

STATE BOARD OF EDUCATION

In re: Neighborhood School Plan of
Appoquinimink School District

Townsend Building
410 Federal Street
Dover, Delaware

September 23, 2002
9:20 a.m.

BEFORE:

JEANNE ALLEN
MARY GRAHAM
VALARIE PEPPER
DR. JOSEPH A. PIKA
DENNIS SAVAGE

ALSO PRESENT:

ANN CASE, Policy Analyst
TONY MARCHIO, Superintendent
LOUANN VARI, Deputy Attorney General
for the State Board of Education

-- TRANSCRIPT OF PROCEEDINGS --

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1 DR. PIKA: I'd like to convene this
2 morning's meeting, this evidentiary hearing. The Board's
3 agenda today consists of two evidentiary hearings on the
4 Neighborhood School Plans that have been resubmitted to
5 the State Board as a result of the decision issued by the
6 Board on March 28th, 2002.

7 The first hearing is on Appoquinimink's
8 School District's resubmitted plan. We do have a sheet
9 for public comment. I'm not sure if Mr. Sobek wishes to
10 avail himself to that.

11 I'd like to welcome Tony Marchio here,
12 superintendent of the Appoquinimink District. Why don't
13 you come forward and sit up at the table, Tony, since
14 we're getting started? I assume you're going to be the
15 only spokesperson today.

16 MR. MARCHIO: That's it. Yes.

17 DR. PIKA: In March the State Board
18 concluded that the Neighborhood School Plan submitted by
19 the Appoquinimink District did not meet all the legal
20 requirements of the Neighborhood Schools Act. The Board
21 invited the district to resubmit a plan, and the district
22 has done so. As before, the burden of proof is on the
23 district to show that it's plan meets the requirements of
24 the Act, which we all now have committed to memory.

1 We do have a court recorder present, and
2 that means that each of us should speak singly, one at a
3 time, and we must engage in verbal responses. So no
4 nodding of heads, either awake or asleep, and so on.
5 There are certain limitations we want to observe.

6 Louann, do you have some documents that you
7 would like to identify?

8 MS. VARI: I absolutely would.

9 Good morning, Mr. Marchio.

10 MR. MARCHIO: Good morning.

11 MS. VARI: Mr. Marchio, as before, you will
12 remember we marked certain documents that the State Board
13 had sent out to schedule the hearing. I'm going to go
14 through that same process again.

15 MR. MARCHIO: Okay.

16 MS. VARI: I'm going to pick up my numbering
17 with the exhibit that we left off of with in our prior
18 hearing. So what I marked as State Board Exhibit No. 5
19 will be an August 26th, 2002 letter from Dr. Pika to
20 yourself and others scheduling the hearing for today.

21 MR. MARCHIO: Okay.

22 MS. VARI: What I've marked as State Board
23 Exhibit No. 6 is a copy of the newspaper ad that appeared
24 in the Delaware State News on August 24th giving the

1 public notice of today's proceedings.

2 What I've marked as State Board Exhibit
3 No. 7 is an affidavit of publication and an attached copy
4 of the newspaper article that appeared in
5 The News Journal, just like in the State News, giving
6 notice of the hearings.

7 And finally, what I marked as State Board
8 Exhibit No. 8 is a letter from me to you dated
9 September 18th outlining the remaining issues or the
10 issues that needed to be addressed in today's
11 proceedings, at least from the Board's perspective. I'm
12 not saying that those are the only issues that you want
13 to address but certainly the ones the Board is concerned
14 about. I've also distributed that letter to the Board
15 members as well so they have a copy.

16 Mr. Marchio, I am assuming that you're going
17 to want the Board to consider any of the evidence, the
18 testimony, and the documents that you put in before.

19 Is that right?

20 MR. MARCHIO: Yes. That's correct.

21 MS. VARI: I'm also assuming that you have
22 submitted to the Board as your resubmitted plan on
23 June 7th a nice little binder --

24 MR. MARCHIO: Yes.

1 MS. VARI: -- that's entitled Neighborhood
2 Schools Act Plan A and Plan B, Appoquinimink School
3 District. Again, that's dated June 6th, 2002.

4 DR. PIKA: June 7th.

5 MS. VARI: June 7th, 2002.

6 Thank you, Dr. Pika.

7 With your permission, Mr. Marchio, I assume
8 you want to Board to rely on this.

9 MR. MARCHIO: Yes.

10 MS. VARI: I have gone ahead and marked this
11 as Appoquinimink Exhibit No. 3, again picking up from
12 where we left off the last time.

