

Settlement Reached on State Track in Delaware Public Schools Litigation

The settlement terms are an historic step in the right direction on education equity in Delaware.

ARTICLE BY: MORGAN KELLER,
COMMUNICATIONS DIRECTOR

On Monday, October 12, we, alongside Community Legal Aid Society, and Arnold & Porter, negotiated a settlement on behalf of our clients NAACP and Delawareans for Educational Opportunity and with Governor John Carney on the state track in our landmark lawsuit to ensure

adequate funding for all students in Delaware's education system.

The court approved our settlement, which guarantees the following:

- \$25 million in Opportunity Funding, which was instituted on a temporary basis after the lawsuit was underway, used to enhance services and provide additional resources to English learners and low income students, will become permanent and more



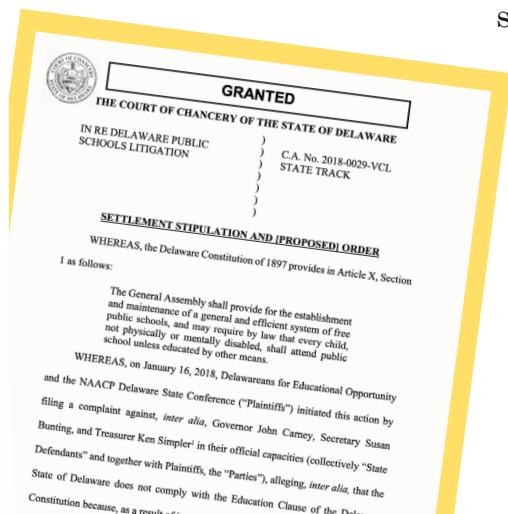
than double to \$60 million by the 2024-2025 school year. After that, the \$60 million will increase proportionally with student growth.

- Opportunity Funding resources will be allocated specifically to the schools serving English language learners and low income students, in proportion to the

number of those students at each school. \$5 million of these funds will be reserved for mental health and reading supports in schools with the highest concentrations of low income and English learner students.

- Funding dedicated to basic special education

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ARTICLE BY: MIKE BRICKNER,
EXECUTIVE DIRECTOR

Dear Friends and Supporters,

As we end 2020, I cannot help but reflect back on a tumultuous and historic year and feel deep gratitude. This year has had its fair share of challenges, but we have weathered many concurrent storms that have tested our very democracy. Throughout it all, ACLU supporters have been at the forefront fighting for our American ideals of liberty, freedom and equality.

In the midst of a pandemic, a record number of Americans cast ballots in the presidential election. Delawareans had the opportunity for the first time to cast their votes by mail without an excuse, so that no one would have



Letter from the ED

to choose between their health and right to vote. But simply having the right to vote means little without advocacy and education to ensure everyone can exercise that right. In response to the expansion of vote by mail, the ACLU of Delaware launched a public education campaign that included advertising on social media, creation of a video walking voters through the process of casting a ballot by mail, and advertising in newspapers and radio stations across the First State encouraging people to make a plan to vote.

In partnership with the Votamos We Vote Coalition--a group of nonpartisan, nonprofit Delaware organizations focused on civic engagement and Latinx people, the ACLU of Delaware texted over 10,000 Latinx voters to encourage them to

vote. In addition, we partnered with the Delaware Hispanic Commission to host a Spanish language radio show on a popular station in Sussex County to highlight voices from the Latinx community discussing the importance of the November election.

The fight for the right to vote continues beyond a single election. In 2021, we will work with the Delaware General Assembly to make vote by mail a permanent option for all voters, and we will advocate for changes to the voting system to ensure our elections remain safe, accessible and secure. Our country is worth fighting for, and you can count on the ACLU of Delaware to continue to push reforms that ensure every voter can have their voice heard.

For regular updates, events and more, visit our website: www.aclu-de.org.



EDUCATION LITIGATION SETTLEMENT, CONT. FROM FRONT PAGE 1

students in Kindergarten through 3rd grade to equal funding currently in place for basic special education students in grades 4-12 by the 2023-2024 school year.

