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1 A bill to be entitled
2 An act for the relief of the estate of Brooke Ingoldsby,
3 deceased minor child of Michelle Allen, and Michelle
4 Allen, parent and natural guardian of Brooke Ingoldsby,
5 individually, by the Pinellas County School Board;
6 providing for an appropriation to compensate the estate of
7 Brooke Ingoldsby, and Michelle Allen, individually, for
8 the wrongful death of Brooke Ingoldsby, which was due in
9 part to the negligent failure of a county school bus
10 driver to secure the safety of children who exit the
11 school bus; providing an effective date.

12
13 WHEREAS, on February 11, 2005, Brooke Ingoldsby, an 8-year-
14 old third grader at James B. Sanderlin Elementary School, was
15 being transported home on a school bus of the Pinellas County
16 School Board which was driven by an inadequately trained
17 substitute bus driver employed by the school board, and

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

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

27 WHEREAS, as Brooke Ingoldsby attempted to cross 9th Street
28 North, another school bus of the Pinellas County School Board,

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29 | which was also operated by an employee of the school board, was
30 | northbound on 9th Street North, and

31 | WHEREAS, as that school bus was slowing to a stop at the
32 | intersection of 90th Avenue and 9th Street North, the driver did
33 | not turn on the red flashing lights or extend the stop sign on
34 | the side of the bus even though the driver saw southbound
35 | traffic approaching the intersection as Brooke Ingoldsby started
36 | to cross 9th Street North, and

37 | WHEREAS, Brooke Ingoldsby was subsequently struck by a
38 | southbound sports utility vehicle in the west-most southbound
39 | lane of 9th Street North and was pronounced dead 3 hours later
40 | at Bayfront Medical Center, and

41 | WHEREAS, Brooke Ingoldsby suffered multisystem trauma, head
42 | injury, bilateral closed femur injury, a closed right humerus
43 | fracture, and a severe abrasion to her right waistline, and

44 | WHEREAS, it was later determined that the substitute bus
45 | driver was uncertain where to allow Brooke Ingoldsby to exit the
46 | school bus and was given an incomplete drop-off schedule, and

47 | WHEREAS, before this accident, Brooke Ingoldsby's mother,
48 | Michelle Allen, had made numerous complaints to the Pinellas
49 | County School Board regarding the lack of safety of the children
50 | in the school district's transportation system, and

51 | WHEREAS, the Pinellas County School Board admitted
52 | liability for Brooke Ingoldsby's death and agreed to pay the
53 | total sum of \$2.5 million for the damages and losses sustained
54 | by the estate of Brooke Ingoldsby and for the losses suffered by
55 | Brooke Ingoldsby's mother, Michelle Allen, and

56 | WHEREAS, judgment was entered in the amount of \$2.5

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57 million, including \$200,000 in damages and losses sustained by
58 the estate of Brooke Ingoldsby and \$2.3 million for the losses
59 suffered by Brooke Ingoldsby's mother, Michelle Allen, and

60 WHEREAS, the school district has paid \$100,000 to the
61 estate and \$100,000 for the losses suffered by Michelle Allen,
62 thus exhausting the limits of the waiver of sovereign immunity,
63 and

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

66 WHEREAS, the remaining sums owed under the judgment include
67 \$100,000, which is owed to the estate, and \$1.2 million, which
68 is owed to Michelle Allen, NOW, THEREFORE,

69

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

71

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

74 Section 2. The Pinellas County School Board is authorized
75 and directed to appropriate from funds of the school board not
76 otherwise encumbered and to draw a warrant payable to the estate
77 of Brooke Ingoldsby, decedent minor, for the total amount of
78 \$100,000 as compensation to the estate of Brooke Ingoldsby for
79 the wrongful death of Brooke Ingoldsby as a result of the
80 negligence of the Pinellas County School Board.

81 Section 3. The Pinellas County School Board is authorized
82 and directed to appropriate from funds of the school board not
83 otherwise encumbered and to draw a warrant payable to Michelle
84 Allen, parent and natural guardian of Brooke Ingoldsby, her

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85 deceased minor child, for the total amount of \$1.2 million for
86 the wrongful death of her daughter, Brooke Ingoldsby, as a
87 result of the negligence of the Pinellas County School Board.

88 Section 4. This act shall take effect upon becoming a law.