

**CASE INFORMATION SHEET**  
**FLORIDA LEGAL PERIODICALS, INC.**  
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**COUNTY AND COURT:**

United States District Court, Middle District of Florida, Ft. Myers Division

**NAME OF CASE:**

S.A. v. a Charter School, the Charter School's Teacher and Principal, and the School Board sponsoring the Charter School

**PLAINTIFF(S) ATTORNEY(S)/TRIAL COUNSEL:**

S.A., *Pro Se*

**DEFENDANT(S) ATTORNEY(S)/TRIAL COUNSEL:**

Bryan R. Snyder, Esquire  
Greg Giannuzzi, Esquire  
Rissman, Barrett, Hurt,  
Donahue, McLain & Mangan, P.A.  
1 North Dale Mabry Highway, 11th Floor  
Tampa, FL 33609

**AGE/SEX OF PLAINTIFF:**

48 years old

**CAUSE OF INJURY/DAMAGES:**

Plaintiff alleged that his minor son, S.A., was discriminated against by defendants, a Charter School, the Charter School's Teacher and Principal, and the School Board sponsoring the Charter School based on his son's race and/or ethnicity (Hispanic/Cuban-American). He alleged that on April 25, 2012 the Teacher refused to allow the student to go to the bathroom in an emergency medical situation because the student was Hispanic/Cuban-American, despite allowing other non-minority students to leave the classroom without permission. He further alleged that the Principal, after making the student wait approximately three hours before meeting with him causing him to miss three classes, disparaged the student by calling him a "troublemaker," threatened to call the police if the student refused to sign a disciplinary form and disproportionately punished the student with 10 days out-of-school suspension.

Plaintiff further alleged that the Principal reduced the disproportionate punishment to two days in-school suspension only after plaintiff informed the Principal that the punishment violated the Student Code of Conduct promulgated by the School Board and adopted by the Charter School and that other non-minority students were not given such severe punishments for similar conduct. He also alleged that the Principal denied the student the opportunity to participate in the National Honor Society induction ceremony, which further damaged the student's academic reputation.

Plaintiff's causes of action included violations of Title VI of the Civil Rights Act of 1964 by intentional discrimination, disparate treatment based on national origin and failure to supervise the conduct of its employees against the Charter School, violations of 42 U.S.C. Section 1983 against the Principal and the Teacher and state law claims against the School Board.

**NATURE OF INJURY/DAMAGES:**

Plaintiff sought damages for the alleged violations of his son's constitutional rights and alleged violations of federal law impacting his son's education and further sought damages plaintiff allegedly suffered for having witnessed the impact of the alleged discrimination on his son.

**PLAINTIFFS' EXPERT WITNESSES:**

N/A

**DEFENDANTS' EXPERT WITNESSES:**

N/A

**CHECK APPROPRIATE SPACE:**  Dismissal

**DATE OF DISMISSAL:** Friday, April 8, 2016

**JUDGMENT:** For Defendants

**DATE OF JUDGMENT:** April 8, 2016

**DEFENDANTS' OFFER:** \$20,000

**PLAINTIFFS' LAST DEMAND:** \$80,000

**ATTORNEY COMMENTS:**

On April 8, 2016, the U.S. District Court for the Middle District of Florida issued an opinion and order dismissing all of the federal law claims with prejudice. The District Court held that plaintiff lacked standing to assert Section 1983 claims on behalf of his

son and that the Principal and the Teacher would otherwise be entitled to qualified immunity as to those claims. The District Court dismissed the Title VI claims against the Principal and the Teacher in light of the fact that neither individual was a direct recipient of federal funding and dismissed the Title VI claims against the Charter School and the School Board due to lack of standing. The District Court further declined to exercise supplemental jurisdiction over plaintiff's state law claims.

**Submitted By:** Bryan R. Snyder

**Date:** April 21, 2016

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