

Congress of the United States

Washington, DC 20515

October 21, 2025

The Honorable Linda McMahon
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

The Honorable Kimberly Richey
Assistant Secretary for Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary McMahon and Assistant Secretary Richey:

We write in strong opposition to the Department of Education's letter on September 24th, 2025, that threatened to withhold \$30 million in federal magnet school funding from Broward County Public Schools (BCPS) over an alleged Title VI compliance violation regarding their Latinos in Action curriculum.¹ The withholding of funds is based on incomplete or erroneous information, and documentary evidence indicates this decision is based on a grossly inadequate and incomplete investigation conducted by the Department's Office for Civil Rights. **We urge the Department to rescind this decision and afford BCPS the opportunity to prove their partnership with Latinos in Action is in compliance with Title VI.**

By statute, the Magnet Schools Assistance Program (MSAP) grant requires schools to be in compliance with Title VI to receive these funds.² Historically, OCR has done systematic reviews of programming and worked with districts to come into compliance, if necessary.³ However, in this case, BCPS was not afforded the usual notice-and-opportunity to respond or to pursue voluntary resolution before funding consequences were raised, and the district was forced to disrupt education and terminate their partnership with Latinos in Action. The September 24th letter to BCPS revealed that OCR acted prematurely, without completing a formal investigation or giving BCPS a fair chance to demonstrate compliance.

This approach undermines confidence in a transparent, fair, and consistent process. It also leads to errors by OCR when conducting compliance reviews, as is apparent in this decision against BCPS. These errors are also likely due to the cuts to staff at OCR⁴, and we urge the Administration to restore OCR to appropriate staffing levels to prevent even more errors in the future.

The evidence presented in the September 24th letter to BCPS did not accurately reflect the contract, which is attached to this letter, that facilitated the partnership between Latinos in Action and the School Board of Broward County. The letter bases the partnership's non-compliance on three factors: (1) it excludes students based on race, (2) engages in unlawful racial balancing, and (3) the program segregates students based on race. All three of these claims can be disproved by BCPS' implementation of the curriculum and their contract with Latinos in Action:

1. The contract between BCPS and Latinos in Action specifically prohibits exclusion of students based on race. The attached contract between the School Board of Broward County (SBBC) and

¹ OCR MSAP Letter to Broward County Public Schools 9.24.2025.pdf. (Sept. 2025). Google Docs. <https://drive.google.com/file/d/1j6-KbmMyhFvw3Th4n-GK5y77NQEKDiuL/view>

² TITLE 20—EDUCATION. U.S.C. 7231c. <https://www.govinfo.gov/content/pkg/USCODE-2024-title20/pdf/USCODE-2024-title20-chap70-subchapIV-partD-sec7231.pdf>

³ U.S. Department of Education, Office for Civil Rights (2024). Magnet Schools Assistance Program FY2024 MSAP Pre-Application Webinar Series. <https://www.ed.gov/sites/ed/files/2024/03/FY2024-MSAP-TA-PRESENTATION-OCR-3.13.24-.pdf>

⁴ Harrington, B. (2025, March 25). Layoffs at the Dept. of Education May Impact Office for Civil Rights Enforcement. *The National Law Review*. <https://natlawreview.com/article/layoffs-dept-education-may-impact-office-civil-rights-enforcement>

Latinos in Action, Inc. outlining the terms of the partnership, includes an Equal Opportunity Provision, which explicitly states that both parties cannot discriminate based on race, ethnicity, or background.⁵ This language ensures that the program complies with all federal Title VI regulations. The assertion in the Department's letters that the course "is not, for instance, available to black, white or Asian American students,"⁶ is completely false. Further proof of the program's compliance comes from the Latinos in Action website that states, "we are open and welcoming to all who have the desire to further their learning and become leaders in their communities."⁷

2. **The partnership does not mandate racial balancing and BCPS' program does not engage in this practice.** The attached contract between Latinos in Action and SBBC does not require or mention any form of racial balancing. The course has always been open to all students at BCPS and does not exclude any student based on race, ethnicity, and background. The only criteria required to join the program at BCPS was: (1) be dependable, responsible & trustworthy, fill out an application, and have a weighted cumulative GPA of 2.0 or higher.⁸
3. **Finally, the program does not segregate students based on race.** It was specified on the websites of schools within BCPS that the "Latinos in Action (LIA) is an elective course open to all students."⁹ The program has always been open to all students at BCPS and does not exclude any student based on race, ethnicity, and background.¹⁰ Additionally, the language noted on the Department's letter to BCPS taken from Latinos in Actions' website about creating a "safe harbor" for Latinos, is not included in the attached contract between SBBC and Latinos in Action, therefore, not pertinent to BCPS' program.

