



1 DR. PIKA: We're waiting here for  
2 Mrs. Graham. But I think we should go ahead and get  
3 started with some of the preliminaries. She'll be  
4 here shortly. So I would like to convene the meeting.

5 And the Board's agenda this morning  
6 consists of an evidentiary hearing on a Neighborhood  
7 Schools Plan submitted to the State Board by Red Clay  
8 Consolidated School District. The Neighborhood  
9 Schools Law was amended this summer to permit the  
10 State Board to consider plans for a district as many  
11 as three times. And Red Clay has submitted a plan for  
12 the Board's consideration.

13 If there is anyone from the public who  
14 expects to provide public comment today, there is a  
15 sign-up sheet. Is that in the hallway? And we'd ask  
16 you to sign that before you would address the Board.

17 We have here with us today Mr. Fred  
18 D'Angelo, who is representing the District. I  
19 wondered if you would introduce your team from A to Z  
20 and proceed from that.

21 MR. D'ANGELO: Superintendent Dr. Robert  
22 Andrzejewski, Superintendent Dr. Mark Zawislak, and  
23 Public Information Officer Pati Nash. And sitting  
24 behind Patty is Beth Schwartz.

1 DR. PIKA: Hi. The purpose of today's  
2 hearing, the District previously submitted  
3 Neighborhood Schools Plans to the State Board and the  
4 Board held hearings on those plans, but, as we all  
5 know, did not approve them.

6 The procedures for today's hearing will  
7 be, basically, the same as those used for earlier  
8 hearings. And as before, the burden of proof is on  
9 the District to show that its plan meets the  
10 requirements of the Neighborhood Schools Act.

11 We have a court reporter present. And we  
12 would ask that each of us speaks one at a time. And  
13 verbal responses only since it's difficult to record  
14 nods of the head and shakes of the head. We will, I  
15 guess, start off with Louann to have a chance to mark  
16 documents and have any witnesses sworn.

17 MS. VARI: Thank you, Dr. Pika.

18 Good morning. What I'm going to suggest  
19 we do this morning is mark three documents, actually  
20 an exchange of correspondence between the Board and  
21 the District as State Board exhibits, and then,  
22 perhaps, go through and mark as individual exhibits  
23 many of the documents that the District has submitted  
24 as part of its plan proposal.

1                   Specifically State Board Exhibit No. 1  
2                   will be an August 3, 2004 letter to me, Louann Vari,  
3                   from Mr. D'Angelo. It also included supporting  
4                   documents. That is a total of five pages. I have  
5                   extra copies of these. I think we all probably  
6                   already have them. If you need them, I have extra  
7                   copies.

8                   The State Board Exhibit No. 2 will be an  
9                   October 5th, 2004 letter from Dr. Pika to  
10                  Dr. Andrzejewski -- excuse me for stumbling  
11                  repeatedly.

12                  DR. ANDRZEJEWSKI: Dr. A is good enough  
13                  for me.

14                  MS. VARI: Good. I appreciate that. --  
15                  outlining the procedures and time frames for these  
16                  proceedings. That's a three-page letter.

17                  And, finally, State Board Exhibit No. 3  
18                  will be an October 28th, 2004 letter from Dr. Pika to  
19                  Dr. A, which includes notice of public comment  
20                  hearings, which will happen later this month after the  
21                  Thanksgiving holiday. So those will be the State  
22                  Board's exhibits. Again, if anyone needs copies, let  
23                  me know.

24                  I'm going to turn now to what I believe

1 for everyone is a blue-back notebook supplied by the  
2 District, largely in part as a response to the State  
3 Board's request.

4 I have also asked each of you should have  
5 little packs of stickies. This may seem tedious, but  
6 I think it may help us in a long run. We're going to  
7 go through the blue notebook and quickly mark them as  
8 exhibits. If you want to add stickies to each of  
9 them, put a number on them, it might make it easier  
10 later when you are referring to documents and  
11 discussing them.

12 Specifically starting at the beginning,  
13 District Exhibit No. 1 will be the three-page  
14 November 5th, '04 letter of introduction from Dr. Z.  
15 I'm going to follow the whole --

16 DR. ZAWISLAK: That's fine.

17 MS. VARI: -- to Dr. Pika and that will be  
18 District Exhibit No. 1.

19 District Exhibit No. 2 will begin at the  
20 title page noted "Guiding Principles." And that will  
21 be a three-page exhibit.

22 District Exhibit No. 3 will be a 16-page  
23 exhibit beginning at the cover page called "Elementary  
24 Attendant Zones 2005." Those are the maps, frankly.



1 C, which is a May 12, 2004 Revised Elementary  
2 Attendance Zone from the website. That's 29 pages.

3 We're getting near the end.

4 District Exhibit No. 11 is Appendix D,  
5 Implementation Information. That's nine pages.

6 And finally, district Exhibit No. 12 will  
7 be Appendix E Choice Policy from 2005-2006. That's  
8 five pages.

9 I have here, and I'll pass around for  
10 everyone, a summary of what we've just done. It might  
11 be convenient if you stick it at the front of your  
12 notebooks.

13 Mr. D'Angelo, I didn't know if you wanted  
14 to go ahead and get anybody you wish to have testify  
15 sworn.

16 MR. D'ANGELO: That would be the two  
17 doctors, please.

18 ROBERT J. ANDRZEJEWSKI, Ed.D.,  
19 the witness herein, having first been  
20 duly sworn on oath, was examined and  
21 testified as follows:

22 -- -- -- --

23 MARK ZAWISLAK, Ed.D.,  
24 the witness herein, having first been

1           duly sworn on oath, was examined and  
2           testified as follows:

3                   MS. VARI: Thank you, all. I appreciate  
4           your patience.

5                   Mr. D'ANGELO: Louann, one clarification.  
6           You had, either you or Dr. Pika, had made references  
7           to a prior plan submitted by Red Clay. I think you  
8           all understand this, but this plan submitted is a  
9           stand-alone plan. It doesn't rely upon any of the  
10          previous submissions for your understanding or  
11          decision-making.

12                   MS. VARI: Thank you.

13                   DR. PIKA: Any other questions that you  
14          might have?

15                   MR. D'ANGELO: Not right now. Thank you.

16                   Dr. Zawislak has prepared a Power Point  
17          he's going to take you all through. There is a hard  
18          copy of that. Would it help you?

19                   DR. PIKA: It probably would.

20                   MR. D'ANGELO: I don't know if Louann  
21          would want to mark it as an exhibit or just use it as  
22          an aid in presentation.

23                   MS. VARI: I think it makes sense to mark  
24          it as an exhibit. And it will be District Exhibit 13.

1                   MR. D'ANGELO: That's all that we have as  
2 a preliminary matter.

3                   DR. PIKA: In terms of your plans for  
4 moving forward, I take it we're going to start with  
5 the Power Point presentation?

6                   MR. D'ANGELO: Yes. Dr. Zawislak will  
7 take you through the Power Point, which mirrors the  
8 booklet that you have in front of you.

9                   DR. PIKA: Right.

10                  MR. D'ANGELO: Are you ready to proceed?

11                  DR. PIKA: Yes. Do any Board members have  
12 any questions, any opening comments or concerns about  
13 any of these procedures?

14                  Good. We can move forward then. Thank  
15 you.

16                  DR. ZAWISLAK: Good morning. What I would  
17 like to do is take you through this Power Point  
18 presentation. What it really is a description of the  
19 process that the District used when we originally  
20 proposed the new attendance zones. As I'm sure you  
21 are well aware, Red Clay citizens for a number of  
22 years have expressed a desire to have their children  
23 attend schools closer to home and to have their  
24 children remain in an elementary school, grades K

1 through 5.

2                   The District through the Choice Program  
3 has been able to accommodate that wish for many  
4 parents in the District, but not all parents. And the  
5 reason for that is that we do not have schools located  
6 where our children live. And with the addition of the  
7 North Star Elementary School, which is a 650-student  
8 school in the northwest area of the district, we now  
9 have an opportunity to redesign the elementary  
10 attendance zone so that we can be K-5 and that we can  
11 assign students closer to home.

12                   The Red Clay Board of Education asked the  
13 administrative staff to do exactly that. And they  
14 provided us with guiding principles to use when  
15 developing our new attendance zones.

16                   The first guiding principle was,  
17 obviously, to assign students close to home. As I  
18 said earlier, we have Choice data that shows that our  
19 parents want to be closer to home.

20                   They also asked us to minimize changes to  
21 existing zones. And you may know that we in Red Clay  
22 in some of our elementary schools, we have as much as  
23 three, what we have referred to commonly as feeder  
24 patterns for our schools. Some schools, we have a

1 feeder pattern for kindergarten. We also have a  
2 different feeder pattern for 1st and 2nd grade. Then,  
3 again, either a different feeder pattern or Choice  
4 only for grades 3, 4 and 5. One of those feeder  
5 patterns appears to be a Neighborhood School Zone or  
6 an attendance area. It revolves close to the school  
7 itself. And the developments close to that school are  
8 assigned.

9                   We know that parents have moved into  
10 certain developments because they knew that their  
11 children would attend a particular school for at least  
12 a few grades -- not all grades, but a few grades. And  
13 the District wanted us to try to develop attendance  
14 zones that included those neighborhoods.

15                   The other guiding principle, obviously,  
16 was a K-5 grade configuration. In some of our  
17 schools, parents had to choose from 2nd grade to 3rd  
18 grade, and only 60 to 75 percent of the students would  
19 be allowed to stay in the school. So that was really  
20 an overriding factor, that we have schools that are  
21 K-5 grade configuration.

22                   The Board of Education wanted us to keep  
23 developments together. We have some very large  
24 developments in our District. And they did not want

1 to divide a development. They did not want to divide  
2 a Mendenhall Village or a Woodcrest. They wanted an  
3 entire development to go to a particular school  
4 together.

5 When developing our attendance zones, they  
6 certainly wanted us to use natural boundaries. And  
7 you can see in the maps that we have in fact done  
8 that.

9 Red Clay School District is, obviously,  
10 pro Choice. They wanted us to design schools with  
11 capacities and enrollments that would still allow  
12 space in a school for parents to choose. We know in  
13 Red Clay that families will choose to have their  
14 children go to schools that are close to daycare,  
15 close to relatives that provide daycare or close to  
16 their work location.

