




Memorandum



1501 NE 2nd Avenue, Suite 343, Miami, Florida 33132
Phone: (305) 523-0623 ♦ Fax: (305) 523-0613

To: Dr. Jose L. Dotres, Superintendent
Miami-Dade County Public Schools

From: Felix Jimenez, Inspector General 

Date: March 5, 2024

Subject: OIG Report of Investigation: *Student Lottery at Somerset Charter Schools*,
IG21-0005-SI

Attached please find the Miami-Dade County Public Schools (M-DCPS) Office of the Inspector General's (OIG) Final Report of Investigation concerning Somerset Charter Schools' lottery system. The OIG received a complaint that alleged that former Principal Kim Guilarte-Gil of Somerset Academy at South Miami Charter School, and Somerset Academy Gables Charter School Principal Suzette Ruiz, were making comments about how they "rig" their schools' entrance lotteries.

The OIG's investigation found the allegations were unfounded, as the random lottery selections for potential incoming students at both schools are conducted by HLB Gravier, LLP, an independent audit firm, without involvement of the school's principals. The OIG would like to thank all parties involved for their cooperation and for the courtesies extended to the OIG during this investigation.

cc: Jose Bueno, Chief of Staff
Dr. John Pace, III, Deputy Superintendent
Dr. Dwight A. Bernard, Assistant Superintendent
M-DCPS Office of Charter School Compliance and Support
Somerset Academy, under separate cover
Individuals sent the draft report, under separate cover

Enclosure



MIAMI-DADE COUNTY PUBLIC SCHOOLS
OFFICE OF THE INSPECTOR GENERAL
REPORT OF INVESTIGATION
STUDENT LOTTERY AT SOMERSET CHARTER SCHOOLS
IG21-0005-SI

INTRODUCTION AND SYNOPSIS

On June 14, 2021, the Miami-Dade County Public Schools (M-DCPS), Office of the Inspector General (OIG) received an anonymous complaint forwarded by School Board Chair Mari Tere Rojas,¹ alleging that former Principal Kim Guilarte-Gil of Somerset Academy at South Miami Charter School (Somerset SoMi)², and Somerset Gables Academy Charter School (Somerset Gables) Principal Suzette Ruiz, were overheard laughing at an Academica Corporation (Academica)³ event about how they “rig” the entrance lotteries⁴ at their schools to ensure that “[Black students] do not get into their schools.” It was further alleged that these administrators stated that they “rearrange” the application numbers to make sure that their pre-selected students get in, and the applications for Black students are “kept out.”

These allegations are unfounded. The OIG investigation revealed that the random lottery selections for potential incoming students at Somerset SoMi and Somerset Gables are conducted by HLB Gravier, LLP, an independent audit firm, without involvement of the school’s principals. This information was corroborated by an official with HLB Gravier, LLP and the interviews of staff members at both schools.

OIG JURISDICTIONAL AUTHORITY

The Miami-Dade County OIG provides inspector general services to M-DCPS pursuant to an Interlocal Agreement (ILA) between Miami-Dade County and the M-DCPS Board. The ILA governs the scope and jurisdiction of the OIG’s activities. Among the authority, jurisdiction, responsibilities, and functions conferred upon the OIG through the ILA is the authority and jurisdiction to investigate M-DCPS affairs, including the power to review past, present, and proposed programs, accounts, records, contracts, and transactions. The OIG shall have the power to require reports and the production of records from the M-DCPS Superintendent, School Board members, School District departments, allied

¹ At the time, Ms. Rojas was a School Board Member; as of November 22, 2022, Mari Tere Rojas was elected Chair of the School Board for Miami-Dade County.

² Somerset Academy at South Miami consists of two charters, an elementary school designated as Somerset AES, and a middle school designated as Somerset AMS. Both charters are housed at one location. Kim Guilarte-Gil was employed as the principal of both.

³ Academica Corporation is a for-profit corporation that provides management and administrative services to Somerset Charter Schools.

⁴ Section 1002.31(3)(c), Florida Statutes, provides for a lottery procedure to determine student assignment, and Section 1002.33 (10), Florida Statutes, provides that a charter school shall enroll an eligible student who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or building...all applicants shall have an equal chance of being admitted through a random selection process.