Based on the information above, we request that the Department rescind this unlawful, unsubstantiated determination that BCPS is not in compliance with Title VI with their Latinos in Action program. Any thorough review will show that this course is in complete compliance with all federal civil rights regulations, including Title VI.

The Department should not have resorted to threats against all BCPS students, especially over a highly successful Latinos in Action course that has been offered for years at BCPS and serves around 2,800 students.¹¹ It offers students college and career readiness programming, leadership training, and opportunities for students to serve their communities as mentors.¹²

We are also aware of other schools across the country which received similar letters from the Department. In Florida, Polk and Seminole County¹³ schools received similar letters that their MSAP funding would be withheld if they did not cancel their Latinos in Action programming. Additionally, MSAP grantees in NYC,

⁵ Broward County Public Schools. (Sept. 2025). SBBC Agreement with Latinos in Action. p.12.

⁶ OCR MSAP Letter to Broward County Public Schools 9.24.2025.pdf. (Sept. 2025). Google Docs. p.2. <https://drive.google.com/file/d/1j6-KbmMyhFvw3Th4n-GK5y77NQEKDiuL/view>

⁷ Latinos In Action – Empowering youth to lead and strengthen their communities through college and career readiness. (n.d.). <https://latinosinaction.org/#the-lia-student>

⁸ Latinos in Action (LIA). (n.d.). <https://coralspringshigh.browardschools.com/students-parents/mentorship-programs/latinos-in-action-lia>

⁹ Electives. (n.d.). <https://silvertrail.browardschools.com/academics/academic-pathways/electives>

¹⁰ Travis, S. (2025, September). Broward schools told by federal government to end Latino program. *Sun Sentinel*. <https://www.sun-sentinel.com/2025/09/29/broward-schools-told-by-federal-government-to-end-latino-program/>

¹¹ Odzer, A. (2025, September.). Broward Schools cancels Latinos in Action course under pressure from federal government. NBC 6 South Florida. <https://www.nbcmiami.com/news/local/broward-schools-cancels-latinos-in-action-course-under-pressure-from-federal-government/3697694/>

¹² About LIA – Latinos in action. (n.d.). <https://latinosinaction.org/about-lia/>

¹³ Prieur, D. (2025, October). Under federal pressure, public schools convert Latinos in Action into generic leadership classes. *Central Florida Public Media*. <https://www.cfpublish.org/education/2025-10-08/under-federal-pressure-public-schools-convert-latinos-in-action-into-generic-leadership-classes>

Chicago and Fairfax County, VA, are being stripped of almost \$24 million in federal funding over alleged Title VI and Title IX compliance violations.¹⁴

In order to understand the Department's process in making these decisions, we also request written answers to the following questions by 15 days following the end of the government shutdown:

1. What established procedure did OCR follow before the decision was made to send a letter threatening to withhold MSAP funding from BCPS?
 - a. Was this same procedure used for compliance reviews in other school districts whose funding was threatened?
2. What specific evidence did OCR rely on to conclude that Broward County's Latinos in Action course violated Title VI?
 - a. Was this evidence corroborated through site visits, interviews, or data collection?
3. How many MSAP grantees have received threatening non-continuation letters? Are these reviews limited to the MSAP program?
4. Why were school districts such as BCPS not afforded the opportunity to prove to the Department that their programs were in compliance with Title VI before funding threats?
5. What remedy do schools such as BCPS have through your Department to appeal Title VI non-compliance decisions, especially regarding MSAP funding?
6. Will the Department commit to giving grantees an opportunity to respond and demonstrate compliance in order to resume programming?

As we are certain the Department agrees, the diligent protection of students' civil rights must follow fair, established rules, and should never result in an indiscriminate erosion of learning opportunities for students of all races. Any failure to follow federal guidelines would ultimately hurt thousands of students of every race.

Thank you for your consideration of this urgent request.

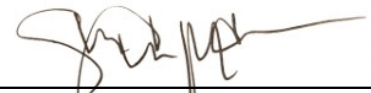
Sincerely,



Debbie Wasserman Schultz
Member of Congress



Jared Moskowitz
Member of Congress



Sheila Cherfilus-McCormick
Member of Congress



Frederica S. Wilson
Member of Congress

¹⁴ Nava, V. (2025, September 24). Exclusive | NYC, Chicago and Va. magnet schools to lose more than \$24M in federal funding after failing to address discrimination concerns. *New York Post*. <https://nypost.com/2025/09/24/us-news/nyc-chicago-va-magnet-schools-to-lose-more-than-24m-in-federal-funding/>



Kathy Castor
Member of Congress



Lois Frankel
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