17 We also anticipate that if we have  
18 elementary attendance zones that are K to 5 and are  
19 close to home, we may very well have individuals who  
20 have opted to go to private or parochial schools  
21 return to public schools. So we wanted to have  
22 available space in those schools for potential  
growth.

23 So in designing our elementary  
attendance

24 zones, we started with: Where do students live?

And

1 the shaded area is, obviously, Red Clay School  
2 District. And all of the little dots represent  
3 students that are currently enrolled in Red Clay  
4 schools, elementary students currently enrolled in Red  
5 Clay schools.

6 This right here is the City of Wilmington.  
7 Warner Elementary School would be located. Lewis  
8 Elementary here. And this way is the Kirkwood  
9 Highway. So you can see where the population is in  
10 Red Clay. It's along Kirkwood Highway. This actually  
11 is where the majority of our elementary schools are  
12 located, along the Kirkwood Highway Corridor.

13 This is the Richardson Park-Richey area,  
14 Maryland Avenue.

15 Up in this area is where we've exposed the  
16 most growth over the last ten years. This is Route  
17 7-Limestone Road area.

18 Up here is the area where we did not have  
19 an elementary school and where we'll be opening North  
20 Star Elementary in the fall of 2005.

21 This is a map that shows the original  
22 proposal that the Board made to the public with our  
23 newly designed elementary attendance zones. We began  
24 at a particular school, and we added developments to

1 the school until we reached about 75 or 80 percent  
2 capacity of the school.

3 We did that for each one of our schools.  
4 And we also wanted, as I said earlier, to keep  
5 developments together and make sure that if a  
6 development was part of a Neighborhood Schools Zone in  
7 the prior feeder patterns, we wanted to keep it with  
8 that school in the future.

9 This is a map that shows the attendance  
10 zones and the students. You can see we have varying  
11 sizes in our attendance zones. That's primarily  
12 related density of the population around the school.  
13 Schools that are located in the city, for example,  
14 Lewis, has a relatively small attendance zone.  
15 Brandywine Springs has a relatively large attendance  
16 zone, but you can see that in the vast majority of  
17 that attendance zone, there are very few students.

18 DR. PIKA: Each of those dots represents  
19 approximately how many people?

20 DR. ZAWISLAK: Each one represents a  
21 particular student.

22 DR. PIKA: A student.

23 DR. ZAWISLAK: They're overlapping.

24 MR. D'ANGELO: You can't see the overlay.

1 Some of them might be ten on top of each other.

2 DR. PIKA: Thank you.

3 DR. ZAWISLAK: One of the issues that the  
4 Board also asked us to tackle when designing the  
5 attendance zones at the elementary level was the  
6 significant growth that we had in the Hispanic and  
7 Latino population. Red Clay, like the nation, has  
8 experienced significant growth.

9 You can see from this chart that Warner  
10 Kindergarten, in 2001, we had 47 students receiving  
11 ELL services, English language learner program. In  
12 2004, we had 148, a fairly significant jump. At Lewis  
13 Elementary, where we have a dual language program, we  
14 had 235 students; in 2004, 375.

15 The English language learner program at  
16 Lewis is grades kindergarten through 3rd grade. The  
17 students leave 3rd grade. If they need to continue  
18 with the ELL services, then they go to Marbrook  
19 Elementary. And we have a bilingual program for those  
20 students in grades 4 and 5. If you look at that  
21 growth pattern again at Marbrook, you see a little bit  
22 of a change here. 94 students in '01 and, actually a  
23 reduction, 89 students in 2004. And you would ask the  
24 question: Why would that happen? Why wouldn't we see

1 an increase? The answer is that we have data to show  
2 that it takes about two or three years in a dual  
3 language program for a student to become proficient in  
4 English. When they become proficient in English, they  
5 move out of the ELL program and into their home  
6 school. So what we attribute this to is that  
7 students are being successful in the early grades in  
8 the ELL program, and are still in Red Clay schools,  
9 but are in traditional English programs.

10 What the Board wanted the administrative  
11 staff to do is if we were developing K to 5 programs  
12 in all of our elementary schools, they also wanted ELL  
13 programs to be K to 5. They currently are not.

14 In order to do that, we would have to add  
15 additional ELL programs. They also wanted ELL  
16 students to attend schools closer to home. Currently,  
17 all kindergarten, 1st and 2nd-graders would travel to  
18 Lewis Elementary if they needed ELL services. All 4th  
19 and 5th-graders throughout the District would go to  
20 Marbrook Elementary. The Board wanted those students  
21 to be in a school closer to home.

22 Again, we followed the same pattern. We  
23 looked to see where do the students who need these  
24 services live. And you can see that in the Hilltop

1 section of the City of Wilmington, predominantly  
2 Hispanic area, we have lots of students. And, again,  
3 out the Kirkwood Highway and out the Maryland Avenue-  
4 Richardson Park-Richey area.

5 The Board decided to add two or proposed  
6 two additional ELL programs. So we would have four  
7 sites within the District that would offer services.  
8 They would all be K to 5. All of the students that  
9 live in this area, which would be the attendance zones  
10 for Shortlidge, Warner, Lewis and Highlands would  
11 attend Lewis Elementary School if they needed ELL  
12 services. All the students that lived within the  
13 Baltz attendance zone would go to Baltz for ELL  
14 services, and then if they became proficient in  
15 English, they would simply stay at Baltz Elementary  
16 School in a traditional English program. All of the  
17 students that lived in this area, which would be  
18 Richardson Park and Richey and Forest Oak, would go to  
19 Forest Oak if they needed ELL services. All the  
20 students in this remaining part of the district, which  
21 would be Brandywine, Mote, Marbrook, Heritage, Linden  
22 Hill, and North Star would all go to Marbrook if they  
23 needed ELL services.

24 Based on that proposal, this is a chart

1 that shows the projected number of students that would  
2 be in the school and also shows the capacity of the  
3 school and the percent of capacity that we would  
4 achieve. You can see that Baltz Elementary would have  
5 685 students in the traditional English program, 125  
6 students in the school that would receive ELL  
7 services, 713 students, and it would be at 96 percent  
8 capacity.

9           You can see in the other schools we were  
10 able to achieve that 75, roughly, 75 to 80 percent  
11 capacity that the Board originally wanted us to do.

12           Warner Elementary is a little unusual.  
13 Warner Elementary was originally an elementary school  
14 and a middle school. It's a very, very large school.  
15 So it's at a much smaller capacity. Baltz was also an  
16 elementary school and a middle school.

17           When we do capacity numbers, we only look  
18 at the space that's available for the instructional  
19 program of the school. There are other offices  
20 located at Baltz Elementary. We have a pre-K program  
21 at Baltz. We have a bilingual assessment center, and  
22 we have some other offices located there. We could  
23 actually move those offices to another location and  
24 increase the capacity of Baltz if we needed to.

1                   This is the original proposed elementary  
2 attendance zones K to 5.

3                   Red Clay wanted to make sure that we got  
4 this information out to the public. We really put  
5 forward a fairly extensive public information  
6 campaign. The Board was very much interested in the  
7 public's reaction to the new attendance zones. We  
8 had, as you can see here, several different public  
9 meetings, the first on April 28th at Lewis Elementary  
10 School. It was done in both Spanish and English. We  
11 probably had 30 to 35 citizens that came to that  
12 meeting. Lots of questions were asked and answered.

13                   On April 29th, we had a meeting at  
14 Richardson Park. We probably had 40 to 50 people who  
15 attended that meeting. By May 3rd, it was pretty well  
16 known in the district that we were having meetings  
17 throughout the District. Our meeting at Forest Oak  
18 had over 100 individuals who attended that meeting.  
19 Warner Elementary was a meeting. H. B. du Pont. The  
20 Audion was fairly well filled at H. B. du Pont. So we  
21 did have a fairly active public information campaign,  
22 and people were very much interested in finding out  
23 about the attendance zones.

24                   The last meeting, which was held at

1 Richardson Park, was a Spanish-only, and we had a  
2 significant portion of our Spanish-speaking population  
3 that came to Richardson Park for that meeting.

4 At the same time we established -- and I  
5 think you have it in the document that we submitted --  
6 was our original attendance zone website. It had  
7 information about the attendance zones, the borders of  
8 the attendance zones, the guiding principles, and some  
9 factual information for individuals.

10 In order to have an unbiased and objective  
11 report on parents' concerns, the Board of Education  
12 asked us to contract with the University of Delaware  
13 Research Department to attend the public hearings and  
14 to record the comments, to identify major themes or  
15 concerns that the public had, and to report those back  
16 to the Board. The University did exactly that. And  
17 there were, I guess, five major themes in their  
18 report. And a detailed version of the report is  
19 submitted in our packet.

20 The first area was in regards to the  
21 attendance zones boundaries. We had some communities  
22 that expressed concerns in regards to why they were in  
23 one attendance area and not another attendance area.  
24 If I can flip back to a map, I can identify a few.

1           Citizens came out from -- there were three  
2           developments in this area right here. I can't recall  
3           the names of them right now. Charter Oaks was the  
4           major area. About 195 children that lived right in  
5           this area. And they were concerned that they were  
6           assigned to Brandywine Springs and not assigned to  
7           North Star Elementary School.

8           We also had a group of citizens in this  
9           area, which is the Trolley Square area of the City of  
10          Wilmington, express concerns that the Trolley Square  
11          area had always been, for the last 20 some or more  
12          years, assigned to Highlands Elementary School, and we  
13          did not have them assigned to Highlands Elementary  
14          School. And, as you recall, that was one of our  
15          guiding principles, that we're going to keep those  
16          developments assigned to a school with that school.

17          The other concern that parents had was the  
18          impact on children, parents and families. And in this  
19          area, parents asked a lot of questions that had more  
20          to do with the implementation of the new attendance  
21          zones than our proposal. They wanted to know if they  
22          were in a new attendance zone what kind of  
23          transportation would be offered. They wanted to know  
24          if they stayed in their current school, would there be

1 changes in the choice policy and in preferences for  
2 siblings to come there. Those were the kinds of  
3 questions that they were asking. They were asking  
4 questions about the decision-making process as well,  
5 how quickly the Board was going to move with  
6 implementation and with decisions about the attendance  
7 zone.