OFFICE OF THE INSPECTOR GENERAL FOR MIAMI-DADE COUNTY PUBLIC SCHOOLS
REPORT OF INVESTIGATION
Student Lottery at Somerset Charter Schools

organizations, and School District officers and employees, regarding any matter within the jurisdiction of the OIG.

BACKGROUND

All charter schools in Florida are public schools that operate under a “charter” or contract with the local school board but are governed by a separate governing body and operate under a management agreement with a private management company. The laws governing the creation and operation of charter schools are codified in Florida State Statutes. An application to operate a charter school is made to the district school board in the county over which the district school board has jurisdiction. The district school board decides whether to sponsor the charter school and shall monitor and review the charter school in its progress toward the goals established in the charter.⁵

In 2009, the School Board entered into a charter contract with Somerset Academy Inc., a non-profit corporation, on behalf of Somerset SoMi and Somerset Gables.⁶ The Governing Board of Somerset Academy, Inc., is responsible for the overall operation of the school and exercises continuing oversight of school operations. Somerset SoMi is located at 5876 SW 68 Street, South Miami, Florida. Somerset Gables is located at 624 Anastasia Avenue, Coral Gables, Florida with a second campus located at 5859 SW 16 Street, Miami, FL. In accordance with their contractual agreements with the School Board, both schools are managed by a management company, Academica.

Students wanting to attend a charter school must submit an application. If the number of eligible students exceeds the capacity of the program, grade level, or building capacity, a random lottery selection of students will be conducted. Pursuant to Section 1002.33, Florida Statutes, a charter school may give enrollment preference to certain populations enumerated in the statute.

“All applicants have an equal chance of being admitted through a random selection process. There are exceptions to the random selection process where enrollment preference is provided to certain student populations such as “students who siblings of a student enrolled in the charter school, or who are the children of a member of the governing board or employee of the charter school.”⁷

The M-DCPS School Board, through its Office of Charter School Compliance and Support (CSCS), has limited oversight of charter schools to monitor revenues and expenditures.

⁵ See Section 1002.33, Florida Statutes.

⁶ Initially named Somerset Academy Elementary at South Miami, Somerset Academy Middle School at South Miami, and Somerset Grace Academy.

⁷ See Section 1002.33(10)(d), Florida Statutes. There are several other enrollment preferences which are not relevant to this investigation.

OFFICE OF THE INSPECTOR GENERAL FOR MIAMI-DADE COUNTY PUBLIC SCHOOLS
REPORT OF INVESTIGATION
Student Lottery at Somerset Charter Schools

CASE INITIATION AND INVESTIGATIVE METHODOLOGY

On June 14, 2021, the Miami-Dade County Public Schools (M-DCPS), Office of the Inspector General (OIG) received an anonymous complaint that was sent to the office of School Board Chair Mari Tere Rojas and forwarded to the OIG alleging that former Somerset Academy at South Miami Charter School Principal Kim Guilarte-Gil and Somerset Gables Academy Principal Suzette Ruiz were overheard laughing at an Academica event about how they rig the entrance lotteries to make sure that “Blacks do not get into their schools.” It was further alleged in the complaint that the principals rearranged the application numbers after the lottery takes place to make sure that pre-selected students get in, and the applications for Black students who were awarded spots from the lottery are removed.

The OIG conducted an investigation which consisted of the interviews of M-DCPS CSCS staff, Somerset Academy at South Miami and Somerset Gables Academy staff, former Principal Kim Guilarte-Gil, Principal Suzette Ruiz, an independent audit firm official with HLB Gravier, LLP, a City of South Miami official, and parents of students who attend Somerset Academy at South Miami. The OIG also reviewed Florida Statutes relative to Charter Schools, M-DCPS charter school records, School Board policies and procedures, Somerset Academy at South Miami and Somerset Gables Academy charter school applications and procedures, student enrollment records, City of South Miami and City of Coral Gables demographic records, Somerset Academy Lottery procedures, and audit reports for the random lottery selections at Somerset Academy at South Miami and Somerset Gables Academy.

The OIG investigation reviewed the statutory authority for charter schools under Florida Statute 1002.33, the oversight responsibilities of the charter schools’ sponsor (M-DCPS), student enrollment procedures at charter schools, and the use of the random lottery selection process. The OIG also examined student enrollment records at Somerset SoMi and at Somerset Gables Academy (elementary and middle school), and the percentage of Black student populations at both schools. The OIG also reviewed the steps taken by either school, if any, to increase their minority student enrollment

INVESTIGATIVE FINDINGS

M-DCPS Office of Charter School Compliance and Support (CSCS)

During the OIG investigation, OIG Special Agents interviewed Tiffanie Pauline while she served as the Assistant Superintendent for CSCS.⁸ Ms. Pauline stated Somerset SoMi had issues over the past several years related to the level of racial diversity at the school.

