

**In The Matter Of:**  
*Department of Education  
and Board of Education*

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*In Re: Freire Charter School  
May 18, 2015*

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THE STATE OF DELAWARE  
DEPARTMENT OF EDUCATION  
and  
BOARD OF EDUCATION

In re: )  
 )  
FREIRE CHARTER SCHOOL )

TRANSCRIPT OF PUBLIC HEARING

Carvel State Building  
820 French Street  
Wilmington, Delaware 19801  
May 18, 2015  
5:13 p.m.

HEARD BEFORE: JENNIFER NAGOURNEY

APPEARANCES:

CATHERINE T. HICKEY, ESQ., Deputy Attorney  
General for the Department of Education

DONNA JOHNSON, Executive Director, State  
Board of Education (as noted)

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1 MS. NAGOURNEY: Good evening. I  
2 declare this public hearing to be open. My  
3 name is Jennifer Nagourney. I am the  
4 Executive Director of the Charter School  
5 Office at the Delaware Department of  
6 Education, and I have been appointed by the  
7 Secretary of Education to conduct this public  
8 hearing.

9 The charter of Freire Charter  
10 School was placed on formal review by the  
11 Department of Education at the assent of the  
12 State Board of Education. As required by law,  
13 the matter was referred to the Charter School  
14 Accountability Committee, which will issue an  
15 initial report on the matter later this  
16 evening.

17 This joint public hearing is  
18 being held by the Department of Education and  
19 the State Board of Education to assist in the  
20 decision of whether the criteria set forth for  
21 remedial action in the Delaware Code have been  
22 satisfied. This hearing provides the school  
23 with an opportunity to receive public comment.

24 I'll now ask my colleague to



1 introduce herself.

2 MS. HICKEY: Good evening. My  
3 name is Catherine Hickey. I'm a Deputy  
4 Attorney General with the Delaware Department  
5 of Justice, and I'm here this evening as  
6 counsel to the hearing officer.

7 MS. NAGOURNEY: My understanding  
8 is we will be joined shortly by Donna Johnson,  
9 Executive Director of the State Board of  
10 Education, and when she arrives we will  
11 formally introduce her and note her presence  
12 for the record.

13 I would like the record to  
14 reflect that the notice of the time, date, and  
15 place of today's public hearing was published  
16 in The News Journal and the Delaware State  
17 News.

18 In addition, notice was posted at  
19 the Charter School Accountability Committee's  
20 official place of business, on the Department  
21 of Education's official website, and on the  
22 State public meeting calendar on the State's  
23 official website. Further, the school was  
24 personally notified of the time, date, and



1 place of today's public hearing.

2 A court reporter is present so  
3 that a record of this hearing can be made. It  
4 will be necessary for each speaker to clearly  
5 identify himself or herself before beginning  
6 to speak so that the court reporter will be  
7 able to note who you are.

8 The record of this hearing will  
9 be provided to the Secretary of Education and  
10 members of the State Board of Education  
11 together with any written or electronic  
12 comments received at or before this public  
13 hearing.

14 We will proceed in the  
15 following manner: First we will hear from any  
16 representatives of the school who wish to  
17 comment. Then we will take comments from  
18 anyone else who wishes to comment. There are  
19 sign-up sheets in the front of the room. I  
20 have one of them here.

21 Everybody signed in who is here  
22 for Freire, whether or not you're speaking?  
23 Everyone signed in? Please come forward and  
24 sign in.



1                   Could I have a quick show of  
2 hands for all the school representatives who  
3 wish to speak?

4                   Can I have a show of hands for  
5 any nonrepresentatives for the school who wish  
6 to speak?

7                   All right. Given the number of  
8 participants, to make use best of everyone's  
9 time we're going to impose a time limit of  
10 three minutes per comment.

11                  However, I would like to note  
12 that you can add, if you have brought a  
13 written statement with you, whether  
14 handwritten or typed, it can be added to the  
15 record in full as an exhibit to this hearing,  
16 and it will be entered into the record and  
17 read just as your comments would be.

18                  MS. JONES: May I ask if those  
19 who are not speaking might donate their three  
20 minutes to those of us who are?

21                  MS. NAGOURNEY: I am terribly  
22 sorry, but it is a three-minute limit per  
23 individual and five-minute limit for groups of  
24 two or more who would like to come up as a



1 team, as a buddy.

