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VIRGINIA'S NEXT CHALLENGE: ECONOMIC AND EDUCATIONAL OPPORTUNITY

*The Honorable Mark R. Warner **

I. LOOKING BACK, LOOKING FORWARD

On April 21, 2004, on the steps of the State Capitol, I joined dozens of men and women from Prince Edward County and other parts of the Commonwealth for a moving testimonial on the enduring value of education on the human spirit.

Fifty years ago, many of these men and women were among the thousands of children who were denied a public education during Massive Resistance, a shameful period in Virginia history where public schools closed altogether rather than open all-white schools to African-American children.¹ They came to Richmond in support of the *Brown v. Board of Education* Scholarship Program and Fund,² which has been established to help educate some of the adults who were deprived of an education during the period of massive resistance.³ Some speakers talked about the pain and humiliation brought on by the inequalities of segregation. Others spoke of how they had overcome their early deprivations and had succeeded as adults. Others talked about how they never gave up hope for an education and a brighter future.

While standing with these African-American men and women who had come of age since *Brown v. Board of Education* was decided fifty years ago, I was struck by how far Virginia and our entire nation still have to go to achieve the goal of racial equality that is at the heart of *Brown*. To be sure, we have achieved enor-

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1. See Kathryn Orth, *Scholarships Aim to Fill Learning Gap*, RICH. TIMES-DISPATCH, July 18, 2004, at B1.

2. *Id.*

3. *Id.*

mous progress. Legal barriers in housing and public transportation have been broken down. Overt prejudice and bigotry are no longer acceptable in any decent quarter of society. Many African Americans have risen to the middle-class and beyond. The annual median income of African-American households is just under the all-time high reached in 2000, but the overall direction of the movement in recent years is better than the past.⁴

African Americans have made political gains, as well. Virginia, for example, elected L. Douglas Wilder as the first African-American governor in United States history. Serving as Governor Wilder's campaign manager is to this day one of the highest honors of my life. It is also a sign of progress for our country that other African-American leaders have become mayors, members of Congress, and now, the United States Secretary of State and National Security Advisor.

Despite these and other signs of progress, more remains to be done in the struggle for racial equality. The 2000 census indicates that the poverty rate for African Americans went down to 22.1%;⁵ however, the overall poverty rate was 11.3%.⁶ A 2002 profile of Virginia college-bound seniors indicates that African Americans scored roughly 200 points lower on the SAT than their white counterparts.⁷ A recent study completed by the Secretary of Housing and Urban Development discusses how African Americans are still more likely than white people to be told rental units are not available when they really are.⁸ Further, African Americans are underrepresented in many professions. Closing these gaps in our society is crucial to achieving the equality of opportunity that is at the heart of *Brown*.

4. See Press Release, U.S. Census Bureau, Facts & Features: African-American History Month: February 2003 (Jan. 16 2003), available at <http://www.census.gov/Press-Release/www/2003/cb03ff01.html> (last visited Sept. 18, 2004).

5. JOSEPH DALAKER, U.S. DEPT. OF COMMERCE, POVERTY IN THE UNITED STATES 2000 1-2 (Sept. 2001), available at <http://www.census.gov/prod/2001pubs/p60-214.pdf> (last visited Sept. 18, 2004).

6. *Id.*

7. MID-ATLANTIC EQUITY CONSORTIUM, VIRGINIA STATE EDUCATIONAL PROFILE (2002), at <http://www.maec.org/vastats.html> (last visited Sept. 18, 2004).

8. DEP'T OF HOUSING AND URBAN DEV., DISCRIMINATION IN METROPOLITAN HOUSING MARKETS: NATIONAL RESULTS FROM PHASE I OF HDS2000 iii, available at http://www.huduser.org/Publications/pdf/Phase1_Executive_Summary.pdf (last visited Sept. 18, 2004).

