

Delaware is Failing to Give Our Kids Adequate Access to a Quality Education

We're Challenging the State to Come Up with a Better Plan

Delaware's education system is not providing a meaningful opportunity to obtain an adequate education to all students, so we've filed a lawsuit that aims to fix that. The suit, filed in the Court of Chancery on January 16th, 2018, is brought on behalf of Delawareans for Educational Opportunity and the Delaware NAACP.

"Every child deserves a chance to succeed," said Kathleen MacRae, the executive director of the ACLU of Delaware. "All students have a right to an education that prepares them adequately for college and the world of work," she continued. The state is failing students from low income families, students with disabilities and students who are English Language Learners. Test scores for these disadvantaged students are far below state standards set by the Delaware Department of Education. The scores demonstrate, by the state's own measures, the failure to adequately educate these students.

State testing data shows that 64 percent of low income students, 85 percent of English language learners and 86 percent of students with disabilities did not meet the state standards in grades three through eight for English language arts. 74 percent of low income students, 81 percent of English Language Learners and 89 percent of students with disabilities were below



Well-educated children are the foundation of Delaware's present & future SUCCESS

the state's math standards in those grades. The results for high school students are even worse.

The problem of low achievement for disadvantaged students has been long recognized and are detailed in state-commissioned task force reports issued in 2001, 2008 and 2015. These reports identify educational standards and interventions necessary to support

CONT. ON PAGE 3



SPRING 2018 // WHAT'S INSIDE:

- 2 ACLU's First Membership Conference in 10 Years
- 6 Before Private Facebook Groups There Were Freedom Poles
- 7 Thanks to You, We Hit the Longwood Threshold

and more!

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We invite you to exercise your free speech rights by sending suggestions, letters, questions, or comments.

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Executive Director's Notes

You Belong at ACLU's National Membership Conference!



KATHLEEN MACRAE
EXECUTIVE DIRECTOR

Dear Freedom Fighters,

I have exciting news to share! The ACLU is having a membership conference in Washington D.C. June 10-12, 2018. This is a gathering that will bring thousands of ACLU supporters from all over the country together to be part of our movement and community. Save the date!

Membership conferences used to be a regular occurrence. They were held in 2003, 2004, and again in 2006 and 2008. Perhaps you even attended one. Highlights of these conferences included conversations with members of the U.S. Supreme Court; workshops and presentations about the most critical issues of the day; lobbying on Capitol Hill; and hip hop artists, actors, authors and film-makers showcasing their art to make the case for civil rights and civil liberties.

In 2018, there will be a special emphasis on participation by youth. Those who are 16 to 20 years old will be able to attend at a steeply discounted rate and enjoy free lodging and transportation due to generous support from national ACLU. Here in Delaware, we will

be organizing youth to attend and fundraising so that they can actually participate at no cost. More information will soon be available on our website, so keeping checking in.

The conference is an opportunity for activists, donors, new members and veteran ACLUers to be together as a force for freedom and justice. Past participants have told us how powerful it was for them to be with people from different regions of the country, different races and backgrounds, and different ages who all shared the same fundamental values and aspirations for the country. The conference is a time for us to come together to connect, to learn and to be inspired. And of course, it will also be great fun!

I'm looking forward to seeing you all there. So mark June 10-12, 2018 on your calendar and be on the lookout for more information about how to register. 🇺🇸

ACLU
MEMBERSHIP CONFERENCE
SAVE THE DATE!
JUNE 10-12 | WASHINGTON, DC



SCHOOL FUNDING LAWSUIT, CONT. FROM PAGE 1

achievement, including: smaller class size; expanded school time; highly qualified, specially trained teachers; a focus on early literacy; partnerships with health, family welfare and specialized education service providers; current technology; and effective family engagement. Yet not all schools in Delaware are provided with enough resources to follow these recommendations, and recent spending cuts have made them even further out of reach.

“Despite the best efforts of teachers, families, and school staff, the current education system fails too many Delaware

children. The state often provides more support to children who are well off than it provides to children living in poverty. The state must meet its constitutional obligation to adequately educate all students,” said ACLU-DE legal director Ryan Tack-Hooper.

Delawareans for Educational Opportunity is an association of concerned parents and community leaders that includes parents of low-income students, students with disabilities and English language learners. Delaware NAACP is dedicated to ensuring that all students have an equal opportunity to obtain a high quality public school education.

Plaintiffs are represented by Ryan Tack-Hooper and Karen Lantz of the ACLU of Delaware and Richard Morse and Brian Eng of Community Legal Aid Society, Inc. 

“The state often provides more support to children who are well off than it provides to children living in poverty.”

YOU CAN HELP!

Share Your Story

Have you or your family been impacted by Delaware’s inadequate school funding policies? We’d love to hear from you. Give us a call at 302-654-5326 ext. 107 or email legal@aclu-de.org.

