

2. Because this lawsuit involves the sexual abuse of the then-minor Plaintiff, Plaintiff requests the Court to grant her leave to proceed anonymously to help protect her privacy, dignity, and well-being. Plaintiff is filing a motion seeking such relief contemporaneously with the filing of this Complaint.

Parties

3. Plaintiff Jane Doe (*Doe*) is an individual and a citizen of the State of Texas. At the time the sexual assaults and related abuse forming the basis of this civil action occurred, she was a minor student attending Azle High School in the Azle Independent School District.

4. Defendant Azle Independent School District (*AISD*) is a political subdivision of the State of Texas, and a duly incorporated school district with its headquarters in Azle, Tarrant County, Texas. AISD covers parts of Tarrant, Parker, and Wise Counties. AISD's headquarters are located at 300 Roe Street, Azle, Texas 76020.

5. Defendant Todd Smith (*Smith*) is currently Superintendent of AISD. Doe brings this civil action against Smith in his official capacity only. Smith's offices are located at 300 Roe Street, Azle, Texas 76020.

6. Defendant Rebecca Spurlock (*Spurlock*), an individual and a citizen of the State of Texas, resides at 14225 Lucille Drive, Newark, Tarrant County, Texas 76071-8940. At all relevant times Spurlock was employed as Athletic Director at Azle High School.

7. Defendant Carlos Alberto Font Santiago (*Font Santiago*), an individual and a citizen of the State of Texas, At all relevant times Font Santiago was a Spanish teacher and coach at Azle High School. His last known address is 444 Windsail Lane, Azle, Texas 76020-2953.

Jurisdiction and Venue

8. This action arises under Title IX and 42 U.S.C. § 1983 (*Section 1983*). This Court has in personam jurisdiction over all Defendants because they are residents of Texas. The Court

has subject matter jurisdiction over the federal claims pursuant to 28 U.S.C. §§ 1331, 1343. Moreover, the Court has supplemental jurisdiction over Doe's state law claims under 28 U.S.C. § 1367(a) because they are so related to the claims within the Court's original jurisdiction that they form part of the same case or controversy under Article 3 of the United States Constitution.

9. Venue is proper in this judicial district under 28 U.S.C. § 1391(b)(1) because all Defendants reside in this District, and under 28 U.S.C. § 1391(b)(2) all or a substantial part of the events or omissions giving rise to the claims occurred.

Facts

Defendant Font Santiago, a Teacher and Girls Athletics Coach at Azle High School, Began Grooming Doe for Sexual Abuse in the Fall Semester of Her Sophomore Year

10. In August 2020, AISD hired Font Santiago as a Spanish teacher and an assistant coach of girls' volleyball and girls' basketball at Azle High School. He had previously worked for one year as a Spanish teacher at Forte Junior High in AISD. He was 27 years old at that time.

11. When Font Santiago began working at AHS, he was a newlywed, having just married Kyndall Font two months earlier in June 2020.

12. Plaintiff Doe first met Font Santiago in September or October 2021, at her first basketball practice of the 2021-2022 school year. She had recently turned 16 years old and had begun her sophomore year. Doe was on the girls' junior varsity basketball team and Font Santiago, who was then starting his second year at AHS, was an assistant coach for the junior varsity team. At the same time, he was also an assistant coach for the girls' junior varsity volleyball team.

13. Doe had not met Font Santiago during her freshman year at AHS. He was not a coach of the freshman basketball team and she was never a student in his classes throughout her four years at AHS. Moreover, Font Santiago's first year of employment at the school occurred

early in the COVID-19 pandemic when AHS students had the option for remote learning. Doe did not spend much time at the school's campus that year.

14. Shortly after he met Doe, Font Santiago began preparing to sexually abuse her by “grooming” her – that is, manipulating her to gain her trust and confidence, gain access to her, establish secrecy, and to secure her silence to avoid disclosure.

15. Based on his manipulative behavior toward her, Doe quickly came to believe that she and Font Santiago had a special connection. She believed that he was safe and that it was easy to talk to him.