II. EDUCATIONAL OPPORTUNITY FOR ALL

Virginia is taking steps to close the remaining gaps in our society, and we have made expanding educational opportunities a chief means of meeting this goal. In July 2002, the Commonwealth instituted the Partnership for Achieving Successful Schools ("PASS"),⁹ a statewide partnership with business and community leaders, state educators, and local school and government officials to boost student achievement in Virginia's lowest academically performing schools. Many of these lower performing schools are in African-American neighborhoods. The PASS program is helping more than 100 schools write targeted plans to raise student achievement and marshal community and business support to improve school performance.¹⁰

Last summer, Virginia launched Project Graduation,¹¹ a plan that has helped high school seniors meet the more stringent 2004 requirements for a standard diploma. Project Graduation combines regional summer academics, online tutorials, and distance learning. It offers direct assistance to students and helps school divisions follow the progress of students earning the credits required for a standard diploma.

The program is funded with federal dollars designed to underwrite innovative programs supporting statewide education reform efforts.¹² Virginia has been steadily increasing academic standards since 1995, and Project Graduation represents our continued commitment to helping all students achieve.

III. A MORE INCLUSIVE STATE

These and other efforts represent the Commonwealth's determination to fulfill the central promise of *Brown v. Board of Education*: equality of education and opportunity for all. To promote racial equality, we have also worked to increase the level of diver-

9. See Michael Hardy & Jason Wermers, *Failing Schools to Get a PASS; Richmond System Among Those Targeted by Warner Program*, RICH. TIMES-DISPATCH, July 11, 2002, at A1.

10. *Id.*

11. Jason Wermers, *SOLs Too Difficult? Help's on the Way; Program to Aid Va.'s Rising Seniors*, RICH. TIMES-DISPATCH, June 4, 2003, at B1.

12. *Id.*

sity in state government. Greater numbers of African-American men and women are being appointed to boards and commissions than in previous years. Our commitment to diversity makes it easier for these same boards and commissions to take into account the needs of different groups of people. Making sure that our appointments reflect the way Virginia looks ensures that a full range of views is heard when the Commonwealth makes decisions.

IV. INCREASING DIVERSITY IN VIRGINIA'S BUSINESS COMMUNITY

In addition to bringing more minorities into state government, we have also worked to strengthen Virginia's outreach to small and minority-owned businesses in state procurement. Minority procurement has always been a critically important issue for me. During my career in private business, I saw firsthand the tremendous untapped potential that existed in many of our minority communities. Shortly after taking office, I issued Executive Order 29,¹³ which imposed a duty on agency leaders to better promote minority procurement. I also established the Governor's Advisory Commission on Minority Business Enterprise to monitor this issue closely.¹⁴ In 2003, the General Assembly approved legislation authorizing a study to analyze racial and social disparities in state procurement. The goal of the study was to identify the sources of weakness in minority procurement and work to correct them.

The study was completed this past January and the results revealed just how poorly Virginia was doing on minority procurement. Between 1997 and 2002, less than 0.44% of state procurement was with minority vendors.¹⁵ These shocking statistics compelled the introductions of legislation to authorize state government to reverse course and correct the problem. I am proud to say that our bill passed the General Assembly and I signed it into law.¹⁶

13. Exec. Order No. 29 (2002) (July 2, 2002), 18 Va. Regs. Reg. 3129 (July 29, 2002).

14. Exec. Order No. 35 (2002) (Sept. 13, 2002), 19 Va. Regs. Reg. 544 (Oct. 21, 2002).

15. MGT OF AMERICA, INC., A PROCUREMENT DISPARITY STUDY OF THE COMMONWEALTH OF VIRGINIA (Jan. 12, 2004), available at http://www.dmbc.state.va.us/STUDYFR_2256.pdf (last visited Sept. 18, 2004).

16. Act of Apr. 15, 2004, ch. 891, 2004 Va. Acts __ (codified at VA. CODE ANN. § 15.2-

As a result of these efforts, we are beginning to see the first signs of progress. As of mid-2004, the percentage of state procurement from minority vendors has increased for six out of the last seven quarters.¹⁷ Minority procurement now exceeds 2.60%, which is a considerable increase over the 0.44% from the previous administration,¹⁸ but we still have a long way to go. Accordingly, we are taking the following additional steps.

