

DELAWARE STATE BOARD OF EDUCATION
PRESENTATION OF NEIGHBORHOOD SCHOOLS PLAN
CHRISTINA SCHOOL DISTRICT

George V. Kirk Middle School
140 Brennan Drive
Newark, Delaware

Monday, October 21, 2002
7:00 p.m.

BEFORE THE BOARD OF EDUCATION:

DR. JOSEPH A. PIKA, President
JEAN ALLEN, Vice President
DR. CLAY SMITH, Member
DENNIS SAVAGE, Member

ANN CASE, Secretary

LOUANN VARI, ESQUIRE
DEPUTY ATTORNEY GENERAL
BOARD OF EDUCATION

-- Public Comment --

WILCOX & FETZER
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1 DR. PIKA: Good evening. I would like to
2 get this evening's meeting underway, please. My name is
3 Joe Pika. I'm the president of the State Board of
4 Education. We are here this evening to conduct a public
5 hearing on the resubmitted neighborhood schools plan of
6 the Christina School District.

7 In March of 2002, the State Board of
8 Education found that the Christina and Red Clay
9 Consolidated School Districts' neighborhood school plans
10 did not meet the requirements of the Neighborhood Schools
11 Act as passed by its Delaware General Assembly and, in
12 accordance with that law, asked the districts to resubmit
13 their plans for the Board's reconsideration.

14 Those districts have done so and the State
15 Board of Education has arranged three public hearings.
16 Tonight is the first of the three. Our intent tonight is
17 primarily to hear public concerns about the Christina
18 School Board's resubmission. There may as well be
19 comments made about the Red Clay plan.

20 We would ask that those concerned with the
21 Red Clay plan proposal hold their comments until the end
22 of the proceedings and we will first deal with comments
23 on the Christina plan.

24 In addition, there will be a second hearing

1 tomorrow evening held at the McKean High School intended
2 to focus primarily on the Red Clay plan.

3 Finally, there will be a third public
4 hearing held on Monday, October 28th, a week from
5 tonight, in the City of Wilmington at the Howard High
6 School of Technology Auditorium.

7 The procedure that we are following is very
8 much parallel to that we followed in dealing with the
9 original submissions.

10 I would like to first introduce the members
11 of the State Board of Education who are here this
12 evening. To my immediate left is Ms. Jean Allen, the
13 vice president of the State Board. To her left is
14 Mr. Dennis Savage. We are also joined here in the front
15 by Mrs. Louann Vari, who is the counsel to the State
16 Board of Education.

17 I believe, as has been previously
18 announced, there is a sign-up sheet here in front of me
19 for those people wishing to make comments this evening.
20 We ask that you please sign up and we will call your
21 names.

22 We also have previously announced that
23 there are a limited number of copies of the revised plans

24 and the most recent transcripts of the hearings, the

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1 evidentiary hearings that were held already on this plan.

2 We will call speakers up one at a time.

3 Given the fact that there is not an enormous number of
4 potential speakers, those who have signed up, there is a
5 limited number, what we will do is to be fairly generous
6 with our allocation of time this evening and not cut you
7 off quite as quickly as we had originally planned.

8 We do have a court reporter with us this
9 evening, so we ask that when you do come to the
10 microphone, please identify yourselves and spell your
11 name for the benefit of the court reporter. Please, when
12 you make your comments, don't speak too quickly and be
13 certain to speak loudly enough so that the court reporter
14 will be able to hear you.

15 We will be happy to accept any written
16 comments which may be submitted this evening. You may
17 also submit written comments to the State Board of
18 Education at the Townsend Building through December 4th
19 of this year.

