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2 An act for the relief of the estate of Brooke  
3 Ingoldsby, deceased minor child of Michelle  
4 Allen, and Michelle Allen, parent and natural  
5 guardian of Brooke Ingoldsby, individually, by  
6 the Pinellas County School Board; providing for  
7 an appropriation to compensate the estate of  
8 Brooke Ingoldsby, and Michelle Allen,  
9 individually, for the wrongful death of Brooke  
10 Ingoldsby, which was due in part to the  
11 negligent failure of a county school bus driver  
12 to secure the safety of children who exit the  
13 school bus; providing for limitation on  
14 attorney's fees and lobbying fees; providing an  
15 effective date.

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17 WHEREAS, on February 11, 2005, Brooke Ingoldsby, an  
18 8-year-old third grader at James B. Sanderlin Elementary  
19 School, was being transported home on a school bus of the  
20 Pinellas County School Board which was driven by an  
21 inadequately trained substitute bus driver employed by the  
22 school board, and

23 WHEREAS, rather than depositing Brooke Ingoldsby, who  
24 was the last student on the bus, at her appointed bus stop  
25 where her grandmother was waiting for her, the substitute bus  
26 driver dropped Brooke Ingoldsby off on the corner of 90th  
27 Avenue and the east side of 9th Street North, an extremely  
28 busy thoroughfare in St. Petersburg, Pinellas County, Florida,  
29 and

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1           WHEREAS, when the substitute bus driver dropped off  
2 Brooke Ingoldsby, he did not turn on the bus's flashing lights  
3 or display its stop sign, and

4           WHEREAS, as Brooke Ingoldsby attempted to cross 9th  
5 Street North, another school bus of the Pinellas County School  
6 Board, which was also operated by an employee of the school  
7 board, was northbound on 9th Street North, and

8           WHEREAS, as that school bus was slowing to a stop at  
9 the intersection of 90th Avenue and 9th Street North, the  
10 driver did not turn on the red flashing lights or extend the  
11 stop sign on the side of the bus even though the driver saw  
12 southbound traffic approaching the intersection as Brooke  
13 Ingoldsby started to cross 9th Street North, and

14           WHEREAS, Brooke Ingoldsby was subsequently struck by a  
15 southbound sports utility vehicle in the west-most southbound  
16 lane of 9th Street North and was pronounced dead 3 hours later  
17 at Bayfront Medical Center, and

18           WHEREAS, Brooke Ingoldsby suffered multisystem trauma,  
19 head injury, bilateral closed femur injury, a closed right  
20 humerus fracture, and a severe abrasion to her right  
21 waistline, and

22           WHEREAS, it was later determined that the substitute  
23 bus driver was uncertain where to allow Brooke Ingoldsby to  
24 exit the school bus and was given an incomplete drop-off  
25 schedule, and

26           WHEREAS, before this accident, Brooke Ingoldsby's  
27 mother, Michelle Allen, had made numerous complaints to the  
28 Pinellas County School Board regarding the lack of safety of  
29 the children in the school district's transportation system,  
30 and

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1           WHEREAS, the Pinellas County School Board admitted  
2 liability for Brooke Ingoldsby's death and agreed to pay the  
3 total sum of \$2.5 million for the damages and losses sustained  
4 by the estate of Brooke Ingoldsby and for the losses suffered  
5 by Brooke Ingoldsby's mother, Michelle Allen, and

6           WHEREAS, judgment was entered in the amount of \$2.5  
7 million, including \$200,000 in damages and losses sustained by  
8 the estate of Brooke Ingoldsby and \$2.3 million for the losses  
9 suffered by Brooke Ingoldsby's mother, Michelle Allen, and

10           WHEREAS, the school district has paid \$100,000 to the  
11 estate and \$100,000 for the losses suffered by Michelle Allen,  
12 thus exhausting the limits of the waiver of sovereign  
13 immunity, and

14           WHEREAS, the school district maintained a liability  
15 policy of \$1 million, which was paid to Michelle Allen, and

16           WHEREAS, the remaining sums owed under the judgment  
17 include \$100,000, which is owed to the estate, and \$1.2  
18 million, which is owed to Michelle Allen, NOW, THEREFORE,

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

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

24           Section 2. The Pinellas County School Board is  
25 authorized and directed to appropriate from funds of the  
26 school board not otherwise encumbered and to draw a warrant  
27 payable to the estate of Brooke Ingoldsby, decedent minor, for  
28 the total amount of \$100,000 as compensation to the estate of  
29 Brooke Ingoldsby for the wrongful death of Brooke Ingoldsby as  
30 a result of the negligence of the Pinellas County School  
31 Board.

1           Section 3. The Pinellas County School Board is  
2 authorized and directed to appropriate from funds of the  
3 school board not otherwise encumbered and to draw a warrant  
4 payable to Michelle Allen, parent and natural guardian of  
5 Brooke Ingoldsby, her deceased minor child, for the total  
6 amount of \$1.2 million for the wrongful death of her daughter,  
7 Brooke Ingoldsby, as a result of the negligence of the  
8 Pinellas County School Board.

9           Section 4. Payment for attorney's fees and costs  
10 incurred by the claimant's attorneys shall not exceed  
11 \$280,237. Payment for the professional services and costs of  
12 lobbyists advocating for passage of this claim shall not  
13 exceed \$13,000.

14           Section 5. This act shall take effect upon becoming a  
15 law.

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