

Mr. Danny Espino, Board Member

SUBJECT: AUTHORIZATION TO NEGOTIATE MEMORANDUM OF UNDERSTANDING WITH THE DIVISION OF ADMINISTRATIVE HEARINGS, INTERLOCAL AGREEMENT WITH LAW ENFORCEMENT AGENCY AND AN AMENDMENT TO THE AGREEMENT WITH BUSPATROL, AND UPON COMPLETION OF NEGOTIATIONS AND RECOMMENDED ACTIONS, SEEK BOARD APPROVAL FOR THE REAUTHORIZATION OF THE SCHOOL BUS INFRACTION PROGRAM

COMMITTEE: FISCAL ACCOUNTABILITY & GOVERNMENT RELATIONS

LINK TO STRATEGIC PLAN: EFFECTIVE & SUSTAINABLE OPERATIONAL PRACTICES

In August 2023, the School Board of Miami-Dade County unanimously approved Item H-4, sponsored by School Board Member Danny Espino, authorizing the Superintendent to implement a school bus infraction detection system to enhance student safety and deter illegal school bus passing. On October 8, 2025, the School Board approved Agenda Item H-5, directing the administration to address unresolved contested citations and implement statutory revisions under §316.173, Florida Statutes.

As outlined in the Superintendent's follow-up memorandum, approximately 8,067 contested Notices of Violation (NOVs) remain pending due to prior court-based processing limitations and law enforcement resource constraints. The Miami-Dade Sheriff's Office has confirmed it cannot provide the staffing necessary to resolve these cases under the prior enforcement framework.

Following consultation with the Division of Administrative Hearings (DOAH), DOAH has confirmed it has the capacity to adjudicate all contested NOVs between February and June 2026, ensuring compliance with the statutory deadline of June 30, 2026. Administrative hearing costs are estimated at approximately \$211 per hour. Additionally, BusPatrol has committed to providing operational resources and covering the costs necessary to resolve pending contested NOVs, including hearing and administrative support.

Given DOAH's confirmed capacity, this board item requests the Board authorize the Superintendent to negotiate a Memorandum of Understanding with DOAH to adjudicate all outstanding and contested school bus infraction Notices of Violation in compliance with §316.173, Florida Statutes. negotiate an amendment to the agreement with Bus Patrol that includes, but is not limited to, Most Favored Nation protections, vendor-funded hearing support, audit rights, financial transparency, and statutory compliance safeguards; and an updated agreement with the Miami-Dade Sheriff's Office, or one or more law enforcement agencies, authorized to enforce violations under §316.172. Furthermore, this process requires the adoption of legally compliant due-process protections, including standardized Notice of Hearing procedures, ADA accommodations, access to evidence, recorded proceedings, and appeal rights. In addition, auditable financial controls shall be established to verify monthly remittance and the lawful use of penalties and administrative costs for school transportation safety initiatives. Finally, upon completion of aforementioned negotiations and recommended actions, seek School Board approval for the reauthorization of the School Bus Infraction Detection Program under the updated statutory framework and the DOAH-administered adjudication model, and Provide a report to the Fiscal Accountability and Government Relations Committee within 60 days on revised agreements with BusPatrol and law enforcement agencies, progress on pending DOAH case resolutions, and overall program accountability.

This item has been reviewed and approved by the Office of the General Counsel as to form and legal sufficiency.

**ACTION PROPOSED BY
MR. DANNY ESPINO:**

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

1. Negotiate a Memorandum of Understanding with the Division of Administrative Hearings (DOAH) to adjudicate all outstanding and contested school bus infraction Notices of Violation in compliance with §316.173, Florida Statutes; and
2. Negotiate
 - a. a revised agreement with BusPatrol, including, but not limited to, Most Favored Nation protection, vendor-funded hearing support, audit rights, financial transparency, and statutory compliance safeguards; and
 - b. An updated Interlocal Agreement, revised agreement with the Miami-Dade Sheriff's Office, or one or more law enforcement agencies, authorized to enforce violations of §316.172(1)(a) and (b) within the school district, which jointly establishes the responsibilities of enforcement and the reimbursement of costs associated with the school bus infraction detection system.
3. Ensure adoption of legally compliant due-process safeguards, including standardized Notice of Hearing procedures, ADA accommodations, evidence access, recorded proceedings, and appeal rights; and
4. Establish auditable financial controls to verify monthly remittance and lawful use of penalties and administrative costs for school transportation safety initiatives; and
5. Upon completion of aforementioned negotiations and recommended actions, seek Board approval for the reauthorization of the School Bus Infraction Detection Program under the updated statutory framework and DOAH-administered adjudication model; and
6. Report back to the Fiscal Accountability and Government Relations Committee within 60 days on revised agreements with BusPatrol and law enforcement agencies, progress on the pending DOAH case resolutions, and program accountability.