8 Another area of concern was expressed  
9 primarily by citizens in the City of Wilmington where  
10 the resources and equity for city schools, and in  
11 particular, a concern about high poverty schools and  
12 low achieving schools. And we clearly heard that  
13 concern from the citizens. I'll address them a little  
14 bit later in this report.

15 The other issue that came up were  
16 implications for programs and services. The concerns  
17 there revolved around two issues. One was the  
18 location of the ELL program at Forest Oak Elementary.  
19 Forest Oak has a traditional elementary program  
20 located there. They also have the Meadowood Program,  
21 which is a program for students that receive special  
22 services. Severely and profoundly challenged students  
23 are in that program. The primary grades are housed at  
24 Forest Oak. The 3rd, 4th and 5th grade are housed at

1 Mote. Those parents did not want to have two special  
2 programs in an elementary school with the traditional  
3 program. They thought it was too much in an  
4 elementary school. They asked us to move the ELL  
5 program to a different site.

6 The Meadowood parents also raised a  
7 concern that they would be the only group of  
8 elementary students that would not be in a K-5 grade  
9 configuration. Two relatively valid concerns.

10 I talked a little bit about the  
11 decision-making process. That was the time-line.

12 The Board took into consideration those  
13 concerns very seriously, and they made a number of  
14 revisions in the original plan -- in particular, the  
15 Highlands area. You can see here that this area here  
16 is what the original proposal included. We actually  
17 went ahead and added this area to Highlands, which  
18 traditionally was assigned to Highlands. This is the  
19 Trolley Square area. It was assigned to Warner. It  
20 was reassigned to Highlands. And this area was always  
21 assigned to Highlands. In our original proposal, it  
22 was assigned to Shortlidge. We moved it back to  
23 Highlands. So we made a number of changes within the  
24 city location based on parents' concerns.

1                   We were not able to accommodate these  
2 individuals here regarding attendance zone boundaries.  
3 We went back and explained to those citizens that  
4 there were 190 some students in here, and if we added  
5 those individuals to North Star, if we had any growth  
6 at all, we had the potential of actually exceeding the  
7 capacity of that school in the first year that it  
8 opened. The Board did not want to do that.

9                   MS. VARI: Dr. Z, just for purposes of our  
10 transcript, when you said "this area here," you are  
11 talking about what you called the Charter Oaks area?

12                   DR. ZAWISLAK: Charter Oaks area.

13                   The Board did make some changes in  
14 response to the two concerns about the Meadowood  
15 program and the location of the fourth ELL program.  
16 We decided to locate the ELL program at Mote  
17 Elementary School instead of Forest Oak Elementary  
18 School. Marbrook stayed the same and Baltz stayed the  
19 same.

20                   We had to reconfigure a little bit in that  
21 Marbrook, Brandywine Springs, Richardson Park, and  
22 Richey attendance areas, if students needed ELL  
23 services, they would go to Marbrook. If students  
24 lived in the Forest Oak, Mote, Linden Hill, Heritage

1 or North Star area, they would attend Mote Elementary  
2 School as opposed to the original proposal, which was  
3 Forest Oak.

4 That actually solved two issues for Red  
5 Clay. What we were able to do then is to move the  
6 3rd, 4th and 5th grade of the Meadowood Program over  
7 to Forest Oak Elementary school and we were able to  
8 accomplish that all of the elementary children in Red  
9 Clay School District would go to a school K through 5  
10 grade configuration, whether they received special  
11 services, ELL services or were in a traditional  
12 elementary program. We were also able to have ELL  
13 students receive services in more locations in the  
14 District and significantly closer to home than they  
15 did in the past.

16 This is a chart that shows the effect on  
17 attendance zones and school capacity after all the  
18 revisions were made. You can see here that Baltz  
19 Elementary School would have 126 students that  
20 received ELL services. A little shift at 98 capacity.  
21 Instead of Forest Oak having the ELL program, Mote  
22 would have 133 students in the ELL program located  
23 there.

24 You can see from this chart, again, we

1 were able to stay somewhere within that 75 to 85  
2 target area for capacity of schools.

3 The last area that the Board addressed was  
4 the issue raised by citizens in Wilmington regarding  
5 equity in resources for schools. We identified not  
6 only city schools, but some of our suburban schools  
7 that were high poverty schools and were having  
8 difficulty with achieving. And we outlined for the  
9 citizens the additional resources above and beyond  
10 those that are received in all of the schools that we  
11 were targeting for those schools.

12 So we have three slides here that  
13 identified the schools and the additional resources  
14 that we provide for those schools that would have the  
15 most challenging educational demands. I am not in the  
16 curriculum and instructional area, so I hope you don't  
17 ask me to explain what exactly each of these are.

18 I'll go through that rather quickly.

19 On May 26, 2004, after receiving input  
20 from the public and making revisions to the original  
21 plan, the Board of Education approved the revised plan  
22 for the elementary attendance zones.

23 One of the issues that the Board also  
24 addressed in terms of implementation is they made a

1 commitment to the public that we would not displace  
2 any students. If a child was in a school and the  
3 family wanted a child to remain in that school, the  
4 Board made the commitment that they can remain in that  
5 school.

6 We published a new website, which had the  
7 new attendance zones and the new implementation  
8 procedures. We paid particular attention to the  
9 issues regarding choice, sibling preferences,  
10 transportation. And we had a lot of information.

11 In order to know whether parents were  
12 going to choose to stay in their current school or go  
13 to their new attendance zone, they needed to have  
14 answers to those questions: Will I have  
15 transportation? What are the chances of another  
16 sibling being able to choice into a particular school?  
17 If I stay in this daycare, will I have transportation  
18 to which one of the elementary schools? We attempted  
19 to address all of that information.

20 Again, we sent out a fairly extensive  
21 public information campaign, which included a Channel  
22 28 television program. We had a WILM program. I  
23 think it was an hour long call-in program. We  
24 produced well over 3,000 pamphlets in both English and

1 Spanish, which were dropped off at churches, community  
2 centers, civic centers. We had the website. We had a  
3 e-mail link on all of our websites and responded to  
4 literally hundreds of e-mail responses about the  
5 implementation procedure.

6 And all of this was designed because in  
7 early September, we were going to send what we called  
8 student registration letters. We were going to ask  
9 everyone if they wanted to stay in their school or if  
10 they wanted to go to their new attendance school. And  
11 that's exactly what we did. We wanted them to make an  
12 informed decision.

13 Around September 10th, we sent letters to  
14 all elementary students. Some of the letters did not  
15 require a response. Some of the letters went to the  
16 individuals whose new attendance zone was the same as  
17 the school that they were currently in. And the  
18 letter, basically, said, congratulations, you are  
19 currently in your new attendance zone; you don't need  
20 to do anything.

21 We sent letters to individuals that were  
22 in special programs informing them that they would  
23 remain in the special program. And that was a  
24 decision of the IEP team: If there was going to be

1 any change, they didn't need to do anything. We did  
2 the same thing with students in ELL programs.

3 We did send out a little over 3,000  
4 letters that required a response. They went to  
5 individuals whose new attendance zone would be  
6 different from their current school. And we simply  
7 asked them: Do you want to stay in your current  
8 school or do you want to go to your new attendance  
9 zone? We, obviously, identified those schools for  
10 them.

11 We received a little over 2,000 responses  
12 to those post cards, which was a fairly significant  
13 return rate for that kind of a survey.

14 Bob A sent letters out reminding  
15 individuals that this letter was coming home, and they  
16 needed to respond. We did 30 or 40 radio -- 40 radio  
17 spots, public information spots, letting people know  
18 that these letters were coming out and that they  
19 needed to respond.

20 We sent reminders home with students.  
21 Principals sent letters home in the mail and letters  
22 home with students. So we tried to do as much as we  
23 could. And we got a fairly significant return rate  
24 with responses.

1                   Just recently, we -- and we developed a  
2                   database that had all of the individual choices in it.  
3                   We used that database, and we sent out a confirmation  
4                   letter on November 1st telling individuals that based  
5                   on your current address, a Choice invitation that you  
6                   may already have, or how you responded in our  
7                   registration letter, that this is the school you will  
8                   be attending next year, and that if that school  
didn't  
9                   meet your needs for whatever reason, we gave  
10                  information about the Choice enrollment period, which  
11                  opens November 1st and goes through to January 12th.  
12                  We did something unique with the 1,000 or  
13                  so individuals that we didn't get a response from.  
We  
14                  sent them a letter saying, We didn't hear from you.  
15                  Based on that, your new attendance zone is ...  
Please  
16                  contact us if there is an error, if this is  
incorrect,  
17                  if you responded. We asked them since you didn't  
hear  
18                  from us, we gave them one more chance to tell us if  
19                  they wanted to stay in their current school or be  
20                  assigned to their attendance zone school. We

received

21       probably 150 phone calls. We were able to adjust our  
22       database. A good number of those phone calls, people  
23       responded by saying it said in your postcard that if  
I  
24       didn't respond, you would assign me to this school  
and

1 that's the school I wanted to go to, so I didn't  
2 respond, that's why I didn't send the card back. So  
3 we made every effort to contact individuals to make  
4 sure that we have them in the correct school.

5 We're in the process now of collecting  
6 that information, putting it into a database. And,  
7 actually, this afternoon our elementary principals  
8 will be looking at for the first time the projections  
9 for enrollments in all of our elementary schools.  
10 We're very pleased to say that we are going to be  
11 under capacity in all of our schools and that we're  
12 going to be able to implement in '05 K-5, all the way  
13 through.

14 So in summary, let's look back and see the  
15 key objectives that we achieved with our new  
16 attendance zones.

17 Do we have a K-5 grade configuration?  
18 Yes. We have K-5 grade configuration in every one of  
19 our elementary schools, in all of our ELL programs and  
20 all of our special programs throughout the District.

21 Did we assign students close to home? We  
22 assigned students close to home. Did we assign them  
23 to the closest school to home? No, we didn't. We  
24 were unable to do that. Based on some of our guiding

1 principles, we didn't want to split developments; we  
2 wanted to keep them together.

3 Therefore, we used natural boundaries to  
4 assign students to the next closest school or to a  
5 school close to home. We used entire developments.  
6 In some cases we used creeks, major roadways as  
7 dividing lines.