Having Quickly Gained Doe's Trust and Confidence, Font Santiago Then Sexually Abused Her Throughout the Remainder of Her Sophomore Year

16. By October or November 2021, Font Santiago's relationship with Doe had quickly progressed from the initial grooming period, in which he worked to establish their “special connection,” to sexual assault and abuse.

17. The nature of their relationship took a turn once Doe added Font Santiago as a connection on Snapchat, a multimedia messaging application that allows users to send photos and videos (*Snaps*) that are designed to disappear after a short period of time.

18. Doe sent Font Santiago a Snapchat *friend request* in the presence of three friends as a joke, thinking he would never accept the request because to do so would violate the high school's policy prohibiting educators from privately communicating with students through social media or other electronic devices until the student had graduated. Doe was surprised when Font quickly accepted her friend request.

19. On a daily basis from about October or November 2021 and continuing through the mid-spring of 2023, Doe's junior year, Font Santiago and Doe communicated via Snapchat and

other electronic formats throughout the day, with approximately 45 percent of the daily Snaps being of a sexual nature.

20. Snaps are designed to disappear after a short period of time, but Doe saved screenshots of two examples of Snaps (undated) that Font Santiago sent to her.

21. The following Snap from Font Santiago to Doe after he accepted her friend request initiated the sexual nature of their relationship:

It's going to sound stupid and in appropriate [sic]?
Maybe but Im trying to understand why I enjoy being around you

After Font Santiago sent this Snap to Doe, their relationship quickly escalated to a sexual one.

22. Font Santiago also occasionally messaged Doe via the Instagram application and texted her, but she deleted his texts as she received them to avoid discovery.

23. In addition to the failure to monitor and enforce policies at AHS related to the constant inappropriate electronic communications between Doe and Font Santiago, the failure to implement or enforce other policies at AHS also fostered the development of the improper relationship between Doe and Font Santiago.

24. Although Doe never took classroom instruction from Font Santiago, he often provided her with a written hall pass to excuse her tardiness to her classes after she had spent time conversing with him in the hallway between classes. From October 2021 through the end of the 2021-2022 academic year, Font Santiago gave Doe a hall pass almost every school day. No AHS teacher or administrator ever questioned Doe about the patently excessive number of hall passes she obtained from Font Santiago even though she was not involved in any of his classes.

25. During lunch periods, Doe, along with other students who also may not have had Font Santiago as a teacher, frequently went to his classroom to spend time with him.

26. In addition, primarily after the spring break week of her sophomore year, three to four times per week, Doe and several other students obtained permission from their classroom teachers to leave their own classroom during the latter 15-20 minutes of class time (for Doe, it was primarily during her chemistry class) to go to Font Santiago's classroom and spend time there even though Font Santiago's Spanish class was in progress during this time.

27. The second Snap that Doe saved was one Font Santiago sent to her after one of these occasions when she had obtained permission to leave her own classroom and visit him even though he had a Spanish class in progress at the time. On the occasion in question, Doe lay on the floor against a wall in the corner propped up against her backpack while he was teaching his class. Later that day, he sent her the following Snap:

It's hot!!
Like what you were wearing today and then when you laid down on the
floor . . . 😍 . . . sexy

Haley Hopkins, Doe's Seventh Period Mathematics Teacher, Unwittingly Facilitated Font Santiago's Sexual Abuse and Harassment of Doe by Regularly Permitting Doe to Leave Class for Extended Periods with No Accountability or Supervision for Much of the 2021-2022 Academic Year

28. During Doe's sophomore year, Font Santiago's open planning period, during which his classroom would be empty, was seventh period, which coincided with Doe's mathematics class with teacher Haley Hopkins (*Hopkins*).

29. Beginning in October or November of 2021 and continuing through the end of the school year in May 2022, Doe began regularly meeting with Font at least three times per week in his empty classroom during seventh period to engage in sexual activity. Font Santiago locked the classroom door and he covered the window in the entry door.

30. Doe and Font Santiago had an understanding that she would come to his classroom to engage in sexual activity with him every school day unless one let the other know via Snapchat or by text that they could not meet that particular day for some reason, such as when Font Santiago was scheduled to meet with someone during his planning time.

