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May 17, 2018

Superintendent Alberto M. Carvalho  
Miami-Dade County Public Schools  
1405 NE Second Ave., Suite 912  
Miami, FL 33132  
*Via email to: Superintendent'sOffice@dadeschools.net*

We seek  
reiterate our request for a meeting with you to discuss the systemic denial of enrollment to thousands of immigrant ELL children in Miami-Dade Schools. Exclusion of these children from public school violates state and federal law and conflicts with the welcoming messages you have sent to immigrant children in Miami-Dade County.

On March 14, 2018, we sent a letter to you seeking the immediate enrollment of our client, another immigrant ELL student,

ELL children or the public records data that we reported in that letter. **We therefore again request that, in addition to enrolling [redacted] at South Dade Senior High School without further delay, you meet with us to discuss how Miami-Dade Schools will cease excluding ELL teenagers from public school.**

We appreciate your public statements in support of the educational rights of immigrant children.<sup>1</sup> We ask you to translate those statements into concrete action by ensuring that ELL teenagers can attend Miami-Dade County public high schools, and that they are not shunted into adult education programs where they are segregated from their English-speaking peers, have no access to content classes, and can aspire only to take the General Educational Development (GED) test.

## I. FACTUAL BACKGROUND

### A.

[redacted] came to the United States from Guatemala. [redacted] lives with his [redacted], who is his guardian. According to Miami-Dade [redacted] Geographic Information System (<http://www.dadeschools.net/guidek-12/default.asp>), South Dade Senior High School is

On April 2, 2018, [redacted] and his guardian visited Homestead Senior High School. A school employee had [redacted] fill out the registration packet, only to notify him afterward that he was assigned to South Dade Senior High School.

Soon after, [redacted] and his guardian went to South Dade Senior High School. A school registrar asked for [redacted]. Once she looked over all the documents, she told [redacted] that he could not enroll because he was too old and had only completed the equivalent of middle school. The registrar told [redacted] that because of his age he would only have one year left of high school, so he should go to adult or his guardian the option to enroll in high school.

[redacted] s are Science and Math. He is eager to go to high school so that he can study these subjects and prepare for a career in the STEM field. Each day that Miami-Dade Schools denies him that chance causes him extreme harm and pushes his dream further out of reach. [redacted] is falling behind on key subjects and losing valuable time during which he could be earning credits toward a high school diploma and accessing the ELL Plan available at regular public high schools. The window for him to attend public high school narrows each day

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<sup>1</sup> See, e.g., Jessica Bakeman, [DUYDOKR6ODPV7UXPS,PPLJUDWLR6ROLFLHVLQSHHFKμDV8QRFXPHQHG\\*WLRN](http://wlrn.org/post/carvalho-slams-trump-immigration-policies-speech-i-was-undocumented) (Nov. 29, 2017), <http://wlrn.org/post/carvalho-slams-trump-immigration-policies-speech-i-was-undocumented>; Mark Keierleber, *Q&A: Why er* [HFFg](#)

as he gets older. Not only does this threaten his cognitive development and long-term career potential, but it denies him the benefits of association with students and teachers of diverse backgrounds. Miami-Dade Schools must remedy the harm immediately.

**B. A Pattern of Immigrant ELLs Denied High School Enrollment**

In our March 14 letter, we described how our 16-year old client had been denied high school enrollment and sent to adult education. We specifically noted four additional students who had been excluded from public school in 2017, and mentioned that we have spoken with at least 11 ELL children whom Miami Dade Public Schools had refused to enroll because of their limited English skills including a client we brought to your attention in September 2016. In



education); *Bush v. Holmes*, 919 So.2d 392, 404 (Fla. 2006) (describing the Florida education must be provided to students beyond the compulsory attendance age. *See Methelus*, 243 F. Supp. 3d at

This right to attend free public schools has been codified in the Florida Statutes, which 0.01(4). The Florida Supreme Court has *Scavella v. Sch. Bd. of Dade County*, 363 So. 2d 1095, 1098 (Fla. 1978).

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# Exhibit A

2016-2017 AdultESOL Enrollments in  
Miami-DadeCounty

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