- By the 2023-2024 school year, the Early Childhood Assistance

Program, which funds preschool programs for low income families, will double its funding from \$6.1 million to \$12.2 million.

- A \$4 million annual commitment to support enhanced teacher recruitment and retention in high-needs schools beginning in the 2022-2023 school year.

- An ombudsperson program will be adopted to assist individual students and families in resolving disputes or complaints concerning disparate discipline, inequitable access to school programs, and different or unfair treatment.

- School districts

seeking voter approval for capital construction and major renovations will be required to distribute an equity statement to explain how the capital project would

“These are historic, systemic changes that will benefit the most vulnerable students.”

impact equitable distributions of new and renovated buildings within the district.

- The State will hire an independent organization to complete a holistic assessment of the Delaware public school finance system by January 2024, which shall consider funding levels, revenue mechanisms, equity, and efficiency.

These are historic, systemic changes that will benefit the most vulnerable students.

We are grateful that Governor Carney agreed to increased funding rather than continue protracted litigation. **However,**



we know that these changes alone will not fully guarantee equity, and we will continue to press forward with our advocacy on fair discipline, the school-to-prison pipeline, and access to education.

In the county track of this case, we have a tentative trial date at the end of March 2021 to determine the timing and manner of an appropriate remedy for the counties' property tax assessment system that the Court ruled in May violates the Delaware Constitution and state law.

In the meantime, we're preparing for advocacy efforts on education equity throughout

the state as partners in S.A.F.E. (Safe, Accountable, Forward, Equitable) Schools, a Building People Power Initiative. To learn more about this lawsuit or our education equity advocacy efforts, visit www.aclu-de.org.

The ACLU of Delaware and the Community Legal Aid Society would like to extend a special thank you to the team at Arnold & Porter, who have been indispensable allies on this case. We would also like to thank the State for putting forth a genuine effort to resolve this lawsuit in the best interest of Delaware's current and future students. 🌟

Wilmington Passes Civilian Review Board in 10-1 Vote

This long-overdue police accountability tool is an important step forward on police reform.

ARTICLE BY: MORGAN KELLER,
COMMUNICATIONS DIRECTOR

In the wake of horrific acts of police brutality this year, people around the country and here in Delaware have been marching, protesting, organizing, and advocating with a rally cry to bring an end to systemic racism in policing and for police accountability and transparency.

Earlier this year, Wilmington City Council proposed legislation for its own civilian review board, the Wilmington Citizen Complaint Review Board (CCRB). We sent a letter to the city council in support of this proposed ordinance, with some recommendations for making the proposed ordinance even stronger.

And when the ordinance came up for a vote, we called on the Wilmington community to make their voice heard and ask their city council members to vote “yes.”

On Thursday, November 19, 2020, the Wilmington City Council voted 10-1, with one absent vote, to pass the proposed ordinance that will amend Chapter 35 of the City Code and create a Citizen Complaint Review Board (CCRB) in the city.

Building an effective civilian review board isn't an easy task, but Wilmington City Council's commitment to moving ahead with this kind of police accountability effort is a significant step in the right direction. 🇺🇸

PASSED!

Wilmington City Council Votes to create a Citizen Complaint Review Board

TAKE ACTION:

Stand with us to reimagine Delaware's probation system.

Sign the petition at [PeopleNotProbation.com](https://www.PeopleNotProbation.com)

New Court, New President: What's Next for Civil Rights and Civil Liberties

ARTICLE BY: ACLU NATIONAL

As of now, we know the status of two of the three branches of the federal government. We have President-elect Joe Biden in the executive, and an even more conservative majority in the Supreme Court with the appointment of Justice Amy Coney Barrett. The future of Congress is still unknown as we await the results of two runoffs in Georgia that could hand control of the Senate to either party.

