

IN THE CIRCUIT COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
FLAGLER COUNTY, FLORIDA

CASE NO.: 2020 CA 000403

CARISSA A. JACKSON, as Personal Representative
Of the Estate of SHUANTIANA A. STAFFORD
Plaintiff,

vs.

FLAGLER COUNTY SCHOOLS,
Defendants.

COMPLAINT

COMES NOW, Plaintiff **CARISSA A. JACKSON, as Personal Representative of the Estate of SHAUNTIANA A. STAFFORD**, and sues Defendant **FLAGLER COUNTY SCHOOLS**, and states as follows:

COMMON ALLEGATIONS AS TO ALL COUNTS

1. This is an action for damages that exceeds the sum of THIRTY THOUSAND DOLLARS (\$30,000.00), exclusive of costs, interest and attorneys' fees. (The estimated value of Plaintiff's claim is in excess of the minimum jurisdictional threshold required by this Court). Accordingly, Plaintiff has entered "\$30,001" in the civil cover sheet for the "estimated amount of the claim" as required in the preamble to the civil cover sheet for *jurisdictional purposes only* (as the Florida Supreme Court has ordered that the estimated "amount of claim" be set forth in the civil cover sheet for data collection and clerical purposes only). The actual value of Plaintiff's claim will be determined by a fair and just jury in accordance with Article 1, Section 21, Fla. Const.
2. **CARISSA A. JACKSON** is the duly appointed Personal Representative of the Estate of

SHAUNTIANA A. STAFFORD, deceased.

3. At all times material to this action, Plaintiff, **CARISSA A. JACKSON**, was a citizen residing in Palm Coast, Flagler County, Florida.
4. At all times prior to her death, **SHAUNTIANA A. STAFFORD**, was a citizen residing with her mother **CARISSA A. JACKSON** in Palm Coast, Flagler County, Florida.
5. This action is brought by the Plaintiff, **CARISSA A. JACKSON** as Personal Representative of the Estate of **SHAUNTIANA A. STAFFORD**, deceased, pursuant to the Wrongful Death Act, Florida Statutes § 768.16 et. seq.
6. At all times material to this action, the known potential beneficiaries of a recovery for wrongful death of the decedent, **SHAUNTIANA A. STAFFORD**, are the following:
 - a. **CARISSA A. JACKSON** as the decedent's surviving natural mother; and
 - b. **BLAINE STAFFORD** as the decedent's surviving natural father.
7. At all times material to this action, Defendant, **FLAGLER COUNTY SCHOOLS**, (hereafter "**FCS**") by and through its teachers, administrators, independent contractors, agents, apparent agents, and employees was and remains a subdivision of Flagler County's local municipal government, responsible for the organization and operation of numerous public schools within the district, including Flagler Palm Coast High School, located at 5500 FL-100 E, Palm Coast, Flagler County, Florida 32164.
8. At all times material hereto **FCS** was responsible for the supervision and care of students enrolled in the its public school system including the deceased **SHAUNTIANA A. STAFFORD** and her tormentors and/or those responsible for bullying her during school hours, and school-related functions, as more fully set forth herein.

9. At all times material here to **FCS** was responsible for the actions and omissions of any and all teachers, principals, coaches, independent contractors, and/or agents acting on its behalf, in furtherance of FCS' duties while operating the Flagler County public school system and in their interactions and dealings with the **SHAUNTIANA A. STAFFORD**, and the students who bullied and harrassed her.
10. At all times material hereto Defendant **FCS** had a non-delegable duty to all students enrolled in its school system, including **SHAUNTIANA A. STAFFORD**, to develop and implement a policy for identifying bullying and harassment occurring on school property, during school hours or at school related functions and events; to investigate incidents of student bullying both reported and unreported; to ascertain that those responsible for the bullying and harassment are identified and immediately stopped from doing so; to identify victims of bullying and harassment; and to identify counseling and other supportive services necessary to address the effect of bullying on a student victim.
11. At all times material hereto, **SHAUNTIANA A. STAFFORD**, suffered physical and emotional injuries of a permanent and emotionally debelitating nature and/or suffered from an aggravation of previously exisiting emotional injury as result of multiple instances of bullying and or harrassment while a student enrolled in the Flagler County public school system.
12. Upon information and belief, many, if not all of these instances were reported to the teachers, principal, administrators, employees, agents, and independent contractors at Flagler Palm Coast High School, as well as to other officials and employees of Defendant **FCS**, or in the exercise of reasonable cares should have been discovered by the same had they been executing their non-delegable duties as set forth above and herein.

