

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

**SUBJECT: PROVISION OF LEGAL REPRESENTATION FOR THE
FOLLOWING MATTER: Jane Doe 1 and Jane Doe 2 v. The
School Board of Miami Dade County, Florida, Maria Vidales,
Peter Gutierrez, and Joseph Edward Tolliver, United States
District Court Case No. 1:26-cv-23089-KMM.**

On June 12, 2026, the School Board was served with the lawsuit in the case of *Jane Doe 1 and Jane Doe 2 v. The School Board of Miami Dade County, Florida, Maria Vidales, Peter Gutierrez, and Joseph Edward Tolliver*. Subsequently, two (2) current School Board employees were also served with the lawsuit. The Amended Complaint asserts claims of Title IX discrimination, violations of §1983, and negligence stemming from the alleged abuse by a former employee of the plaintiffs during the 2021-2022 school year. The former employee defendant was arrested in 2023 and is pending criminal trial.

In accordance with the District's established practice, Ms. Vidales and Mr. Gutierrez, who are individually-named as Defendants in this lawsuit, have formally requested that the School Board provide them with legal representation. The acts alleged in the Amended Complaint against the two current District employees arose out of and in the course of the performance of Ms. Vidales' and Mr. Gutierrez's assigned duties and responsibilities.

Pursuant to School Board Policy 6900, *Legal Services for Employees of the Board*, and § 1012.26, Fla. Stat. (2025), the Office of the General Counsel requests that the School Board authorize the provision of legal representation for these two (2) District employees. In the interim, the Office of the General Counsel will be filing the necessary documents with the Court to protect the current employees' and the School Board's legal interests in this case. Should—at any point in the litigation—the School Board's interests conflict with those of the employees, separate legal representation will be sought on the employees' behalf.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Office of the General Counsel to provide or secure legal representation for the legal defense of the two current School Board employees (Ms. Vidales and Mr. Gutierrez), who are individually-named as Defendants in the case of Jane Doe 1 and Jane Doe 2 v. The School Board of Miami Dade County, Florida, Maria Vidales, Peter Gutierrez, and Joseph Edward Tolliver, United States District Court Case No. 1:26-cv-23089-KMM.