20 We have just been joined to my right by
21 Dr. Clay Smith, also a member of the State Board of

22 Education.

23 Without further ado, I would like to then
24 have Miss Case please call the first speaker.

5

1 MS. CASE: Jeff Armstrong.

2 MR. ARMSTRONG: Thank you. It's Jeff
3 Armstrong, J-e-f-f A-r-m-s-t-r-o-n-g.

4 I hope you are serious about being generous
5 on the time, but I'll try to make the most important
6 point first.

7 DR. PIKA: There are limits to my
8 generosity.

9 MR. ARMSTRONG: You are such a kind man.

10 I think the main point -- I mean, I've read
11 all the minutes from the evidentiary hearings and from
12 the previous hearings, and I've looked at all the plans.
13 And as a parent, I mean, I could take the emotional upset
14 side and say, geez, this school district's not even
15 trying. Sometimes I really feel that's the case, that
16 they want to maintain the status quo. They present a
17 plan that's really -- I don't think they like it. I know
18 I'm not too pleased with it. And then as an alternative,
19 they give you the status quo. So then what are your
20 options? Something you don't like, or the status quo? I

21 find that a little bit upsetting.

22 But I think the main point is, as I read
23 through all those minutes, as I read the lawyer
24 Williams -- I don't know his first name. David, I think.

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1 DR. PIKA: Correct.

2 MR. ARMSTRONG: He kept talking about being
3 fair and equitable for all children. Well, I think
4 that's the right statement. I think it's the right thing
5 to do. But in Christina, we have a different situation.
6 We are a noncontiguous school district. I think this is
7 the root of the problem and has been for a long time.

8 None of the other school districts are
9 noncontiguous. It could be argued William Penn has a
10 small section, but that's written in the submittal from
11 Christina. It really isn't. It's contiguous.

12 To create neighborhood schools with a
13 noncontiguous school district, it's virtually impossible.
14 I almost sound like I'm siding with Christina. And it's
15 really hard unless you do certain things. You are
16 willing to do low poverty schools. You weren't willing
17 to do that with Brandywine, so I don't expect that to
18 happen here, but I could be wrong.

19 But I think what we all really want is
20 what's fair and equitable for all children and to have a
21 level playing field. Why do we have a school district
22 that's not contiguous? It's a legacy from the attempt
23 for racial balancing and that's not the issue anymore.
24 I think -- I don't know that it's really

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1 within your power to do this, and it probably goes back
2 to the state legislature, I'm not sure, but creating some
3 kind of a contiguous school district so we all have a
4 level playing field, I think, is really what I'd like to
5 see to be fair and equitable for all the kids.

6 I can probably come back up here again if I
7 sign that list again, but I basically started off in my
8 handwritten notes here that I felt that the school may
9 not have been as open-minded as they could have been in
10 looking at options. Anything they do for the city, of
11 course, placing them so close to all the schools in the
12 city would create high-poverty schools and that's not
13 really what I think is a good idea.

14 But I don't think they looked at all the
15 different ideas with the modular portable classrooms. We
16 don't have to look any further than Newark Charter School
17 to see what they've done. They put together housing for

18 435 students and they did it, in construction time, in
19 less than 60 days. They did it for 1.2 million.

20 When I read the notes from the hearings,
21 the school district from Christina cites something like
22 178,000 per classroom and it will take 32 classrooms to
23 put the equivalent of a school together. Well, that
24 isn't so. You just have to check the facts. I could

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1 really talk about that, but I think if you are willing to
2 try to make things work, you can do it. I really
3 question sometimes that they want to make this work.
4 They don't want to do the portable classrooms and the way
5 that they presented the options, I just feeling like they
6 targetted the status quo. And that's my big concern.

7 Another thing they didn't really do is they
8 seemed to have a lot of capacity in the high schools.
9 I'm not sure I would go to do this, but they are at about
10 80 percent of capacity in three high schools. You could
11 certainly look at a different organization of students.

12 The plan allowed for a high school of
13 grades nine to twelve or ten to twelve. They could look
14 at a configuration of grades ten to twelve and they are
15 building a new middle school even though the plans they

16 submitted say two elementary schools. I think it's a
17 middle school and an elementary school. And I've worked
18 some numbers out that theoretically make it work, but
19 there are always neighborhoods that don't want to divide.

20 But looking at ways to use that
21 overcapacity, I didn't see that in any of the plans. You
22 could literally put all the kids, grades ten to twelve,
23 even including the city, into two high schools. Do you
24 want to do that? I don't know. But it's another thing

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1 they didn't look at.

