

**IN THE CIRCUIT COURT FOR DUNKLIN COUNTY,
STATE OF MISSOURI**

W.C., by and through his Mother, and Next)
of Friend, MAAT VAN UITERT,)

MAAT VAN UITERT, in her individual)
capacity)

and)

LARRY CRONAN, in his individual)
capacity)

Plaintiffs,)

v.)

CAMPBELL R-II SCHOOL DISTRICT,)
Serve at:)

801 South St. Hwy 53)
Campbell, MO 63933)

Defendant.)

Case No.

Div. No.

JURY TRIAL DEMANDED

PETITION

COMES NOW, Plaintiff W.C., by and through his mother and next of friend Maat van Uitert (“*W.C.*”), Maat van Uitert in her individual capacity (“*van Uitert*”), and Larry Cronan in his individual capacity (“*Cronan*”) (collectively “*Plaintiffs*”) who brings their claims under the Missouri Human Rights Act, Mo. Rev. Stat. § 213.010 et seq., for discrimination based on disability by Defendant Campbell R-II School District (“*School District*” or “*Defendant*”). In support of this Petition, Plaintiffs state the following:

PARTIES

1. Plaintiff W.C. is a minor child with disabilities and a Missouri citizen who resides with his parents in Dunklin County, Missouri.

2. Plaintiff W.C.’s birth date is February 8, 2013.

3. Plaintiff van Uitert is an adult female parent of minor W.C. and a resident of Dunklin County.

4. Plaintiff Cronan is an adult male parent of minor W.C. and a resident of Dunklin County.

5. Defendant is a public school district in Campbell, Missouri, and is, therefore, a place of public accommodation under Mo. Rev. Stat. § 213.010(16).

6. At all times herein, W.C. attended Campbell Elementary School, which is an elementary school within School District.

VENUE AND PROCEDURAL BACKGROUND

7. The venue in this Court is proper because the allegations that gave rise to this action occurred in Dunklin County, Missouri.

8. February 27, 2024, van Uitert, on behalf of W.C., filed a charge of discrimination with the Missouri Commission on Human Rights (“**MCHR**”) alleging disability discrimination against School District (“**Charge No. P-02/24-05490**”).

9. On July 30, 2024, van Uitert, on behalf of W.C., filed a second charge of discrimination with the MCHR, alleging disability discrimination and retaliation against School District (“**Charge No. P-07/24-05714**”).

10. On July 30, 2024, van Uitert filed a charge of discrimination with the MCHR, alleging disability discrimination for association with an individual with a disability and retaliation against School District (“**Charge No. P-04/25-05715**”).

11. On July 30, 2024, Cronan filed a charge of discrimination with the MCHR, alleging disability discrimination for association with an individual with a disability and retaliation against School District (“**Charge No. P-04/25-05717**”).

12. On March 18, 2025, the MCHR issued the right to sue on Charge No. P02/24-05490. See Exhibit 1 attached hereto.

13. On May 12, 2025, the MCHR issued the right to sue on Charge Nos. P04/25-05714, P04/25-05715, and P04/25-05717. See Exhibit 2-4 attached hereto.

14. Plaintiffs complied with the administrative exhaustion requirements of the Missouri Human Rights Act as stated in Mo. Rev. Stat. § 213.075.

LEGAL BACKGROUND

15. The Missouri Human Rights Act (“*MHRA*”) provides that all persons within the state’s jurisdiction are entitled to full and equal use and enjoyment of public accommodations without discrimination. Mo. Rev. Stat. § 213.065.1.

16. Mo. Rev. Stat. § 213.010(5) defines “discrimination” as any unfair treatment based on race, color, religion, national origin, ancestry, sex, or age as it relates to employment, disability, or familial status as it relates to housing.

17. Mo. Rev. Stat. § 213.010(15) defines “places of public accommodation” as all places or businesses offering or holding out to the general public goods, services, privileges, facilities, advantages, or accommodations for the peace, comfort, health, welfare, and safety of the general public or such public places providing food, shelter, recreation, and amusement.