13 MR. MARCHIO: Okay. That's fine.

14 MS. VARI: Thank you.

15 Dr. Pika.

16 DR. PIKA: At this time I think we would
17 like to have the court reporter swear you in for evidence
18 for today.

19 MR. MARCHIO: Okay.

20 TONY MARCHIO,
21 the witness herein, having first been
22 duly sworn on oath, was examined and
23 testified as follows:

24 DR. PIKA: Do you have any questions, Tony,

1 about our proceedings this morning?

2 MR. MARCHIO: No. I don't think so.

3 DR. PIKA: Opening comments that you would
4 like to present to the Board.

5 MR. MARCHIO: No. I don't believe so.

6 DR. PIKA: Okay. You just want to present
7 the plan to us, then?

8 MR. MARCHIO: Okay. Sure.

9 Reading the results of the last hearing, it
10 appeared that our problem was that our plan didn't meet
11 the statutory for grade configurations. We honed in on
12 another plan that we thought could perhaps do that under
13 the restrictions that we had with our present facilities.
14 So that's basically what we have here.

15 Plan A is a plan that would use our
16 facilities and meet all of the grade configurations as
17 outlined by the Neighborhood School Act. In an attempt
18 to be compliant with the statute, we developed a plan
19 that was configuration compliant.

20 Basically, what this plan does -- We were
21 out of compliance because we have in our district an
22 early childhood center. That center has all of our
23 preschool and kindergarten students from our entire
24 district. In redoing the plan -- We did this plan with

1 distributing those students in all of our elementary
2 schools which would leave us the present early childhood
3 center to use as another facility.

4 Now, the unique thing about this -- and one
5 of the snags that we ran into in developing our plan --
6 was the early childhood center itself. Three years ago
7 we applied to the State for emergency funding. We were
8 under some very, very crowded conditions that were at a
9 critical state. So we asked the State for some emergency
10 funding so that we could get something built very, very
11 quickly.

12 We designed the early childhood center in
13 September and October. It was through Nanticoke. The
14 design was completed in mid October. The construction of
15 that facility was six weeks, and we had it up and
16 operational in May of the same year. So it was a quick
17 fix, but it's a very, very nice center. But it is a
18 center for young children.

19 It is not a typical school. It looks like a
20 big house. It's ranch style. It has vinyl siding and
21 shutters and is all one floor. It has 14 classrooms, one
22 large great room, and it's all wood construction.
23 There's no cafeteria there. The rooms are exceptionally
24 large. They're a thousand square feet as opposed to 800,

1 which is typical of a classroom.

2 It was designed and built as an early
3 childhood center for young children. So we didn't feel
4 that we could simply move those children out into the
5 elementary schools and then make the early childhood
6 center an elementary school. It wasn't designed for
7 that.

8 So our plan was, then, this Plan A, to move
9 the children into the elementary schools, to move our
10 district office into the early childhood center which we
11 could divide into what we felt would be a workable
12 district office, and then to redesign and remodel our
13 district office for an elementary school. That's
14 basically what this plan is all about.

15 We have the details of the plan on the
16 second page and some of the advantages and disadvantages
17 of the plan as I've just outlined. Of course, the
18 biggest advantage would be that the grade
19 configuration -- It would be great configuration
20 compliant for this particular Act.

21 We would have another elementary school
22 which is presently our administrative offices. There's
23 plenty of land there -- four or five acres around that
24 for expansion -- and students would be able to attend

1 school closest to their homes.

2 But we also will note several disadvantages
3 to the plan. One is that we're philosophically committed
4 to the early childhood center. We've had a lot of
5 success with that center and are proud of the
6 accomplishments that we've had there. It has just been a
7 total success story. We would hate to lose that. We
8 designed it and wanted to go in that direction for the
9 reasons that I outlined to you earlier.

10 Secondly, the plan is costly. We would need
11 to renovate the administrative offices, which would be
12 extensive. Our offices haven't been renovated in several
13 years. We would need a whole new HVAC system and new
14 windows. I have outlined the total cost, which is over
15 \$2,189,000 to bring that up to code for an elementary
16 school. So it would be extremely costly to renovate the
17 district office into an elementary school.

18 Also, the present administrative offices
19 would allow only six classrooms, and that's what we're
20 into now. We've subdivided some of those classrooms for
21 more office space, but basically, our district office has
22 just -- We have just six classrooms.