8 We certainly allowed for Choice and for  
9 growth in the vast majority of our schools. So if in  
10 fact a parent wants to attend another school, in most  
11 of our schools, there are seats available for those  
12 individuals to attend, and we left room for growth in  
13 our schools.

14 A key issue for the Red Clay Board was to  
15 allow students to remain in their current school. And  
16 quite honestly, that was the key factor in having a  
17 relatively smooth transition from the old feeder  
18 patterns to the new attendance zones. We did not  
19 displace anyone. We didn't assign anyone to a school  
20 that they did not want to go to.

21 And the last issue is that when we  
22 developed our attendance zones and assigned students  
23 to those, we assigned students based on geography and  
24 geography only. We didn't look at race. We didn't

1 look at income. We didn't look at achievement scores.  
2 We didn't look at any of those demographics. All of  
3 the areas assigned to attendance zones were done based  
4 on geography.

5 I'd be happy to answer any questions the  
6 Board may have.

7 DR. PIKA: Good. I think probably the  
8 next step, in fact, is if members of the Board have  
9 questions of Dr. Zawislak.

10 I think he's touched on virtually all of  
11 the issues that are dealt with in the Red Clay  
12 documents, District Exhibits 1 through 12. Although  
13 there may be some things that you wanted to inquire  
14 into that were not fully covered.

15 DR. SMITH: In one of the early slides,  
16 you indicated that on the ELL program, there were  
17 three schools, Lewis, Baltz, and Forest Oak. Is that  
18 correct?

19 DR. ZAWISLAK: There are actually four  
20 schools, Lewis, Baltz, Marbrook and Forest Oak.

21 DR. SMITH: Then later on you indicated  
22 that had been switched back to Lewis, Baltz and  
23 Marbrook rather than -- Mote. I'm sorry.

24 DR. ZAWISLAK: We started with -- the

1 original proposal had a program at Lewis, one at  
2 Baltz, one at Marbrook and one at Forest Oak.

3 DR. SMITH: Okay.

4 DR. ZAWISLAK: The plan the Board adopted,  
5 the revised plan, had a program at Lewis, Baltz,  
6 Marbrook and Mote Elementary School.

7 DR. SMITH: Now, in explaining the  
8 attendance, the zone of attendance for those schools,  
9 the switch to Mote moves students who are previously  
10 assigned to Forest Oak and Marbrook to Mote. Is that  
11 correct?

12 DR. ZAWISLAK: Could you ask that again?

13 DR. SMITH: The final assignment for the  
14 ELL students required you to move students who were  
15 previously assigned to Forest Oak and Marbrook and  
16 Mote. Is that correct?

17 DR. ZAWISLAK: That's correct. We did  
18 have to redesign. What the thought was behind  
19 developing attendance zones for the ELL programs was  
20 to take a proposed elementary attendance zone for a  
21 school and to take that entire attendance zone and  
22 assign it to an ELL program. And in most cases, we  
23 took two or three elementary attendance zones. And if  
24 a student lived within those areas, they were assigned

1 to a particular school if they needed ELL services.  
2 What the idea would be, once the child becomes  
3 proficient, they would simply go back to their home  
4 attendance zone, and they would attend school somewhat  
5 close to their home attendance zone.

6 When we switched from Forest Oak to Mote,  
7 we needed to adjust the schools that were assigned to  
8 the different ELL zones.

9 DR. SMITH: Okay. In reality, then, the  
10 ELL students assigned to Mote would take into account  
11 the population in the northwest and the west?

12 DR. ZAWISLAK: Yes.

13 DR. SMITH: Okay.

14 DR. ZAWISLAK: It would be North Star,  
15 Linden Hill, Heritage, Forest Oak and Mote.

16 DR. SMITH: When those students reached a  
17 level of proficiency, they could elect to stay at Mote  
18 or they could go back to their original attendance  
19 zone?

20 DR. ZAWISLAK: Yes. Yes, they could. And  
21 we currently find that happening in our ELL programs,  
22 that our students do, for the most part, like to stay  
23 in the school. They're comfortable in the school, so  
24 they stay in the school, but just stay in a

1 traditional English program. And actually this makes  
2 it easier to do because they would be somewhat closer  
3 to home.

4 DR. PIKA: Other questions from members  
5 of the Board?

6 Mrs. Allen.

7 MRS. ALLEN: Some questions and comments.  
8 I think it might be important to say that this is a  
9 much easier to understand plan than previous plans,  
10 although we're not going to talk about those today. I  
11 understand that Mr. D'Angelo, but I think it's  
12 important to just note that I think this is a clearer  
13 plan.

14 I think you touched on this, and I'm not  
15 sure I got the complete answer. You do know at this  
16 point how many students have chosen to stay where they  
17 are.

18 DR. ZAWISLAK: We do.

19 MRS. ALLEN: That hasn't, in any way,  
20 overpopulated any of the schools?

21 DR. ZAWISLAK: No. What we did -- the  
22 preliminary data that I'm going to refer to is several  
23 weeks old. On November 1st, as I said, we sent a  
24 letter out giving individuals one more opportunity to

1 tell us if we have them assigned in an incorrect  
2 school. We gave them till November 15th to respond.  
3 So our goal was to get all of that in the database so  
4 that we could have that data. I have not seen that  
5 yet. We haven't accomplished that yet. We've had  
6 maybe 150 or 175 individuals that called us. I don't  
7 know how many of those wanted to change.

8                   When we first looked at the numbers, there  
9 were only two schools that gave us concern about being  
10 over capacity. Brandywine Springs school was one.  
11 You may or may not know that Brandywine Springs has a  
12 number of our district offices located in that  
13 building. And I think we're like 30 students over  
14 capacity in that school. So there is no difficulty  
15 whatsoever in finding additional space at Brandywine  
16 Springs to accommodate 30 additional students. That's  
17 not a concern at all for the District.

18                   The other school was Highlands Elementary  
19 School. Again, that was about 20 students over  
20 capacity. So we're not concerned about being able to  
21 find additional space for students.

22                   Now, I do want to note that when we  
23 develop a capacity number at a school, we develop  
24 what's called a program capacity. And we take into

1 consideration the fact that teachers -- that not all  
2 students are in a classroom every single period of the  
3 day with a teacher. Obviously, teachers have planning  
4 time, lunch duties and so forth. So we take that into  
5 consideration when we do capacity numbers, rather than  
6 the recognized formula of looking at square feet, how  
7 many kids fit in a certain amount of square feet. So  
8 our capacity numbers are very, very conservative. Our  
9 capacity numbers reflect the ideal number of students  
10 we would like in a school. So if we go slightly over  
11 capacity, it's not a problem for us to have additional  
12 space. It's not ideal, by any means, but to  
13 accommodate an additional 20 or 30 students would not  
14 be difficult for us.

15 We do that also because we don't know how  
16 many students are going to move into an attendance  
17 area. So you always want to have additional space for  
18 increased growth in a particular attendance area. So  
19 we're very, very comfortable that we're going to be  
20 able to accommodate all of our students in '05.

21 MRS. ALLEN: Okay.

22 DR. PIKA: Could I just explore just very  
23 quickly? In the past, you've also had a fairly  
24 substantial number of students choicing in from other

1 districts.

2 DR. ZAWISLAK: Yes.

3 DR. PIKA: I'm assuming the numbers you  
4 gave us included those figures as well as the students  
5 from Red Clay area?

6 DR. ZAWISLAK: Absolutely. We actually  
7 send a letter to individuals telling them that they  
8 are currently attending Shortlidge Elementary School,  
9 and your next year school is Drew Pyle. Do you want  
10 to go back to Drew Pyle or do you want to stay at  
11 Shortlidge Elementary? Some actually said they wanted  
12 to go back to Drew Pyle. Some said they wanted to  
13 stay. Yes. So we have included all of our out of  
14 district students in those numbers.

15 DR. PIKA: Sorry, Mrs. Allen.

16 MRS. ALLEN: That's okay. One of the  
17 things struck me when I looked at the issue of  
18 capacity is that you do have a fairly large range with  
19 Warner only at 54 percent capacity and going up to 98  
20 percent. I guess connected to that idea of looking at  
21 Warner at only 54 percent, is that a rather  
22 strange-looking attendance zone that is not  
23 contiguous? And I think you told us why it's not  
24 contiguous in your presentation. But I wonder if you

1 want to add a little more detail about that. It seems  
2 to me that, you know, that it is an awkward situation.  
3 I guess I'll just leave it at that.

4 DR. ZAWISLAK: Yes. It is a very unusual  
5 situation. The schools that surround Warner, Lewis  
6 Elementary School, Shortlidge Elementary School,  
7 Highlands, Baltz is relatively close. Those schools,  
8 other than Baltz, Shortlidge, Lewis and Highlands, are  
9 very small schools. And they're located in probably  
10 the most densely populated area of the district. So  
11 the attendance -- you only need to go several blocks  
12 around Lewis Elementary School, and you have the  
13 schools filled.

14 In our original proposal, we wanted to  
15 keep the Warner attendance area a contiguous  
16 attendance zone. We received a significant amount of  
17 concern from individuals who lived in that Trolley  
18 Square area. That's the area that runs along the  
19 Brandywine River. And they were very, very  
concerned

20 that that area had always been assigned to  
Highlands.

21 And quite honestly, the Board considered that long  
and

22 hard as to whether to assign those areas to

Highlands.

23       And the drawback, obviously, is that Warner is not  
one

24       complete, solid attendance area. That was a very

1       difficult decision for the Board. It looks like a  
2       large area, but it is relatively only a few blocks  
3       that separate the two.

4                   DR. ANDRZEJEWSKI: Now, Jean, we also  
5       have -- when we left the city, our central office, we  
6       made a commitment to try to maintain some city  
7       presence, even though we moved physically out of the  
8       suburban area. And Warner will become that hub now  
9       that we have more space. We already have our Project  
10      Chance people that run our after-school program for  
11      our city schools. We are cooperating with the City of  
12      Wilmington. We have an office that's at Shortlidge  
13      now that's going to be moved to Warner for training  
14      for daycare providers for the city. It came from a  
15      grant that we became part of.