18. The MHRA provides a non-exclusive list of the types of places, businesses, and establishments the legislature intended to include within this definition. § 213.010(16)(a)-(f).

19. The Missouri Constitution mandates the establishment and maintenance of “free public schools for the gratuitous instruction of all persons in this state within ages not in excess of twenty-one as prescribed by law.” Mo. Const. art. IX, § 1(a).

20. As Defendant provided a public education to students in their district, Defendant is a facility that provides gratuitous instruction to minor Missouri citizens. That access to the school is subject to state law, and the enrollment restrictions do not defeat the public character of the school as it serves a subset of the public. *See Doe v. Kan. City*, 372 S.W.3d 43, 49-50 (Mo. Ct. App. 2012).

FACTUAL ALLEGATIONS

21. Plaintiff hereby incorporates the abovementioned paragraphs.

22. Plaintiff W.C. is a minor child with disabilities.

23. Specifically, Plaintiff W.C. has Autism, ADHD, speech-language impairment, and a visual disorder.

24. Plaintiff W.C.'s disabilities affect daily life as he has difficulty communicating verbally and interpreting social cues, and he is not comfortable sharing information with certain adults in his life.

25. School District is aware of Plaintiff W.C.'s disabilities.

26. Due to his disabilities, School District provides Plaintiff W.C. with the reasonable accommodations of language therapy, speech therapy, specialized instruction in math, specialized instruction in written expression, and specialized instruction in reading skills.

27. On or about August 31, 2023, van Uiter requested School District provide Plaintiff W.C.'s school records pursuant to the Family Educational Rights and Privacy Act and received, among other documents, Plaintiff W.C.'s 2019 Functional Behavior Assessment ("FBA")

28. Through the FBA, van Uiter learned that [REDACTED] paddled Plaintiff W.C. in 2019.

29. At the time, [REDACTED] was the principal, and he is currently the superintendent of Campbell R-II School District.

30. Upon information and belief, [REDACTED] paddled Plaintiff W.C. due to his disability and/or for exhibiting symptoms of his disabilities.

31. The FBA alleged that Plaintiff W.C.'s parents gave permission for School District employees to paddle Plaintiff W.C.

32. Neither van Uiter nor Cronan gave School District permission, either written or oral, to paddle Plaintiff W.C.

33. School District's paddling of Plaintiff exacerbated Plaintiff W.C.'s disabilities and caused him to fear and distrust adults, especially those at the school.

34. On February 27, 2024, Plaintiff W.C. filed a charge of discrimination with the MCHR, alleging discrimination based on disability.

35. In March 2024, School District had a book fair, which lasted multiple days.

36. The previous year, School District gave W.C. three Lego books at the book fair.

37. On March 20, 2024, W.C. took a book from the book fair without paying for it.

38. School District accused W.C. of stealing and threatened to involve outside law enforcement.

39. When the School District accused W.C. of stealing, Parents asked School District if any other students had told W.C. to take a book.

40. Parents later learned that another student told W.C. to take the book on March 20, 2024.

41. Because of his disability, W.C. understood this instruction to be a command and complied. His inability to think critically and his previous experience of receiving free book fair books prompted W.C. to take the book.

42. Even though W.C.'s actions were a manifestation of his disability, School District disciplined W.C.

43. School District did not discipline the student who told W.C. to take the book.

44. On March 23, 2024, School District gave all the students, including W.C., a book from the book fair.

45. On March 24, 2024, van Uiter confirmed with School District that School District gave W.C. the book for free.

46. Due to his autism, W.C. did not understand why getting a free book in certain circumstances was acceptable but not in others.

47. School District is aware of the symptoms of W.C.'s disability yet repeatedly punished him for the manifestation of the same.