23 In addition to that, in the 2000 Referendum
24 in our district, we had line itemed \$1,600,000 for an

1 expansion to the district office for more office space,
2 and we would need to use that money for an expansion also
3 for an elementary school should we put an elementary
4 school there. That would require us to go back to the
5 voters for permission to use that money differently. So
6 that would be another hardship, I believe, on the
7 district for us to do that.

8 In addition, the district office
9 administrators would need to convert the early childhood
10 center into a workable district office. We feel that we
11 would need to spend some money in doing that and
12 particularly in wiring and subdividing it into smaller
13 offices. We estimated the cost there -- \$230,000.

14 Also, overcrowded conditions would continue
15 to exist. There is a limited amount of classroom space
16 that we can get out of the conversion of the district
17 office. The total cost of this plan would be a little
18 over \$4 million. So that is -- Those are the
19 disadvantages as we see to Plan A that we feel would
20 cause a real hardship for our district to be compliant
21 with the grade configuration.

22 On the following pages, I have Attachment A,
23 a breakdown of the costs for renovation to the district
24 offices. I have a floor plan that is Attachment B which

1 will show our present district office and the six
2 classrooms. That's all the space that we have in that
3 building right now.

4 Attachment C would give you some enrollment
5 information with Plan A. At the top there, we see the
6 early childhood center, which would be administration
7 with no students. Then the district office conversion --
8 The most we could pick up there with the renovation and
9 the addition would be 384 students.

10 And the rest we can see -- We had projected
11 when we did this plan last summer in June of 2002 that
12 our enrollment would be 5,884, and our enrollment, as of
13 this last week, came in at 5,875. So we missed that
14 projection by nine students, which was -- We're getting
15 used to projecting in our district. That's basically
16 Plan A.

17 Plan B is the plan that I've outlined to you
18 before, and that was basically to convert some classroom
19 space into Silver Lake. It was a very simple plan. We
20 had students who lived two blocks away from Silver Lake
21 who were being transported by bus to Cedar Lane, and we
22 wanted those students to come back to Silver Lake, the
23 school closest to them. We converted some space in that
24 building into classroom space. There was some wide open

1 empty space on each wing of Silver Lake that we converted
2 into classrooms.

3 Then we built a small walkway from Lakeside,
4 the development behind Silver Lake, so that the students
5 could walk instead of being transported. We were
6 transporting those students around Middletown into
7 Silver Lake because they didn't have a safe area to walk.
8 It was a small project, just a little over \$50,000.

9 I could go over Plan B -- it is the same
10 plan that I had before -- but maybe I could answer some
11 questions. That basically is what Plan A and B are
12 about. Our position is that we could certainly enforce
13 or evoke Plan A, but it would be extremely costly and we
14 feel a real hardship for the district. That's our reason
15 for submitting Plan B.

16 DR. PIKA: Okay. Are there questions from
17 members of the Board?

18 MS. ALLEN: Okay. You talked about the fact
19 that philosophically you believe that the early childhood
20 center enhances education in your district.

21 MR. MARCHIO: Yes.

22 MS. ALLEN: Is it well received by the
23 community?

24 MR. MARCHIO: Very, very well received. We

1 have a lot of opportunities for the teachers to
2 collaborate. There's a lot of real good staff
3 development. It's geared for younger children.

4 The only problem that we had before was
5 complaints about transportation. We did run into some of
6 that because we used the shuttle system when we first
7 opened that. The children were transported to their home
8 school and then shuttled to the early childhood center.
9 We eliminated that when we opened up our school at
10 Olive B. Loss this year. We were able to save so much
11 because most of the students walk to that school now. So
12 we were able to free up some buses. We have eliminated
13 that shuttle system. So everyone is extremely happy now.

14 Our plan, going forward, is to open up
15 another early childhood center in the northern part of
16 the district and make it even better.

17 MS. ALLEN: My second question: I thought I
18 read something about the bussing being streamlined --

19 MR. MARCHIO: Yes. Very much so.

20 MS. ALLEN: -- and the students were riding
21 for less time. I just want to -- and you told us this
22 now twice. But really the part of Plan B that you're
23 seeking funding for is really that part which allows
24 those students that are very, very close to Silver Lake

1 to attend that school. Correct?

