

**In The Matter Of:**

*The State of Delaware Department of Education  
In Re: Public Hearing of Academy of Dover*

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*June 10, 2015*

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STATE OF DELAWARE  
DEPARTMENT OF EDUCATION  
CHARTER SCHOOL OFFICE

IN RE: PUBLIC HEARING OF ACADEMY OF DOVER

Department of Education  
Townsend Building  
401 Federal Street  
Cabinet Room - 2nd Floor  
Dover, Delaware

Wednesday, June 10, 2015  
6:00 p.m.

BEFORE: JENNIFER NAGOURNEY,  
Executive Director,  
Charter School Office

ALSO PRESENT: DONNA JOHNSON,  
State Board Executive Director

ILONA M. KIRSHON,  
Deputy Attorney General for  
the State Board of Education

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1 MS. NAGOURNEY: Good evening.  
2 I declare this public hearing to be open. My  
3 name is Jennifer Nagourney. I'm the executor  
4 director for the Charter School Office of the  
5 Delaware Department of Education and I have  
6 been appointed by the Secretary of Education  
7 to conduct this public hearing.

8 The Academy of Dover has been  
9 placed on formal review by the Department of  
10 Education and the State Board of Education.  
11 As required by law, the matters are referred  
12 to the Charter School Accountability  
13 Committee. Last week the Charter School  
14 Accountability Committee issued its final  
15 report with the recommendation of probation  
16 with condition.

17 This joint public hearing is  
18 being held by the Department of Education and  
19 the State of Board of Education to assist in  
20 the decision of whether the criteria set forth  
21 for remedial action in the Delaware Code has  
22 been satisfied. This hearing provides the  
23 school an opportunity to respond to the  
24 Accountability Committee's final report. This



1 hearing also gives members of the public the  
2 opportunity to comment.

3 I will now ask the others with  
4 me today to introduce themselves.

5 MS. JOHNSON: My name is Donna  
6 Johnson. I'm the executor director of the  
7 Delaware State Board of Education.

8 MS. KIRSHON: My name is Ilona  
9 Kirshon, deputy attorney general. And I'm  
10 counsel to this hearing panel today.

11 MS. NAGOURNEY: I would like the  
12 record to reflect that the notice of the time,  
13 date and place of today's public hearing was  
14 published in The News Journal and the Delaware  
15 State News. In addition, notice was posted on  
16 the Charter School Accountability Committee's  
17 official place of business on the Department  
18 of Education's official website and on the  
19 state's public meeting calendar on the state's  
20 official website. Further, the school was  
21 personally notified of the time, date and  
22 place of today's public hearing.

23 A court reporter is present so  
24 that a record of this hearing can be made. It



1 will be necessary for each speaker to clearly  
2 identify himself or herself before beginning  
3 to speak so that the court reporter will be  
4 able to note who you are.

5 The record of this hearing will  
6 be provided to the Secretary of Education and  
7 members of the State Board of Education  
8 together with any written or electronic  
9 comments received at or before this hearing.

10 We will proceed in the following  
11 manner. First, we will hear from any  
12 representatives of the school who wish to  
13 comment. Then we will take comments from  
14 anyone else who desires to speak. There's  
15 sign-in sheets in the back.

16 If you have not yet signed in,  
17 even if you're just here to observe, please  
18 sign in now.

19 I have here one speaker. Anyone  
20 else who wants to speak after that is very  
21 welcome. I intend to be as liberal as time  
22 and reason allows accepting comments; however,  
23 I reserve the right to limit comments if it is  
24 purely repetitive or cumulative.



1                   At this time I will accept  
2                   comments from any representatives of the  
3                   school.

4                   Let the record reflect that  
5                   there are no representatives of the school  
6                   present.

