

K-12 Education Equity, School Discipline, and School Policing

Fund Our Schools: Fully and Equitably Fund Virginia's K-12 Public Schools

Strong, well-supported public schools are vital to ensuring that every child in every zip code is able to pursue their educational and career ambitions. But Virginia does not invest enough in its K-12 schools to fulfill its constitutional obligation to ensure that every child receives a high-quality education. The state cannot shirk its commitment any longer: we must ensure that every student in every zip code has the resources and opportunities to be successful.

Reduce School Arrest: Decriminalize Childhood

The greatest racial disparities in school discipline can be found in highly subjective code of conduct violations such as “disorderly conduct.” The added issue for many students—and especially Black students—is that disorderly conduct violations are also criminalized by Virginia code, and turn into thousands of arrests, court petitions, unnecessary diversion requirements, or even probation and deeper court involvement—all for behavior that can and should be managed at the school level, with more effective tools that should be serving as alternatives to exclusion and arrest.

As of 2015, the rate of students referred to law enforcement for all violations in Virginia was the highest among all states. Despite the frequency of student-police interactions, families and communities do not know enough and do not have enough of a role in whether and how police are operating within school buildings. When police are used in school buildings, school divisions should require data collection and reporting of School Resource Officer actions against students, including arrests, use of section and restraint, referrals to court, and other actions.

Stop School Pushout: Educate Every Child

School discipline reform & school enrollment protections have long been & continues to be a primary element of our organization's policy agenda each General Assembly session. We will work with any legislators on reform efforts to eliminate the use of suspension & expulsion; mandate the provision of education during any disciplinary removals from classrooms; protect the rights & education of students with disabilities; consider trauma history or system involvement in supporting student needs; & address school policies that implicitly or explicitly discriminate by race, gender, disability, foster care status, immigration status, sexual orientation & intersectional identities therein.

Challenging Court Debt, Pretrial Detention, and the Criminalization of Poverty

Permanently End Driver's License Suspensions Due to Court Debt

Suspending driver's licenses for unpaid court debt is self-defeating and ineffective as a collection tool and mires people in a cycle of unemployment, jail, and even deeper debt. The suspension process happens automatically after even one delinquent payment and can end up lasting years, especially for low-income residents who must prioritize their essential basic needs. This is an unconstitutional deprivation that props up a form of debtors' prison in the Commonwealth.



Bring Va's Pretrial System out of the Shadows

The number of innocent people in Virginia's jails keeps increasing and we must act now to figure out why. From 2012 through 2018, the average daily population of Virginians detained pretrial increased 36%. We don't know why this is happening. But we do know that poor people of color are most affected by pretrial detention which, among other things, can lead to job loss, housing instability and lack of access to medication. Virginia's pretrial system has operated in the shadows for too long, and in a manner that incarcerates far too many individuals before they've even had the facts of their case considered. The need to keep track of what happens to people coming through the pretrial process so we can determine how best to stop the rise in pretrial detention and restore the presumption of innocence.

Ensure a Meaningful First Appearance

Your first appearance in court should mean something. In Virginia, people detained pretrial can sit in jail for days, and in some places, a week or more, before they can challenge their detention. And when they finally appear in court, they face a complicated system alone. Virginia fails to provide a lawyer who can advocate for an accused person at the first appearance. This is a particularly harmful practice that can lead to unjust outcomes including unnecessary pretrial detention and an increased risk of entering a guilty plea regardless of guilt.

Clear "Habitual Drunkard" Statute from the Books

Virginia has used the antiquated, discriminatory "Interdiction" statute to target people experiencing homelessness who drink, purchase, or possess alcohol by labeling them "habitual drunkards." Ruling on litigation brought by our organization, the 4th Circuit in 2019 found the statute to be unconstitutional, and Virginia must clear it out of our state code.

Immigrant Virginians: Protecting Rights, Health and Safety, Education

Better Protections and Pay for Farmworkers

Farmworkers in Virginia today are mostly Black and Latino. They perform difficult physical labor for long hours under stressful conditions with few protections. Currently, they are not even eligible for the minimum wage under state law. We have joined the Virginia Fight for \$15 Coalition and are working within this coalition to assure that farmworkers are included in any state minimum wage increase. We are also working to ensure that they are allowed mandatory rest breaks in the heat of summer.

De-ICE Virginia

The Code of Virginia has five sections that mandate inquiry and reporting of immigration status from local and state law enforcement to ICE officials. Virginia should instead allow localities to opt out of the burden of immigration enforcement they take on behalf of ICE, so that localities can be responsive to local communities on immigration policy and use their law enforcement resources and capacity in ways that best suit their local community.



In-State Tuition for VA Immigrants

Immigrant students residing in Virginia who arrived after June 2007—and so do not qualify for DACA status—cannot currently access in-state tuition at our higher education institutions, despite otherwise meeting the criteria. We are working to ensure that all Virginia students who graduate from Virginia high schools can obtain in-state tuition, regardless of their or their parents' immigration status.

Drive Virginia Forward

Virginians who are not able to produce proof of legal presence in the U.S. are not eligible for driver's license but are still residents of Virginia who must travel by vehicle to take care of themselves and their families. We are working to ensure that all Virginians can obtain a non-REAL ID drivers' license, regardless of their immigration status. We are also supporting privacy legislation that will prevent federal immigration authorities from conducting fishing expeditions in our state DMV's database without judicial warrants.