48. On April 2, 2024, School District punished W.C. for fighting.

49. The other students involved are not disabled.

50. School District did not punish the other students but punished W.C.

51. W.C. told Parents that a non-disabled peer hit another student.

52. Upon information and belief, School District did not discipline the non-disabled peer who hit another student.

53. On April 4, 2024, School District accused W.C. of sexually harassing a student named N.

54. As a result, School District suspended W.C. from the bus.

55. When asked, W.C. stated that a non-disabled peer, C., hit N. first, and C. then told W.C. that he should touch N., so W.C. touched N.

56. Due to his disability, W.C. does not understand why his actions were wrong.

57. Parents again asked School District to investigate non-disabled peers encouraging W.C. to inappropriately touch other students.

58. School District did not discipline the non-disabled peer the same way they disciplined W.C.

59. School District did not suspend C or N from the bus for the bus incident.

60. On April 5, 2024, Parents complained to School District that the principal, [REDACTED] treated W.C. differently than non-disabled peers.

61. In response to Parent's complaints, [REDACTED] called the Missouri Department of Social Services, Children's Division ("**DSS**").

62. In response to Parent's complaints, [REDACTED] increased W.C.'s discipline from the bus suspension to a five (5) day out of school suspension.

63. On April 11, 2024, Parents complained in writing to School District regarding the unequal treatment between W.C. and non-disabled students at School District.

64. On April 26, 2024, Parents learned that a non-disabled peer sexually harassed W.C., exposed W.C. to sexual content, and prompted W.C. to touch another student.

65. Parents immediately complained to School District in writing.

66. As of the date of this charge, School District has not investigated the allegations.

67. On April 29, 2024, Parents complained to School District that School District denied W.C. his reasonable accommodation of his 1:1 aide during recess and, as a result, a non-disabled peer sexually harassed W.C. and told W.C. to touch a third student.

68. Because of W.C.'s autism, W.C. takes direction literally and does not understand whether his conduct is wrong.

69. When the other student told W.C. to touch another student, W.C. did it.

70. Upon information and belief, School District never disciplined the non-disabled student.

71. Furthermore, School District refused to accept Parents' complaint as a formal complaint.

72. On April 29, 2024, Cronan and van Uitert also complained that W.C.'s teacher, [REDACTED] isolated W.C., allowed other students to target W.C., and disregarded W.C.'s safety.

73. Throughout the time mentioned above, Cronan and van Uitert continuously complained about the discriminatory behavior.

74. Additionally, Parents complained that W.C. was sexually harassed at School District.

75. On April 30, 2024, [REDACTED] emailed Parents stating that School District never received a formal complaint from Parents.

76. Parents continued to complain about the discriminatory behavior.

77. On May 15, 2024, [REDACTED] again reiterated that Parents did not file a formal sexual harassment complaint. [REDACTED] did not inform Parents how to "file a formal sexual harassment complaint."

78. On May 29, 2024, Cronan and van Uitert filed a grievance with the School Board regarding the discriminatory behavior, retaliation, denial of accommodations, and failure to investigate complaints.

79. School District did not conduct a substantive investigation of Plaintiffs' complaints and refused to speak with Plaintiffs.

80. In the summer of 2024, Cronan and van Uiterter complained at a School Board meeting regarding the discriminatory conduct.

81. School District did not substantively investigate or address any of Plaintiffs' complaints.

**COUNT I: DISABILITY DISCRIMINATION AGAINST PLAINTIFF W.C. IN
VIOLATION OF THE MISSOURI HUMAN RIGHTS ACT**

82. Plaintiffs hereby incorporate the facts noted above.

83. At all relevant times, Defendant was a place of public accommodation under Mo. Rev. Stat. § 213.010(16).

84. Plaintiff W.C.'s disabilities significantly impact his major life activities.

85. Plaintiff is disabled under the Missouri Human Rights Act, Mo. Rev. Stat. § 213.010, *et. seq.*

86. At all relevant times, as described in more detail above, Defendant discriminated against Plaintiff W.C. due to his disabilities.

87. Upon information and belief, Defendant punished W.C. as punishment for Plaintiff W.C. exhibiting behaviors consistent with his disability.

