

DELAWARE STATE BOARD OF EDUCATION

In Re: RED CLAY CONSOLIDATED AND
CHRISTINA SCHOOL DISTRICTS
NEIGHBORHOOD SCHOOL PLAN

Howard Technical High School
Auditorium
401 East 12th Street
Wilmington, Delaware
October 28, 2002
7:10 p.m.

BEFORE: DR. JOSEPH PIKA, PRESIDENT
DR. CLAY SMITH
MARY GRAHAM
JEAN ALLEN
DENNIS SAVAGE

APPEARANCES:

LOUANN VARI, ESQUIRE
DEPUTY ATTORNEY GENERAL
for the Board of Education

WILCOX & FETZER
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1 THE PRESIDENT: I would like to call this
2 evening's public hearing to order, please.

3 I would like to welcome those of you who
4 managed to get here this evening and explain that the
5 purpose of this evening's hearing is to review the
6 neighborhood schools resubmitted plans of the Christina
7 School District and the Red Clay School District.

8 In March of this year the State Board of
9 Education found that the original plan submitted by Red
10 Clay and Christina districts did not meet the
11 requirements of the Neighborhood Schools Act and directed
12 the districts to resubmit plans.

13 Tonight then we are here to hear your
14 thoughts and any comments you may have on the revised
15 plans submitted to the State Board for Christina and Red
16 Clay districts.

17 We have here this evening a board that is
18 almost equivalent to our audience. We have, working from
19 my right, Ms. Mary Graham, Dr. Clay Smith, Mrs. Jean
20 Allen, Mr. Dennis Savage, all members of the State Board.
21 I am Joe Pika, president of the State Board. And on my
22 far left is Mrs. Louann Vari, the Assistant Attorney
23 General and who serves as the lawyer to the State Board.

24 We have a sign-up sheet here and we welcome

1 anyone who wishes to make a statement to the Board this
2 evening to please write your name on the sign-up sheet.

3 There are some copies of the plans in back
4 of the room for those interested in obtaining those.

5 Because of the large number of people here
6 this evening we will impose a time limit on comments -- I
7 am kidding. We will be obviously flexible in terms of
8 the opportunity to receive your comments.

9 Please remember that there is a court
10 reporter here this evening, so when you speak please
11 identify yourself and don't speak too quickly so that she
12 can keep up with you.

13 And finally, the Board will be happy to
14 receive written comments, either this evening or between
15 now and December the 4th, which is the deadline that we
16 are operating under, prior to the Board's deliberations
17 and decisions. Okay.

18 Any other preliminaries?

19 Our first speaker, Miss Case?

20 MS. CASE: Norman Oliver.

21 MR. OLIVER: Thank you. Does anyone else
22 want to speak?

23 First of all, I was given an opportunity --

24 my name is Norman Oliver. I am City Councilman for 4th

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1 City Council District in the City of Wilmington. I was
2 given the distinct opportunity to serve on the
3 Neighborhood School Committee, I think State
4 Representative Terry Spence appointed me to that
5 committee, so I am deeply aware of some of the concerns.

6 I got an opportunity to talk to Dr. Smith
7 about some of the concerns a week ago, and I invited some
8 of my friends who have been given the opportunity to work
9 with Red Clay and some of the students in that district,
10 so I am quite aware of some of the process.

11 I appreciate the opportunity to speak to
12 the Board about the educational matters that concern me
13 and my constituents. In particular, I want to share my
14 thoughts about the Neighborhood School Act and the
15 compliance plan proposed by the various school districts,
16 particularly Red Clay.

17 Let me be frank --

18 THE PRESIDENT: Mr. Oliver, I think we
19 might actually hear you better without the microphone.

20 MS. GRAHAM: It has got kind of an echo to
21 it.

22 MR. OLIVER: I am so used to talking in the
23 mike at City Council Like this.

24 THE PRESIDENT: That's it. Stand back.

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1 MR. OLIVER: I mean, I can even sit down
2 and talk. Make it comfortable. And also I brought
3 copies, you know, for you guys.