2 MR. MARCHIO: That's correct.

3 MS. ALLEN: So it is, in fact, their
4 neighborhood school?

5 MR. MARCHIO: Yes. Absolutely. Yes.

6 MS. ALLEN: Right. Okay.

7 MS. GRAHAM: I have one question.

8 DR. PIKA: Ms. Graham.

9 MS. GRAHAM: A couple of questions.

10 In terms of the successes of the early
11 childhood center, you know, according to our decision
12 tree, which I know you've gotten a copy of this -- but in
13 terms of the grade configuration, the question that we
14 have to ask ourselves is whether the Alternative Plan
15 better accomplishes the goals of the Neighborhood Schools
16 Act. So the substantial hardship language itself doesn't
17 come in until later. I think we need to look at that
18 too.

19 But accomplishing the goals of the
20 Neighborhood Schools Act -- in our past hearings, we've
21 discussed that there are a number of goals that are
22 expressed in the Act -- things like fostering a sense of
23 pride in the community, serving as a focal point for
24 community activities, allowing parents to have

1 significant input at the local level, having fair and
2 equitable education for all children -- and I'm sure --
3 reducing the need for transportation -- and I'm probably
4 missing some in here.

5 But if we just look at those goals and think
6 about the early childhood center, can you tell us a
7 little more, elaborate a little more, about what its
8 successes are such that we can relate that to these
9 goals? For example, why does it provide a more, if it
10 does -- a more fair and equitable education to have that
11 childhood center or foster a sense of pride in the
12 community or allow parents to have input?

13 MR. MARCHIO: I think, first of all, it
14 brings everyone from the district together. Children
15 aren't singled out as being from one area or the other.
16 We don't have the haves or the have-nots. It's everyone
17 from the district. I think there's that sense of pride
18 that would be almost the same as the high school.
19 There's a spirit there that is pervasive in the early
20 childhood center.

21 The parents are excited about it because
22 it's typically their first experience with the school
23 district and with the school system. So they can
24 identify with one that is perhaps -- that appears to be

1 and is, in my opinion, a lot more user friendly.

2 We had an open house in that center and
3 almost 400 parents showed up for the open house. We
4 didn't --

5 MS. GRAHAM: And that's out of how many?

6 MR. MARCHIO: Well, there's the potential of
7 660 there. So with the preschool we have 460 using that
8 facility. So it's an amazing amount that would show up.

9 MS. GRAHAM: 460 students?

10 MR. MARCHIO: 460 students.

11 MS. GRAHAM: And you got 400 parents total?

12 MR. MARCHIO: Yes.

13 MR. GRAHAM: That's an excellent showing.

14 MR. MARCHIO: It absolutely is.

15 Another example is the playground. We had
16 no playground facilities in there when we opened. I
17 mean, it was emergency money. So there wasn't the luxury
18 of having a playground built for the school. The very
19 first year before the school year was over the parents
20 raised enough money -- over \$50,000 -- to put in a
21 playground in the back. So anything that we need, the
22 parents are just ready and willing to help. It's been an
23 incredible success story.

24 Our students from the data, the achievement

1 data, that we have tracked pushed the first grade
2 teachers when they leave that center and go into the
3 elementary schools. We have seen tremendous progress
4 with the accomplishments of our students. They do
5 extremely well.

6 MS. GRAHAM: Are you testing and comparing?
7 You know, is there a comparison base to compare those
8 students who are coming into first grade from your center
9 versus students coming in from elsewhere?

10 MR. MARCHIO: Yes.

11 MS. GRAHAM: Are those test results that
12 you've been able to analyze and reach any conclusions
13 about?

14 MR. MARCHIO: We have seen gains, tremendous
15 gains, in achievement since we've opened the center.

16 MS. GRAHAM: I mean, so is it better for the
17 students who are coming from the center? Are they
18 performing better?

19 MR. MARCHIO: Yes, yes. They are performing
20 better.

21 In addition to that, there is an economy of
22 scale too, and we can consolidate our resources if we
23 have all the children in one center. As an example, we
24 can't afford full-time kindergarten, and we couldn't do

1 that -- I don't know that we could offer -- if we have
2 those students spread out among four elementary schools.
3 But in the early childhood center we have done that. We
4 have identified certain students.

5 We had two classes of full-time K that we
6 were able to offer. We've just identified a.m. students
7 and p.m. students if we wanted to keep all day. So we
8 were able to offer two full-time K programs, which we
9 would couldn't have done if we had that spread out.

10 The host program in that school won a
11 national award. We have 100 volunteers who come into the
12 school on a weekly basis to mentor kids in our host
13 program. So those are a few things. It is really a
14 success story. I can tell you that.