2 You are welcome to do so. The  
3 idea of this is that they both have to speak.  
4 If they're coming up together to say  
5 essentially the same thing, it makes more  
6 sense to have two people delivering the  
7 message than one.

8 I would like to introduce a  
9 recently arrived member of our panel.

10 MS. JOHNSON: Hello. Donna  
11 Johnson, Executive Director, Delaware State  
12 Board of Education.

13 MS. NAGOURNEY: We're setting a  
14 strict time limit of three minutes per  
15 speaker, five if there are two or more people  
16 delivering the same message. I intend to be  
17 as liberal as time and reason allow in  
18 accepting comments; however, I do reserve the  
19 right to limit comment if it is purely  
20 repetitive or cumulative.

21 At this time we will accept  
22 comments from any representatives of the  
23 school.

24 Since there are no



1 representatives of the school who wish to  
2 speak, we will now accept comments from anyone  
3 else who desires to speak.

4 MS. DOTO: Hi. I'm Lyn Doto, and  
5 this is --

6 MS. NAGEL: Eva Nagel.

7 MS. DOTO: I'll try to get this  
8 in in five.

9 I've been a resident of Midtown  
10 Brandywine for 40 years, and Eva has been a  
11 resident for --

12 MS. NAGEL: Twenty-some years,  
13 thirty years.

14 MS. DOTO: For the past five  
15 months I have been engaged, along with many  
16 other people in our small neighborhood, in a  
17 struggle to convince State and City officials  
18 that the location of Freire Charter School at  
19 201 West 14th Street will do a disservice to  
20 the neighborhood and the potential students  
21 who will attend Freire.

22 We have been unsuccessful in  
23 getting the City of Wilmington to hold a  
24 public Zoning Board of Adjustment hearing on





1 the lack of parking at Freire, in part because  
2 Freire has provided the City with only their  
3 third-year enrollment figures, not the full  
4 fourth-year build-out.

5 We know there are not a  
6 sufficient number of parking spaces at the  
7 building, but our letters, emails, and phone  
8 calls have fallen on deaf ears in the City  
9 administration.

10 Last week Midtown Brandywine  
11 Neighbors Association's board of directors  
12 voted to retain legal counsel to assist us in  
13 challenging the legality of the City of  
14 Wilmington's repeated refusal to allow our  
15 neighbors to protest the location of Freire in  
16 our community.

17 We believe that the change of  
18 relocation of Freire from 920 French Street to  
19 201 West 14th Street has had a major impact on  
20 the quality of education that will be  
21 available to Freire's students.

22 In December 2014 the Midtown  
23 Brandywine Neighbors Association wrote to  
24 Department of Education Secretary Mark Murphy



1 requesting that Freire be required to request  
2 a major modification to their charter due to  
3 the change in location, as required by DOE  
4 rules.

5 We never received an answer to  
6 that letter, but we continue to believe that  
7 such a major modification request is required.

8 We appreciate the opportunity to  
9 speak and provide online comments to the CSAC,  
10 the State Board of Education, and the  
11 Department of Education. But we are well  
12 aware that few of our very real concerns have  
13 been heard. Up until last week the major  
14 focus that we have heard from CSAC has been on  
15 enrollment figures.

16 At least week's CSAC meeting  
17 several other issues were identified as topics  
18 for review. I would like to address just one  
19 of them, viability of school leadership.

20 Since November 2014 I have  
21 attended many neighborhood meetings, several  
22 Charter School Advisory Committee meetings,  
23 and a State School Board meeting. This is the  
24 third time I have spoken at a public hearing



1 on Freire.

2 At none of these meetings has any  
3 non-staff member of Freire's board of  
4 directors appeared, spoken, or submitted  
5 written public comments. I know that at least  
6 two neighbors sent letters to the president of  
7 the board and other board members. No  
8 response was received to those letters.

9 In one telephone conversation I  
10 had with a board member I mentioned the  
11 problem with traffic and parking. She replied  
12 that the board did not get involved with that,  
13 they rely on the staff members. This is truly  
14 a hands-off board that is not interested in  
15 communicating or working with the community.

16 As CSAC members have heard  
17 repeatedly, the staff members of Freire have  
18 not been responsive to the traffic or parking  
19 problems, including many neighbors' concerns  
20 about child safety.