16                   We're looking to eventually have an  
17      assessment center for our bilingual families. They  
18      can all go to one place, and we can give them  
19      information, test them, et cetera. So the need for  
20      the space in the city is there for other services  
21      besides the kids. A building that large, we're  
22      looking to take advantage of that in terms of other  
23      services for families that live in the city.

24                   DR. ZAWISLAK: I think that the other

1 issue that the Board considered is the number of  
2 students that lived in that area and was originally  
3 assigned to Warner that would be assigned to  
4 Highlands. I'm going to say less than 50 students --  
5 if I recall correctly, it's 36 or 38 students that  
6 lived in that particular area that left the Warner  
7 attendance area and went to the Highlands attendance  
8 area. So it was a relatively small number of  
9 students. It's not like we were changing several  
10 hundred students in that area. That was something  
11 else the Board considered.

12 MRS. ALLEN: I think you said in your  
13 presentation that when you went from the two ELL  
14 programs to the four that that in fact allows those  
15 students to stay closer to home.

16 DR. ZAWISLAK: Yes.

17 MRS. ALLEN: But if you didn't have them,  
18 I guess -- but in many instances, those students --  
19 let me not say but if you didn't -- in many instances,  
20 those students are still traveling.

21 DR. ZAWISLAK: They are.

22 MRS. ALLEN: Yes.

23 DR. ZAWISLAK: They are, but there is a  
24 significant difference. If you are a 1st grader and

1       you lived in the Linden Hill area, which is all the  
2       way out on the west side of the district, and you  
3       needed ELL services, you went to Lewis Elementary  
4       which is in the City of Wilmington. If you were a 4th  
5       grader and you lived in City of Wilmington, you came  
6       out to Marbrook Elementary School to receive those  
7       services. The way we have it configured now, that  
8       student in the Linden Hill area would only travel to  
9       Mote to receive the ELL service. So there is a  
10      significant difference. That 4th grader in the city  
11      would go to Lewis Elementary instead of coming out to  
12      Marbrook.

13                   Baltz is the ideal situation. There is  
14      125 or so students that live in the Baltz attendance  
15      area that need ELL service. They would go to Baltz.  
16      When they become proficient, they stay right in that  
17      school. So they go to school with the kids in the  
18      neighborhood, they receive ELL services, they stay  
19      in  
20      the school. It's ideal.

21                   MRS. ALLEN: When they increase -- I  
22      would  
23      assume you are projecting an increase in your ELL  
24      students simply because you have seen the growth.  
25      You

23        showed us, I think, four years worth of growth.

24                        DR. ZAWISLAK:    Yes.

1                   MRS. ALLEN: Do you have room in these  
2 programs? I know that you expect some students to  
3 come out, I mean, to reach mastery and then no longer  
4 be in the program. But, for instance, I think it's  
5 Baltz which you are really tight with capacity. If  
6 you had a lot of growth in the ELL students there,  
7 what would that --

8                   DR. ZAWISLAK: Baltz is, as I had  
9 mentioned earlier, Baltz is a very large school. When  
10 we looked -- when we arrived at the capacity number  
11 for Baltz, we're only using a portion of Baltz  
12 Elementary School.

13                   We have a bilingual assessment center  
14 that's located at Baltz that we don't include in our  
15 capacity because we're not using it for the students  
16 at Baltz.

17                   We have two pre-K programs at Baltz  
18 Elementary, and we have a third program -- Bob, help  
19 me on what the third program is.

20                   DR. ANDRZEJEWSKI: Title I.

21                   DR. ZAWISLAK: Title I. That's located  
22 there. It's taking up classroom space. So we have  
23 some wiggle room there at Baltz Elementary. It was,  
24 much like Warner, it was an elementary and junior high

1 school. So we have space at that particular school.

2 Mote, we have space right now. And in our  
3 renovation and construction plans, we're adding  
4 additional classrooms, I believe, six additional  
5 classrooms to Mote. So we have space to grow there.  
6 We have space to grow at Marbrook.

7 I would tell you that we have already  
8 explored the idea. If you look at the Kirkwood  
9 Highway and you look at where the students live, you  
10 can see that the growth is moving from the city out  
11 Kirkwood Highway. One of the original reasons to  
12 placing the ELL program at Forest Oak was that we  
13 anticipated that that's where the growth would go.  
14 It's very possible that we're going to, down the road,  
15 need an additional site for ELL students.

16 Another factor we weighed is that  
17 bilingual teachers are one of the most rare teachers  
18 along with special education and math and science.  
19 It's very difficult to find teachers to provide those  
20 programs at this point.

21 MRS. ALLEN: Okay.

22 DR. PIKA: Can I explore a couple of the  
23 same issues?

24 DR. ZAWISLAK: Sure.

1 DR. PIKA: While I don't want to put too  
2 fine a point on the issues that I want to explore, our  
3 fundamental purpose is to determine whether your plan  
4 conforms to the guidelines of the Neighborhood Schools  
5 Act. And so I've consulted the language a couple of  
6 times here and have also been looking at one of our  
7 decision aids that we had utilized in the past, which  
8 is kind of a decision-tree, which runs through several  
9 of the key components of the Neighborhood Schools Act.  
10 And that Act, rather than "close," uses the term  
11 "closest." And you carefully pointed out to us in your  
12 summary that you have not been able to, the District  
13 has not been able to assign students to the closest  
14 school. And as we have learned from our multiple  
15 adventures in looking at the Neighborhood Schools Act  
16 and its application, not just to your district, but to  
17 other districts, your situation is not uncommon, which  
18 is that the schools are not necessarily located where  
19 the students are, which makes the adherence to the  
20 "closest" term guideline a little bit difficult to  
21 accommodate.

22 DR. ZAWISLAK: We would argue very  
23 difficult to accommodate.

24 DR. PIKA: Right. So then the question

1 becomes the grounds on which one may depart from the  
2 "closest" assignment. And I think that what you've  
3 explained to us certainly strikes me as being very  
4 reasonable and carefully considered. And I just want  
5 to explore for a minute whether it also readily falls  
6 under the exceptions that are allowed under the  
7 Neighborhood Schools Act.

8           So within that Act -- and I will spare you  
9 from reading the entire thing, but let me just read a  
10 couple of sections here.

11           That "Red Clay is among the Districts that  
12 was directed shall develop a Neighborhood School Plan  
13 for the districts that assigns every student in the  
14 district to the grade-appropriate school closest to  
15 the student's residence without regard to any  
16 consideration other than geographic distance and the  
17 natural boundaries of neighborhoods."

18           And you have spoken to the issue about the  
19 natural boundaries of neighborhoods.

20           "Notwithstanding the above, the plan may  
21 assign students to a school based on factors other  
22 than geographic distance and natural neighborhood  
23 boundaries if a substantial hardship to a school or  
24 school district, student or student's family exists

1 provided that no student shall be assigned to any  
2 school on the basis of race, a school assignment  
3 should be made without regard to the racial  
4 composition of the schools."

5 That last section, I think you have  
6 established that racial composition was not involved  
7 at all in any of the decisions.

8 I think the question, in my mind at least,  
9 is about hardships and whether the plan being set  
10 forth today is claiming that there have been hardships  
11 either on the District as the whole or on families  
12 that would justify the departure from the "closest"  
13 assignment. And the reason I raise the question is,  
14 first, with the ELL, it strikes me that you're arguing  
15 either that it's a hardship for the District to  
16 provide an ELL program in all of your elementary  
17 schools, and, therefore, you have consolidated the ELL  
18 programs, and in some respect that also could be  
19 regarded as a potential justification for a hardship  
20 for students because you could argue that they get  
21 better services, they receive better services in a  
22 consolidated program. Is this something that you are  
23 implying for your presentation, but not explicitly  
24 using that terminology today?

1                   MR. D'ANGELO: Yes, it is. The ELL  
2 program, in order to succeed, needs a certain mass of  
3 students. If you put an ELL program in every school  
4 and you had seven -- I'm making these numbers up --  
5 but you had seven or ten kids in the North Star area  
6 that needed will ELL services and you put them there,  
7 you wouldn't have a teacher. You don't get a unit for  
8 that. You wouldn't have the support services. You  
9 wouldn't be able to support the program. The program  
10 would fail. So what the District has tried the do is  
11 looking at the crux, the mass of students that you  
12 need for that program, house them in the schools where  
13 those students are most clustered. If you look at the  
14 cluster on the maps, I think what you will see is that  
15 the only one which jumps over where other schools are  
16 is Marbrook, which draws from the Richey area as well  
17 as from the Marbrook area.

18                   DR. PIKA: Right. Then I believe you have  
19 gone further than that and argued that you've actually  
20 sought to assign those students who require ELL  
21 services to the closest school available for those  
22 services.

23                   MR. D'ANGELO: That's correct.

24                   DR. PIKA: So I want to make sure that

1 we're able to use the terminology that's important for  
2 this law.

3 MR. D'ANGELO: Again, going back to your  
4 non-ELL question, aspect of this question, again, if  
5 you took a -- my argument with this statute always is  
6 it never tells do you go inside out or outside in.  
7 Because to the extent that I fill up a school by  
8 saying, all right, I'll take -- which one am I looking  
9 at -- Linden Hill. Let's say, I need 600 students  
10 there. I'll take the 600 that live closest to Linden  
11 Hill, and then I go to North Star and do the same.  
12 Now, if I have 20 students that live in the outside  
13 Northwest Corridor that are not the closest students  
14 to the capacity of North Star, do I then move them  
all  
15 the way over to Baltz? So the statute gives no  
16 guidelines for how you -- it has to assume schools  
17 have capacities. Maybe it doesn't, but. I'm  
18 assuming, logically, it has to assume that schools  
19 have capacities. It gives no guidance for doing it  
20 inside out or outside in.

21 Now, if you arbitrarily start at one  
22 school, take North Star and we'll move down around  
the  
23 corner into the city, and say, all right, their

24      capacity is 600 students. We'll take the 600  
students

1 that live closest there, and we'll put them in North  
2 Star. Well, then you will find that some of those  
3 students, that's not the closest school to them, it  
4 may be another school. And you are going to wind up  
5 with some schools that are wildly overcrowded.  
6 Conversely, if I started in the city and go out, my  
7 system fails right away because Shortlidge can't  
8 accommodate the 1300 students that are closest to that  
9 school.

