

TEXAS CIVIL RIGHTS PROJECT

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Dr. Bruce Scott
Superintendent
Taylor Independent School District
602 W. 12th
Taylor, TX 76574

via fax: (512) 365-3800

Warden Mickey Liles
1001 Welch St.
P.O. Box 1063
Taylor, TX 76574

via fax: (512) 218-2450

Hon. Dan A. Gattis
Williamson County Judge
301 S.E. Inner Loop, Ste. 109
Georgetown, TX 78626

via fax: (512) 943-1662

Re: Hutto Immigration Family Detention Center

Dear Dr. Scott, Warden Liles and Judge Gattis:

I hope you are well. I am writing because of concerns brought to the attention of my office regarding the children detained in the T. Don Hutto Immigration Detention Center. Specifically, I am concerned the children are not receiving the education required by state and federal law.

Detainees at the facility, some of whom are U.S. citizens, have informed my office the children are only receiving four hours of educational programming each day. Children attending classes in the local schools receive a full seven hours of classes each day. When these immigrant children are released from the detention center, they will obviously be behind the other children their age who have not had to undergo imprisonment. Failing to provide these children the proper seven hours of class-time each day will harm them for many years to come as they struggle to catch up.

As you know, state and federal law requires undocumented immigrant children be provided with educational opportunities equivalent to programs provided to other children. In *Plyler v. Doe*, 457 U.S. 202 (1982), the U.S. Supreme Court struck down a Texas statute authorizing school districts to deny an education to undocumented immigrant children. The Court determined refusing to provide undocumented children an education violated the Fourteenth Amendment because doing so is a "discriminatory burden on the basis of a legal characteristic over which children can have little control." *Id.*, at 220. The Court recognized "education has a fundamental role in maintaining the fabric of our society" and that "we cannot ignore the significant social costs borne by our Nation when select groups are denied the means to absorb the values and skills upon which our social order rests." *Id.*, at 221. Denying undocumented

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children educational opportunities “imposes a lifetime hardship on a discrete class of children not accountable for their disabling status.” *Id.*, at 223.

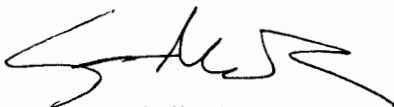
Texas law establishes certain minimum criteria for educational programs provided to children residing within a school district. For example, school districts are required to provide 180 days of instruction to the students within their district each year (Tex. Educ. Code § 25.081), ensure the student to teacher ratio is no greater than 20:1 (Tex. Educ. Code § 25.111), and provide seven hours of school-time each day (Tex. Educ. Code § 25.082). *See also* Texas Education Code § 37.011(f). As I understand it, children in the detention center are only receiving, at most, four hours of instruction each day, and not long ago they were receiving less than one hour. For purposes of Texas law, the children in the detention center are residents of the Taylor Independent School District, and must be provided by the District with seven hours of instruction for 180 days each year. Tex. Educ. Code § 29.012(c).

Likewise, a governmental entity, such as Williamson County, must provide notice to a school district when a child who is eligible to attend school in the district is placed in a residential facility the entity contracts with. *See* Tex. Educ. Code § 29.012(b). This notice must be provided within three days of the child’s placement in the residential facility. It is unclear if Williamson County provided proper notice to the school district after children began to live in the detention center.

Please inform me within ten days how the school district, county and detention center plan to provide these children with the education required by law. I look forward to working with you.

Thank you for your attention to this problem.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Medlock', with a stylized flourish at the end.

Scott Medlock
Attorney-at-Law