13. Defendant was negligent in the performance of its duties as more fully set forth herein, resulting in the death of **SHAUNTIANA A. STAFFORD** by suicide on January 14, 2019.
14. Plaintiff has submitted a Notice of Claim, by certified mail, to the appropriate agencies and included the information required by Florida Statute Section 768.28. Attached as Exhibit “A” is the Notice of Claim which was submitted on March 22, 2019.
15. Plaintiff has, therefore, met the conditions precedent to filing a claim against Defendant pursuant to Florida Statute Section 768.28, and/or Defendant has waived all conditions precedent to filing said claim by allowing the claim period prior to the filing of suit to expire.

COUNT I-
WRONGFUL DEATH

16. Plaintiff re-alleges and incorporates paragraphs 1 through 15, and further states:
17. At all times material hereto, deceased **SHAUNTIANA A. STAFFORD**, was a student of Defendant **FCS**’ public school system.
18. Defendant **FCS** was the governmental body overseeing Flagler Palm Coast High School.
19. At all relevant times, the principal and administrators and teachers of Flagler Palm Coast High School were employed by and/or otherwise the agents of Defendant **FCS**.
20. Throughout the school year and at times prior to, and on school premises including in the school cafeteria, common grounds, and classrooms, **SHAUNTIANA A. STAFFORD** was bullied, tormented, and harassed on numerous occasions by fellow students enrolled in the Defendant’s public school system.
21. Said acts of bullying included constantly insulting the deceased regarding her appearance, mocking her in front of her peers, pushing and kicking her, and other similar acts, including bullying via the use of social media and or electronic applications of devices.

22. On numerous occasions throughout the school year, **SHAUNTIANA A. STAFFORD** as well members of her family, including her mother **CARISSA A. JACKSON**, informed her teachers, principal, administrators and authorities at the school of the constant bullying and harassment which she had been subjected to.
23. None of **SHAUNTIANA A. STAFFORD** teachers took any action to stop and/or address the bullying and harassment, and further failed to report or document same. In addition, they failed to take any step or effort ascertain what effect the bullying was having on **SHAUNTIANA A. STAFFORD**.
24. Despite having been fully informed of at least some of the bullying and harassment, none of Defendant **FCS**' principals, administrators, teachers, or agents failed to take any action in relation to this activity, or in the alternative any reasonable action to identify and end the bullying and harassment and to identify the needs of **SHAUNTIANA A. STAFFORD** to lessen the effects of the said bullying, including failing to investigate the allegations, or to discipline students perpetrating the bullying, or to in any way protect and/or separate the **SHAUNTIANA A. STAFFORD** from students bullying or harassing her.
25. Even after Defendant **FCS**' school personnel, administrators, teachers, and principals had been notified of the bullying and harassment of **SHAUNTIANA A. STAFFORD**, said bullying and harassment continued, and upon information and belief increased in intensity resulting in an increased and additional impact on the physical and emotional state of **SHAUNTIANA A. STAFFORD** leading to her eventual suicide and death.
26. After enduring bullying and harassment resulting in permanent physical and emotional injury, **SHAUNTIANA A. STAFFORD**, said conduct did cause **SHAUNTIANA A.**

STAFFORD to take her life by suicide on or about January 14, 2019.

27. Defendant **FCS** at all times had a non-delegable duty to provide **SHAUNTIANA A. STAFFORD** with a safe school environment, and to protect the plaintiff from known acts of bullying and harassment as well as those acts that were unknown but ascertainable by the exercise of reasonable care; to develop and implement a policy for identifying bullying and harassment occurring on school property, during school hours or at school related functions and events; to investigate incidents of student bullying both reported and unreported; to ascertain that those responsible for the bullying and harassment are identified and immediately stopped from doing so; to identify victims of bullying and harassment; and to identify counseling and other supportive services necessary to address the effect of bullying on a student victim.

28. Defendant **FCS** breached its non-delegable duty of care regarding the deceased **SHAUNTIANA A. STAFFORD** in one or more of the following ways:

- a. failing to investigate any instances of bullying and/or harassment.
- b. failing to take any measures to protect her from bullying and harassment.
- c. Failing to adhere to the policies and procedures for identifying a student subject to bullying and harassment.
- d. failing to expel, suspend, or in any other way take disciplinary action concerning students responsible for bullying her.
- e. failing to provide counseling, or any other such measures to curtail the bullying and harassment activity.
- f. Failing to otherwise exercise due care with regard to the matters contained herein.