31. To get out of her mathematics class for the purpose of meeting Font Santiago, Doe asked for Hopkins' permission to use the restroom. On each occasion, Doe would be absent from Hopkins's classroom for approximately 30 minutes of the 45-minute class period. Inexplicably, Doe's extended absences remained unchecked although they generally occurred at least three days per week from October or November 2021 through the end of the school year in May 2022.

32. The sexual activity that Font Santiago engaged in with Doe during her regular seventh period visits to his classroom included him kissing her, fondling her breasts, digitally penetrating her vagina, and having her masturbate him. Although he would from time to time attempt to get her to perform fellatio on him, she always refused.

33. All of Font Santiago's illegal sexual activity with Doe occurred in his Azle High School classroom during seventh period while he was on duty as an AISD teacher and coach while Doe was allegedly on an extended restroom break from her seventh period mathematics class. Font Santiago and Doe never engaged in sexual activity off the premises of AHS.

34. To Doe's knowledge, Hopkins never once investigated or reported Doe's excessive absences from her classroom for purported restroom breaks, nor did she take any action to stop Doe from taking the extended restroom breaks. Only after the breaks had been occurring regularly for two or three months, Hopkins would on occasion mildly scold Doe for taking too long of a restroom break and ask her to hurry without ever taking any action whatsoever to enforce her request.

35. Font's first child was born around Spring Break in 2022. He took time off work during Spring Break and the week after to be with his infant. Although he told Doe before taking his leave that he did not want to continue with their sexual relationship when he returned from leave, he nevertheless promptly continued the sexual relationship upon returning.

Upon Information and Belief, Other Educators Reported Their Suspicions and Concerns About Font Santiago's Inappropriate Conduct to Spurlock in Early 2022, But She Covered Up the Report and Allowed Font Santiago to Continue Coaching

36. When Doe began her junior year at AHS in the fall of 2022, Font Santiago was no longer an assistant coach for the girls' basketball team, but only for the girls' volleyball team.

37. Upon information and belief, in early 2022, Font Santiago had a falling out with Mitzi Marquardt, then head girls' basketball coach, and fellow assistant coach Bert Trevino, after Marquardt summoned Font Santiago for a meeting with her and Trevino to discuss his conduct around female students. Marquardt cautioned him that, among other things, he needed to keep a safe distance from the female students due to his relatively young age.

38. On further information and belief, Font Santiago then met with Spurlock, who was then AHS Athletic Director, and attempted to get Marquardt and Trevino fired for accusing him of inappropriate conduct with female students. Spurlock apparently met with Marquardt to discuss the matter, but she took no action against Font Santiago and she never reported Marquardt's concerns to the AHS Principal, Human Resources personnel, security personnel, or any other official of AISD.

39. During this same time frame, on one occasion the coaches had a meeting with the members of the girls' basketball team before practice. Head Coach Marquardt cautioned the students that there had been reports of team members going into the classrooms of teachers other than their own during the school day, and that they must remain in their assigned classrooms. Doe

sensed that Marquardt had concerns about the “special connection” that had developed between Font Santiago and Doe, in particular.

40. Despite the basketball coach’s report of Font Santiago’s inappropriate conduct with female students, Spurlock took no action. She allowed him to continue in his position as assistant JV girls’ basketball coach for the remainder of the 2022 basketball season, throughout which time he continued to sexually assault Doe.

41. Moreover, although Font Santiago was no longer assigned to coach the girls’ basketball team in the fall of 2022, he was allowed to continue coaching the girls’ volleyball team and later he began coaching the girls’ softball team. For the 2024-2025 academic year, the year after Doe graduated, Font Santiago was promoted to head coach of the girls’ softball team.

42. On information and belief, Spurlock decided not to investigate or otherwise instigate any disciplinary action against Font Santiago upon learning of the coaches’ concerns about his conduct. Instead, she chose to conceal the coaches’ reports.