⁸ As of 2022, Ms. Pauline is now the M-DCPS’ Chief Strategy Officer with the Office of Strategic Planning and Initiatives.

OFFICE OF THE INSPECTOR GENERAL FOR MIAMI-DADE COUNTY PUBLIC SCHOOLS
REPORT OF INVESTIGATION
Student Lottery at Somerset Charter Schools

The school is in a predominantly Black community but only had a 2 percent enrollment of Black students. After noticing this disparity, M-DCPS and officials at Somerset SoMi entered into an agreement in 2017 that placed the school on a “Diversity Plan” to increase their enrollment of Black students. Somerset Gables was not placed on a similar plan as it was in a predominantly Hispanic community, and there had been no complaints about the lack of racial diversity at their campus. Ms. Pauline confirmed that the student selection at charter schools is based on a random lottery process conducted by the schools. There is no state requirement for how the lotteries are to be conducted, even though most charter schools use a certified public accountant firm to run their lotteries.

OIG Review and Analysis of Statistical Data regarding Student Enrollment Diversity

M-DCPS CSCS is tasked with conducting oversight of charter school operations to ensure schools are operating according to the requirements of their charter contracts. CSCS provided the OIG with the following student demographic data for Somerset SoMi and Somerset Gables. The data provided was from 2009 to 2020 to show the number of Black students compared to other students at both schools is depicted in the following figures:

Figure 1- Student Demographic Data 2009-2020 SoMi Elementary

Somerset SoMi - Elementary															
Year	Total Enrollment	White CNT	White PCT	Black CNT	Black PCT	Hispanic CNT	Hispanic PCT	Asian CNT	Asian PCT	Am. Indian CNT	Am. Indian PCT	Islander CNT	Islander PCT	Multi-Cultural CNT	Multi-Cultural PCT
2020	487	33	6.8	10	2.1	442	90.8	2	0.4	0	0	0	0	0	0
2019	454	25	5.5	9	2.0	417	91.8	2	0.4	0	0	0	0	1	0.2
2018	404	17	4.2	7	1.7	376	93.1	3	0.7	0	0	0	0	1	0.2
2017	407	22	5.4	7	1.7	371	91.2	6	1.5	0	0	0	0	1	0.2
2016	400	24	6	5	1.3	364	91	5	1.3	1	0.3	0	0	1	0.3
2015	427	40	9.4	4	0.9	376	88.1	6	1.4	1	0.2	0	0	0	0
2014	452	50	11.1	4	0.9	392	86.7	5	1.1	1	0.2	0	0	0	0
2013	No Data was available for this year														
2012	475	61	12.8	5	1.1	403	84.8	6	1.3	0	0	0	0	0	0
2011	456	68	14.5	5	1.1	379	83.1	6	1.3	0	0	0	0	0	0
2010	426	91	21.4	7	1.6	323	75.8	4	0.9	0	0	0	0	1	0.2
2009	300	58	19	8	3.0	231	77	1	0.003	0	0	0	0	2	1.0

Figure 2- Student Demographic Data 2009-2020 SoMi Middle

Somerset SoMi - Middle															
Year	Total Enrollment	White CNT	White PCT	Black CNT	Black PCT	Hispanic CNT	Hispanic PCT	Asian CNT	Asian PCT	Am. Indian CNT	Am. Indian PCT	Islander CNT	Islander PCT	Multi-Cultural CNT	Multi-Cultural PCT
2020	158	8	5.1	2	1.3	144	91.1	4	2.5	0	0	0	0	0	0
2019	179	9	5	2	1.1	164	91.6	3	1.7	0	0	0	0	0	0
2018	200	21	10.5	1	0.5	174	87.0	3	1.5	0	0	0	0	0	0
2017	218	26	11.9	0	0	190	87.2	1	0.5	0	0	0	0	0	0
2016	210	23	11	2	1.0	183	87.1	2	1.0	1	0.3	0	0	0	0
2015	187	22	11.8	3	1.6	161	86.1	1	0.5	0	0	0	0	0	0
2014	151	21	13.9	3	2.0	125	82.8	2	1.3	0	0	0	0	0	0
2013	No Data was available for this year														
2012	131	22	16.8	3	2.3	105	80.2	1	0.8	0	0	0	0	0	0
2011	118	21	17.8	4	3.4	92	78.0	0	0	1	0.8	0	0	0	0
2010	74	13	17.6	1	1.4	59	79.7	0	0	1	1.4	0	0	0	0
2009	24	8	33	0	0	16	67	0	0	0	0	0	0	0	0