2 If you broke the schools out differently, I
3 know there would still be a lack of capacity or concern
4 over capacity of the Newark area. And if you created
5 just a contiguous school district that somehow
6 redistributed the kids in Wilmington to the three
7 contiguous school districts, you'd still have kind of a
8 tight fit for grades nine to twelve in two schools, but
9 you could look at something like that. And I didn't see
10 that sort of thing. I think I'm starting to ramble on
11 that point.

12 The bottom line really is I think there are
13 other ideas and people have tried to bring them out. I
14 don't think that the portable school rooms, modular

15 buildings should be discounted. They are built to last.
16 They are factory constructed. They are not quite as
17 pretty, but it's an option that I think should be
18 considered more strongly.

19 I'll just close down by saying this
20 opportunity has taken over 20 years to present itself.
21 We've had this bussing, and then unity was declared and
22 it's no longer required. But we are still doing it.

23 I made a choice back in 1995 to live in
24 Delaware versus Pennsylvania because I thought, okay, my

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1 kids will get to go to school where they live. That
2 doesn't look like it's happening right now.

3 But I'll support creating high-poverty
4 schools. I would just like to see somehow a
5 recommendation come through and the people who can make
6 the decision recommend removing the unnecessary hardship
7 of noncontiguous boundaries from Christina School
8 District so that all children, not just the contiguous
9 districts, have a chance at a fair and equitable plan.

10 I appreciate all your time.

11 DR. PIKA: Thank you, Mr. Armstrong.

12 Miss case?

13 MS. CASE: Karen Rudin.

14 MS. RIORDAN: Hi. My name is Karen
15 Riordan, R-i-o-r-d-a-n.

16 I, too, I am here tonight just to express
17 my overall frustration with this entire process. I would
18 just like to bring to the Board's attention that tonight
19 is the eleventh public forum which the residents of
20 Christina School District have been asked to comment on
21 the proposed neighborhood schools' plan. We spoke with
22 you a year ago concerning the district's decision to
23 remain status quo and our thoughts on the committee's
24 plan. A year later I would like to ask you: What have

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1 you done with this feedback and how many more public
2 forums will your Board hold?

3 If you are truly interested in what the
4 residents of Christina think, I encourage you to review
5 the transcripts from the previous nine district forums in
6 which hundreds of people spoke out in support for
7 neighborhood schools, and specifically the concerns that
8 they have regarding this specific plan.

9 I'm left with no choice but to think that
10 the delay in the decision making is an intentional
11 attempt to fatigue the public's interest on this very

12 important issue. Many of us were surprised when the
13 district chose to submit a plan that was status quo in
14 clear defiance of the law.

15 More surprisingly, however, is that the
16 district was allowed to do this, thus further the delay,
17 the implementation of a now two-year-old statute.
18 Meanwhile, thousands of students in the Christina School
19 District ride buses on I-95 for up to three hours of day
20 if you consider the changeover that occurs at Kahunaville
21 with no seat belts, no chaperones, and no recess due to
22 the excess time lost from riding the bus to and from
23 school. This is something that the other districts in
24 northern New Castle County do not have to endure. The

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1 lack of information on this issue is unacceptable.

2 As a PTA officer in my school, I was one of
3 the few people notified of tonight's hearing. I think
4 it's important that you understand that we were not -- we
5 are not allowed to disseminate this information without
6 explicit approval from the district office.

7 As such, a volunteer created a flier, sent
8 it to Main Street, and then waited patiently for its
9 approval. The approval was received a little late and we

10 were only able to send notices home today in the kid's
11 backpacks. To my knowledge, only two schools in the
12 district were able to get anything out today about this
13 hearing. I don't understand why it's up to the local
14 parents to inform the district's 20,000 students.

15 Finally, I want to share with you a true
16 story. Prior to moving to Delaware, I lived in
17 Manhattan, Kansas. Most of you couldn't find Manhattan
18 on a map. It's about 60 miles west of Topeka. A friend
19 of ours suggested we reconsider our pending move due to
20 the reputation of the schools and the bussing in
21 Delaware.

22 Now I look back on her comments and I
23 understand that the poor reputation of the Christina
24 School District is justified. Shame on all of us for not

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1 having the courage to do the right thing.