Font Santiago Continued to Engage in Inappropriate Electronic Communications with Doe of a Sexual Nature Throughout the 2022 Summer Break

43. Throughout the summer break of 2022, in the interval between Doe’s sophomore and junior years, Font Santiago and Doe did not meet in person, but they communicated via Snapchat and other electronic messaging applications. These communications were often of a sexual nature and often included photographs. The photos Font Santiago sent to Doe during the summer recess included photos of his naked penis. Although Doe did not comply with Font’s request that she send him nude pictures of herself, she sent photos of herself wearing only underwear with no bra.

The Physical Relationship Between Doe and Font Santiago Finally Ended in the Fall of 2022 When Defendant's Wife Began Working as an Athletic Trainer at AHS, But The Inappropriate Electronic Communications Continued Through Spring 2023

44. The inappropriate relationship between Font Santiago and Doe continued into her junior year, the 2022-2023 academic year. However, their physical relationship virtually ceased in August 2022 when Kyndall Font, Font Santiago's spouse, was employed as an Athletic Trainer at AHS.

45. In Doe's junior year there was one last incident of physical contact that occurred the week before the Thanksgiving break in 2022 when Doe came to Font Santiago's athletics office at his request. He had told her that he wanted to see her and that no other coaches would be in the office at that time. As she had done during Hopkins's mathematics class her sophomore year, Doe obtained leave from her Peer Helpers class to use the restroom and instead went to the athletics office, where Font Santiago kissed her.

46. Doe had turned 17 at the time of this fall 2022 kissing incident, but she was 16 years old when all other incidents of sexual contact between Doe and Font occurred.

47. Although their physical sexual relationship had ended, Font Santiago and Doe continued to engage in texting and messaging of a sexual nature into part of the spring semester of 2023. The messages included the exchange of nude photos. Font Santiago told her that he missed having sex with her. He told her on various occasions that he knew she was always thinking about him and that she wanted to engage in sexual activity with him.

48. Between March and May 2023, Doe ended her relationship with Font Santiago when she developed a romantic relationship with a young man.

On April 17, 2025, Font Santiago's Sexual Abuse of Doe Came to Light When Another Female Student Reported His Inappropriate Conduct Toward Her to AHS Administration

49. Doe graduated from AHS in May 2024. On April 17, 2025, another female student of Azle High School reported to the principal that Font Santiago had sent inappropriate messages to her via SportsYou, an application designed to help coaches and groups organize and communicate with their teams. On information and belief, the student had also reported to a teacher previously that Font Santiago had taken her mobile phone and had attempted to add himself as a connection with her on Snapchat.

50. On April 17, an AHS girls' athletics booster parent told Doe that the other student had just reported Font Santiago that morning. The parent also told Doe that the AHS administration was aware of the relationship between Font Santiago and Doe.

51. At this same time, the booster parent also told Doe that she had herself long suspected that there was something going on between Doe and Font Santiago. She revealed to Doe that her suspicions had been so strong that on one occasion when she knew Doe's parents were out of town, she had followed Doe to her home after a softball game to make sure that Font Santiago did not come to her home.

Doe Filed a Police Report Against Font Santiago on April 17, 2025; Defendant Has Been Charged with Felonies

52. Immediately upon learning of the current student's report regarding Font Santiago to AHS administration on April 17, 2025, Doe revealed his sexual abuse of her to both her boyfriend and parents for the first time as she did not want them to learn of the matter from someone else.

53. On April 17, 2025, Doe and her parents then went to the Azle Police Department (*APD*) and filed a police report against Font Santiago.

54. Doe's parents helped her to understand that what she had thought was her special relationship with Font Santiago had not been a genuine romantic relationship, but that he had actually groomed her for his sexual pleasure. Upon learning of the current student's report against Font Santiago, Doe realized that she had not been unique and special to him, as he had led her to believe, but that he is a perverted child predator.

55. On April 17, 2025, The APD arrested Font Santiago and charged him with a felony for Improper Relationship Between Educator and Student. He has also been charged with a felony for Sexual Assault of a Child. His criminal case is pending in a Tarrant County Criminal District Court and he is currently out of jail on bond.

56. The APD put out the following news release the day after Font's arrest:¹

¹ The APD news release is available at <https://www.cityofazle.org/DocumentCenter/View/9721/Press-Release---Improper-Relationship-Between-Educator-and-Student-AISD-04-18-2025>.