29. As a direct and proximate cause of Defendant, **FCS'**, negligence, which resulted in **SHAUNTIANA A. STAFFORD's** wrongful and untimely death, **CARISSA A. JACKSON** and **BLAINE STAFFORD** were forced to endure and suffer extreme physical, mental, and emotional pain and suffering, death, and pecuniary loss, including medical expenses, funeral and burial expenses, and lost earning and/or benefits.

WHEREFORE, Plaintiff, **CARISSA A. JACKSON**, as **Personal Representative of the Estate of SHAUNTIANA A. STAFFORD** demands judgment for damages against Defendant, **FLAGLER COUNTY SCHOOLS**, and other such relief deemed proper by the Court. Plaintiff also demands a jury trial on all issues so triable.

RESPECTFULLY submitted this 31st day of August, 2020.

MORGAN & MORGAN, P.A.

/s/Eric R. Andeer

Eric Andeer, Esq.

FBN 0088531

Morgan & Morgan, P.A.

2601 North Ponce De Leon Boulevard

St. Augustine, FL 32084

Telephone: (904) 417-4182

Facsimile: (904) 417-4174

Email: eandeer@forthepeople.com

Email: stickner@forthepeople.com

Attorney for Plaintiff

March 22, 2019

NOTICE OF CLAIM-FLORIDA STATUTE §768.28(6)



CERTIFIED MAIL-RETURN RECEIPT

TO: 7018 2290 0001 1624 9044
Department of Financial Services
State of Florida - Legal Division
200 E. Gaines Street
Tallahassee, FL 32399-0300

7018 2290 0001 1624 9051
Flagler County Schools
1769 E. Moody Blvd. #2
Bunnell, FL 32210

7018 2290 0001 1624 9068
Flagler County Board of Commissioners
1769 E Moody Boulevard, #302
Bunnell, FL 32110

7018 2290 0001 1624 9075
Flagler Palm Coast High School
5500 FL-100
Palm Coast, FL 32164

7018 2290 0001 1624 9082
Mayor's Office - City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164

7018 2290 0001 1624 9099
Risk Management - City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164

CLAIMANT: The Estate of Shauntiana Autrice Stafford, a minor, deceased
Address: [REDACTED] Palm Coast, FL 32164
Date of Birth: [REDACTED] 31/2001
Social Security No: xxx-xx-9580

CONSORTIUM CLAIMANT: Carisse Jackson, Parent
Address: [REDACTED] Palm Coast, FL 32164
Date of Birth: [REDACTED] 23/1981
Social Security No.: [REDACTED]

PRIOR ADJUDICATED UNPAID CLAIMS: (if none, so state)

Claimant: None
Consortium Claimant: None

DATE AND TIME OF INCIDENT: January 14, 2019, at approximately 7:45 p.m.

PLACE OF INCIDENT: Palm Coast, FL

DESCRIPTION OF INCIDENT: Shauntiana Autrice Stafford took her own life on January 14, 2019, due to years of continued bullying by the same students that attended Flagler Palm Coast High School. Flagler Palm Coast High School was aware of the many, many bullying complaints made by Shauntiana and her mother, Carisse Jackson to school staff and counselors. Despite this notification, the school and counselors failed to properly intervene. This gross failure on behalf of the school personal and staff caused or contributed to the untimely death of Shauntiana Autrice Stafford.

EXHIBIT A

DESCRIPTION OF INJURIES: Death



PRIOR ADJUDICATED UNPAID CLAIMS: (if none, so state)

Claimant: None
Consortium Claimant: None

DATE AND TIME OF INCIDENT: January 14, 2019, at approximately 7:45 p.m.

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DESCRIPTION OF INJURIES: Death.

KNOWN CITY, AGENTS, OR EMPLOYEES: Employees from Flagler Palm Coast High School

RELIEF SOUGHT: Compensation for damages sustained.

IF ADDITIONAL INFORMATION IS NEEDED, PLEASE CONTACT THE UNDERSIGNED.
PLEASE ACKNOWLEDGE RECEIPT HEREOF.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by certified mail to the above agencies, this 22nd day of March, 2019.



Michael D. Marrese, Esquire

FBN: 0544299

Morgan and Morgan, P.A.

2601 North Ponce De Leon Blvd.

St. Augustine, FL 32084

(904) 417-4170

(904) 417-4171

Attorneys for Plaintiff