21 Now the former head of school is  
22 facing a criminal charge for aggressive  
23 actions toward a peaceful neighborhood  
24 protester. We learned last Wednesday that he



1 has been removed and that there will no longer  
2 be a, quote, head of school. Instead there be  
3 two, quote, academic advisors.

4 Those two new co-heads of school  
5 each have four years of experience teaching  
6 but no administrative experience. In fact,  
7 they have not undergone any of the training  
8 for heads of school that the State of Delaware  
9 offers to charter schools.

10 We learned last week that the CEO  
11 of Freire's umbrella nonprofit organization in  
12 Philadelphia will supervise these teachers.  
13 Interestingly, that CEO was not even present  
14 at the CSAC meeting in Dover. She called in  
15 from Philadelphia because she apparently had  
16 other more important duties there.

17 The two new, quote, academic  
18 advisors were present but deferred all  
19 questions to the CEO on the phone.

20 Freire Wilmington is a flawed  
21 school with more promises than plans. I  
22 believe at most they should be given a  
23 one-year extension to develop a more complete  
24 and workable plan. We don't need another



1 failed charter school.

2 MS. HICKEY: You have one minute  
3 left.

4 MS. DOTO: I don't have anything  
5 to say. I'm going to submit this as an  
6 attachment.

7 MS. NAGOURNEY: I'm not going to  
8 call people forward, so I would ask that you  
9 come forward in the order in which you --

10 MS. JONES: I'm Judy Jones. I  
11 can wait if someone else wants to speak who  
12 has to leave.

13 MS. NAGOURNEY: For those who  
14 have not yet signed in, please, please, please  
15 sign in even if you are not planning to speak.  
16 We want an accurate record of everyone who is  
17 here tonight.

18 We should pause a minute while  
19 everybody signs in.

20 Next.

21 MS. JONES: Judith Jones. I'm a  
22 very new resident of Midtown Brandywine, less  
23 than a year. But I am an old teacher. My  
24 student teaching was in Harlem, and I most



1 recently was teaching at Stanford University's  
2 online high school, so I've kind of covered  
3 the -- for gifted children.

4           So I've covered the oceanfront,  
5 if you will, on those. And I did ten years  
6 teaching in Greece in between with all Greek  
7 boys.

8           And so I do appreciate -- I'm  
9 very new to charter schools, and the CSAC did  
10 allow me to sit in on the last meeting they  
11 held in Dover. So I have geared my comments  
12 to the four categories that they are looking  
13 at, and I have looked on the website to be  
14 quoting them.

15           As Ms. Davenport told the CSAC  
16 meeting on May 13th, we are putting two  
17 individuals in as coheads. There's been no  
18 indication of this on their website as yet,  
19 but she said it did not involve any change in  
20 school organization, as they've been in  
21 Philadelphia for a year.

22           Mr. Ramirez, who will be head of  
23 academics, actually on his application for the  
24 board of Freire said that he would be



1     interning this year in Philadelphia. And, you  
2     know, I do appreciate that Ms. Wenell has come  
3     tonight, but these are very idealistic, very  
4     hardworking young people who are being asked  
5     to head a school to get it off the ground.

6                     William Porter, who was  
7     originally head of the school, was removed.  
8     No reason has ever been given, and you wonder  
9     if he's going to be coming back. If they plan  
10    to put Mr. Porter back, even his affiliation  
11    with Freire at the moment is totally unclear.  
12    He will be giving advice, according to  
13    Ms. Davenport.

14                    Ms. Davenport, by the way, is,  
15    again, the management officer who will be  
16    giving advice to the school. The CSAC report  
17    said that her organization would receive about  
18    \$500,000 next year for such advice. We don't  
19    know whether Mr. Porter is with that group or  
20    not.

21                    Secondly, the board of directors,  
22    which actually is all four categories,  
23    financial viability, fidelity to the charter,  
24    leadership capability, and academic viability,



1 and, as CSAC said, you cannot have a strong  
2 school without a strong board. That board was  
3 not present at the meeting. They're not  
4 present today.

5 They have met three times total  
6 in 2015. On the school's website we do have  
7 minutes for their January meeting. March and  
8 May have absolutely no minutes, just an  
9 agenda.