AZLE POLICE DEPARTMENT

OUR COMMUNITY, OUR COMMITMENT



(817) 444-3221 | 505-2 W. Main St., Azle, Texas 76020 | cityofazle.org

NEWS RELEASE

April 18, 2025

Improper Relationship Between Educator and Student

Azle, TX—On April 17, 2025, the Azle Police Department received a complaint of an improper relationship between an Azle Independent School District (ISD) employee and a former Azle ISD student.

The suspect was identified as Carlos Font-Santiago, 31 years old. At the time of the offense, Font was employed at Azle High School where he coached basketball and softball. Font was arrested by the Azle Police Department on April 17, 2025 for Improper Relationship Between Educator and Student and has been transferred to the Tarrant County Sheriff's Office jail.

This is an ongoing criminal investigation. If you have any information regarding this case, please contact the Azle Police Department's Criminal Investigation Division at 817-444-3221.



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57. Despite having received the current student's report of Font Santiago's misconduct the morning of April 17 and despite learning that same afternoon that Doe had filed a police report against Font Santiago that same day, the AISD allowed Font to coach the AHS girls' softball game that took place that evening. The school district's cavalier attitude toward alleged sexual assault of a child is unconscionable.

58. At an April 21, 2025, meeting of AISD's board of directors, Haley Carlson, a student and varsity softball team member, gave an emotional speech during the public comment period asking why Font had been allowed to stay on the game field that night. Her voice breaking

with emotion, Carlson stated to the board, “you let him hang one more thing over our head that night.”

Tolling of the Statute of Limitations

59. Doe was a minor at the time the causes of action asserted herein accrued.

60. Under Texas law, the statute of limitations is tolled during the period of a plaintiff’s legal disability, including minority. *See* Tex. Civ. Prac. & Rem. Code § 16.001(a).

61. Accordingly, Doe’s claims are timely because the statute of limitations did not begin to run until she attained the age of 18. She is therefore entitled to bring this civil action within two years after reaching the age of majority. Her claims are timely filed within the applicable two-year post-majority window.

Count 1 Against AISD -- Violation of Title IX

62. Doe incorporates by reference the allegations contained in the foregoing paragraphs as if those allegations were set forth herein verbatim.

63. Doe asserts Count 1 against AISD.

64. AISD was at all relevant times, and is now, a recipient of federal funding and is therefore subject to the requirements of Title IX.

65. Title IX provides that “[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” 20 U.S.C. § 1681(a).

66. The facts set out above give rise to a cause of action for damages and declaratory relief under Title IX. School districts that receive federal funding such as AISD can be held liable under Title IX “for deliberate indifference to discrimination against or harassment of a student on the basis of sex.” *Plummer v. Univ. of Houston*, 860 F.3d 767, 777 (5th Cir. 2017).

67. While Doe was a student at AHS, she was subjected to sexual assaults and abuse by Font Santiago that was so severe, pervasive, and objectively offensive that she was deprived of access to educational opportunities and benefits on the basis of her sex, female.

68. As AHS's Athletic Director, Spurlock was an "appropriate person" with the authority to address the discrimination and to take corrective measures.

69. Spurlock had actual notice that Font Santiago posed a substantial risk of abusing and harassing Doe and other female students on the basis of sex but failed to act. Instead, Spurlock swept the matter under the rug and allowed Font Santiago to continue coaching Doe's JV basketball team and other girls' athletics at AHS. Font Santiago's sexually inappropriate conduct was of such concern that the girls' basketball coaches, who reported to Spurlock as their Athletic Director, found it necessary to instruct the female student-athletes not to go into the classrooms of teachers other than their own during the school day.

70. It is clear that Spurlock was aware of facts from which any reasonable person could infer that sexual harassment of Doe and other female students had occurred, was occurring, or that there was a substantial risk that sexual harassment or abuse would occur.