2 Thank you.

3 DR. PIKA: I can just clarify briefly the
4 State Board's schedule on this. The State Board issued
5 its decision in March of this year which mandated that
6 three districts resubmit plans if they wished them to be
7 further considered.

8 The question was whether we would hold

9 public hearings during the summer when we felt it would
10 be even more difficult for parents who were concerned,
11 members of the public who might be concerned about this
12 to come forward. So we delayed until the fall when
13 school had started in order to try to facilitate the
14 collection of information rather than to make it
15 difficult.

16 So the delay actually was intended, at
17 least, to try to make the communication a more effective,
18 more efficient way to collect information.

19 As I will announce at the end of this
20 meeting, our step in this, as set forth by the
21 legislation, is that we will have completed, after the
22 resubmission, after the deliberation, and after a
23 decision issued by the State Board, that would have
24 completed our statutory responsibilities under the

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1 Neighborhood Schools Act as we interpret it, as we
2 understand it. It then could potentially go elsewhere
3 within government.

4 But the Board has tried to move as quickly
5 as possible, but with deliberation. This is a very
6 important set of issues, very important set of questions

7 as we know from the very intense feelings that we have
8 seen demonstrated, not only at public hearings, but also
9 at the evidentiary hearings that we've had in Dover.

10 Miss Case?

11 MS. CASE: Dana Sawyer.

12 MS. SAWYER: Hi. Good evening. My last
13 name is S-a-w-y-e-r, Dana.

14 Thank you for that, Dr. Pika. Just in
15 response, as Karen had said, I believe this is our
16 eleventh public hearing, so we've all shared many, many
17 times before.

18 DR. PIKA: I understand.

19 MS. SAWYER: Good evening. Thank you for
20 your time once again. I spoke at the last public hearing
21 and provided you with my written comments in February and
22 I'm sure that you read those by now.

23 To refresh your memory, I have three
24 children and none attend the Christina School District

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1 schools. My twin sons attend sixth grade at Newark
2 Charter and my daughter is in second grade at a private
3 school where she will stay if she does not get into the
4 charter school.

5 I am another extremely dissatisfied

6 Christina district parent. In my mind, those hour-long
7 or hour-and-15-minute, one-way bus rides on I-95 stopping
8 at the hub at Kahunaville are just unsafe and
9 unacceptable.

10 Now recently we hear that kids are huffing
11 in the back seat of those buses because they don't have a
12 lot to do in those three hours, so it frightens me to no
13 end. That's why my children are at the schools that they
14 are.

15 Many years ago we decided to elicit change
16 as we quickly figured out that no one else was going to
17 do so. Parents helped to get legislation passed, yes.
18 We helped get a law passed to get our needs met, which
19 was, of course, H.B. 300. How many people can say that
20 they've done that? We had high hopes that things would
21 change, that districts would abide by the law.

22 Those hopes were very quickly dashed when
23 Christina School District said that they had absolutely
24 no intentions of abiding by the law from the very

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1 beginning. They have really, in my opinion, made a
2 mockery of you, our whole legislature, and all of their
3 constituents. Imagine if no one else had to abide by the

4 law?

5 Then, after figuring that the only way to
6 elicit change was to do it for ourselves, the Newark
7 charter schools opened by dissatisfied parents. Imagine
8 that. Parents getting together to do what the school
9 district has refused to do and should have done long ago
10 to implement this law. I don't have to go into detail
11 about the huge success of the charter school. You all
12 know that very well.

13 NCS has outpaced every school in the state
14 in its first year. And why? Maybe it's because we won
15 the Delaware PTA award for 100 percent participation.
16 Maybe it was because we won the Department of Education
17 Parent Partnership award. Or maybe it was because we
18 placed first statewide on standardized tests. We did it
19 all because we could. That is, the school is close to
20 home and to work for many of us. We can easily get there
21 to help out. Parents are an integral part of its
22 monumental success. We only wish that others had had
23 that opportunity.

24 NCS's enrollment is at its maximum capacity

1 today as it was the first day of school last year. We
2 have over 400 kids on the waiting list and a new school

3 is being built to meet the great demand for a
4 neighborhood school in Newark.