OFFICE OF THE INSPECTOR GENERAL FOR MIAMI-DADE COUNTY PUBLIC SCHOOLS
REPORT OF INVESTIGATION
Student Lottery at Somerset Charter Schools

Figure 3- Student Demographic Data 2009-2020 Somerset Gables Both Campuses

Somerset Gables Academy – Main and Secondary Campus ²															
Year	Total Enrollment	White CNT	White PCT	Black CNT	Black PCT	Hispanic CNT	Hispanic PCT	Asian CNT	Asian PCT	Am. Indian CNT	Am. Indian PCT	Islander CNT	Islander PCT	Multi-Cultural CNT	Multi-Cultural PCT
2020	501	63	12.6	1	0.2	423	84.4	12	2.4	0	0	0	0	2	0.4
2019	455	62	13.6	2	0.4	385	84.6	6	1.3	0	0	0	0	0	0
2018	473	71	15.0	1	0.2	394	83.3	6	1.3	0	0	0	0	1	0.2
2017	478	69	14.4	3	0.6	399	83.5	5	1.0	0	0	0	0	2	0.4
2016	468	66	14.1	5	1.1	390	83.3	5	1.1	0	0	0	0	2	0.4
2015	441	66	15	4	0.9	366	83.0	4	0.9	0	0	0	0	1	0.2
2014	411	73	17.8	2	0.5	332	80.8	2	0.5	0	0	0	0	2	0.5
2013	No Data was available for this year														
2012	233	69	29.6	1	0.4	161	69.1	0	0	0	0	0	0	1	0.4
2011	75	27	36.0	1	1.3	47	62.7	0	0	0	0	0	0	0	0
2010	57	18	31.6	1	1.8	38	66.7	0	0	0	0	0	0	0	0
2009	No Data was available for this year														

A review of the above data revealed that the Black student population at Somerset SoMi as of 2020 totaled 2.1 percent for elementary school students and 1.3 percent for middle school students. As for Somerset Gables, the Black student population for elementary and middle schools combined totaled a mere 0.2 percent. This statistical data, provided by the M-DCPS CSCS on the Black student enrollment at the Somerset SoMi and Somerset Gables also included data for Black student enrollment at the M-DCPS district schools located closest to the Somerset schools. The average percentage of Black student enrollment at Ludlam Elementary in South Miami is 21.1 percent and for South Miami Middle School was 11.6 percent. For M-DCPS district schools in the Coral Gables/Coconut Grove area closest to Somerset Gables Academy, the average percentage of Black student enrollment at George W. Carver Elementary was 23.15 percent and at Ponce De Leon Middle School was 14.75 percent.

HLB Gravier Random Student Lottery Process

The OIG determined that student selection for vacancies at Somerset SoMi and Somerset Gables were conducted via a random lottery process overseen by independent audit firm HLB Gravier LLP (HLB Gravier). OIG Special Agents interviewed Nelson Pastor, a partner with HLB Gravier. Mr. Pastor provided information about HLB Gravier’s role in the lottery process.

HLB Gravier has conducted random student lottery selections for Somerset SoMi and Somerset Gables since 2018, as well as for other charter schools in and outside of Florida. HLB Gravier accesses race-neutral student applicant information and generates a report through an online program called Aeries. Aeries is a comprehensive online student information system for grades K-12.⁹ Parents submit the application for their children to attend a particular charter school via Aeries.

⁹ See www.aeries.com.

OFFICE OF THE INSPECTOR GENERAL FOR MIAMI-DADE COUNTY PUBLIC SCHOOLS
REPORT OF INVESTIGATION
Student Lottery at Somerset Charter Schools

The auditors pull the report with the student applicant names from the Aeries database when they go to the school, since they cannot retrieve the report remotely from their office. Auditors enter the student information with assigned numbers into an Excel Spreadsheet, which is loaded into a program called *TeamMate Analytics*.¹⁰ Auditors pull a second report from Aeries before they conduct the random selection process to ensure there are no changes. HLB Gravier has found no discrepancies between the first and second reports.