88. Defendant knew or should have known that these actions were symptoms of his disability.

89. Nevertheless, Defendant continued its pattern and practice of punishing Plaintiff W.C. for behaviors consistent with his disability.

90. Based on the foregoing, Defendant's punishments of Plaintiff W.C. because of his disability are a form of discrimination on the basis of disability within the meaning of the MHRA.

91. Because of Plaintiff W.C.'s disabilities, Defendant consistently attempted to push Plaintiff W.C. out of Defendant by constantly punishing Plaintiff W.C. for behaviors associated with his disabilities.

92. Based on the foregoing, Defendant punished W.C. harsher than similarly situated students without disabilities because of W.C.'s disability.

93. Defendant's actions were undertaken maliciously or in reckless disregard for Plaintiff's right to be free from discrimination.

94. As a direct and proximate result of the above-described acts, Plaintiff W.C. has suffered and will continue to suffer pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life. Plaintiff also has been and will continue to be prevented from performing daily activities and obtaining the full enjoyment of life. Plaintiff also has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

95. Pursuant to Mo. Rev. Stat. § 213.111(2), Plaintiff seeks actual damages, including emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, other nonpecuniary losses, punitive damages against Defendant, and attorney's fees and costs.

96. At the time of Defendant's misconduct, Defendant knew its actions were outrageous, unlawful, and were undertaken maliciously and/or in reckless disregard for Plaintiff's right to be free from discrimination and retaliation. Plaintiffs will seek leave of Court to file a claim for punitive damages at the appropriate time outlined by Mo. Rev. Stat. § 510.261.

97. Plaintiff requests a trial by jury on all issues triable by jury.

98. WHEREFORE, Plaintiffs respectfully request that this Court enter judgment in their favor and against Defendant, awarding emotional distress damages, compensatory damages,

pre-and post-judgment interest, and attorney's fees and costs, as well as any other relief this Court deems may be just and proper.

**COUNT II VIOLATION OF MO. REV. STAT. § 213.010 *ET SEQ.* DISABILITY
DISCRIMINATION FOR PLAINTIFFS VAN UITERT AND CRONAN FOR
ASSOCIATION WITH AN INDIVIDUAL WITH A DISABILITY**

99. Plaintiffs incorporate by reference the allegations in the foregoing paragraphs as if fully set forth herein.

100. At all relevant times, Defendant was a place of public accommodation under Mo. Rev. Stat. § 213.010 (16).

101. Plaintiff van Uiter is associated with an individual who has a disability, her son Plaintiff W.C.

102. Plaintiff Cronan is associated with an individual who has a disability, his son Plaintiff W.C.

103. Specifically, Plaintiff W.C. has Autism, ADHD, speech-language impairment, and a visual disorder.

104. Plaintiff W.C.'s disabilities affect daily life as he has difficulty communicating verbally and interpreting social cues, and he is not comfortable sharing information with certain adults in his life.

105. "One of the hallmarks of autism is that the behavioral issues associated with it are involuntary." *D.L. v. St. Louis City Sch. Dist.*, 950 F.3d 1057, 1064 (8th Cir. 2020).

106. Defendant treated Plaintiffs Cronan and van Uiter differently than similarly situated parents who did not have children with disabilities.

107. Defendant did not take the concerns of Plaintiff van Uiter and Cronan as seriously as they would have taken the concerns of similarly situated parents who did not have children with disabilities.

108. Upon information and belief, Defendant imposed all of Plaintiff W.C.'s suspensions as punishment for W.C.'s disabilities and Plaintiff van Uiter's association with Plaintiff W.C.

109. Upon information and belief, Defendant imposed all of Plaintiff W.C.'s suspensions as punishment for W.C.'s disabilities and Plaintiff Cronan's association with Plaintiff W.C.

110. Defendant called DSS on Parents due to their association with Plaintiff W.C.

111. Because of Plaintiff Cronan's association with an individual with a disability and his complaints about disability discrimination on the individual's behalf, Defendant continued its pattern and practice of punishing W.C. for behaviors consistent with his disability.