5 The Newark parents have spoken
6 resoundingly. Do we have to open yet another charter
7 school to get our continued needs met? Are you willing
8 to say that the status quo is, indeed, not acceptable to
9 many and will help us look for creative ways to make
10 House Bill 300 work for us all? The process has gone on
11 far too long.

12 This public hearing was not very well
13 publicized, as you were just made aware, and we have been
14 to hearing after hearing after hearing.

15 When will every district child and the
16 parents have the opportunities that NCS has offered my
17 family and many others? As you can tell, my frustration
18 level is very great. I had high hopes that the State
19 Board would act quickly and decisively. Here we go on
20 the second or third year of implementation with nothing
21 having been done. That is a travesty in my opinion.

22 We are moving slowly. Many of the parents
23 are moving slowly to change the face of the local school
24 board to be one of inclusion and respect. Our grass

1 roots efforts, as you know, have been extremely
2 successful on many issues. We count on you as our
3 appointed leaders to do the right thing and to follow the
4 law.

5 Thank you.

6 DR. PIKA: Thank you.

7 That concludes the list of people who have
8 signed up to speak this evening. We would be happy to
9 receive any additional comments if anyone wishes to do so
10 at this point.

11 MS. NOWAK: I have a question.

12 DR. PIKA: Why don't you come forward,
13 please. I can't answer your question without you
14 becoming part of this process.

15 MS. NOWAK: I know I'm a new face to you.
16 My name is Anne-Marie Nowak, A-n-n-e, hyphen, M-a-r-i-e,
17 N-o-w-a-k. I have a first grader at Maclary. I also
18 have a four-year-old, a two-year-old, and we are
19 expecting a baby in December. I intend to be around a
20 long time.

21 So I am concerned regarding these schools.
22 My question is: When you implement a law, you take the
23 rights of some and you pit them against the rights of
24 others and somebody is going to have an imbalance.

1 If you look at our rules about gun
2 legislation, we say some people can have guns and some
3 cannot and it's for the best for everybody.

4 Why should we assume that when we create
5 schools, everybody is going to have the same? Because
6 not everybody can have the same. Does that make sense to
7 you? You live in a city, you will have city schools. If
8 you live in a suburb, you have suburb schools. If you
9 live in farmland or urban -- rural area, you'll have a
10 rural school. It's just a difference. It doesn't mean
11 it's better or worse. It's just not the same.

12 So why do we assume that all kids have to
13 have the same? Because that's what I'm hearing, we want
14 the kids to all have the same.

15 Does that make sense?

16 DR. PIKA: I would be happy to defer to any
17 of my colleagues that wish to speak for that, but I have
18 to also say our purpose here this evening is to try to
19 get your reaction, your thoughts about the particular
20 issue in front of us, which is the neighborhood schools'
21 proposal from the Christina School District. So it's not
22 really designed to be a discussion or kind of an open
23 forum opportunity for kind of give-and-take.

24 But I think we can be a little bit flexible

1 if somebody on the Board wishes to respond to this
2 observation or this question.

3 DR. SMITH: I think the operative word is
4 not the same, but equity. Is there a difference in your
5 view of the --

6 MS. NOWAK: I think the word is fair and
7 life is not fair and you could never achieve fairness no
8 matter how hard you worked because that's life. So when
9 you say you want all the schools to be fair, you are
10 setting yourself up for an unworkable goal because all
11 the kids cannot have the same thing, which would be what
12 is perfectly fair, if every child had the exact same
13 thing.

14 DR. SMITH: So who decides who gets what?

15 MS. NOWAK: That's why we have a law that
16 says this is what we are going to decide is what's right.
17 This is what our constituents want. And if this is
18 what's right and it's your job to implement it, why is it
19 taking so long? I don't know. I'm asking the question
20 because I'm new to this whole process.

21 DR. PIKA: Mrs. Vari?

22 MS. VARI: Miss Nowak, I'm Louann Vari.
23 I'm deputy attorney general and I serve as the lawyer for
24 the State Board.