15 MS. GRAHAM: Is the full-day kindergarten --
16 You said you identified students. Are those for students
17 that you think are at risk?

18 MR. MARCHIO: At risk.

19 MS. GRAHAM: And do you do any kind of
20 grouping or other special attention, perhaps, for kids
21 who may be already reading when they come to kindergarten
22 or are showing signs that they're going to be reading
23 very quickly? Is there any special attention given to
24 those kids to make sure that they have the opportunity to

1 excel?

2 MR. MARCHIO: We do that within the
3 classroom, and we work with the teachers in
4 differentiating instruction for the more advanced
5 students because we do have quite a few of students who
6 really come to us well prepared. So we work with the
7 teachers in special training to serve those students
8 within the classroom.

9 We also have, too -- I want to mention two
10 other programs. One is in the screening process. I know
11 we wouldn't be able to do this in each one of our
12 schools. But when we screen for kindergarten and do the
13 pre-entry testing, if we notice some deficiencies there,
14 we bring the students in in the summer school program.
15 It's called jump-start. So the students are in school
16 for six to eight weeks before they even begin their
17 kindergarten experience. We're able to, I think, better
18 prepare students for the kindergarten experience.

19 Then we have a transitional program, too, in
20 the summer for students who we feel are not quite
21 performing at the first grade level but not enough to
22 retain. So we have a special summer program for those
23 students also before they go into the first grade. So
24 it's the economy of scale that allows us to do programs

1 like that.

2 MS. GRAHAM: Thank you.

3 And now, on our decision tree, as we get
4 down, given -- We are now looking at the Alternative
5 Plan. We still have to ask whether or not it complies
6 with the geographic closest provision of the statute. If
7 it doesn't, then the question we have to ask is whether
8 the plan assigns students to schools other than the one
9 geographically closest to the student's residence because
10 of substantial hardship. And that could be the school,
11 the district, the student, or the student's family.

12 If I recall, in terms of your
13 elementaries -- well, obviously, for kindergarten
14 there's -- since there is -- At this point in time
15 there's only one.

16 MR. MARCHIO: Yes.

17 MS. GRAHAM: Your assignment is closest.

18 And when you go to two, is the plan to
19 assign as much as possible to the closest kindergarten
20 center?

21 MR. MARCHIO: Yes. Yes, it is.

22 MS. GRAHAM: And for the one through five
23 grades, are you assigning to the closest school
24 essentially as much as possible given numbers and

1 geography?

2 MR. MARCHIO: Yes, we are.

3 MS. GRAHAM: Now, in terms of the middle
4 school, there was something in your plan -- the two
5 middle schools -- there was something in your plan that
6 said that you had made a deliberate decision and in some
7 instances not to assign to the closest school. And I
8 guess you have Redding and Middletown.

9 MR. MARCHIO: Yes.

10 MS. GRAHAM: Can you just explain -- Does
11 that mean those assignments are -- Are some being
12 assigned to Redding and some to Middletown, or is it that
13 all of them are being assigned to Redding instead of to
14 Middletown? Or can you explain both what's happening
15 and then just elaborate on the reasons for that?

16 MR. MARCHIO: Sure. We felt that we would
17 better serve our students if they moved in cohorts to the
18 middle schools -- all of Townsend and all of
19 Olive B. Loss into the middle school. And the same with
20 Silver Lake and Cedar Lane. It might make for just an
21 easier transition for kids if they all moved with their
22 peers into the middle schools.

23 There are two things that we did that, I
24 think, need to be considered when we look at that.

1 Number one, the two middle schools are very close
2 together. There are three-tenths of a mile apart. So it
3 wasn't -- It's not that they're miles apart. They're
4 not -- They couldn't be considered neighborhood schools.

5 Secondly, if the students -- We exempted
6 students from that type of movement. If they were
7 closer, physically closer, and could walk to an
8 elementary school, then we took them out of that mix and
9 changed the feeder pattern. For example, Sharondale is a
10 development right in Middletown. It's right behind
11 Middletown Middle School. And those students, because of
12 their location, attend Silver Lake Elementary School,
13 which is right across the road. But Silver Lake feeds
14 into Redding. So we changed their middle school school
15 to Middletown Middle School. We did that for all
16 walkers.

