

Office of the General Counsel  
Walter J. Harvey, General Counsel

**SUBJECT: AUTHORIZATION FOR THE SUPERINTENDENT TO NEGOTIATE AND EXECUTE AN INTERLOCAL AGREEMENT WITH THE MIAMI-DADE SHERIFF'S OFFICE, AN INTERLOCAL AGREEMENT WITH THE CLERK OF THE COURT AND COMPTROLLER OF MIAMI-DADE COUNTY, A MEMORANDUM OF UNDERSTANDING WITH THE DIVISION OF ADMINISTRATIVE HEARINGS, AND ANY NECESSARY AMENDMENTS TO THE BUS PATROL AGREEMENT, FOR THE ADJUDICATION OF ALL CONTESTED STOP ARM VIOLATIONS.**

**COMMITTEE: FISCAL ACCOUNTABILITY & GOVERNMENT RELATIONS**

**LINK TO STRATEGIC PLAN: EFFECTIVE & SUSTAINABLE OPERATIONAL PRACTICES**

At the School Board Meeting held on October 8, 2025, the Board approved Agenda Item H-8, "Implementation of Statutory Revisions to Bus Infraction System," proffered by School Board Member Mr. Danny Espino, which directed the Superintendent of Schools, in consultation with the General Counsel, to explore the feasibility of developing and implementing a local administrative hearing process to adjudicate outstanding and contested school bus infraction detection system violations, inclusive of all violations through April 17, 2025.

Following the adoption of Item H-8, District staff and the Office of General Counsel (OGC) had several meetings and conference calls with representatives of BusPatrol America, LLC (Bus Patrol), the Miami-Dade Sheriff's Office (M-DSO), the Department of Administrative Hearings (DOAH), the Office of the Chief Judge of the Circuit Court of the Eleventh Judicial Circuit and the Clerk's Office.

Currently, according to BusPatrol, there are 8,067 Notices of Violation (NOV) that were issued and contested by drivers. These 8,067 NOVs, the primary subject of Agenda Item H-8, remain pending and unresolved.

On April 28, 2025, an Omnibus Order issued by the (former) Chief Judge of the Eleventh Judicial Circuit of Florida dismissed 5,450 Uniform Traffic Citations (UTCs) due to deficiencies with the citations. To date, no notice has been provided to the 5,450 affected individuals regarding the dismissal of their citations.

On November 20, 2025, attorneys from the OGC met with the Chief Judge and Deputy Chief Judge of DOAH to discuss adjudicating the outstanding citations. During this meeting, it was determined that DOAH has the capacity to adjudicate and resolve all 8,067 outstanding NOV's between February 2026 and June 2026 in full compliance with section 316.173, Florida Statutes. The costs associated with conducting the hearings include an hourly rate of approximately \$211.00 per hour.

Representatives of the Superintendent and the OGC also met with representatives of BusPatrol on December 3, 2025, and BusPatrol agreed to provide the necessary resources and support to resolve the 8,067 pending, contested NOV's, as well as to cover the associated costs. BusPatrol further agreed to amend its contract as necessary in order to carry out those activities outlined in Agenda Item H-8.

As was detailed in the December 5, 2025, Staff Follow-Up Memorandum, the OGC held several calls with representatives of the M-DSO to determine whether it was feasible for M-DSO to provide the required law enforcement resources to adjudicate the 8,067 pending, contested NOV's. M-DSO confirmed that they could not provide the necessary personnel to resolve the contested NOV's at that time.

However, discussions between the parties continued, and then on January 28, 2026, M-DSO and District staff reached a preliminary understanding where M-DSO would provide the necessary law enforcement coordination and support to resolve the 8,067 pending, contested NOV's through an Interlocal Agreement (ILA) to be negotiated by the parties.

Accordingly, in order to resolve the 8,067 pending, contested NOV's as required by item H-8, it is recommended that the Superintendent be authorized to negotiate and execute an ILA with the M-DSO; negotiate and execute an ILA with the Clerk of the Court and Comptroller of Miami-Dade County; negotiate and execute a Memorandum of Understanding (MOU) with DOAH; and negotiate and execute any necessary conforming amendment(s) to the Bus Patrol Agreement. The proposed agreements will be made available to the public prior to the February 11, 2026, regular School Board meeting, and copies will be made available at the Citizens Information Center.

**RECOMMENDED:**

That The School Board of Miami-Dade County, Florida, authorize the Superintendent to:

- 1) negotiate and execute an Interlocal Agreement with the Miami-Dade Sherriff's Office to provide the required law enforcement resources to adjudicate the 8,067 pending, contested and outstanding Notices of Violation;
- 2) negotiate and execute a Memorandum of Understanding with the Division of Administrative Hearings to adjudicate and resolve all of the 8,067 outstanding Notices of Violation between February 2026 and June 2026, in full compliance with § 316.173, Florida Statutes;
- 3) negotiate and execute an Interlocal Agreement with the Clerk of the Court and Comptroller of Miami-Dade County to establish an appellate process from the Division of Administrative Hearings;
- 4) negotiate and execute any necessary amendments to the Bus Patrol Agreement to provide the necessary resources and support to resolve the 8,067 pending, contested Notices of Violation, and to pay and/or reimburse all associated costs, including:
  - a. Hourly rates and charges of the Administrative Law Judges, from the Department of Administrative Hearings;
  - b. Hourly rates and charges of representatives of the Miami-Dade Sheriff's Office;
  - c. Costs associated with sending legally sufficient notices to those drivers whose 5,400 Uniform Traffic Citation (UTC) cases were dismissed pursuant to the Omnibus Order of Dismissal; and
  - d. Costs of notifying drivers, scheduling hearings, and providing virtual attendance for the 8,067 administrative hearings.