First, Virginia is currently consolidating the certification programs for minorities and women into the Department of Minority Business Enterprise ("DMBE"). Consolidating the certification process into one agency will increase efficiency and strengthen accountability. Second, I am directing a task force to establish specific statewide goals for minority procurement. The goals will be clear and will provide a benchmark to measure each agency's progress in achieving its procurement plan. I will then direct each agency to adopt a plan for achieving them.

Third, I am directing the Virginia Department of Transportation, the Department of General Services, and other agencies that manage state construction activities to require that prime construction contractors include in each bid proposal a plan for subcontracting with minority and women-owned firms. In addition, the prime contractor will be required to demonstrate compliance with that plan in order to receive final contract payment. Fourth, I will take steps to ensure that our agency heads stay focused on minority procurement by directing that the evaluations of top agency personnel and procurement officials specifically include an assessment of their agency's record on minority procurement.

These four directives will provide a major impetus to our minority procurement efforts and will help us achieve our broader goal of increased supplier diversity. We are starting from a very low level, therefore turning this problem around will not be easy. While I am pleased by the progress Virginia has made, it has been too slow in coming.

965.1 (Supp. 2004)). The new legislation authorizes the Governor and localities to implement remedial programs when "there exists (i) a rational basis for small business enhancement, or (ii) a persuasive analysis that documents a statistically significant disparity between the availability and utilization of women- and minority-owned businesses." *Id.*

17. Gail Kelly, *Warner: Vendor Rates Are Dismal*, RICH. TIMES-DISPATCH, May 5, 2004, at A1.

18. *Id.*

V. ECONOMIC DEVELOPMENT AND HOUSING OPPORTUNITY

Another area where the Commonwealth is making progress is in promoting economic development and in promoting housing opportunities for more people. One priority of Virginia's recent economic development efforts has centered in regions with large populations of African Americans, such as Southside Virginia, Richmond, Petersburg, Hopewell, and Hampton. These efforts, combined with the state's commitment to diversity in its procurement process, will help expand economic opportunities for African Americans for years to come.

African Americans in Virginia and all over the United States have too often faced discrimination in housing. We have made a strong effort to accelerate existing home ownership programs to make it easier for African Americans to apply for and receive loans, thereby making home ownership a reality. The Commonwealth offers home ownership classes that explore topics such as building wealth and various loan programs. Home ownership counseling also provides individuals with information about what they need to do to get back on track toward owning a home.

The Virginia Housing Development Authority ("VHDA") has mobile offices that go to the Eastern Shore and Southside Virginia, to present seminars on home ownership. Loan applications are taken at these seminars and allow people to avoid traveling a longer distance to file an application. VHDA also has a Navy Initiative, which offers home ownership classes at the Norfolk Naval Base and the Oceana Naval Air Station in Virginia Beach. The vast majority of participants in these classes are African Americans with the dream of buying their own home.

VI. CONCLUSION

The men and women with whom I stood on the steps of the State Capitol on April 21, 2004, saw their efforts rewarded in June when the Virginia General Assembly voted to provide \$1,000,000 to the *Brown v. Board of Education* Scholarship Program.¹⁹ This appropriation will be combined with a generous

19. Scott Goldstein, *Panel for Brown Fund to be Created, Committee to Select Recipients, Criteria, Scholarship Amount*, RICH. TIMES-DISPATCH, June 18, 2004, at B2.

\$1,000,000 gift from Charlottesville resident John Kluge to provide a total \$2,000,000 for the fund.²⁰ The scholarship fund was established for the purpose of providing specific educational opportunities for these families. The State Council of Higher Education for Virginia is also accepting private donations for these scholarships.

Our work to build the *Brown v. Board of Education* Scholarship Fund to promote education and economic opportunity, along with our insistence on a more inclusive state government, shows that even after fifty years, we still have a continuing obligation to fulfill the promise of *Brown*. This year's commemoration of the *Brown* decision reminds us that every decision we make today will affect Virginia not just for the next year, but for the next generation. The legacy of *Brown* and the civil rights movement is that it broke down legal barriers for African Americans. Going forward, an even greater challenge is to break economic barriers, which is what we want to do in Virginia. If we achieve greater economic opportunity for our people, then they too will have the chance to achieve the American dream.

20. *Id.*