17 In the newspaper that we have attached there
18 that has the redistricting plan, we added one of the
19 bullets down at the bottom: Feeder plans for walkers may
20 vary. Then we mentioned, for example, students in
21 Sharondale and Laurel Creek will walk to Middletown
22 Middle School. So anytime there was a student who could
23 walk to their middle school, we would take them out of
24 that feeder plan and send them to the closest school.

1 MS. GRAHAM: So just -- I'm not sure I
2 understand. The -- so you're -- The basic part of the
3 plan was to stick with the cohort so that the kids could
4 stay together.

5 MR. MARCHIO: Yes.

6 MS. GRAHAM: But you departed from that
7 where the child couldn't walk to the middle school.

8 MR. MARCHIO: Yes.

9 MS. GRAHAM: But what about if kids could
10 have walked either with their cohort or to the other
11 school? Did you then still keep them with the cohort?

12 MR. MARCHIO: We did, yes. It only impacted
13 maybe 25 or 30 students that we took out of that cohort
14 movement.

15 MS. GRAHAM: Now, in terms of kids who are
16 going with their cohort and not to the closest school --

17 MR. MARCHIO: Yes.

18 MS. GRAHAM: -- are those kids some to
19 Redding and some to Middletown or are they -- or is it
20 all to Redding, which is why they are over capacity while
21 Middletown is under?

22 MR. MARCHIO: Well, Middletown is -- That
23 was done by design, because the plan was for the
24 opening -- This redistricting plan was for the opening of

1 two elementary schools. We didn't redistrict for
2 Olive Loss and then go through the whole redistricting
3 thing for the Brick Mill School, which will open next
4 September. We did one plan so that there would be as
5 little movement as possible. So we knew Redding was
6 going to be a little more crowded and Middletown a little
7 light because the Brick Mill school will feed into
8 Middletown Middle School next year and we wanted to make
9 room for that. So a development that would typically go
10 to its nearest school this year will go to its nearest
11 school next year if it meant saving a move.

12 I can give you an example. It may not make
13 sense to you. Misty Vale is a development north of
14 Middletown. Because of problems with space, those
15 students have been transported down to Townsend, which is
16 clear down the southern end of the district. They're
17 close to Cedar Lane. So instead of moving those students
18 to Cedar Lane this year and then moving them to
19 Brick Mill, because they'll even be closer to Brick Mill
20 the following year, we just kept the students in
21 Townsend. That would mean just one move when Brick Mill
22 opens. So there's oddball districts out there that
23 didn't get moved just so we wouldn't move students
24 potentially four times in four years.

1 MS. GRAHAM: In terms of the middle schools,
2 then, and having students go with the cohort, which may
3 mean not going to the closest school, do you have any
4 parent or student reaction to that? And if you were to
5 change and say, "I'm sorry. You can't go with this
6 cohort of children that you've just spent the last five
7 or six years with. You have got to go with this other
8 school that's closer because of the Neighborhood Schools
9 Act in order for us to meet its provisions and get the
10 money," do you have any idea what the reaction would be?

11 MR. MARCHIO: We haven't had any adverse
12 reaction to our plan. We advertised the plan a year in
13 advance so everyone knew what was coming. This plan was
14 approved. We had the first reading of the plan last July,
15 July of 2001. The plan was adopted by the Board in
16 November. So we had a year to prepare everyone.

17 We've also allowed students to choose into
18 the other middle school if they so desire. We may have
19 had one or two to take us up on that but not many. So we
20 have permitted that to happen too.

21 MS. GRAHAM: So you would say it would be a
22 substantial hardship to comply with the closest school
23 provision with respect to the middle schools because it
24 would require you to pull children out of cohorts and

1 send them to a different middle school where they would
2 be separated from the peers that they had gone to school
3 with for several years?

4 MR. MARCHIO: Yes. I think that's a factor.
5 Yes.

6 MR. GRAHAM: And they can still choice the
7 closest school if they want to?

8 MR. MARCHIO: They can still choice, yes.

9 MS. GRAHAM: I think that's all my
10 questions.

11 DR. PIKA: Just to pursue one point from
12 what Ms. Graham was asking: It sounds to me almost as
13 though maintaining the neighborhood cohort at times
14 requires that the student not be assigned to the closest
15 school geographically.

16 MR. MARCHIO: That's a possibility, yes.

17 DR. PIKA: In a few instances.

18 MR. MARCHIO: In a few instances. Right.

19 DR. PIKA: But you are also allowing choice
20 for those students who could, at the middle school level,
21 walk to a closer middle school or choose to stay with
22 their cohort and attend a more distant school.