7                   At this point we will accept  
8                   comments from others who want to speak.

9                   Please remember to identify  
10                  yourself before you begin.

11                  MS. NEAL: Hi, my name is Sabine  
12                  Neal. I have met most of you or spoken in  
13                  front of most of you. I'm here tonight  
14                  because, again, I'm standing up for my son,  
15                  Markayvion, a six-year-old. Both my children  
16                  attend Academy of Dover.

17                  September 5th, October 7th,  
18                  October 8th, November 11th, November 13th,  
19                  February 23rd, March 11th, March 26th,  
20                  May 4th, May 11th, May 20th, May 26th,  
21                  June 8th and June 9th -- these are days that  
22                  my child was not allowed to attend school or  
23                  asked to leave. Those are just the days that  
24                  I have documented. A couple of those are in-



1 school suspension days that I documented.

2 There are more than this.

3 I really just want to make it  
4 clear that that school has not provided the  
5 services that my child deserves and is  
6 required. That's a law. He should be able to  
7 be in the school and have the same education  
8 as all other children.

9 He has been diagnosed with  
10 autism, ADHD, a mood disorder, separation  
11 anxiety disorder. Those are clear  
12 disabilities. And he should have received  
13 services at Academy of Dover.

14 Maybe people don't care. Maybe  
15 there's nothing that can be done. But I'm  
16 going to keep standing up for my son and what  
17 he deserves until the Academy of Dover  
18 receives a punishment. They should not be  
19 allowed to just continue and face no  
20 consequences on the matter.

21 I know it's beating it in the  
22 head, kind of, but I'm the only person that he  
23 has to stand up for him. And other children.  
24 Because I know this has happened to other



1 children there. Just from him going to his  
2 counseling services, I've spoken to other  
3 parents whose children have attended Academy  
4 of Dover and have been removed because they  
5 could not provide them services. That's not  
6 acceptable. And even though I might not make  
7 a difference today, or maybe for the next year  
8 or two, this is going to happen to somebody  
9 else.

10 It's the same group of people  
11 leading the school in the same way.  
12 Ultimately, it's going to happen to somebody  
13 else. And it's going to be worse. And it's  
14 not just going to fall upon the school. Then  
15 they're going to see that I actually already  
16 made a complaint. And they're going to come  
17 to the Department of Education and wonder why  
18 they didn't face any consequences.

19 I just really, really want you  
20 to know that they really need to be -- their  
21 practices need to be looked into, because this  
22 shouldn't happen to anybody -- leading to my  
23 son getting abused by his teacher. That's not  
24 acceptable. And I'm not going to stand for



1 that. I will continue to fight this matter  
2 through any way possible.

3 Thank you.

4 MS. NAGOURNEY: Thank you.

5 MS. JOHNSON: Thank you.

6 MS. NAGOURNEY: Is there anyone  
7 else who wishes to speak?

8 Okay. Let the record reflect  
9 that no one else wishes to speak.

10 With that said, this hearing is  
11 now closed. Thank you all for coming and  
12 participating today.

13 The Secretary will consider your  
14 comments as part of the decision-making  
15 process, and your comments will also be  
16 available for the State Board to consider.

17 (The hearing adjourned at  
18 6:10 p.m. this same evening.)

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C E R T I F I C A T E

STATE OF DELAWARE:  
:  
NEW CASTLE COUNTY:

I, Robert Wayne Wilcox, Jr., a Registered Professional Reporter, within and for the County and State aforesaid, do hereby certify that the foregoing hearing was taken before me, pursuant to notice, at the time and place indicated; that said witness was by me duly sworn to tell the truth, the whole truth, and nothing but the truth; that the testimony of said witness was correctly recorded in machine shorthand by me and thereafter transcribed under my supervision with computer-aided transcription; that the foregoing hearing is a true record of the testimony given by the witness; and that I am neither of counsel nor kin to any party in said action, nor interested in the outcome thereof.

WITNESS my hand and official seal this 10th day of June A D 2015



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Robert Wayne Wilcox, Jr., RPR

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