10 MS. HICKEY: Two minutes.

11 MS. JONES: Thank you.

12 And the board, we don't know  
13 whether it was involved in choosing the head  
14 of the school or not.

15 Then academic viability. The  
16 school lists physical education as a  
17 curriculum requirement, but has no gymnasium.  
18 They say there's after-school tutoring that  
19 all teachers are required to do. We wonder if  
20 the teachers know that.

21 Special needs students.

22 Ms. Davenport was asked in February to have a  
23 plan. Her plan as presented in May was to  
24 take the special needs students and ship them





1 out of state to a private school somewhere  
2 else.

3 Finances. We have loans of over  
4 \$2 million with an \$800,000 line of credit and  
5 the idea that they will balance their budget  
6 by the third and fourth year by \$400,000 in  
7 direct grants. No idea where that's coming  
8 from or how to get there.

9 So I'm afraid Freire in each of  
10 those four categories deserves more study.  
11 Thank you.

12 MR. PELEGRIN: My name is Larry  
13 Pelegrin, P-e-l-e-g-r-i-n. This is the second  
14 opportunity I've had to talk to this group.  
15 The last was on March 9th.

16 And I want to express my strong  
17 objection to the site chosen for the Freire's  
18 charter at 201 West 14th for these reasons:  
19 The location, the surrounding area, and the  
20 building are unfit and unsafe for the intended  
21 purpose of a large populated high school.

22 I have lived in Midtown  
23 Brandywine for 19 years, love the diversity,  
24 the camaraderie, the friendship, the energy



1 where we live. However, the logistics are  
2 very tight. There are very few single homes,  
3 many double houses, row houses, apartments.  
4 All of that says it's very tight.

5 All the connecting streets are  
6 one way, and all have street parking, most of  
7 them on both sides of the street.

8 This location will present safety  
9 issues for students walking to and from bus  
10 stops or dropoff locations, wherever they are,  
11 and the last report I just saw, it's a maze of  
12 locations where kids are going to be dropped  
13 off. And this is in good weather. Bad  
14 weather, heavy rain, snow, sleet, will  
15 increase the safety risks exponentially.

16 The sidewalks and streets will  
17 not be able to absorb the dynamic, intense  
18 increase in foot and automobile traffic  
19 created by up to 500 plus students coming in  
20 and out every day five days a week and for  
21 after-hour and weekend school functions.

22 I understand the building will  
23 not have any gymnasium-like facility or  
24 athletic space, nor is there athletic space or



1 field outside. And these are high school  
2 students with unlimited energy.

3 How this proposed location for  
4 Freire got this far is mind boggling.

5 MS. HICKEY: One minute.

6 MR. PELEGRIN: I defy you or  
7 anyone on your committee or staff to visit  
8 Orange and 14th and not come away shaking your  
9 head and asking what were they thinking.

10 Is my opposition on Freire based  
11 on opposing charter schools? Absolutely not.  
12 I think the charter concept when planned,  
13 executed, and managed correctly can add to the  
14 educational options and opportunities for  
15 Delaware's kids. I have two grandsons going  
16 into charter schools this fall. Their parents  
17 and they are very excited, and so am I.

18 I've worked for large  
19 multinational corporations to small  
20 entrepreneur companies for 49 years, and one  
21 principle has always applied: If you start  
22 with a bad plan, you can expect the same bad  
23 results.

24 Freire Charter at 201 West 14th



1 is a bad plan. The location is unfit and  
2 unsafe for the intended purpose of a high  
3 school. Let me repeat, a high school.

4 For these reasons and the many  
5 reasons expressed by others and to be  
6 expressed, Freire Charter should not be  
7 approved, but rather Freire should be directed  
8 to go back and fix the many serious issues  
9 that have been raised, including a new  
10 location, and come back in a year or later  
11 with a solid work plan --

12 MS. HICKEY: Sir, time's up.

13 MR. PELEGRIN: -- that will  
14 result in a quality school --

15 MS. HICKEY: Sir, your time is  
16 up.

17 MS. NAGOURNEY: Sir, just out of  
18 respect for everybody, we're going to respect  
19 the time limits.

20 MR. PELEGRIN: I'm not talking.  
21 I'm thanking you for the opportunity to speak  
22 to you again. I have three handouts, if you  
23 would like them, one of the comments I just  
24 made, and the other two are a letter I sent to



1 your committee on February the 9th and a  
2 letter I sent to each board member of Freire  
3 on February 18th, if you would like those.