23 MR. MARCHIO: That's correct.

24 DR. PIKA: Okay. I don't have any further

1 questions. Any other members of the Board with
2 questions?

3 Mrs. Vari.

4 MS. VARI: Dr. Pika, I have one or two.

5 Mr. Marchio, this might be evident to
6 everyone but me.

7 MR. MARCHIO: Okay.

8 MS. VARI: As I understand it, on the middle
9 school student assignments, Silver Lake and Cedar Lane
10 Elementary Schools feed into Redding. Is that right?

11 MR. MARCHIO: Into Redding. That's correct.

12 MS. VARI: Townsend and Olive B. Loss feed
13 into Middletown Middle?

14 MR. MARCHIO: Yes.

15 MS. VARI: Brick Mill will feed into
16 Middletown Middle?

17 MR. MARCHIO: That's correct.

18 MS. VARI: Just a quick question: I think
19 you mentioned last time we were here that Brick Mill will
20 be somewhere in the eastern part of the district.

21 MR. MARCHIO: Yes.

22 MS. VARI: Can you give us a little better
23 understanding of where Brick Mill actually is located?

24 MR. MARCHIO: Yes. It's on Brick Mill Road

1 about -- If you know where our district office is right
2 on 13 in Odessa, we're about a half a mile from the
3 district office. If you head west towards Middletown,
4 before you get to the high school, Brick Mill Road goes
5 off to the right. We're right in there. So we'll take
6 that portion of the district -- Odessa and a lot of the
7 area over there.

8 We had Brick Mill purposefully under
9 capacity too because we expect a lot of development over
10 there. It did affect one that has been in the paper
11 several times with the golf courses and so forth, which
12 will probably be 5- or 600 homes that will feed into
13 Brick Mill.

14 DR. PIKA: Mrs. Vari, I think the color-
15 coded '03-04 school boundary helps identify that a little
16 bit better than the black-and-white Xerox version.

17 MS. VARI: As my husband often tells me, I
18 should not be allowed to read maps. So I appreciate
19 Mr. Marchio's description.

20 MR. MARCHIO: The color is not very great on
21 the map.

22 DR. PIKA: Well, the school isn't there, but
23 you can see the color-coded pink.

24 MS. GRAHAM: You can tell it by comparison

1 to the earlier map where there's a new pinkish color.

2 DR. PIKA: Right. A new color has been
3 added.

4 MS. GRAHAM: Yes.

5 MS. VARI: I did have a couple more
6 questions.

7 MR. MARCHIO: Sure.

8 MS. VARI: If I can go back to Plan A, I
9 think a couple of the questions I am going to ask here
10 can be presumed, but I just thought I would put them to
11 you.

12 MR. MARCHIO: Okay. Sure.

13 MS. VARI: I am looking now at Plan A. I
14 assume there that all students are assigned to their
15 closest schools but for the middle school cohort that we
16 just talked about. Is that correct?

17 MR. MARCHIO: Yes. That's correct.

18 MS. VARI: Okay. Again, I'm assuming the
19 middle school cohort assignments apply to Plan A as well
20 as to Plan B. Is that right?

21 MR. MARCHIO: Yes. That's correct.

22 MS. VARI: Finally, while we had some
23 testimony about Plan B at the prior hearing, we have not
24 heard anybody say that Plan's A student assignments don't

1 consider race at all. Is that correct?

2 MR. MARCHIO: That's correct.

3 MS. VARI: Thank you, Doctor.

4 MS. GRAHAM: I just have one question.

5 DR. PIKA: Mm-hmm.

6 MS. GRAHAM: Mr. Marchio, on the
7 Attachment B to Plan B where you have the capacity for
8 the early childhood center of 330/660, what do those two
9 figures represent?

10 MR. MARCHIO: Well, the a.m. and p.m. So we
11 serve -- The 330 figure is for K students, but we also
12 serve preschool students in there that we don't have in
13 there because a lot of that doesn't count into that
14 count.

15 MS. GRAHAM: So the 330 in the a.m. and 330
16 in the p.m.?

17 MR. MARCHIO: Yes.

18 MS. GRAHAM: Just so the record is clear:
19 The -- On these maps, for example, Plan B looking at the
20 2003-4 elementary school boundaries --

21 MR. MARCHIO: Yes.

22 MS. GRAHAM: -- you have shown -- you
23 haven't shown Brick Mill but you've shown the other four
24 elementaries by this sort of grayish cross-hashings. Is

1 that right?