Even before the results of those Senate races are in, we know that the fate of civil rights and civil liberties hangs in the balance. Civil rights protections previously defended by a narrow majority

in the Supreme Court could be in jeopardy. At the same time, the Biden administration will have the opportunity to roll back Trump-era assaults like the Muslim ban; it might also get a chance at its own appointments.

On a recent episode of At Liberty, ACLU National Legal Director David Cole helps us to understand and forecast the impact of a Biden presidency and the most conservative Supreme Court in more than half a century.

Listen to the podcast here: <https://www.aclu.org/news/civil-liberties/new-court-new-president-whats-next-for-civil-rights-and-civil-liberties> 🇺🇸

Overhauling Our Immigration System Begins with Citizenship for All

This is an excerpt from an article originally published on ACLU National's website. Read the full post at www.ACLU.org.

MADHURI GREWAL, ACLU NATIONAL
FEDERAL IMMIGRATION POLICY COUNSEL

As we approach the end of President Trump's first term, it's important to understand why and how he has inflicted such damage on our nation's immigration system and advanced his anti-immigrant, racist agenda. Trump has been able to systematically undermine our immigration laws and principles of fundamental fairness because our immigration system is fundamentally broken. It has been for decades.

So, what's next? How do we move forward when the damage is so sweeping?

An inclusive pathway to citizenship for the estimated 11 million undocumented and stateless people living in the United States — without caveats or tradeoffs — is the first move. Citizenship for these 11 million people would mean that no president could rip the rug out from

underneath more than 700,000 Deferred Action for Childhood Arrivals (DACA) recipients, 320,000 Temporary Protected Status (TPS) holders, or the millions of long-time residents whose lives and status have come to depend on who is in the White House. It would also mean that federal lawmakers across the political spectrum could no longer use undocumented and stateless immigrants as leverage for justifying even more enforcement.

As our nation reckons with our legacy of white supremacy, providing full citizenship to millions of Black and Brown immigrants is critical to realizing the promise our nation has yet to deliver, despite exploiting their labor for generations. In




Credit: Mary Altaffer / AP Photo

spite of this history, immigrants continue to step up as essential workers, working on the front lines of this pandemic and risking their lives to protect our loved ones and communities.

Nationwide, there are approximately 19.8 million “essential” immigrant workers, risking their lives under the constant threat of exposure. There are 1.7 million immigrant medical and health care workers caring for COVID-19 patients, and 27,000 DACA recipients working as doctors, nurses and paramedics.

Undocumented immigrants pay billions of dollars in federal taxes each year, and yet have been inexplicably left out of COVID-relief packages. **Immigrants are essential, now and for years to come — they are part of our communities, our families, and our shared history.**

We need a clean, inclusive pathway to citizenship that doesn't include more tradeoffs and doesn't scapegoat immigrants deemed less than deserving. Because “we the people” means all of us, regardless of immigration status. 



Our Newest Team Member: Melissa Bryson, Development Director

Melissa Bryson joined the ACLU of Delaware as Development Director in September 2020. An alum of Widener University (2015), with a Master of Social Work and Master of Human Sexuality Education degrees, Melissa most recently focused on reproductive freedom during a five-year tenure at Planned Parenthood of Delaware (PPDE).

Throughout her life and career, she has been passionate about creating social change through legislative action, community action, and education. That passion drives her to connect with supporters and engage our communal desire for purpose. Melissa is a mission-focused professional who strives for actionable impact

through fundraising efforts, and is proud to be able to make that impact at ACLU-DE.

Here's a note from Melissa to you:

Thank you to everyone who has gifted me such a warm welcome to the ACLU of Delaware. With great organizations come great supporters, and in a few short months you all have already shown that to be true for the ACLU. While COVID-19 does preclude me from meeting many of you in-person at this time, I hope that you will consider me your resource for all ACLU donations and questions. Feel free to reach out to me at mbryson@aclu-de.org and we can schedule a zoom coffee together! 🍵

ACLU Gift Ideas!

Represent your support for the ACLU and help us celebrate 100 years fighting for civil rights and civil liberties by gifting swag that's sure to please the civil liberty lovers on your list!