4 Let me be frank - I don't like the
5 Neighborhood Schools Act. I don't believe that it is in
6 the interest of the city kids, that they were really
7 considered when the General Assembly passed the act, and
8 I think a number of you probably feel the same way. I
9 hope that no district really complies with it. I just
10 hope it goes away.

11 If the four affected school districts
12 reassign children to their closest school, there is no
13 question but that we will have a rebuilt segregated
14 school system and I don't agree with that. While the
15 sponsors of the Neighborhood Schools Act seem confident
16 that the Act will survive legal challenges, I have been
17 told by legal scholars that another destructive lawsuit,
18 ending in further judicial supervision of our schools, is
19 entirely likely.

20 What a waste this would be. But the

21 proponents of the Act need to understand, if any district
22 is forced to assign any and every child to their nearest
23 school, litigation will soon follow.

24 So far you have agreed that Brandywine

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1 District has demonstrated sufficient hardship so that it
2 need not assign to neighborhood schools. You are
3 considering similar applications by Christina and Red
4 Clay, but, in case of Red Clay, your comments thus far
5 questions Red Clay choice admissions -- your comments
6 thus far question -- okay. Indeed, some of your comments
7 question whether the minority families would do well in
8 such a choice environment and the State Board needs to
9 look out for those families, and I certainly agree with
10 that.

11 While your hearts may be in the right place
12 and I appreciate your support for those who are currently
13 challenged educationally, but I think your thoughts are
14 misdirected. In fact, I have to tell you, with all due
15 respect and admiration, that your thoughts about the
16 minorities and choice are simply wrong.

17 First, I believe that, regardless of
18 whether a district complies with the Neighborhood Schools

19 Act or not, those districts that continue to assign
20 children to schools rather than asking the families to
21 choose a school are not listening to their constituents,
22 which I try to do.

23 What if I don't like my child's assignment?
24 How do seven or just I guess the state individuals know

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1 more about my child than me? I, for one, like to be
2 given a choice.

3 Next, anyone who asserts that the minority
4 community is disadvantaged by the districts that ask
5 families to choose is wrong.

6 I think that you guys would agree with that
7 also.

8 Long before there was school choice, either
9 statewide or in Red Clay, minority families were choosing
10 out of regular school systems. Do you think that it is a
11 coincidence that nearly all or some of the city parochial
12 schools are African-American, such as -- what is the
13 school up by your way, Bob?

14 A VOICE: Christ Our King and the one --

15 A VOICE: St. Paul.

16 MR. OLIVER: St. Paul, schools of that
17 nature. Do you think all these children are Catholic?

18 How else did those children get to those schools unless
19 their parents or someone acting in their interest chose
20 those schools?

21 That is just one example of the ability of
22 minority families to find ways out of bad schools. While
23 parochial schools cost money, and many minority families
24 don't have that, so I am suggesting that you should

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1 support a district that was the first to ask us where we
2 wanted to send our children and stretch its
3 transportation system to accommodate those children,
4 those choices.

5 Do city schools, including Red Clay, need
6 improvement? Yes, absolutely, and I am certainly not
7 here to say that everything is fine. But at least Red
8 Clay doesn't try to trap children in schools that they
9 might not like.

10 Next, you need to understand that there are
11 some minority families who want neighborhood schools, and
12 that's obvious. I believe, for example, that the
13 experiences that the Hispanic community has had with
14 Lewis Elementary School has been a positive, and I have
15 been involved over there myself doing some work at Lewis,

16 with Lewis Elementary School.

17 When a parent who chooses Lewis walks in
18 and says, This is my school, I chose it, so did all these
19 other people, I like that.

20 The fact that some minority families want
21 to send their children to neighborhood schools, while
22 others want to know that they can go to other schools
23 farther away, is hardly surprising. But this Board --
24 this is my opinion -- often seems to think that the

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1 district that accommodates those different preferences
2 should be criticized. You need to reconsider the
3 attitude because it is not right.

4 Finally, I understand that some of you are
5 concerned about the child who gets left behind because
6 there is no parent support for the child.

7 And I think we have had this conversation,
8 Dr. Smith.

9 Believe me, no one worries about them more
10 than I do and other community leaders. Some of us run
11 programs for these children. They are our
12 responsibility. And I agree with Red Clay, Red Clay
13 should be urged to run an extensive outreach program so
14 that the city families understand the choice system, and

15 I am told it intends to do that. That's what I am told
16 by a number of administrators of Red Clay and I will hold
17 their feet to the fire.

