

The Herald Bulletin

Anderson, Indiana

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Family plans to sue ACS

Third-grader was molested by bus driver

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The family of a former third-grade student at Park Place Elementary school who was molested in 2000 by a school bus driver filed a notice that they plan to sue Anderson Community Schools.

Bus driver Jeffrey L. Holding was convicted in 2000 on charges of one count of child molesting and six counts of attempted child molesting and sentenced to serve 50 years in prison.

The girl was 9 at the time. According to testimony during the trial, the girl was the first student picked up by Holding and he would park the bus near the Anderson University campus, calling the girl to the front of the bus where the molestation took place.

ACS Superintendent Tim Long said he received the letter on Monday and will turn it over to the school's attorney, Charles Rubright.

"I'm not familiar with the case," said Long, who started work as superintendent in 2001. "It has been turned over to our attorney for advice and an appropriate response. It will be looked into."

Indianapolis attorney Jason Reese said Tuesday that the lawsuit, if filed, would allege that ACS officials were negligent in checking the video surveillance equipment on the school bus.

Reese said the video recorder on the school bus was operating normally until January 2000 and then didn't work for almost three months.

"ACS didn't check the equipment," said Reese. "The principal at Park Place Elementary School testified at the trial that the video was only checked when there was a complaint filed."

Reese said ACS had no policy of checking if the equipment was operating.

UPDATES

Last we knew: ACS bus driver Jeffrey Holding was convicted in 2000 of one count of child molestation and six counts of attempted child molestation and sentenced to 50 years in prison.

Latest: ACS was notified that the victim's family plans to file a lawsuit seeking damages.

What's next: ACS has 90 days to respond to the notice.

"The repeated molestation should never have happened," he said in a news release. "The school's policy on inspecting the system and reviewing the tapes was grossly inadequate. The school had no policies in effect to regularly inspect or review the tapes to determine if any systems were malfunctioning or had been tampered with."

Reese said video cameras were installed in the ACS school buses in 1994 and record both video and audio footage while the buses were operating and for 11 minutes after the engine is stopped. He said a red light would indicate that the system was working.

Reese said Holding disabled the video system and removed the video tape.

"This is very sad," he said. "There was no criminal background check made on the driver."

The family hopes that the claim and publicity will prevent a similar incident from happening again.

"Like all parents in Anderson, this family entrusted the school to protect her and was shocked that something like this could possibly happen," he said. "The family also entrusted the school to hire and supervise its bus drivers. The school system breached this trust and clearly failed in its responsibility."