1 that would happen once a plan, if a plan were to be
2 rejected by the State Board the first time around, which
3 is what happened with respect to Christina's plan. The
4 law laid out the process that would happen after that.

5 I believe that when you look at that
6 timetable, the State Board and the districts and various
7 other districts, as well, have complied with that
8 timetable. We might sit and haggle about whether the
9 timetable was a good one from the beginning, but it was
10 the timetable that I think was laid out in the law. When
11 you have the law, you need to follow it.

12 So I'm not sure that's going to answer
13 everyone's questions, but I'm also not sure that this is
14 the time to try to resolve all of those questions.

15 MS. NOWAK: Okay. But my overall question
16 is if Christina's district is saying that it's not fair
17 to implement this policy, my question is: We have a law.
18 Why aren't we following it? Because that's what the
19 people want and the people say is right. Why is this
20 fair issue coming up?

21 DR. PIKA: Because that's in the law.

22 MS. NOWAK: I'm glad you told me.

23 DR. PIKA: The term "fair and equitable

24 education" is, in fact, in the law. So trying to

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1 interpret the substance as well as follow the process has
2 been part of this discussion.

3 MS. NOWAK: But can having different things
4 still be equitable? Can it still be fair if we have
5 things that are different? If we say that the kids in
6 the cities, maybe, have more room in their schools and
7 they have empty classrooms and the kids in the suburbs
8 have fuller classrooms, it might not be the same, but
9 does that mean it's wrong?

10 DR. PIKA: I don't think "same" and
11 "equitable" are the same terms. I think that they are
12 different and I don't believe that the question really is
13 space. That really lies at the heart of the issues that
14 the district has presented to us.

15 But you are welcome to look at any of their
16 submissions. We have both the original as well as the
17 resubmission, and those are some of the issues that they
18 have discussed in their submission. It's certainly some
19 of the issues that we will have to deliberate on.

20 I can't answer your questions here this
21 evening. We have deliberated on this once before as a

22 board and our views are reflected in the decision and
23 order which came forward in March. We will be
24 deliberating on this again in December as a board and

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1 then issuing an order, a decision and an order,
2 presumably in January.

3 MS. NOWAK: Okay. So you are really
4 looking for a comment. Then I guess my comment to the
5 Board is: We have a law. Please follow it. Try and be
6 fair, but do not try and give the kids the same because I
7 don't think it's possible.

8 Is that a fair comment to make?

9 DR. PIKA: Yes. Thank you.

10 MS. NOWAK: Okay.

11 DR. PIKA: Thank you.

12 Anyone else?

13 MS. CASE: Yes. We have another sign-up.
14 Shelly Menzer.

15 MS. MENZER: Good evening. Thank you for
16 taking our comments.

17 DR. PIKA: Can you identify yourself?

18 MS. MENZER: My name is Shelly Menzer,
19 M-e-n-z-e-r. I actually wasn't going to speak tonight.
20 I was going to write something because I haven't had a

21 chance to read the evidentiary hearings that you had with
22 the district, but I figured I'll just say something and
23 I'll read that and probably send you something, anyway.

24 I'm a parent in the district. I have a

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1 four-year-old, a three-year-old, and a one-year-old, and
2 one on the way next month, so we are going to be around
3 for a while, too.

4 I guess my concern -- I understand -- I
5 read from the hearings in March with the Board that you
6 had, and I understand the district's problems. I would
7 like to see neighborhood schools, but I can see how it's
8 really difficult to make it work in the district. I
9 actually grew up in this area and I was bussed. I went
10 to Downes and then Mary Scagway for three years and then
11 I went to shoe in Newark.

12 And the way I see it, everything is
13 different now and I'm not sure that we need -- I think
14 the problem is the noncontiguous district. I think that
15 you do need to be concerned about if you try to implement
16 neighborhood schools in our district as it is now, you
17 would definitely create some huge -- not only space
18 problems, but you might have problems getting teachers

19 into some of the schools versus other schools and you may
20 have inequities.