Student reports are also reviewed for duplicate names resulting from duplicate applications being submitted to ensure a student's name is only entered once in the lottery. Each student is assigned a number which is used in a random generating number formula. *TeamMate Analytics* uses these numbers to randomly select students for the available spaces. An alternative or waiting list is also compiled in the event a selected student decides not to attend the school. Once the random and alternative student selections are made, HLB Gravier sends a certified letter to each school that includes the agreed upon procedures on how the random selections were conducted and the names of the randomly selected student names and alternative selections.

HLB Gravier confirmed that school principals do not have the ability to change or purge applications from Aeries, as the applications are source documents and school staff do not have access to make changes.

Somerset SoMi

Ms. Guilarte-Gil was the principal of Somerset SoMi from 2019 to June 2021, subsequently leaving her post to serve as the chief operating officer at Mater Academy charter schools. OIG Special Agents asked Ms. Guilarte-Gil if she and Principal Ruiz had laughed about how they manipulate the entrance lotteries at their respective schools to ensure Black students do not get in. Ms. Guilarte-Gil denied the allegation and stated that she was not aware of any *Academica* events in 2021. She admitted that there was a lack of racial diversity at her school. The school was situated within a predominantly Black neighborhood but had a predominant Hispanic student body. Ms. Guilarte-Gil asserted that the administration has worked over the years to improve the school's diversity through community outreach to get more minority parents interested in applying to the school, and that she has never manipulated application numbers to exclude any students from her school.

The principal is not involved in the selection of students as that process is done through a random student lottery conducted by an independent audit firm – HLB Gravier. Ms. Guilarte-Gil stated she did not personally handle or process student applications. Applications were submitted to the school through an online program. Her only responsibility was to ensure that the auditors had access to the student information via

¹⁰ *TeamMate Analytics* is a software data analytics program used by auditors, which also uses an Excel add-on feature, if necessary. *TeamMate Analytics* is manufactured and licensed by Wolters Kluwer.

OFFICE OF THE INSPECTOR GENERAL FOR MIAMI-DADE COUNTY PUBLIC SCHOOLS
REPORT OF INVESTIGATION
Student Lottery at Somerset Charter Schools

the online program. Once the auditors completed the lottery, they mailed a letter to the school with a list of students who had been selected. The school receptionist at the time, Ms. Alexandra Salinas, was tasked with notifying the parent that their child had been selected to attend the school.

Ms. Guilarte-Gil had always been aware that there were community concerns about the lack of racial diversity at Somerset SoMi. Several years ago, City of South Miami officials inquired about the racial diversity of students who attended the school. She met with city officials to explain the student selection process the school followed. In 2017, Somerset SoMi entered into an agreement with M-DCPS to implement a community outreach plan to increase African American student enrollment. The goal was to conduct community outreach to engage local parents, distribute flyers, and promote the school to get more community applicants. Ms. Guilarte-Gil stated they solicited the assistance of one of their student's parents, Kimberly Davis, who agreed to promote the school and distribute flyers at local churches, Pre-K Programs and at community meetings.

Ms. Guilarte-Gil stated that she had hoped that the outreach plan would have resulted in a greater number of Black students applying to the school who lived within a two-mile radius of the school. She was asked about the 60 applications that were noted in the diversity plan report that were received during the School Year 2017-2018 and how many of those were Black, and how many Black students were selected in the lottery that school year. She could not remember how many Black students were selected that year, but she believed there was some progress in enrollment of Black students at school even though she would have liked to have seen more.¹¹

Ms. Guilarte-Gil believed that the low enrollment of Black students at her school was due primarily to the fact that most Black students in the two-mile radius surrounding Somerset SoMi attended what she referred to as "legacy schools," such as M-DCPS district schools Ludlum Elementary and South Miami Middle School. She believed that her school's diversity plan yielded some results for increasing Black student enrollment since 2017, but not as much as she had anticipated.