Join the Lawsuit

Our primary plaintiff is a group of concerned parents and citizens - and we’d love you to join the team. Visit aclu-de.org or email legal@aclu-de.org for a sign-up sheet to join Delawareans for Educational Opportunity.

Start a Conversation

The easiest way to help is to simply start a conversation about *Delawareans for Educational Opportunity v. Carney*. Talk to your friends, family and coworkers, share informative content from our social media pages and website, or bring a friend to an information meeting.

Visit www.aclu-de.org for more information.

BILL WATCH



Take action! These are some of the bills we support this legislative session. Learn more about each bill at legis.delaware.gov and call, write, email and tweet your legislators to support!



HB 3

PAID PARENTAL LEAVE

INTRODUCED BY:
REPRESENTATIVE DEBRA HEFFERNAN (D)

This legislation requires that all full-time employees of the state, including employees of school districts, continuously in the employ of the state for at least one year, shall be eligible for 12 weeks of paid leave upon the birth or adoption of a child 6 years of age or younger. Both parents would be eligible for such leave.



HB 90

VOTING REFORM

INTRODUCED BY:
REPRESENTATIVE DAVID BENTZ (D)

This bill establishes in-person early voting for the State of Delaware. Registered voters will be allowed to vote in-person for at least 10 days prior to an election, up to and including the Saturday and Sunday immediately prior to the election at locations determined by the Commissioner.



SB 85

SCHOOL DISCIPLINE

INTRODUCED BY:
SENATOR MARGARET ROSE HENRY (D)

This act requires schools that suspend at a high rate or that show significant suspension disparities to take meaningful corrective action by implementing plans to reduce these numbers and by replacing out-of-school suspensions with more effective and restorative discipline interventions.



SB 65

LGBTQ RIGHTS

INTRODUCED BY:
SENATOR HARRIS B. MCDOWELL (D)

This Act makes it unprofessional to conduct conversion therapy and provides a grounds for discipline for individuals granted a certificate to practice medicine who engage in conversion therapy with a child or to refer a child to a practitioner in another jurisdiction to receive conversion therapy. This Act also prevents the Department of Services for Children, Youth and Their Families from engaging in conversion therapy with a child or recommending that a child receive conversion therapy.



HB 299

EQUAL RIGHTS AMENDMENT

INTRODUCED BY:
REPRESENTATIVE VALERIE LONGHURST (D)

After the failure to adopt an Equal Rights Amendment at the federal level, about half of the states across the country passed Equal Rights Amendments to their state constitutions in order to provide protection against discrimination based on sex. This bill adds Delaware to the list, allowing challenges to sex discrimination to be heard in state courts and codifying our state's values of equality. In order to become law, it will have to be passed in this session and once again in the next session of the General Assembly.

The ACLU-DE Team Grows by Two

Karen Lantz

STAFF ATTORNEY
& POLICY COUNSEL

Karen joined the ACLU of Delaware in 2018, after serving for seven years as legislative counsel in the Delaware House of Representatives.



After graduating from the University of Pennsylvania Law School, Karen began her legal career at Young Conaway Stargatt & Taylor. She also served as a clerk for the Honorable Theodore A. McKee on the U.S. Court of Appeals for the Third Circuit, and as a federal prosecutor in the District of Delaware. Prior to attending law school, Karen interned and worked at the Latin American Community Center in Wilmington and Domestic Violence Center of Chester County. ■

Dubard McGriff

SMART JUSTICE
CAMPAIGN ORGANIZER

Dubard, a northeast Wilmington native, joined the ACLU of Delaware as the Smart Justice Campaign Organizer in January of 2018. He has a strong background in community empowerment, youth engagement and working with low-income families across Wilmington's neighborhoods.



Prior to joining us at ACLU-DE, he worked at the Wilmington Hope Commission as a Peer Support Specialist and was the Lead Youth Advisor at the Youth Empowerment Program. Dubard is also a fellow in the James H. Gilliam Sr. fellowship program, a board member of the DuPont Environmental Education Center, and participates in an action research project called The People's Report, which focus on structural inequalities and violence in Wilmington. ■

SUSSEX SERIES "Making Waves"

**MEETING #3:
CONFRONTING RACISM
IN DELAWARE**

Thursday, April 26
Georgetown (Exact Location TBD)
Check website for more info



ACLU of Delaware's Annual Meeting

*with a special focus on our
Campaign for Smart Justice*



SAVE THE DATE
MAY 16TH, 2018

*More info to follow soon - stay up-to-date
on our website and social media pages!*

CASE DOCKET

Adequate Education. In January 2018, we filed a lawsuit asserting that Delaware's education system is not providing a meaningful opportunity to obtain an adequate education to all students. In particular, Delaware is failing students from low income families, students with disabilities and students who are English language learners. Despite the best efforts of teachers, families, and school staff, test scores for these disadvantaged students are far below state standards set by the Delaware Department of Education. Among other problems, the state often provides more support to children who are well off than it provides to children living in poverty. We will fight to see that the state meets its constitutional obligation to adequately educate all students.