4 MS. HICKEY: Yes, we'll take  
5 them. Thank you.

6 MS. MCNAMARA: Ladies, how are  
7 you? Now, this is very, very important, so  
8 please pay very close attention.

9 My testimony -- thank you so much  
10 for your eye contact. My testimony concerns  
11 Freire's change of facility without following  
12 the Delaware Department of Education's  
13 application to modify an approved charter.

14 I attended the April's Delaware  
15 School Board public meeting, and during that  
16 time the Design Lab Charter School was granted  
17 a major modification regarding change of  
18 location. The Design Lab, like Freire, is due  
19 to open in August of 2015. The experience  
20 prompted me to further investigate this topic.

21 Now, Ms. Nagourney wonderfully  
22 sent me a document called the Delaware DOE  
23 Application to Modify an Approved  
24 Charter 2014/15. In it it says major



1 modifications to a charter must be considered  
2 through an application process with  
3 recommendation for approval or denial. And  
4 the three bodies are you guys, the board, and  
5 Mr. Murphy.

6 One major modification listed is  
7 moving to a new facility. Further, Table 1 of  
8 that document, the type of modification of  
9 location change has the application deadline  
10 of recommended March 1st.

11 Now I'm going to speak to  
12 Freire's location. In their application, in  
13 their initial application it's all over the  
14 place 920 French Street. That is the only  
15 facility that they located in their initial  
16 application.

17 Now, they did make a major  
18 modification request, and it had nothing to do  
19 with change of location. It had to do, as you  
20 know, with their -- well, maybe you don't  
21 remember because I'm sure you have a zillion  
22 things you're doing. But it did not include  
23 facility change. It concerned enrollment  
24 change and enrollment preferences.



1           In their request they did mention  
2   our facility plan has changed since submission  
3   of our charter application. This statement  
4   does not constitute a major modification  
5   request.

6           MS. HICKEY: One minute.

7           MS. MCNAMARA: As an institution  
8   of education and modeling of youths, therefore  
9   striving to lead by example, I believe that  
10  this is just an oversight on the part of  
11  Freire.

12           I am asking that the CSAC, Mark  
13  Murphy, and the State School Board will  
14  continue to do its due diligence and provide  
15  Freire with the opportunity to meet all of  
16  DOE's legally required criteria with fidelity.  
17  This includes applying for a major  
18  modification to change location from 920  
19  French Street to 201 West 14th Street.

20           Thank you. And then I have the  
21  documents in here that I cited. And I  
22  appreciate your attention.

23           MS. NAGOURNEY: For those who  
24  have not yet signed in, whether or not you are



1 planning to speak, please sign in so we can  
2 have an accurate record of all who attended.

3 And for those who joined us  
4 pretty recently, we're finishing the public  
5 hearing for Freire Charter School. When it is  
6 finished we will have the hearing for Prestige  
7 Academy. So if you are here to speak for  
8 Prestige, please wait patiently.

9 MS. COOPER: I am Nancy Cooper.  
10 I live at 1322 North West Street.

11 I'm opposed to the Freire School  
12 operating at 14th and Orange Streets in  
13 Wilmington. I have written two previous  
14 comments and spoken at the previous hearing  
15 regarding this matter. In these previous  
16 comments I addressed the unsuitability of the  
17 school being in our neighborhood. I've also  
18 attended meetings of the CSAC and the State  
19 Board of Education in Dover.

20 Now I'm going to address some of  
21 the issues about the school itself. I'm  
22 concerned with every aspect of this school,  
23 but I am especially concerned with the special  
24 education students since I taught special





1 education in Delaware.

2 If Freire cannot provide  
3 excellent services to these children at their  
4 school, the students should not be counted in  
5 their numbers. Their idea of sending them to  
6 another school is expensive. And who would  
7 pay for that?

8 All students deserve an excellent  
9 education. I would hope that the two boards  
10 would monitor this school very carefully.

11 Secondly, Freire changed location  
12 from that listed in their original proposal.  
13 There needs to be a major modification made.  
14 And neighbors of this new location, us, need  
15 to be able to address the issue.