10 So what the District has had to do is  
11 extrapolate from the statute and assume that there are  
12 reasonable strictures that the statute is dealing  
13 with, and that is, yes, we don't want to overcrowd the  
14 schools. Therefore, when you are now looking to draw  
15 your attendance zones around the schools, you want to  
16 assign children as close as possible since we can't do  
17 it to the closest, unless we could physically pick up  
18 the schools and move them and move the students. And  
19 where neighborhoods would be impacted by that, you  
20 heard Mark talk about how he tried to keep  
21 neighborhoods together and use the natural boundaries.

22 So I think that the District's  
23 interpretation of the application of the statute drew  
24 upon some reasonable extrapolation, which I'm sure

1 you've had to wrestle with in dealing with other  
2 school districts as well.

3 DR. PIKA: The final thing I wanted to  
4 explore here on this set of issues is the adjustment  
5 that was made in the Highlands feeder pattern, which I  
6 am not sufficiently familiar with the area -- I am  
7 generally familiar, but not sufficiently familiar to  
8 know whether you could justify that on the basis of  
9 natural boundaries of the sorts that you talked about  
10 earlier, such as highways and creeks. But I wondered  
11 whether you would also be entertaining the thought,  
12 because what you've described was tradition and  
13 traditional assignments that your interpretation of  
14 natural neighborhood boundaries might also include  
15 this historical element, that there were historical  
16 patterns of residents and linkages to schools and you  
17 are attempting to retain those as much as possible.

18 DR. ZAWISLAK: I think that falls into the  
19 area of where the Board wanted us, if there was a  
20 feeder pattern that somewhat resembled a neighborhood  
21 attendance area, to try to keep those students there.

22 DR. PIKA: I understand that.

23 DR. ZAWISLAK: I would tell you that the  
24 individuals who came to our public meetings with

1 extremely detailed maps of the City of Wilmington made  
2 a very substantial argument that, in fact, those are  
3 developments within the city, and there were clearly  
4 defined lines that identified the Trolley Square  
5 development, expressed the history behind that, and  
6 argued that they were developments and that those were  
7 natural boundaries just as much as Route 7 and Route  
8 72 in the Hockessin area were natural boundaries.  
9 They made a substantial argument at a number of the  
10 meetings.

11 MR. D'ANGELO: That is summarized in the  
12 University of Delaware report.

13 Does that answer your question, Doctor?  
14 The look on your face tells me it does not. That's  
15 why I'm asking.

16 DR. PIKA: Well, I think it's an issue  
17 of -- I want to make sure that you are able to

address

18 the terminology that's in the statute. As I

listened

19 to the presentation -- as I read it, actually -- I  
was

20 struck that the principles that your school board  
set

21 forth to guide the construction of the plan weren't

22 always in alignment fully with the terminology and  
the

23 concerns of the statute. And so your guidance  
wasn't

24 coming to total conformity with the statute to the

1 best of your ability. There were other things that  
2 you put in, let's minimize disruption; let's try to  
3 recognize the longer-term relationships that have  
4 existed between neighborhoods and schools. And all of  
5 those, as I've suggested earlier, I think are quite  
6 reasonable. The question is to make sure how those  
7 are in conformity. That's why I'm exploring kind of  
8 your definition of what is a neighborhood. To what  
9 extent was a case made that this constitutes a  
10 neighborhood and that this is, therefore, legitimately  
11 within the confines of the exception that's specified  
12 in the law about natural neighborhood boundary.

13 MR. D'ANGELO: Oftentimes, the city areas  
14 are not treated, I think, as fairly as they should be  
15 as neighborhoods. In the suburbs, people build  
16 developments, and they give them cutesy names and that  
17 becomes a development out there. In some of the older  
18 cities, areas have been described by not so cutesy  
19 names, like here in Philadelphia, Fishtown,  
20 Flowertown, et cetera.

21 In reading the University of Delaware  
22 report, the residents of that area viewed themselves  
23 as a neighborhood that was logically contiguous to  
24 Highland Park. They asked, why aren't we viewed as

1 neighborhood as Mendenhall Village or et cetera. And  
2 there was no good answer for that, except for  
3 traditionally cities have not always been viewed that  
4 way. When that concern was brought to the Board by  
5 the University, the Board's response was, they're  
6 right, it should be viewed that way. When you look at  
7 the number of students, it was not going to impact  
8 significantly one way or the other the  
9 underutilization of Warner or utilization of  
10 Highlands. So the decision was made to treat that the  
11 area the same way that the Board was treating its  
12 suburban area neighborhoods when those concerns were  
13 raised.

14 DR. PIKA: Right. I wanted to give you  
15 the opportunity to elaborate the justification.

16 DR. SMITH: One follow-up, going back to  
17 the discussion you had on the defining capacity and  
18 your point that all of your schools are now  
19 constructed and organized such that there is now  
20 excess capacity to accommodate future growth. Am I  
21 interpreting correctly?

22 Am I to assume that of all of the Choice  
23 applications, none have been rejected because of  
24 capacity?

1 DR. ZAWISLAK: We haven't processed any  
2 Choice applications at this point.

3 DR. SMITH: Okay. But the assumption is  
4 that since you do have capacity --

5 MR. D'ANGELO: Intradistrict Choice  
6 applications. Applications of Red Clay residents as  
7 opposed to applications of a resident of another  
8 district who may want to come into Red Clay next year  
9 or the year after.

10 DR. SMITH: Hold that for a moment. Let  
11 me talk about --

12 MR. D'ANGELO: Because I think we have to  
13 distinguish those two.

14 DR. SMITH: Help me with the policy here a  
15 little bit.

16 MR. D'ANGELO: Sure.

17 DR. SMITH: But assuming that there are  
18 choices requested intradistrict, then there is every  
19 reason to anticipate that everyone's first choice will  
20 be met.

21 DR. ZAWISLAK: Up to the capacity of the  
22 school. I mean, theoretically, you can't -- you take  
23 a school like Shortlidge, which is a very small school  
24 to start with, located in a very densely populated

1 area. If you have all of the individuals who live  
2 across the street file a Choice application, we  
3 couldn't accommodate every single individual. But we  
4 do have room in all of our schools that we can  
5 accommodate individuals who put in Choice  
6 applications.

7 DR. SMITH: Now, how will that process  
8 work now for interdistrict?

9 MR. D'ANGELO: The same way it works as it  
10 worked in the past, those that seek to come into the  
11 District from outside the District come last. Once  
12 the attendance zones have been implemented, the  
13 District, as Dr. Zawislak has said, is going through a  
14 transition year to allow people, if they want to stay  
15 in that school, to finish the 5th grade, they can, or  
16 they can go to the attendance zone school that's been  
17 assigned differently. Then once the intradistrict  
18 Choice applications are fulfilled, if there are seats  
19 available, then the District deals with the  
20 interdistrict Choice applications. So that is  
21 strictly based upon the capacities of those schools  
22 and whether there are any seats that remain for them.

23 DR. SMITH: Now timing-wise.

24 MR. D'ANGELO: One last point. Any

1 interdistrict person who is currently in the system,  
2 under the law, they must stay. We don't have the  
3 right to say, well, now that school is overcapacity,  
4 so we're sending you back to Christina or Colonial.  
5 We cannot do that. So those stay until they exit at  
6 5th grade. As to any new application coming from  
7 outside the District, it would be treated as I've told  
8 you.

9 DR. SMITH: So there is a timing element  
10 here that defines how the process worked.  
11 Intradistrict applications are dealt with before any  
12 interdistrict applications are even considered?

13 MR. D'ANGELO: That's correct.

14 DR. ZAWISLAK: Correct.

15 DR. SMITH: That's already been set?

16 DR. ZAWISLAK: That's in our Choice  
17 policy.

18 DR. SMITH: Dates have been set for that?

19 DR. ZAWISLAK: Yes.

20 DR. SMITH: Okay. Thank you.

21 DR. PIKA: Since we're talking about the  
22 Choice issue, I wanted to come back to a question  
23 dealing with your District Exhibit No. 5, which is the  
24 Data Service Center memo of November 5th. That

1 justifies the submission of a plan exclusively for the  
2 elementary level rather than including grades 6 to 12.  
3 And this was a kind of new provision that also came  
4 forward this past year. So I wanted to have a better  
5 understanding of about which students are counted here  
6 and how it's calculated. So, for example, the Data  
7 Service Center is verifying those figures. It says  
8 that enrollment for '02-03 was 15520. I was curious  
9 whether that was your total enrollment --

10 DR. ZAWISLAK: Yes.

11 DR. PIKA: -- including the students who  
12 Choiced into the District.

13 DR. ZAWISLAK: That's total enrollment.

14 DR. PIKA: So it includes the  
15 interdistrict students?

16 DR. ZAWISLAK: It does.

17 DR. PIKA: And that would also mean then  
18 that the 6822 includes interdistrict students?

19 DR. ZAWISLAK: Correct.

20 DR. PIKA: Approximately how many of  
21 those were?

22 DR. ZAWISLAK: I don't know. I don't  
know

23 that number off the top of my head.

24 MR. D'ANGELO: I don't know it.

1 DR. PIKA: Is there a ballpark?

2 DR. ZAWISLAK: A little over a thousand.

3 DR. PIKA: I guess the question that I  
4 have in my mind, obviously, is how best to calculate  
5 this Choice provision, whether it's all students  
6 participating in Choice in a district at any given  
7 year or is it all district resident students  
8 participating in Choice in a given year.

9 MR. D'ANGELO: The statute just refers to  
10 the district students, which in my judgment would be  
11 everybody that's in the district in that particular  
12 year, whether they come from outside or they come from  
13 the inside.

14 DR. ZAWISLAK: Once the September 30th  
15 count is verified, they're Red Clay students; even if  
16 they reside in Colonial or Christina, they're  
17 considered to be Red Clay students. They're counted  
18 in all the reports that are issued, accountability  
19 reports, achievement reports, they're Red Clay  
20 students.

21 MR. D'ANGELO: Just as ones who choose out  
22 of Red Clay, Christina, Brandywine or Colonial, are  
23 not our students at that point. We did not include  
24 them. I guess you could argue that they're Choice

1 students, but I don't think it would have been proper  
2 to include them in the count.

