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A bill to be entitled  
An act relating to the Indian River County School Board;  
providing for the relief of Tylor Griffeth, a minor, by  
and through Mark Griffeth and Teresa Griffeth, his parents  
and natural guardians; providing for an appropriation to  
compensate Tylor Griffeth for injuries caused by the  
negligence of the school board; specifying uses of the  
funds; providing for attorney's fees and costs; providing  
an effective date

WHEREAS, on January 25, 1999, 6-year-old Tylor Griffeth was  
riding home from his elementary school in a school bus owned by  
the Indian River County School Board and operated by a driver  
employed by the Indian River County School Board, and

WHEREAS, the school bus driver failed to stop at a stop  
sign and struck a tractor-trailer, resulting in the death of the  
tractor-trailer driver and one student in the school bus, and in  
injury to Tylor and other children who were aboard the bus, and

WHEREAS, Tylor was treated at the scene, was later taken by  
ambulance to Sebastian River Medical Center, and subsequently  
was transferred to the trauma center at Holmes Regional Medical  
Center in Melbourne, Florida, and

WHEREAS, his admission diagnosis was a closed-head injury  
with diplopia (double vision), as well as back and forehead  
abrasions, and his discharge diagnosis was a possible  
concussion, and



28 WHEREAS, Tylor's general physician provided followup care  
29 and later referred Tylor to physical therapy to reduce his  
30 cervical pain and headaches and to the Bascom Palmer Eye  
31 Institute for ongoing visual problems, and

32 WHEREAS, Dr. Brad Simmons of the eye institute diagnosed a  
33 sixth-nerve palsy in Tylor's left eye secondary to trauma, and a  
34 subsequent examination again demonstrated an abduction deficit  
35 in the left eye, and

36 WHEREAS, Tylor underwent a second evaluation, performed by  
37 Dr. Paul Carney of the Neurology Department at Shands Teaching  
38 Hospital, because of his history of a concussion with continuing  
39 visual problems and his complaints that objects appeared smaller  
40 in the left eye and that he was experiencing problems focusing  
41 and having occasional headaches, and

42 WHEREAS, Dr. Carney diagnosed a post-concussive syndrome  
43 for which he recommended monitoring in the future, and

44 WHEREAS, as a result of Tylor's injuries, his parents  
45 incurred \$14,813.71 in medical bills, and Mrs. Griffeth lost a  
46 considerable amount of time from her employment to care for her  
47 son and take him to doctors' appointments, and

48 WHEREAS, more than 3 years after the accident, Tylor is  
49 still experiencing symptoms from his injuries which are  
50 indicative of the permanent nature of his condition, and

51 WHEREAS, the Indian River County School Board was placed on  
52 the appropriate statutory notice, and a lawsuit was filed on  
53 April 16, 2001, and



54 WHEREAS, the school board has already paid the statutory  
55 limit under section 768.28, Florida Statutes, for claims or  
56 judgments arising out of the same incident or occurrence, and

57 WHEREAS, the attorneys for the parties performed  
58 appropriate discovery, which resulted in an agreement whereby  
59 the Indian River County School Board agreed to pay Mark Griffeth  
60 and Teresa Griffeth, as parents and natural guardians of Tylor  
61 Griffeth, \$40,000 subject to a successful claim bill, NOW,  
62 THEREFORE,

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64 Be It Enacted by the Legislature of the State of Florida:

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66 Section 1. The facts stated in the preamble to this act  
67 are found and declared to be true.

68 Section 2. The Indian River County School Board is  
69 authorized and directed to appropriate from funds of the school  
70 board not otherwise appropriated and to draw a warrant in the  
71 sum of \$40,000, payable after July 1, 2003, to Mark Griffeth and  
72 Teresa Griffeth, as parents and natural guardians of Tylor  
73 Griffeth, a minor, as compensation for injuries and damages  
74 sustained as a result of the negligence of the school board.  
75 Such funds are to be deposited into a guardianship account for  
76 the exclusive use and benefit of Tylor Griffeth. The amount  
77 payable pursuant to this section is inclusive of costs and  
78 attorney's fees as limited by s. 768.28(8), Florida Statutes.

79 Section 2. This act shall take effect upon becoming a law.