2 MR. MARCHIO: Are you looking at 2003-2004?

3 MS. GRAHAM: Right.

4 DR. PIKA: So the actual school building is
5 indicated with the gray?

6 MR. MARCHIO: With the gray, yes. That's
7 right.

8 DR. PIKA: But there's not a location yet
9 for Brick Mill?

10 MR. MARCHIO: Right. The Brick Mill is the
11 pink there on the right. We were into some -- We had an
12 approximate idea of where Brick Mill was going to be
13 located, to be honest with you, but there was some
14 uncertainty up until the end of last summer.

15 The town of Middletown had annexed the Brick
16 Mill property, and we weren't sure if we were going to be
17 able to wrestle that from them. It was donated. The
18 land was donated. But we weren't sure if it was going to
19 unfold. It was tangled with some legal problems. So we
20 had two or three sites right in there -- right in that
21 particular area.

22 MS. GRAHAM: Is Olive B Loss the darker --

23 MR. MARCHIO: It's north. The dark -- the
24 green, yes.

1 MS. GRAHAM: And it's that little dark --

2 MR. MARCHIO: It's the little dark spot
3 right in there. Yes.

4 MS. GRAHAM: A trapezoid or something?

5 MR. MARCHIO: Yes.

6 MS. GRAHAM: It's on the DSTP. Third
7 graders have to know that.

8 I think that's all the questions I have.

9 DR. PIKA: Okay. I think Mrs. Vari might
10 have another one.

11 MS. VARI: Mr. Marchio, I just want to go
12 back to the bus routes for the early childhood center.

13 MR. MARCHIO: Okay.

14 MS. VARI: I heard you said that -- and I
15 think that's consistent with what was presented at the
16 earlier proceeding -- the shuttle routes have been
17 eliminated.

18 MR. MARCHIO: That's correct.

19 MS. VARI: Can you explain for us how the
20 kindergarten students are transported now to the early
21 childhood center?

22 MR. MARCHIO: They're transported just like
23 all of our other elementary schools and middle schools
24 also. They're picked up at bus stops -- not at their

1 home but at bus stops. In the evening, their take-home
2 run is the same way. They're dropped off at the same
3 spot. It varies from the way it was last year in that
4 they were shuttled. They were transported into their
5 home school, one of the elementary schools. They
6 transferred buses and then were shuttled over to the
7 early childhood center. But now they're just picked up
8 and dropped off at stops.

9 MS. VARI: They're dropped off at the early
10 childhood center.

11 MR. MARCHIO: At the early childhood center.
12 That's correct.

13 MS. VARI: Thank you.

14 DR. PIKA: Any further questions from the
15 members of the Board?

16 Mr. Marchio, do you have any kind of a
17 concluding comment or remark?

18 MR. MARCHIO: I don't think so. I think
19 that pretty much explains it. You've asked all the
20 questions. I can't think of anything else that you might
21 need to know. That's about it.

22 MS. VARI: Good.

23 DR. PIKA: Is there any public comment? Has
24 anyone signed up? It would have been faster, I guess --

1 If anybody has signed up, would you raise your hand?

2 Thank you.

3 In that case, let me just explain briefly
4 that the Board intends to deliberate on these issues in
5 early December at the conclusion of a series of public
6 hearings that will be held relative to two other
7 districts who have resubmitted plans and issue a written
8 decision in January.

9 MR. MARCHIO: Okay.

10 DR. PIKA: I'd like to thank you for
11 appearing again with us today.

12 MR. MARCHIO: Thank you.

13 DR. PIKA: If I could have a motion to close
14 this part of the hearing.

15 MS. ALLEN: So moved.

16 MS. PEPPER: Second.

17 DR. PIKA: All those in favor, please say
18 aye.

19 THE BOARD: Aye.

20 DR. PIKA: Thank you very much.

21 We will reconvene in just a couple of
22 minutes.

23 (The hearing concluded at 10:10 a.m.)

24 - - - - -

State of Delaware)
)
County of New Castle)

C E R T I F I C A T E

I, Robert Wayne Wilcox, Jr., Registered Professional Reporter and Notary Public, do hereby certify that the foregoing record, pages 2 to 34 inclusive, is a true and accurate transcript of my stenographic notes taken on September 23, 2002, in the above-captioned matter.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 24th day of September, 2002, at Wilmington.

Robert Wayne Wilcox, Jr.
Certification No. 101-RPR
(Expires January 31, 2005)

DATED: September 24, 2002