18 If it doesn't, believe me, Red Clay will
19 hear from me. And I have talked to people like Jea
20 Street. He and I had a long conversation. I was telling
21 him about the speech that I was going to make tonight. I
22 said, you know, Jea, we will have to hold these kind of
23 folks accountable, and he agreed with me.

24 And people like Maria Matos, Mayor Baker,

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1 members of City Council who serve with me, and others who
2 care about improving the education for city children.
3 But that's our jobs. We should not turn down Red Clay's
4 plan because you are concerned Red Clay won't do its job
5 and I won't do mine.

6 And one more thing. I am a parent that
7 chose a Red Clay school. My daughter, in particular, is
8 at Cab Calloway this year. I chose to send her there for
9 my child, and I am very pleased with the choice, and I
10 guess that's the gist of my conversation.

11 And I feel real strongly about that, and I
12 do understand some of the concerns about the Neighborhood

13 Schools Act, and I probably understand a number of
14 concerns that you guys have, but I think that it is
15 necessary that we move forward in giving parents like
16 myself, and folks like some of these guys, I know Joe has
17 a child who is at Red Clay -- three kids, Joe?

18 A VOICE: Three.

19 MR. OLIVER: -- in Red Clay, and, not only
20 that, a number of us work with these kids day in and day
21 out through our Youth, Inc., through Nor Enterprises and
22 some of our mentoring and outreach programs. We are very
23 familiar with some of the problems in the schools.

24 I guess you guys can have my sheet with my

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1 speech.

2 And I don't know what Freeman's role here
3 is, but I think guys like Freeman Williams and the work
4 they are doing even at Christina School District, and
5 sometimes a number of us have to be advocates and some of
6 us are going to be out there. We don't have the Hicks
7 Andersons, who was an advocate for minority kids in our
8 neighborhoods, so it is incumbent that folks like myself
9 begin to start speaking out what we think is right or
10 wrong.

11 And I do appreciate you giving me a little

12 bit more than three minutes, Dr. Pika, you know, since it
13 is such a sold-out event here.

14 THE PRESIDENT: Overwhelming.

15 MR. OLIVER: Thank you, guys. And they
16 have copies of my speech.

17 THE PRESIDENT: Any questions, members of
18 the Board? Would you mind answering a couple of
19 questions?

20 MR. OLIVER: Sure.

21 DR. SMITH: Did you gather from the records
22 that the Board had presented at the last hearing with Red
23 Clay that we were against choice as a philosophy? Your
24 comments kind of indicated that somehow you felt like we

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1 were against Red Clay's choice program.

2 MR. OLIVER: No. I don't think that I was
3 necessarily trying to say that. As a matter of fact, I
4 think that I said quite the contrary.

5 I think that some of your problems -- you
6 can correct me if I'm wrong -- was like transportation.
7 I think that you had a problem with some of the
8 transportation needs, especially the inner city kids, the
9 minority kids, and I commend you on that.

9 been that under the current state law parents do have a
10 choice or are given a chance to choice their kids, and in
11 Red Clay I think the system is little different than the
12 existing choice program in that it is expected that a
13 hundred percent of the parents would have to proactively
14 make a choice. And that's the only difference. But
15 parents today do have the chance to choice either into
16 Red Clay or into another district, for that matter.

17 MR. OLIVER: And that's my situation and I
18 think that that is the right thing to do.

19 THE PRESIDENT: Yes.

20 MS. GRAHAM: If you don't mind some
21 further--

22 MR. OLIVER: Yes, I do.

23 MS. GRAHAM: -- discussion? You do mind
24 it?

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1 MR. OLIVER: I am joking with you.

2 MS. GRAHAM: I will throw out some
3 questions, and you don't have to answer since you didn't
4 sign up to answer questions, you signed up to talk. But
5 we appreciate your being here.