21 So I guess when I think about this issue, I
22 think about the common sense thing to do when
23 desegregation started, they redid everything. They
24 redrew things. And it seems like now that they are

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1 saying, okay, you don't have to do this according to
2 racial equities, I guess, it might be time to relook at
3 the way the boundaries are done. I know the Christina
4 School District has grown immensely since when I was
5 growing up. I mean, the Route 40 corridor and Bear, you
6 know, there was nothing, relatively speaking, over there
7 compared to now.

8 So I guess what I'm saying is it seems to
9 make as much sense to send our kids up to the city and
10 the city kids down here as it would to start swapping
11 with Appoquinimink now that there's Route 1. You know, I
12 just don't -- there's got to be another way to do this
13 and to keep everything where there's equities.

14 And the other thing I wanted to point out
15 was my husband and I were sitting down watching the news
16 last week and the world is just -- I have to say when my
17 kids get to fifth grade, if they have to go into the

18 city, I really don't know what I'm going to do because
19 with the September 11th, the anthrax, child abductions,
20 and this sniper guy, I really don't know if I want my
21 kids in a 40-minute car ride up the highway from me.
22 It's kind of scary. I think the parents in Wilmington
23 would probably say the same thing. They'd rather have
24 their kids close to home.

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1 So there's got to be another way that we
2 can do this. And it might not be easy. I know that --
3 you know, I don't know how it worked back then in terms
4 of redrawing district lines. I'm sure schools had to be
5 shuffled and staff and things and that's a huge burden,
6 but perhaps it's time to kind of look at what happened
7 back then and say, okay, we don't have to do this
8 anymore. Maybe we need to kind of shift the lines and we
9 have to take parts of other districts in order to make
10 ourself contiguous and give up parts of our district. I
11 don't know what the right thing to do is.

12 But I guess I just wanted to say those
13 thoughts and I'll probably send you something a little
14 more organized later.

15 DR. PIKA: Thank you.

16 MS. MENZER: Thank you.
17 DR. PIKA: Any other comments this evening?
18 Jeff?
19 MR. ARMSTRONG: You have my name from
20 before; right? Jeff Armstrong, J-e-f-f
21 A-r-m-s-t-r-o-n-g. Not really comments. Not too much.
22 I mean, I'm trying to understand some things. If we
23 write you a letter, that's going to carry as much weight
24 as everything that you are writing down now; correct?

28

1 DR. PIKA: Yes. If you wish to submit
2 something in writing, that would be also part of our
3 consideration when we are going into our deliberations.
4 MR. ARMSTRONG: Okay. You guys have taken
5 quite a beating and this is a lot of work, so I don't
6 want to talk too much longer.
7 I've often wondered, then, we have four
8 school districts and I had an idea awhile back, even
9 wrote a letter to the newspaper. What if we had one
10 school district or one plan for all the schools in this
11 area? Try to match the resources, the school location
12 against where the students live, et cetera. Is that
13 something that can come up at a later point? You talked
14 about meeting your statutory requirements before turning

15 over to other parts of government. Is that what this
16 part is really all about, that that can be considered at
17 a later point? Or are you going to say four district
18 submitted plans that we accept? What happens next?

19 DR. PIKA: We've been trying to figure out
20 a little bit what happens next, and I don't think that
21 there is a definitive interpretation, though I will turn
22 to Mrs. Vari to give us the cautionary interpretation.

23 MS. VARI: Mr. Armstrong, I had no idea I
24 was going to have to work this hard tonight.

29

1 You have a couple different questions, I
2 think, in there, and I'm going to start by talking about
3 the neighborhood school law at opposed to some other
4 laws.

5 The neighborhood school law said that if
6 one of the four upstate districts submitted a plan to the
7 State Board and the State Board said no, this plan
8 doesn't meet the requirements of the law, the district
9 would then have 60 days to resubmit and that's where we
10 are right now.

11 There is some question about what happens
12 if the State Board looks at those resubmitted plans and

13 then still says this plan doesn't meet the requirements
14 of the law. It's pretty clear in the Neighborhood School
15 Act that the attorney general feels some role. It's not
16 quite clear precisely what that role is. I think that's
17 sort of where we are at. The statute talks about the
18 attorney general.