OIG Special Agents also interviewed Kimberly Davis (a Black parent from South Miami), who was a former volunteer parent and community organizer at Somerset SoMi. In or about 2015, she learned of the existence of Somerset SoMi charter school and applied for her son to attend via the school's lottery. Her son did not get admitted. She later attended a community meeting at the Gibson Community Center in South Miami after being invited by a parent whose child attended the school. As a result of her attendance at that meeting, she decided to apply again for her son to attend Somerset SoMi, and he

¹¹ In 2017, the number of Black students in the elementary school increased by two (from 5 to 7). In 2018, the number remained the same at 7, but in subsequent years, there was an increase of two (2019), and one (2020). As for the middle school, in 2017, there were no Black students, but in 2018, one Black student was added, and another in 2019. By 2020, there were two Black students enrolled in the middle school.

OFFICE OF THE INSPECTOR GENERAL FOR MIAMI-DADE COUNTY PUBLIC SCHOOLS
REPORT OF INVESTIGATION
Student Lottery at Somerset Charter Schools

was accepted via the lottery into the school's kindergarten class. A few years later, she said her daughter was also accepted for enrollment at the school as a sibling of a current student.

Ms. Davis stated that her son was the only Black student in his kindergarten class, and she realized early on that a lot more needed to be done to increase racial diversity at the school. She felt that a lot of families in the South Miami community near the school were unfamiliar with the Somerset SoMi charter school as most students in the community attended M-DCPS district schools. Ms. Davis stated that she offered her services to Principal Guilarte-Gil to participate in community outreach during open enrollment to promote the school and encourage other Black parents to submit applications to the school via the lottery system. She stated that Principal Guilarte-Gil even offered her a small stipend and was supportive of her efforts to do community outreach for the school.

Ms. Davis continued her community outreach efforts from 2017 to 2020, going to various community organizations in South Miami, such as pre-school programs and local churches, to speak with parents and distribute flyers about Somerset SoMi charter school. Ms. Davis indicated she always reported her contacts to Principal Guilarte-Gil via email. Ms. Davis stated that she had learned that many parents who lived near the school were disillusioned about their chances of ever getting their children into the school because of the lottery. She stated that some parents had applied multiple times over years and could never get their kids into the school.¹²

Ms. Davis stated that her outreach efforts did have some positive results with some Black families getting their children into the school via the lottery but there were others who were not as successful. Ms. Davis stated Principal Guilarte-Gil was initially supportive of her outreach efforts, she felt that more could have been done beyond the open enrollment period and throughout the year. By 2020, Ms. Davis felt that the staff, including Principal Guilarte-Gil, were not as interested in continuing her outreach efforts.

OIG Special Agents interviewed Alexandra Salinas, receptionist at Somerset SoMi. Ms. Salinas had been employed at Somerset SoMi since 2019 and in addition to being the school's receptionist, she also worked as secretary for former Principal Kim Guilarte-Gil. One of her responsibilities was to assist the auditors with the random student lottery selection each year by printing student applications from the online website. She stated that she would verify the addresses of the student applications before they are given to the auditor, then sort the applications by grades. She advised that sibling applicants and staff-related applicants were the first ones selected for any vacancies in accordance with state statute, and remaining vacancies were filled by the students who were selected in the random student lottery.

¹² Ms. Davis' outreach efforts were documented in the Community Outreach Measurable Goals Report maintained by Somerset, also referred to as the Diversity Plan.

OFFICE OF THE INSPECTOR GENERAL FOR MIAMI-DADE COUNTY PUBLIC SCHOOLS
REPORT OF INVESTIGATION
Student Lottery at Somerset Charter Schools

Ms. Salinas stated that Principal Guilarte-Gil did not review the applications before they were given to the auditors, but she would verify the number of applications received per grade. After the lottery was completed, the auditors would send them a letter with the names of the students selected, and she would make the notification to the students' parents of their selection.

She was not aware of any efforts on the part of Principal Guilarte-Gil to rig the lottery to exclude Black students from attending the school. Ms. Salinas was asked if she knew about any Academica event that was held in 2021, and she stated that she was not aware of any such event. Ms. Salinas stated that she was familiar with Principal Suzette Ruiz but did not really know her and had only met her once when she visited Somerset SoMi.

Somerset Gables

OIG Special Agents interviewed Principal Suzette Ruiz of Somerset Gables Academy. Principal Ruiz has been employed as principal at Somerset Gables Academy for 13 years. Ms. Ruiz was asked if she had a conversation with former Principal Guilarte-Gil at an Academica event where they laughed about how they rig their school's lotteries to exclude Black students. Ms. Ruiz denied the allegation and stated that she could not recall any Academica event that had occurred in 2021. Ms. Ruiz further stated that she had never had any discussions with former Principal Guilarte-Gil about student enrollment and the lottery process.