112. Because of Plaintiff van Uiter's association with an individual with a disability and her complaints about disability discrimination on the individual's behalf, Defendant continued its pattern and practice of punishing W.C. for behaviors consistent with his disability.

113. This pattern of punishing W.C. caused great hardship and inconvenience to Plaintiffs van Uiter and Cronan.

114. Because of Plaintiff van Uiter's association with her disabled son, Defendant consistently attempted to push Plaintiff W.C. out of School District by constantly punishing Plaintiff W.C. for exhibiting behaviors of his disability, causing Plaintiff van Uiter emotional distress and having to take time off work to take care of her child.

115. Because of Plaintiff Cronan's association with her disabled son, Defendant consistently attempted to push Plaintiff W.C. out of School District by constantly punishing

Plaintiff W.C. for exhibiting behaviors of his disability, causing Plaintiff Cronan emotional distress.

116. Defendant's attempts to push Plaintiff W.C. out of School District caused great emotional distress, pain, and inconvenience to Plaintiffs.

117. Defendant's attempts to push Plaintiff W.C. out of School District caused Plaintiffs lost wages and other economic damages.

118. Defendant's actions were undertaken maliciously or in reckless disregard for Plaintiff van Uiter's right to be free from discrimination.

119. Defendant's actions were undertaken maliciously or in reckless disregard for Plaintiff Cronan's right to be free from discrimination.

120. As a direct and proximate result of the above-described acts, Plaintiff van Uiter has suffered and will continue to suffer pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life.

121. As a direct and proximate result of the above-described acts, Plaintiff Cronan has suffered and will continue to suffer pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life.

122. As a direct and proximate result of the above-described acts, Plaintiff van Uiter has suffered loss of income due to taking off work.

123. Pursuant to Mo. Rev. Stat. § 213.111(2), Plaintiffs seek actual damages, including emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, other nonpecuniary losses, punitive damages against Defendant, and attorney's fees and costs.

124. At the time of Defendant's misconduct, Defendant knew its actions were outrageous and unlawful and were undertaken maliciously and/or in reckless disregard for Plaintiffs' right to be free from discrimination and retaliation. Plaintiffs will seek leave of Court to file a claim for punitive damages at the appropriate time outlined by Mo. Rev. Stat. § 510.261.

125. Plaintiff requests a trial by jury on all issues triable by jury.

126. WHEREFORE, Plaintiffs respectfully request that this Court enter judgment in their favor and against Defendant, awarding emotional distress damages, compensatory damages, pre-and post-judgment interest, and attorney's fees and costs, as well as any other relief this Court deems may be just and proper.

COUNT III: RETALIATION IN VIOLATION OF THE MISSOURI HUMAN RIGHTS ACT

127. Plaintiffs incorporate by reference the allegations in the foregoing paragraphs as if fully set forth herein.

128. Throughout the events mentioned above, Plaintiffs van Uitert and Cronan complained to the school that School District punished Plaintiff W.C. due to his disabilities and discriminating against Plaintiff W.C. due to his disabilities.

129. Upon information and belief, Defendant punished W.C. for exhibiting symptoms of his disabilities, Plaintiff W.C.'s disabilities, Plaintiff van Uitert, and Plaintiff Cronan's association with Plaintiff W.C., and in retaliation for Plaintiffs advocating for an individual with disabilities.

130. Because of Plaintiff van Uitert's complaints about disability discrimination on the individual's behalf, School District continued its pattern and practice of punishing Plaintiff W.C. for behaviors consistent with his disability.

131. Because of Plaintiff van Uiter's complaints on W.C.'s behalf about disability discrimination on the individual's behalf, School District continued its pattern and practice of punishing Plaintiff W.C. for behaviors consistent with his disability.

132. Because of Plaintiff Cronan's complaints about disability discrimination on the individual's behalf, School District continued its pattern and practice of punishing Plaintiff W.C. for behaviors consistent with his disability.