19 Beyond that, I think I also, perhaps, heard
20 you asking questions about redistricting. That was not,
21 I think, what Dr. Pika was originally talking about when
22 he made his comment about what happens after this. I
23 think that's a different statutory system.

24 MR. ARMSTRONG: Okay. Well, I mean, I know

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1 the whole process is slow and it's intentionally slow and
2 deliberate. So like the old carpenter saying: Measure
3 twice, cut once. We don't want to be in a big hurry. I
4 know we were in a big hurry back in late '70s, early
5 '80s, whatever, when all the court orders were passed
6 down. I guess it went through a couple iterations on
7 that, one big school district and four -- and I don't
8 know the whole history.

9 But you also said that three school
10 districts submitted plans that weren't approved, and I
11 can't remember where they are at right now. I think one

12 was resubmitted and passed at Brandywine.

13 DR. PIKA: We actually received seven plans
14 that were submitted to the Board, and all but three of
15 those were approved. Those were the Appoquinimink, the
16 Red Clay, and the Christina plans. All three of those
17 districts have now resubmitted plans to the State Board.
18 The four upstate districts were required to submit plans.

19 MR. ARMSTRONG: But as far as this whole
20 process goes, is there any way that it can be forced to
21 reassess all the resources rather than -- it's almost
22 like there are four kingdoms and they want to maintain
23 their kingdom. And it seems to me, for example, with the
24 plans that was being submitted by Christina, some of the

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1 students closest to Wilmington have to go to Wilmington
2 even though they have to cross completely over Red Clay.

3 DR. PIKA: Let me just say that I think the
4 same thought has occurred to members of the Board as we
5 have worked our way through these plans. Certainly the
6 Board has become a repository of a great deal of
7 knowledge and familiarity with what is happening in the
8 four upstate districts. We can't forget that
9 Appoquinimink is also a New Castle County district, as

10 well.

11 But the narrow intent, the purpose of the
12 neighborhood school law is what we are actually focused
13 on tonight in this process and this step. The kind of
14 questions that you are asking are really more
15 speculative, more thinking outside of the boundaries of
16 that law, I would say, and are not necessarily integral
17 to the decision to the deliberations the Board needs to
18 make.

19 On the other hand, the Board may at some
20 point issue some thoughts that they might have on that.
21 But it is not necessarily the heart of this process at
22 this time.

23 MR. ARMSTRONG: Okay. Well, I'll send you
24 a letter.

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1 DR. PIKA: Thank you. I'll look forward to
2 receipt of it.

3 MR. ARMSTRONG: Thank you.

4 DR. PIKA: Any other comments?

5 I see a hand up. Why don't you come
6 forward, Miss Sawyer. Remind everybody who you are,
7 again, please.

8 MS. SAWYER: Dana Sawyer.

7 that it's nothing against you and your good deeds, but we
8 just have been behind the eightball from day one and we
9 continue to be behind the eightball and I don't know what
10 else to do about it.

11 I think many of us are to the point where
12 I'm ready to, you know, pick up my ball and go home and
13 leave my kids in their perfect little private schools or
14 my perfect little Newark charter school because I don't
15 know what else to do. That's where we are at this point.
16 It is this terrible feeling as it is, it's a feeling of
17 helplessness. I've never experienced that before and it
18 is a terrible feeling.

19 So I appreciate your willingness to listen
20 to us because nobody else does. We thank you for that.

21 DR. PIKA: Thank you for your additional
22 comments.

23 Seeing no other hands and volunteers or
24 sign-ups, I would like to now declare these public

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1 hearings closed.

2 I will reiterate that the Board's timeline
3 is that we expect to meet as a board to deliberate on the
4 information that we received, the evidence that has been
5 submitted in early December, with a written decision

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C E R T I F I C A T E

I, Kathleen White Palmer, Registered Professional Reporter and Notary Public, do hereby certify that the foregoing record, pages 1 to 35, inclusive, is a true and accurate transcript of my stenographic notes taken on Monday, October 21, 2002, in the above-captioned matter.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 23rd day of October, 2002, in New Castle County.

KATHLEEN WHITE PALMER
Certification No. 149-RPR
(Expires January 31, 2005)