Ms. Ruiz confirmed that student selection for vacancies at Somerset Gables Academy is done via a lottery system conducted by an audit firm. Most vacancies occur in the kindergarten classes, but the lottery is used for vacancies that occur in any grade. Student applications are submitted through an online system called Aeries and are electronically transmitted to the school. Once the student applications are received, they are placed in a binder by the administrative assistants. The binder is given to the auditors. Ms. Ruiz provided the names of employees who have previously assisted with the student application process: Elsa Damos, Evelyn Panequi,¹³ and Assistant Principal Lisa Alamo.

Ms. Ruiz advised that she is not involved in the receipt or processing of the student applications and information. She stated that, in terms of identifying the race of a student applicant, there is no racial information requested on the student applications so she would not know the racial makeup of a student who applies.¹⁴

The Aeries program automatically assigns a number to each application, and that number is entered into the random lottery selection process. She stated that after the lottery is completed, the audit firm will send them a certified letter with the student selection results.

¹³ Ms. Panequi was no longer employed with the school at the time of her interview in 2022.

¹⁴ OIG Special Agents did review one of the student applications accessed through the school's website and confirmed that race is not an indicator on the application.

OFFICE OF THE INSPECTOR GENERAL FOR MIAMI-DADE COUNTY PUBLIC SCHOOLS
REPORT OF INVESTIGATION
Student Lottery at Somerset Charter Schools

One of the administrative assistants contacts the parents via email to inform them of the student selections at the school. Ms. Ruiz stated that she has not received any complaints about the number of Black students at her school. She believes the low number of Black students at her school is because the school is in a predominately Hispanic neighborhood. When questioned, she was not aware of the current percentage of Black students at Somerset Gables Academy.

Ms. Ruiz stated that when her school was first opened in 2010, the school was bound by a maximum student population of one-hundred and sixty (160) students, and the students had to come from within a one-mile radius of the school site. Over time, they were able to take more students, but most of the new students came from the kindergarten or were siblings of students who were already attending the school. Ms. Ruiz desires to increase the total student population. Ms. Ruiz stated that she has never received any concerns from parents or anyone in the community to increase the diversity at her school, although she believes it is important to have a diverse student population.

Lisa Alamo was the assistant principal at Somerset Gables Academy for seven years. Ms. Alamo indicated most of Somerset Gables Academy's vacancies are in the kindergarten class, although any grade can have a vacancy. Vacancies are filled first by siblings of current students. The remaining vacancies are filled by applicants selected during the lottery process. The lottery is conducted by an independent audit firm, HLB Gravier. Her only involvement in the process is to inform the auditors of the number of vacancies per grade to be filled. The auditors pull a student application report from the online website to conduct the lottery. Neither she, nor Principal Ruiz, participate in the review of the applications before or after the applications are retrieved by the auditors from the website. There is no way for them to determine the race or ethnicity of the applicants from the online website applications.

She provided that the auditors conduct the lottery in a classroom at the school. Neither she nor Principal Ruiz are present for the lottery. After the lottery selection, the auditors provide a list of the selected students to her and Principal Ruiz. To her knowledge, Principal Ruiz has never removed any names from the final list, nor has any of the staff. She further stated that once the auditors provide the list of randomly selected applicant names, Ms. Elsa Damos, a staff member, will arrange to contact the parents to inform them of their student's acceptance at the school.

Ms. Alamo stated that she has never heard Ms. Ruiz express any thoughts about limiting the number of Black students at the school or rigging the student lottery to exclude Black students from being selected. She stated that Somerset Gables has a multitude of students from different racial and ethnic backgrounds. However, she does not know the percentage of Black students at the school. Assistant Principal Alamo stated that Academica usually has an end of the year event each year at various locations. She advised that the 2021 event was held at the Seminole Hard Rock. She attended the event along with Principal Ruiz, but she is not aware of whether Principal Guilarte-Gil was there.

OFFICE OF THE INSPECTOR GENERAL FOR MIAMI-DADE COUNTY PUBLIC SCHOOLS
REPORT OF INVESTIGATION
Student Lottery at Somerset Charter Schools

OIG Special Agents interviewed Elisa Damos, receptionist at Somerset Gables Academy for the past six years. Ms. Damos stated that she assists with the student lottery selection process by notifying parents of the results once the lottery is completed. She does not assist with any part of the lottery that is conducted by independent auditors.