3 DR. PIKA: Right. So in a sense, I mean,  
4 just following along that line of argument, if you  
5 exclude the out of district students Choicing in, then  
6 you could also say, there is another problem, which is  
7 the in-district students Choicing out.

8 MR. D'ANGELO: You have to include them.

9 DR. PIKA: And somehow you'd have to  
10 calculate that as well.

11 MR. D'ANGELO: Right.

12 DR. PIKA: And that the more direct  
13 calculation is simply to have all students  
14 participating in a district's educational plan that  
15 year, regardless of where --

16 MR. D'ANGELO: That's how I read the  
17 statute.

18 DR. PIKA: -- their home of residence is.

19 MR. D'ANGELO: That's how I read it.

20 DR. ZAWISLAK: You could go further and  
21 say Red Clay students that attend private and  
22 parochial schools who could potentially come back.  
23 The cleanest way to do it is the students that are  
24 currently enrolled as Red Clay students.

1 DR. ANDRZEJEWSKI: They're also tested as  
2 Red Clay students for state purposes and counted for  
3 school ratings --

4 DR. ZAWISLAK: In every other way, they're  
5 considered Red Clay students. They should be in this  
6 way as well.

7 DR. PIKA: Then I was trying to figure out  
8 about why did they go to that second section in the  
9 memo and talk about excluding the ELL students. I  
10 didn't quite understand why that was necessary.

11 DR. ZAWISLAK: I think this was an attempt  
12 to show that there are students in the District that  
13 don't have the opportunity to participate in the  
14 Choice Program because they are in special programs  
15 where they are assigned to a particular school. So  
16 they don't have a Choice option. So this was an  
17 attempt to look at those students and to take them out  
18 of both the total enrollment and out of the Choice  
19 numbers, which kind of just gives you another look at  
20 of those students who are eligible for Choice and  
21 participate in Choice, that the percentage is even  
22 higher.

23 MR. D'ANGELO: It would have been  
24 something we'd be arguing if those numbers were 38 and

1 41. Let's put it that way.

2 DR. SMITH: It's also reasonable to  
3 assume, though, that since there is a body of students  
4 who are assigned to a school-based program, like ELL  
5 or ESL --

6 MR. D'ANGELO: For Meadowood.

7 DR. SMITH: -- that a parent of those  
8 students could Choice out of, say, Mote into Lewis or  
9 into Baltz.

10 MR. D'ANGELO: That's correct.

11 DR. ZAWISLAK: Yes. I'm sure that we have  
12 individuals in the district who were eligible for a  
13 special program and decided not to go into that  
14 program, filed a Choice application. Then their  
15 numbers are included in that first set of data as  
16 Choice students.

17 DR. PIKA: Was there any other supporting  
18 material that came along with this memo? This is kind  
19 of a thin memo.

20 DR. ZAWISLAK: Yes. I have reports.  
21 There are actually four reports that reflect the four  
22 different data sets that are identified in that memo.

23 MR. D'ANGELO: Do you have copies here?

24 DR. ZAWISLAK: I just brought these.

1 MS. CASE: We can make copies.

2 DR. PIKA: It can be made an exhibit.

3 MS. VARI: Yes. We can do it now or when  
4 the Board is finished with its questions.

5 DR. ZAWISLAK: Four different reports  
6 there. The first report would be the 15520, which  
7 shows the total district enrollment. Then there is  
8 the report that shows the 6,822 students, and it's  
9 broken down here by grade level by school to show the  
10 students in a particular school that are there by  
11 Choice. Then the same data in two different reports  
12 shows the student, the ELL, the Meadowood students  
13 that are excluded from that.

14 MS. VARI: I wonder, Doctor, if it doesn't  
15 make sense to simply add that to the exhibit that  
16 we've got marked as No. 5 and simply do it that way.

17 DR. PIKA: Yes. Is that acceptable to  
18 you?

19 MR. D'ANGELO: That's fine.

20 DR. PIKA: Unless there is a member of the  
21 Board that wants to explore this more at this point,  
22 it sounds like we don't need to make --

23 MR. ZAWISLAK: No one?

24 MR. D'ANGELO: No one.

1 DR. PIKA: I don't know if I can digest it  
2 quite that quickly.

3 MR. D'ANGELO: So that will become part of  
4 Exhibit 5. Correct?

5 MS. VARI: That's correct.

6 DR. PIKA: We're going to have one copy  
7 made of the entire stack so that we can also return a  
8 copy to you.

9 MR. D'ANGELO: We have copies. You don't  
10 need to do that.

11 DR. PIKA: They're okay, Ann.

12 MS. CASE: Okay.

13 DR. PIKA: Any other questions from members  
14 of the Board, concerns that Board members might have  
15 that we should explore while we have these gentlemen  
16 here with us today?

17 MRS. ALLEN: I don't have anything. No.

18 DR. PIKA: Mike, anything more?

19 DR. SMITH: The only thing I guess I  
20 wanted to confirm is that the only issue raised by a  
21 body of parents that was not resolved was this area of  
22 near North Star where there was a group of a hundred-  
23 some families who wanted a different assignment that  
24 couldn't get it, but.

1 DR. ZAWISLAK: Right.

2 DR. SMITH: The other issues requested as  
3 part of the public either objections or differing with  
4 your outcome, that was the only one that was not  
5 resolved or resolvable.

6 DR. ZAWISLAK: Right. We took a lot of  
7 time explaining to the group of individuals that if  
8 you look at the number of students in that area, if we  
9 assigned them to the school, it almost brought the  
10 school to capacity at that point. And if we had any  
11 growth in that area, we ran the risk of having that  
12 school overcrowded quite possibly in the first or  
13 second year that it opened. Something, obviously, we  
14 didn't want to do.

15 We also indicated to those individuals  
16 that if in fact there are seats available that we  
17 don't have people returning from private schools to  
18 attend that school, that they can put a Choice  
19 application in and could conceivably still attend  
20 North Star Elementary. So there still is an option to  
21 attend the school, even though they're not assigned to  
22 the school.

23 DR. SMITH: That's why I asked the  
24 question about Choice because I would assume that each

1 of these families are going to put a Choice  
2 application in.

3 DR. ZAWISLAK: I'm sure they're already  
4 in.

5 DR. SMITH: And you'll get that.

6 I would like to have you comment before we  
7 close this out so that I can get a sense and feel for  
8 what is meant by the concerns raised by the families  
9 in the City of Wilmington about certain schools  
10 becoming high poverty, high needs kinds of schools,  
11 and the additional resources that you have targeted  
12 for those schools.

13 Now, are these new resources or are they  
14 resources that were already there and we just kind of  
15 raised them up and highlighted them? Could you help  
16 me here and distinguish that and what those resources  
17 really mean?

18 DR. ZAWISLAK: Yes. Individuals raised  
19 the concern in a general sense that high poverty city  
20 schools have poor achievement and have challenging  
21 students. And I don't think we disagreed with that  
22 assumption at all. However, we did point out that  
23 it could very well be that individuals weren't looking

at

24 the results of the city schools. Shortlidge

1 Elementary School, Lewis Elementary School are  
2 commendable schools. We have students who are  
3 achieving in both of those schools and they are high  
4 poverty, high minority city schools. And we went  
5 further to explain one of the reasons why is that we  
6 do put additional resources into those schools. We  
7 identified other schools outside the city that we've  
8 targeted for additional resources.

9           The vast majority of the resources we  
10 identified are resources that are already in those  
11 schools and have been in those schools. And as  
12 additional grant funds come in or resources are  
13 offered, we've identified those. But I have to be  
14 honest with you, the vast majority of those on those  
15 charts are programs that we already have in place at  
16 those schools.

17           DR. SMITH: So for purposes of addressing  
18 the needs here, they really aren't any new allocations  
19 of assets and resources?

20           DR. ZAWISLAK: No. Not new allocations  
21 this year. But one of the things we -- I think it is  
22 important to note is that we did not have any citizens  
23 who came and argued a specific program for a specific  
24 school or identified a weakness about a particular

1 school or suggested a particular need in one of our  
2 schools. The concerns were expressed in general terms  
3 of what resources are provided for high poverty, high  
4 minority city schools.

5 DR. SMITH: I'm not sure that a lot of  
6 parents would have that level of sophistication to  
7 know specifically what is required to change the  
8 outcomes where you --

9 DR. ZAWISLAK: All I'm trying to point out  
10 is that there wasn't a specific concern about a  
11 current program or lack of program in a particular  
12 school.

13 DR. PIKA: Mr. Savage.

14 MR. SAVAGE: Were there any general  
15 comments or concerns from the City Council or the  
16 Mayor'S Office, any comments from them whatsoever?

17 DR. ZAWISLAK: We didn't receive any at  
18 the public hearings. Bob, did you?

19 DR. ANDRZEJEWSKI: I met with the Mayor  
20 and his staff. And the Trolley Square was on their  
21 radar screen, obviously, through some political ties  
22 to the Mayor'S Office, but. No. We went through the  
23 presentation with them. They raised no concerns. In  
24 fact, the Mayor offered us help if we needed help with

1 any pocket of the community that may have some issues  
2 with what we were trying to do, so. It went smoothly  
3 with the Mayor's office.

4 MS. GRAHAM: I have a question. And if  
5 you addressed this before I got in, you can just tell  
6 me and I can read the transcript, but. What  
7 considerations have you given to busing for children  
8 in the city if they wanted to attend suburban schools.  
9 As I understand it, currently you have some kind of  
10 provision for doing that. I wondered whether you are  
11 going to still have it, change it, improve it,  
12 whatever.

13 DR. ZAWISLAK: We're still going to have  
14 it. The Board has made a commitment that if there  
15 are  
16 any individuals that are currently living in the city  
17 and attending a suburban school, if they wish to  
18 continue to attend a suburban school, they'll provide  
19 the transportation.

20 MS. GRAHAM: That's only for students who  
21 are currently Choiced into a school but out of the  
22 city?

23 DR. ZAWISLAK: Correct.

MS. GRAHAM: So on a going forward basis,

24 that transportation will not be available for  
students

1 who make a new Choice?