6 On the choice program, following up on what

7 Dr. Smith said, I want to make sure that it is clear,
8 because the plan is somewhat confusing, that what you
9 talked about is whether a district or we should be
10 mandated where people go versus their choice, and the
11 important thing to understand about the Red Clay plan
12 that they offered up, which, as Dr. Smith said, was a
13 hundred percent choice, was that there was a lack of a
14 guarantee for students who didn't choose for a clear
15 school that they would be going to. So that is one issue
16 that we are facing.

17 And I think we all appreciate that it is
18 going to be very difficult to get a hundred percent of
19 parents choosing. And, as you said, information for them
20 to do that is something that's very difficult to come by.

21 So one of our concerns, a big concern of
22 ours has been, it is fine to have choice --

23 MR. OLIVER: Right.

24 MS. GRAHAM: -- but for those parents who

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1 don't choose, can't choose because they are trenchant, or
2 whatever --

3 MR. OLIVER: Right.

4 MS. GRAHAM: -- that there is a clear --
5 and also because this would enter into their knowledge

6 base for when they are choosing, where are they going to
7 go, where is their default school, and under the current
8 Red Clay plan, as offered up, you don't know that. You
9 don't know.

10 THE PRESIDENT: Is there a question?

11 MS. GRAHAM: I just wanted to make sure
12 that that was something that was clear to you as a city
13 council member.

14 MR. OLIVER: It is. You know, I actually,
15 I have been receiving phone calls in reference to Red
16 Clay about the choice, you know, from the parents sending
17 their kids to a certain school.

18 I think that I have a bigger problem, me
19 personally, and this is my personal, for someone
20 assigning my child to a school, to me choicing my child.

21 Do you understand my point? I mean, I know
22 that you guys really are in an awkward situation because
23 really you are mandated by the state law. I don't want
24 to make it seem like I am attacking you guys personally.

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1 But me personally, I have more of a problem
2 with someone saying, Norman, your son or daughter is
3 assigned to this school. I think that that is more

4 resegregating the school system than choicing. And
5 that's just my personal opinion. Because that is what it
6 is.

7 MS. GRAHAM: And that was going to be my
8 next question for you, I guess, is: How do you feel
9 about the choice process when, if completely open, itself
10 causes changes to occur? So, in other words, when
11 everyone is choosing, you don't know what is going to
12 happen to a school in the following years, right? I
13 mean, it is one thing if you know you are choosing in
14 schools that are stable --

15 MR. OLIVER: Right.

16 MS. GRAHAM: -- and you can have a good
17 guess as to what they are going to look like, what they
18 are going to be like, what their teaching is going to be
19 like.

20 But when you suddenly open up the system,
21 and I think that happened in Christina, when they started
22 down the process of neighborhood schools and said, We are
23 going to have these magnet schools, you had people making
24 a lot of individual decisions, but they really couldn't

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1 know what they were going to be choosing into. And I
2 think a fear factor must have entered in and you ended up

3 with segregated schools because clearly there are
4 high-poverty segregated schools, and I wonder how that
5 enters into your advice to us on this issue.

6 MR. OLIVER: I guess, Miss Graham, the
7 important thing is every child really should be given the
8 opportunity for very equal education. It doesn't matter
9 what school they go to. Every school really should -- I
10 mean, if my child or daughter is going to elementary
11 school in the city or the suburbs, they should be given
12 that full opportunity to learn like any other child.

13 So I think that when we start talking about
14 choosing a school, and I think that this goes back to
15 what I was speaking about initially, the importance for
16 us as administrators and educators and community
17 activists to be watchdogs for the school system and for
18 the districts and for the schools, because a lot of times
19 you are going to have the haves and have-nots, and that's
20 what is sad about it. And I think I said that earlier.
21 That's why it is important that Red Clay and all the
22 districts, we hold their feet to the fire when they
23 educate our communities and have outreach programs, to
24 tell the folks and parents.

1 I mean, because even this right here is a
2 sad commentary in my mind, to have something this
3 important, you know, in this meeting and for me to have a
4 meeting with my staff and say, I want two of you guys to
5 come to a meeting, and we are the guys who are here.