Ms. Damos did not know how the selection is done. After the lottery, Assistant Principal Alamo gives her a list of selected students. She then contacts those parents. The list of the selected students only has the student names and phone numbers of the parents. She advised that she does not recall there being any racial or ethnic information for the students included with the list. She stated that she is not aware of Principal Ruiz or Assistant Principal Alamo's involvement in the lottery process before or after the lottery other than receiving the list of selected students from the auditors.

Ms. Damos is not familiar with the percentage of Black students at the school. She also stated that she has never heard Principal Ruiz make statements about the number of Black students at the school or bragging about rigging her school's lottery to exclude Black students from attending the school.

Ms. Damos was asked about whether staff from her school attended an Academica event in June 2021, and she stated that staff and administrators usually gather for an end of school year event. She stated that in June 2021, the event was held at the Seminole Hard Rock, which she did attend. She stated that Principal Ruiz also attended the event, but she is not aware if Principal Guilarte-Gil attended the event.

ISSUANCE OF DRAFT REPORT FOR REVIEW AND COMMENT

This report, as a draft, was provided to former Principal Kim Guilarte-Gil and Principal Suzette Ruiz, for their review and submission of a discretionary written response. The OIG did not receive a response.

CONCLUSION

The OIG did not uncover any evidence to support that the alleged derogatory statements were made. Both Principal Guilarte-Gil and Principal Ruiz did not recall attending any Academica event in 2021; while no witnesses recalled Principal Guilarte-Gil's attendance at the event, two staff members noted that Principal Ruiz attended an end-of-year event sponsored by Academica Corporation at the Seminole Hard Rock.

In reviewing the random student lottery process conducted at Somerset SoMi and Somerset Gables, the OIG confirmed that the lotteries are conducted by independent audit firm, HLB Gravier. Applications for students to enter the lottery are submitted via Aeries, a third-party website.

OFFICE OF THE INSPECTOR GENERAL FOR MIAMI-DADE COUNTY PUBLIC SCHOOLS
REPORT OF INVESTIGATION
Student Lottery at Somerset Charter Schools

While there were conflicting statements from each school's staff as to who retrieves the student applications from Aeries, an HLB Gravier official indicated that their auditors pull the student application reports from the program while at the school in preparation for the random lottery.

All parties agree that the school principals do not access the student applications prior to the lottery. This was also confirmed during the interviews of Principals Guilarte-Gil and Ruiz. When the lottery is completed, the auditors send a certified letter to the principals of both schools, with the names of the students selected for vacancies and the waiting list. Mr. Pastor of HLB Gravier indicated he was not aware of principals being able to change or purge applications from Aeries. To alter the numbers of selected students as alleged, the principals would have to do so during or after the lottery takes place. The auditors' results would then not match the schools' results—this is not the case.

Both schools have Black populations significantly lower than the communities they are located in. Somerset Gables is in a predominantly Hispanic community in Coral Gables, where the number of Black residents in the community is 4.3 percent. Black student enrollment at Somerset Gables was only 0.2 percent. Somerset SoMi is in a predominantly Black community in South Miami where Black residents comprise 13 percent of the community population, but black student enrollment at Somerset SoMi was only 2.1 percent. The OIG found no evidence that Principals Guilarte-Gil or Ruiz were directly responsible for the lack of diversity at their respective schools. There was evidence that Principal Guilarte-Gil took steps to increase Black student enrollment at her school in 2017. As a result of Principal Guilarte-Gil's efforts and that of volunteer parent Kimberly Davis, there was a slight increase of Black students at Somerset SoMi from 2017 to 2020. The OIG found no community outreach was done to increase Black student enrollment at Somerset Gables Academy. Instead, Principal Ruiz explained the lack of Black students at her school was because there were few Black students in the school's neighborhood; Principal Ruiz seemed unaware that the percentage of Black students at her school was significantly lower than in the school's neighborhood.

Based on the OIG investigation which consisted of the interviews of pertinent individuals identified in this case and the review of numerous records pertaining to random lottery selection process, policies related to student selection for charter schools, student demographic data, and enrollment, the OIG concluded the allegations in this complaint were unfounded.