2 DR. ZAWISLAK: We haven't addressed that  
3 issue yet. The Board has made a commitment that as  
4 long as there are city students, we've kept the bus  
5 stops in place. We'll continue to keep the bus --  
6 what we've done in any of the bus stops that we create  
7 is that when we institute a bus stop, if there are  
8 students who come to that bus stop, we keep it in  
9 place. So if more individuals, new students choose to  
10 go and go to that bus stop, that bus stop will stay  
11 there for them.

12 DR. ANDRZEJEWSKI: I would think the  
13 answer is if new students pop in under the radar  
14 screen who want to choose Linden Hill from the city,  
15 whatever, those stops will be created. In my mind,  
16 it's clear that students want to go out that we will  
17 accommodate them transportation and not make it like a  
18 Choice setup where they have to get to the closest bus  
19 stop. It won't run like traditional the Choice bus  
20 stops run right now. It's my understanding that  
21 students who are looking to leave the city, the bus  
22 stop -- we have current bus stops now, but if new  
23 students were to pop up in the future, we would still  
24 have a transportation pattern to make it convenient

1 for those students to be picked up and taken to their  
2 school of Choice.

3 MR. D'ANGELO: Historically, the Red Clay  
4 board has not wanted transportation to impede the  
5 fulfillment of whatever the Choice decisions were by  
6 the families. I don't know -- I don't think they've  
7 had to address the issue yet because -- you haven't  
8 processed all the choice applications for next year.

9 DR. ZAWISLAK: No.

10 MR. D'ANGELO: But if they do it as they  
11 have in the past, it will be as Bob has indicated.

12 MS. GRAHAM: Speaking as one who has had  
13 occasion to try to understand the bus transportation  
14 issues in a school district, and so as parent calling  
15 the transportation office. You know, it's one thing  
16 for the people at the top to espouse a policy and to  
17 say, if people want it, we'll do it, which is what I  
18 think what you are saying. Maybe there is something  
19 where it's written, but --

20 DR. ZAWISLAK: Yes.

21 MS. GRAHAM: -- but it's another thing to  
22 have that kind of general concept flow down in a way  
23 to the person who answers the phone at the bus  
24 transportation office and to the people at the school

1 who answer questions about busing. And if some parent  
2 calls up and says, well, I'm interested possibly in  
3 Choicing my student, what kind of comfort are they  
4 going to get that there is a likelihood, you know, a  
5 certainty or whatever that they're going to be able to  
6 bus out? Because absent that, the reality is people,  
7 they have to make, you know, their arrangements.  
8 They've got daycare and they've got jobs. They've got  
9 to figure stuff out. It's a lot of work, really, when  
10 in the school Choice process to get this  
11 transportation stuff sorted out. I know because I've  
12 had to do it myself. So I would -- if this is  
13 something that Board really wants to do, I would  
14 submit you need to do something that's a lot more  
15 concrete, you know, putting this in writing and having  
16 a clear policy that everybody who answers questions in  
17 your school district is going to know what they're  
18 supposed to say.

19 DR. PIKA: Any other questions from  
20 members of the Board?

21 MRS. ALLEN: I have one question. I don't  
22 know if this is significant or not. But the report  
23 from the University of Delaware actually only covered  
24 four of your public meetings. Correct? That's what

1       they said.

2                   DR. ZAWISLAK:   And the e-mail responses.

3                   MRS. ALLEN:   And the e-mail responses.  So  
4       of the three remaining public hearings, were the  
5       comments that you heard consistent with what you had  
6       heard at the first four?

7                   DR. ZAWISLAK:   Yes.  They were consistent  
8       throughout all of the meetings.

9                   MRS. ALLEN:   I guess I wondered why they  
10      only covered four as opposed to all seven.

11                  DR. ZAWISLAK:   I think we originally had  
12      posted four meetings, and then we scheduled additional  
13      meetings above and beyond that at the request of the  
14      various communities.

15                  MRS. ALLEN:   Okay.  But you didn't -- you  
16      have already said that the comments you heard were --

17                  DR. ZAWISLAK:   They were consistent across  
18      every meeting.

19                  MRS. ALLEN:   Consistent.  Okay.  Thank  
20      you.

21                  DR. PIKA:     Other questions?

22                  MR. FARMER:   If I may, just as a comment,  
23      when I was going through your plan and I saw the ELL  
24      scattered, and you were going to have a program at

1 Forest Oak, I mean, the original question I had would  
2 be, as I was reading through, was why Forest Oak and  
3 it was so far away? And then through the public  
4 hearing process you identified that you needed to  
move

5 it back to Mote to make it closer. I commend you in  
6 that.

7 The Highlands issue aside, you really did  
8 a good job in listening to your people. I commend  
you  
9 to this. That goes a long way with your population  
10 and referendums down the road.

11 MR. D'ANGELO: Thank you.

12 DR. ZAWISLAK: Thank you.

13 DR. PIKA: I think Mrs. Vari may have a  
14 couple of questions as well.

15 MS. VARI: I do. They're very -- well,  
16 actually many hypotheticals that are much less  
17 important or likely, but I'm going to ask them to  
18 simply confirm my understanding of what the plan will  
19 look like after the transition period.

20 Dr. Z, you had mentioned that as part of  
21 the effort to accommodate students and families  
during  
22 the transition, parents were able to elect whether to

23       continue in their current schools.  So let's assume  
24       for a moment that I am a Red Clay resident.  I have  
an

1 elementary school child attending school A currently  
2 under the plan that you have presented to the Board.

3 DR. ZAWISLAK: Right.

4 MS. VARI: My son will now attend  
5 elementary school B. You gave me the election to  
6 allow him to stay at A, and I have taken you up on  
7 that, he will stay at A. A new child comes into my  
8 family next year. Where does my new child go?

9 DR. ZAWISLAK: Your new child has a seat  
10 in their attendance zone school.

11 MS. VARI: B?

12 DR. ZAWISLAK: B. And that they also have  
13 the option to Choice into school A. And the Red Clay  
14 policy has a provision for a preference for siblings  
15 of other individuals. So you would get that sibling  
16 preference for that child to move in.

17 We caution very carefully -- that issue  
18 came up many times, and in particular, with Brandywine  
19 Springs School, which is an all-Choice school. And we  
20 were very careful to make sure the public understood  
21 that there would be limited seats in those lower  
22 grades. In the past, in particular, kindergarten,  
23 since it was an all-Choice school, there were no  
24 students assigned to Brandywine Springs. In '05,

1 Brandywine Springs will have an attendance zone.  
2 Approximately 75-80 percent of the kindergarten seats  
3 will be for students who live in that attendance zone.

4 So we made sure that individuals realized  
5 that a year ago, if you had a sibling coming in, the  
6 chances of them come getting into kindergarten were  
7 very good. Now the chances of them getting into  
8 kindergarten is not nearly as good. So we wanted to  
9 make sure that people clearly understood that before  
10 they made a decision to stay in school A if they had a  
11 sibling.

12 MS. VARI: A second question I have. I  
13 think I know the answer. If I decide to chuck the  
14 fast pace of the city and sell my home move south of  
15 the canal where I can have a better life. When I sell  
16 my home, the people who buy it, their children attend  
17 in school B because that is now their attendance  
18 school?

19 DR. ZAWISLAK: That is correct.

20 MS. VARI: Thank you.

21 DR. PIKA: Any other questions before we  
22 conclude this evidentiary hearing?

23 I want to echo some of the points that  
24 Mrs. Allen made. While this is a new plan taken on

1       its own, I was heartened to see that some of the  
2       suggestions that the Board had made on previous plans  
3       have in fact been incorporated in a variety of ways;  
4       in particular, the default assignments are much  
5       clearer in this plan than has been the case in the  
6       past. And certainly, I would like to pat you on the  
7       back for the extraordinary efforts that you made in  
8       terms of parent notification, which I think was also a  
9       concern of this Board in the past. So those are  
10      things I certainly see a significant change from other  
11      iterations of this process.

12                    Is there any public comment? I'm assuming  
13      not.

14                    The written public comments may be sent to  
15      the State Board's office.

16                    I wanted to let everyone know that there  
17      will be additional hearings conducted by the Board,  
18      public hearings, November 30th at Stanton Middle  
19      School and December the 1st at Howard Vocational  
20      Technical School in the city.

21                    The Board intends to deliberate on this  
22      matter in December, and issue a written decision by  
23      sometime in February. I am looking at the writer.

24                    At this point, I would like to have a

1 motion to close the hearing.

2 DR. SMITH: So moved.

3 DR. PIKA: I would like to adjourn this  
4 special meeting. Thank you very much.

5 (Hearing concluded at 12:18 p.m.)

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## I N D E X

## WITNESSES

ROBERT J. ANDRZEJEWSKI, Ed.D.,

MARK ZAWISLAK, Ed.D.,

## STATE BOARD EXHIBITS

1 8/3/04 letter to L. Vari from A. D'Angelo

2 10/5/04 letter from J. Pika to R. Andrzejewski

3 10/28/04 letter from J. Pika to R. Andrzejewski

## DISTRICT EXHIBITS

1 11/5/04 letter from M. Zawislak to J. Pika

2 Guiding Principles

3 Elementary Attendance Zones 2005

4 Projected Elementary School Capacity

5 School Choice Data 2002 - 2003

6 Public Information/Meetings

7 University of Delaware Report on Public Comment  
the District Received

8 Appendix A, press releases and meeting notices.

9 Appendix B, April 20th, 2004 Proposed Elementary  
Attendance Zones from the Website

10 Appendix C, May 12, 2004 Revised Elementary  
Attendance Zone From the Website

11 Appendix D, Implementation Information 21

12 Appendix E, Choice Policy From 2005-2006 22

13 Power Point Presentation

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1 State of Delaware )  
 )  
2 New Castle County )

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CERTIFICATE OF REPORTER

4

5 I, Lucinda M. Reeder, Registered Diplomate  
Reporter and Notary Public, do hereby certify that the  
foregoing record is a true and accurate transcript of 6  
my stenographic notes taken on November 18, 2004 in  
the above-captioned matter.

7

8 IN WITNESS WHEREOF, I have hereunto set my hand  
and seal this 29th day of November 2004 at Wilmington,  
Delaware.

9

10

Lucinda M. Reeder, RDR, CRR  
Certification No. 132-RPR  
(Expires January 31, 2005)

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