"Future Voter"

Onesie: \$28

It's never too early to get excited about voting! Grab this adorable onesie for the ACLU supporter on your list who's parenting a future voter of their own..



Logo Beanie: \$30

(Available in several colors) Stay warm and show your support for civil liberties in our new cozy beanies.



Rethink Policing Pin: \$13

The racism and brutality of our police systems make it clear – we need a bold reimagining of policing in America. That starts with divesting from law enforcement and reinvesting in the communities it unjustly targets.



Logo Face Mask - Sunset: \$15

Stay safe and show your support for the ACLU with our newest face mask.



Stitched Logo Sweatshirt: \$60

(Available in several colors) Our crewnecks are the softest, coziest way to show your support for civil liberties.

You can find all of these gifts at Shop.ACLU.org.

Protecting Civil Liberties Stands on Your Support

Throughout the current administration's tenure, we have seen distressing threats to the fibers of our democracy. You have stood strong. And you have prevailed.

ARTICLE BY: MELISSA BRYSON,
DEVELOPMENT DIRECTOR

It's time to let out that deep breath you've been holding. Today is a new day in America. **All of your hard work has led us to this moment - on the precipice of monumental change.**

This election marks not only the end of the Trump era, but more importantly the start of our most diverse and innovative General Assembly ever elected in Delaware.

for a more perfect union. The ACLU has fought with you--filing 237 legal actions against the Trump administration to defend the rights of immigrants, affirm LGBTQ+ people, and protect the integrity of our elections.

Here in Delaware, we are prepared to continue that fight.

You deserve to cast your ballots using the best voting methods available - pandemic

eligible Delawarean should have the freedom to choose how they wish to cast their ballot. Your support makes this initiative for lasting change a reality.


We refuse to stand idly by while low-income people and Black and brown communities face unjust violence and discrimination. Earlier this year, we exposed the broken probation system fueling mass incarceration in our state and shared that report publicly at PeopleNotProbation.com. We will work in the 2021 legislative session to push for systemic reforms, and with your help we will see the change our state deserves.

Through our school funding lawsuit, our legal team secured a pledge from Governor Carney to make permanent millions of dollars directed towards our most vulnerable students. We will advocate for these funds in the legislature, but our work to secure education equity does not end in the courtroom

and legislative hall. We will expand our successful fair discipline training program, and work with parents, educators and students to ensure schools foster racial justice and a safe learning environment for all.

Now, we must turn our attention to boldly leading freedom forward, because it's never been about one party, person, or president.

We will do what we have always done -- hold all our leaders and institutions accountable. That has been the ACLU's mission since our founding 100 years ago, and we're not backing down. We're doubling down.

The work of defending our rights and fighting for progress started long before the current president was sworn in. And it won't end when Trump leaves office in January. You have earned the incredible opportunity that lays ahead. Please give now to guarantee the lasting change our democracy depends on. 

Now, we must turn our attention to boldly leading freedom forward, because it's never been about one party, person, or president."

The past four years have been marred by division, injustice, and the relentless assault on our rights. But this era has also brought out the best of our country: ordinary people fighting together

or no pandemic. For this reason, we will champion a change to our state constitution to allow any voter to cast a ballot by mail without an excuse. Vote by mail is secure, accessible and trustworthy, and every



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“The past four years have been an especially dark period in our nation’s history, marred by division, injustice, and relentless assaults on all of our rights. We’ve also seen millions of people, from every corner of the country, come together to defend our rights, preserve our democracy, and fight.

That’s why, even as a new era in America dawns, the ACLU is not backing down. We’re doubling down. We will hold the new administration accountable to build on the progress we’ve made—and the progress that the people demand—just as we did the last administration and just like we will do the next. ***Because we cannot rest until we’ve built an America where equality isn’t just an ideal of our constitution—it’s a lived reality for all people.”***

— MIKE BRICKNER, EXECUTIVE DIRECTOR