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**Federal Office for Civil Rights Opens Investigation
of Discrimination in Richmond Public Schools**

*Congressman McEachin Joins LAJC, ACLU, and Richmond NAACP
in Calling for a Swift But Thorough Investigation*

Richmond, Va., April 17, 2017—The United States Department of Education’s Office for Civil Rights (“OCR”) has given notice it will open an investigation into allegations that the Richmond Public Schools’ disciplinary policies and practices unlawfully discriminate against African American students and students with disabilities.

In August 2016, Legal Aid Justice Center and the ACLU of Virginia filed a complaint with OCR on behalf of two individual students and the Richmond chapter of the NAACP, alleging that RPS’ discipline policies punish African American students and students with disabilities more harshly and more frequently than their peers.

On April 12, 2017, OCR notified complainants that the office would open an investigation. During the investigation, OCR will collect and analyze information from the complainants, the Richmond Public Schools, and any other relevant sources. The letter did not indicate how long an investigation would take, or when the results would be released.

"I am very pleased to learn that OCR has opened an investigation into Richmond Schools because of the complaint filed by Just Children. I remain extremely concerned about the treatment of minority and special needs students throughout my district, which is why I have requested a district-wide investigation into disparate treatment. This is a positive first step and I strongly encourage the OCR and the DOE to initiate expeditiously a broad and in-depth investigation, as I have requested. Thank you, Just Children, for your critical and outstanding work on behalf of our students," said **Congressman A. Donald McEachin** (VA-04).

The complaint alleges that during the 2014-15 school year, African-American students with disabilities were **12.91 times more likely** than white students without disabilities to be short-term suspended, according to data provided by the Virginia Department of Education. New data has surfaced since the Complaint’s filing indicating that RPS continues to exclude an astonishing number of students each

school year and that troubling discipline disparities remain. According to Virginia Department of Education data, RPS suspended 4,680 students at least once during the 2015-16 school year. African-American students made up nearly 75 percent of the student population but 90.4 percent of students who were short-term suspended and 94.2 percent of students who were long-term suspended. While students with disabilities made up 17.7 percent of the student population, they accounted for 29.8 percent of students who were short-term suspended and 37.4 percent of students who were long-term suspended.

“These disparities have persisted too long,” said **Rachael Deane**, legal director for JustChildren, LAJC’s child advocacy program. “We applaud the opening of an investigation, and ask OCR to conduct a swift but thorough investigation of unfair discipline in RPS.”

Complainants allege that the student code fails to clearly define misconduct and prescribes overly harsh consequences for relatively minor misbehavior. The complaint calls for alternative approaches to discipline that would address instances of student misconduct while improving overall school climate. It argues that that Richmond Public Schools could eliminate discrimination and more effectively ensure safe and orderly schools through the use of positive behavioral interventions and supports, social and emotional learning programs and restorative justice processes.

“We are confident that the OCR investigation will shed light on and bring corrective relief to systematic disparities based on race and disability in RPS’ application of discipline,” said **Leslie Chambers Mehta**, legal director for the ACLU of Virginia. “This is a first step towards eradicating the school-to-prison pipeline in Virginia’s capital city.”

About the Legal Aid Justice Center

The Legal Aid Justice Center (LAJC) fights injustice in the lives of individual Virginians while rooting out exploitative policies and practices that keep people in poverty. LAJC uses impact litigation, community organizing, and policy advocacy to solve urgent problems in areas such as housing, education, civil rights, immigration, healthcare and consumer finance. LAJC’s primary service areas are Charlottesville, Northern Virginia, Richmond and Petersburg, but the effects of their work are felt statewide.

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About the ACLU of Virginia

The American Civil Liberties Union (ACLU) of Virginia is a private, non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation and advocacy with the goal of securing freedom and equality for all. In addition to the litigation for which the ACLU has been known, we also educate the public, inform the media, lobby legislators, organize grassroots activists, and disseminate information about our constitutional freedoms through our membership and volunteer chapters.

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