Improper arrests. We continue to pursue our class action lawsuit challenging false arrests carried out by the Wilmington Police Department. The department has a pattern of handcuffing people and transporting them to the police station without probable cause in violation of the Fourth Amendment, improperly classifying these arrestees as "two-hour" detentions under a decades-old statute concerning on-the-street stops. The motion to certify the class is pending.

Muslim Ban. Together with the ACLU affiliates in Virginia, Maryland and Pennsylvania,

CONT. ON PAGE 7

Liberty in Lewes

Article Contributed by Ronald K. L. Collins



PHOTO BY BRUCE GUTHRIE

Ron Collins lives in Lewes and is the co-chair of the History Book Festival, which will hold its next festival in Lewes on Sept. 28-29, 2018.

Dissent was very much in the air in colonial America. That meant that things like freedom of speech and press, freedom of association, freedom to petition, and freedom of conscience were all very much valued. People would meet in taverns to hash out their thoughts about the politics of the day. Another political perk of going to the local (smoke-filled) tavern was that copies of politically charged newspapers, broadsides, and pamphlets were available to customers. Political clubs were also quite popular forms of colonial association. These clubs met in taverns, homes, and public places to engage in all kinds of robust discussion, sometimes even with a seditious flavor. And, of course, there were liberty trees.

But there was another place where colonists gathered to speak, debate and sometimes to engage in all kinds of expression. That place was the local liberty pole. During the American Revolutionary period, if you were a political activist you'd probably spend a fair portion of your time around a liberty pole. These were tall wooden poles topped with a Phrygian cap, which was a red conical cap with the top pulled forward. Typically,



they were in town squares or in a highly visible place on either public or private property. Among other places, one could find them in Lewes (Delaware), Newport (Rhode Island), Concord (Massachusetts), Caughnawaga (New York), Englewood (New Jersey), and Savannah (Georgia).

Yes, I said Lewes. If you venture a little ways from downtown you'll find the spot, right there at 624 Pilottown Road, now located on private property (hat tip to Mike DiPaolo of the Lewes Historical Society for that information). Turn the clocks back a few centuries and that's where liberty was exercised, American patriot style.

Maybe it's time to renew an old practice . . . and erect a liberty pole in freedom's honor. ■

We've Crossed A Line...

...And We're Not Apologizing For It!

We can't thank you enough. Because of you, we've reached our threshold for the Longwood Freedom & Justice Challenge, and the next \$25,000 we raise will be matched dollar for dollar by the Longwood Foundation. Give now, and double the impact of your gift!

There's never been a better time to give to ACLU-DE. Please consider a recurring monthly gift (you can sign up on our website), a gift of stock with great tax advantages, or including us in your estate plans.



Contact Director of Development Dave Bever at (302) 654-5326, ext. 100 or via email at dbever@aclu-de.org with any questions you may have about giving.

Thank you, as always, for standing with us for freedom and justice. 🇺🇸

COFFEE WITH DAVE?

It's no secret that Director of Development Dave Bever loves coffee almost as much as he loves getting to know our incredible supporters.

Whatever your beverage of choice, Dave would love to meet for coffee and learn more about you and why you stand with the ACLU. What's more, he's buying!

Don't hesitate to call him at (302) 654-5326, ext. 100 or send him an email at dbever@aclu-de.org!



we filed suit against the U.S. Department of Homeland Security and Customs and Border Protection (CBP) for failing to respond to our joint Freedom of Information Act request seeking records and communications concerning CBP's local implementation of President Trump's January 27, 2017 Executive Order. The Department of Justice has now answered our complaint, and the case is proceeding in the Eastern District of Virginia.

Police Militarization. Our case on behalf of a quadriplegic woman and her husband who were terrorized by a state police assault team executing a search warrant against two alleged minor drug criminals was resolved by agreement of the parties.

Solitary Confinement. In 2016, as the result of our lawsuit, Community Legal Aid Society, Inc. and the Delaware Department of Corrections entered into a settlement agreement regarding solitary confinement and mental health care in Delaware prisons. The settlement, approved by a United States District Court, aims to bring Delaware in line with standards established by the American Psychiatric Association and the American Correctional Association, and to improve conditions of confinement and the treatment of people with mental illness in prison. Commitments to increased staffing and expanded prison facilities to provide better mental health programming for maximum security inmates were included in the agreement. We continue to monitor compliance with the Court's order, including review of monthly data reports and reports on 20 inmates we select each month. In April, we will be conducting a full audit of compliance with the order.

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GUEST BARTENDER

A Fundraiser to Benefit the ACLU of Delaware
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