71. AISD acted with deliberate indifference to Font Santiago's known acts of inappropriate behavior by taking no action in response to the allegations that were brought to Spurlock's attention. She allowed Font Santiago to continue coaching and did not even conduct an investigation of the concerns about him. This failure to act was clearly unreasonable in light of the known circumstances. The school's failures to reasonably act were tantamount to intentionally subjecting Doe to sexual abuse and harassment.

72. In the unlikely event a jury finds AISD liable for Doe's Title IX cause of action but awards no damages, Doe seeks to recover an award of nominal damages.

73. Pursuant to Title IX and the Court's equitable powers, Doe also seeks declaratory and injunctive relief against AISD. She requests a declaration that AISD's failure to respond adequately to reports of sexual abuse by an educator constituted a violation of Title IX. She further seeks injunctive relief requiring AISD to implement and enforce appropriate policies, training programs, and monitoring systems to prevent and address sexual abuse and harassment of female students by staff, ensure prompt and equitable investigation of complaints, and comply fully with Title IX's mandates going forward.

74. If Doe prevails on this cause of action, she is entitled to an award of reasonable attorney fees and expert witness fees under 42 U.S.C. § 1988(b), (c).

Count 2 Against Font Santiago and Spurlock -- Right to Bodily Integrity and Equal Protection Violation of the Fourteenth Amendment Pursuant to 42 U.S.C. § 1983

75. Doe incorporates by reference the allegations contained in the foregoing paragraphs as if those allegations were set forth herein verbatim.

76. Doe asserts Count 2 against Font Santiago and Spurlock.

77. Section 1983 creates a private right of action for redressing the violation of federal law by those acting under color of state law. It provides:

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State ... subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured.

78. Section 1983 requires that the conduct complained of must have deprived the person of some privilege or immunity by the Constitution or law of the United States. Under the Fourteenth Amendment to the United States Constitution, Doe had the right, as a public school student, to personal security and safety and bodily integrity and equal protection of the laws. It is established that "school children do have a liberty interest in their bodily integrity that is protected

by the Due Process Clause of the Fourteenth Amendment and that physical sexual abuse by a school employee violates that right.” *Doe v. Taylor Indep. Sch. Dist.*, 15 F.3d 443, 445 (5th Cir. 1994).

79. At all relevant times, Font Santiago and Spurlock were acting under color of state law as employees of the AISD.

80. Font Santiago was acting under color of state law and using the authority and trust conferred by his position as an AHS teacher and coach when he deprived Doe of her federal constitutional right to bodily integrity and equal protection by repeatedly sexually assaulting her during the school day on the AHS campus over the course of the 2021-2022 academic year. His sexual abuse of Doe continued throughout most of the 2022-2023 school year.

81. Spurlock was acting under color of state law as an employee and administrator of AISD, as AHS’s Athletic Director and Font Santiago’s supervisor, when she deprived Doe of her federal right to bodily integrity and equal protection of the laws. Spurlock demonstrated conscious indifference to Doe’s Fourteenth Amendment right to bodily integrity and equal protection when she had reports, complaints, and observable warning signs indicating a pattern of abuse yet covered up reports about Font Santiago’s improper conduct and instead allowed him to continue coaching.

82. Spurlock learned of facts or a pattern of inappropriate sexual behavior by Font, her subordinate, pointing toward the conclusion that he was sexually abusing and harassing Doe. Spurlock demonstrated deliberate indifference towards Doe’s constitutional rights by failing to take action that was obviously necessary to prevent or stop the abuse, and her failure caused a constitutional injury to Doe.

83. As the proximate result of Font Santiago and Spurlock’s violation of Doe’s constitutional rights, Doe suffered injuries. Doe is entitled to compensatory damages resulting

from Defendants' violation of her federal rights, including damages for mental anguish, emotional pain and distress, embarrassment, anxiety, shame, and reputational harm.

84. In the unlikely event a jury finds Defendants liable for Doe's cause of action under 42 U.S.C. § 1983 but awards no damages, Doe seeks to recover an award of nominal damages.

85. Doe seeks an award of exemplary damages against Font Santiago and Spurlock in their individual capacities. Their conduct carried out under color of state law was malicious or exhibited a reckless or callous indifference to Doe's clearly established constitutional rights. Accordingly, an award of exemplary damages is warranted to punish and deter such egregious misconduct.

