We filed this lawsuit to shine a light on the cold, indifferent approach taken by NACS leadership when it comes to the accountability for the safety of the very children NACS leadership has been entrusted to protect. If you have questions or if you have a similar story to share, we urge you to contact our attorney, Daniel Burke, at dan@dkblegal.com.