6 So I mean there is a problem, a breakdown
7 in this whole scenario.

8 MS. GRAHAM: Right.

9 MR. OLIVER: Again, I mean, we are having a
10 dialogue so that's just one person's opinion.

11 MS. GRAHAM: Well, I wish the turnout were
12 greater.

13 MR. OLIVER: I hope I answered your
14 question.

15 MS. GRAHAM: Well, following I think your
16 notion that every child should have a great education
17 regardless of which school they choose, one of the issues
18 that has come before the Board, as you know from reading
19 the earlier opinion, is this notion of high-poverty
20 schools.

21 MR. OLIVER: Right.

22 MS. GRAHAM: And currently what we have are
23 a number of high-poverty schools in the city, I forget
24 the exact number in Red Clay and there are some in

1 Christina. And, again, following up with your notion of
2 choice and being a watchdog, one of the questions that we
3 asked Red Clay at the hearing was whether or not in their
4 choice program they were telling parents about the
5 disadvantages of high-poverty schools when they were
6 making their choices, and they said they weren't.

7 I wonder whether that's something that you
8 think is important to be talking about in this, in the
9 education of parents in their choosing schools.

10 MR. OLIVER: Again, I think that -- I will
11 try to be as clear as possible -- I think that the
12 district needs to do a better job, and I say all
13 districts, doing more outreach and letting folks know,
14 rather than choice, assignments, charter schools, magnet
15 schools, letting them know.

16 We were having this conversation. Again, I
17 don't want to keep harping back to Dr. Smith. He was
18 pointing to me some alarming statistics about the kids
19 who are failing back, especially in our communities, math
20 and science.

21 This is just one issue for me. I have a
22 number of concerns. So I think that we have to do a
23 better job in after-school programs. I think we got to
24 do a better job with before-school programs.

1 I mean, I can go off on a whole another
2 tangent, Miss Graham, but I don't know if this is the
3 time or place. But I do appreciate you giving me the
4 opportunity to present my case.

5 MS. GRAHAM: Thank you.

6 MR. OLIVER: Thank you.

7 THE PRESIDENT: We did receive copies of
8 the Wilmington Neighborhood School Plan, and which seems
9 like a very long time ago.

10 MR. OLIVER: Yes, it was.

11 THE PRESIDENT: I am actually curious
12 whether there has been any further discussion, any
13 follow-up within Wilmington about what might be desirable
14 in terms of the school developments.

15 MR. OLIVER: You know, it is funny you ask
16 that, Dr. Pika. We had several meetings, you know, when
17 they formed the committee, and after it dissolved, Avery
18 Jones, after it dissolved, she was the chairperson of the
19 committee, and she submitted a report and then they broke
20 down into smaller groups of folks and they were handling
21 that, so I kind of got out of it.

22 But I think that there certainly needs to
23 be more dialogue and follow-up, especially as we are
24 moving forward with what you guys are doing.

1 THE PRESIDENT: Thank you very much.

2 MR. OLIVER: I won't come and be the only
3 speaker again, I tell you that.

4 THE PRESIDENT: We are happy to welcome any
5 further comments, any additional comments anyone might
6 have. Anyone who would like to speak to the Board this
7 evening? And if your staff wants to contradict anything
8 you said?

9 MR. OLIVER: No. They won't get paid. I
10 see you guys.

11 THE PRESIDENT: Well, seeing no additional
12 comments for this evening, I would like to then close
13 this public hearing and announce that the Board's time
14 line on this matter is that we will be deliberating in
15 the beginning of December, and any additional materials
16 which you would like to submit will be received up until
17 that time. Thank you very much.

18 (Proceedings conclude at 7:40 p.m.)

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1 State of Delaware)
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2 New Castle County)

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5 CERTIFICATE OF REPORTER

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7 I, Eleanor J. Schwandt, Registered Merit
8 Reporter and Notary Public, do hereby certify that the
9 foregoing record, pages 1 to 21 inclusive, is a true and
10 accurate transcript of my stenographic notes taken on
11 October 28, 2002, in the above-captioned matter.

12

13 IN WITNESS WHEREOF, I have hereunto set my
14 hand and seal this 29th day of October, 2002, at
15 Wilmington.

16

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18

19 Eleanor J. Schwandt
20 Certification No. 125-RPR
21 (Expires January 31, 2005)

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