86. Doe seeks both declaratory and injunctive relief pursuant to Section 1983 and the Court's equitable powers. She requests a declaration that the acts and omissions of Font Santiago and Spurlock violated her rights under the Fourteenth Amendment to the United States Constitution.

87. Doe is entitled to an award of reasonable attorney fees and expert witness fees under 42 U.S.C. § 1988(b), (c).

Count 3 Against Font Santiago – Assault

88. Doe incorporates by reference the allegations contained in the foregoing paragraphs as if those allegations were set forth herein verbatim.

89. Doe asserts Count 3 against Font Santiago in his individual capacity under Texas law.

90. Font Santiago made offensive physical contact with Doe's person.

91. Font Santiago made such offensive contact intentionally or knowingly.

92. Font Santiago's physical contact with Doe was offensive or provocative as a matter of law because Doe was a child under 17 and the contact was sexual. *See Solis v. S.V.Z.*, 566 S.W.3d 82, 91-92 (Tex. App. – Houston [14th Dist.] 2018, pet. den'd) (“[A]ny sexual contact with a minor under the age of seventeen is offensive and provocative as a matter of law” unless “the sexual partner is the spouse of the minor or no more than three years older than the minor.”).

93. Font Santiago's actions caused injury to Doe which resulted in damages including mental anguish, emotional pain and distress, embarrassment, anxiety, shame, and reputational harm.

94. Doe's injuries resulted from Font Santiago's malice, which entitles her to exemplary damages under Section 41.003(a)(2) of the Texas Civil Practice and Remedies Code.

Conditions Precedent

95. All conditions precedent to bringing this civil action have been performed or have occurred.

Jury Demand

96. Doe hereby demands a jury trial on all triable fact issues.

Prayer

Wherefore, Plaintiff Jane Doe prays that Defendants be summoned to appear and answer herein, and that on final trial Doe have judgment against Defendants for the following relief:

1. Declaratory and injunctive relief as requested in Counts 1 and 2;
2. Compensatory damages against Defendants AISD, Font Santiago, and Spurlock, jointly and severally, as set forth in Count 1;
3. Compensatory damages against Defendants Font Santiago and Spurlock as set forth in Counts 2 and 3;
4. Exemplary damages against Defendants Font Santiago and Spurlock in an amount to be determined by the jury as set forth in Counts 2 and 3;

5. Prejudgment and post judgment interest at the rates provided by law;
6. Attorney and expert fees and all court costs; and
7. Such other and further relief to which Doe may be justly entitled.

Dated August 11, 2025.

Respectfully submitted,

/s/ Rod Tanner

Rod Tanner

State Bar No. 19637500

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817.377.8833 (phone)

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Attorney for Plaintiff Jane Doe

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Jane Doe

(b) County of Residence of First Listed Plaintiff Tarrant (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) Rod Tanner, Tanner and Associates, PC, 6300 Ridglea Place, Suite 407, Fort Worth, Texas 76116-5706; 817.377.8833

DEFENDANTS

Azle Independent School District, Superintendent Todd Smith, Rebecca Spurlock, and Carlos Alberto Font Santiago

County of Residence of First Listed Defendant Tarrant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Personal Injury, Real Estate, Labor, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): Title IX of the Education Amendments of 1972, 20 U.S.C. 1681-1687; 42 U.S.C. 1983. Brief description of cause: Sex discrimination in education program or activity; Deprivation of Constitutional rights

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: [X] Yes [] No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE August 11, 2025 SIGNATURE OF ATTORNEY OF RECORD /s/ Rod Tanner

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
Original Proceedings. (1) Cases which originate in the United States district courts.
Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. **PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related cases, if any. If a related case exists, whether pending or closed, insert the docket numbers and the corresponding judge names for such cases. A case is related to this filing if the case: 1) involves some or all of the same parties and is based on the same or similar claim; 2) involves the same property, transaction, or event; 3) involves substantially similar issues of law and fact; and/or 4) involves the same estate in a bankruptcy appeal.

Date and Attorney Signature. Date and sign the civil cover sheet.