133. This pattern of punishment caused great hardship and inconvenience to Plaintiffs.

134. Based on the foregoing, Defendant punished Plaintiff W.C. as retaliation for the complaint of Plaintiffs.

135. Based on the foregoing, Defendant called DSS as punishment for Plaintiffs' complaints about disability discrimination.

136. Defendant's attempts to push Plaintiff W.C. out of School District have caused great emotional distress, pain, and inconvenience to Plaintiffs.

137. Defendant's actions were undertaken maliciously or in reckless disregard for Plaintiffs' right to be free from discrimination and retaliation.

138. As a direct and proximate result of the above-described acts, Plaintiffs suffered and will continue to suffer pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life.

139. Plaintiff requests a trial by jury on all issues triable by jury.

140. Pursuant to Mo. Rev. Stat. § 213.111(2), Plaintiffs seek actual damages, including emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, other nonpecuniary losses, punitive damages against Defendant, and attorney's fees and costs.

141. At the time of Defendant's misconduct, Defendant knew their actions were outrageous, unlawful, and were undertaken maliciously and/or in reckless disregard for Plaintiffs' right to be free from discrimination and retaliation. Plaintiffs will seek leave of Court to file a claim for punitive damages at the appropriate time outlined by Mo. Rev. Stat. § 510.261.

142. WHEREFORE, Plaintiffs respectfully request that this Court enter judgment in their favor and against Defendant, awarding emotional distress damages, compensatory damages, pre-and post-judgment interest, and attorney's fees and costs, as well as any other relief this Court deems may be just and proper.

**COUNT IV: DISABILITY DISCRIMINATION FOR FAILURE TO ACCOMMODATE
PLAINTIFF W.C. IN VIOLATION OF THE MISSOURI HUMAN RIGHTS ACT**

143. Plaintiff hereby incorporates the facts noted above.

144. At all relevant times, Defendant was a place of public accommodation under Mo. Rev. Stat. §213.010 (16).

145. Plaintiff's disabilities significantly impact his major life activities.

146. Plaintiff is disabled under the MHRA, Mo. Rev. Stat. §213.010, *et. seq.*

147. Plaintiff requested reasonable accommodation of providing Plaintiff W.C. a 1:1 aide during recess.

148. This reasonable accommodation did not impose an undue hardship on Defendant.

149. Defendant failed to provide Plaintiff W.C. this 1:1 aide during recess and, as a result, a non-disabled peer sexually harassed W.C. and told W.C. to touch a third student.

150. Furthermore, Defendant refused to engage in the interactive process.

151. Based on the foregoing, Defendant discriminated against Plaintiff because of his disability by denying Plaintiff the reasonable accommodation

152. Defendant's actions were undertaken maliciously or in reckless disregard for Plaintiff's right to be free from discrimination.

153. As a direct and proximate result of the above-described acts, Plaintiff has suffered and will continue to suffer pain of mind and body, PTSD, depression, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life. Plaintiff also has been and will continue to be prevented from performing daily activities and obtaining the full enjoyment of life. Plaintiff also has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

154. Pursuant to Mo. Rev. Stat. § 213.111(2), Plaintiff seeks actual damages, including emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, other nonpecuniary losses against Defendant, and attorney's fees and costs.

155. At the time of Defendant's misconduct, Defendant knew its actions were outrageous and unlawful and were undertaken maliciously and/or in reckless disregard for Plaintiff's right to be free from discrimination and retaliation. Plaintiff will seek leave of Court to file a claim for punitive damages at the appropriate time outlined by Mo. Rev. Stat. § 510.261.

156. Plaintiff requests a trial by jury on all issues triable by jury.

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment in their favor and against Defendant, awarding emotional distress damages, compensatory damages, pre- and post-judgment interest, attorney's fees and costs, and any other relief this Court deems may be just and proper.

Respectfully submitted,

/s/ Michelle K. Faron

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