16 Thirdly, according to the  
17 Delaware staff compensation based on  
18 enrollment as of 5/1/15 -- now, that was a  
19 document that was submitted by the school to  
20 the state -- they said a head of academics is  
21 listed, but not a head of academic support  
22 until the second year of operation.

23 So therefore that one man that we  
24 spoke of who was just to be an intern in a



1 school in Philadelphia will be on his own  
2 except for monitoring from Philadelphia. The  
3 support person is not listed as being there  
4 until the following year.

5 MS. HICKEY: One minute.

6 MS. COOPER: I question the  
7 leadership of this school.

8 Lastly, I hope that the two  
9 boards will read our past and present  
10 comments. This is my opinion: When attending  
11 the meetings in Dover, the board members did  
12 not seem to be aware of our concerns.

13 At one point you did try to make  
14 them aware of some of them, but I do not know  
15 if they know anything about what we're saying.  
16 I think they're given the opportunity. It is  
17 my opinion that they're not aware.

18 The children deserve the best. I  
19 hope the boards will consider our concerns and  
20 very, very closely watch all schools,  
21 especially Freire.

22 MR. WILSON: My name is Dion  
23 Wilson. I'm a lifelong resident of over 60  
24 years. During that time the neighborhood has



1 changed drastically in some ways, but the  
2 people have stayed the same no matter who they  
3 were. We have a nice neighborhood. And I'm  
4 here to say that because that's at stake here.

5           What's at stake here is more than  
6 just our neighborhood. It's our way of life.  
7 We have lived in that neighborhood, and we're  
8 diverse. We're totally diverse. We're like  
9 the spectrum, and we all get along. Through  
10 the riots we got along. I was there then.  
11 And we're still getting along. Until now.

12           We're angry because you want to  
13 put a school in our neighborhood that  
14 everybody in our neighborhood, the taxpayers,  
15 the schoolteachers, retired people, we love  
16 our neighborhood. But you're going to take,  
17 put twice the people of our neighborhood in  
18 there every day for five weeks.

19           Where you live and you live and  
20 you live, would you want twice the people of  
21 your neighborhood there five days a week  
22 without being invited?

23           And then you all haven't said it,  
24 but the term is at-risk children. And where I



1     come from we call them African children. And  
2     at Freire School they're not going to get a  
3     fair shake. The first thing in their program  
4     was no violence, and the director attacks a  
5     woman old enough to be his mother.

6                     And then the woman now who's  
7     supposed to be running stuff, I'll never  
8     forget it. Lyle, you were there. She said,  
9     "All I have to do is look at them, and they'll  
10    obey me." A little blond-haired girl talking  
11    about African children. It's condescending.  
12    If she was a man, I would have punched her in  
13    the mouth for saying that that night.

14                    But they're going to take our  
15    children, our at-risk children, and give them  
16    a decent education? You heard about the  
17    building, the conditions. It's not going to  
18    happen there. The biggest thing isn't even  
19    our community. It's those children. How dare  
20    you put those children there.

21                    You're not even elected  
22    officials. We can't vote you out of office.  
23    But you have the responsibility of the  
24    children. You don't have the responsibility



1 of Nemours and all the other money that's  
2 being given up.

3 MS. HICKEY: One minute.

4 MR. WILSON: The responsibility  
5 is to those children, and you're putting them  
6 in a bad situation. You wouldn't want your  
7 kid there. And I have a 14-year-old. I have  
8 kids that went to A.I. The curriculum is the  
9 same as every public school in Wilmington.  
10 It's no different. They're just saying that  
11 we can do it better. I doubt that very much.

12 MR. SOULSMAN: Hello. My name is  
13 Gary Soulsman, and I live at 109 West 13th  
14 Street. And I'm happy to be here and to have  
15 heard my neighbors speak so eloquently, and I  
16 will be very brief.

17 I think that an oversight was  
18 made in Freire's not having asked for a major  
19 modification based on a change of location.  
20 It's my understanding that they originally  
21 applied for a specific location on French  
22 Street, and it appears to me that the rules  
23 call for them to apply for a modification,  
24 having changed the site.



1           So that's what I request that you  
2           have them do. Thank you.

3           MS. NAGOURNEY: The next person  
4           who desires to speak for Freire? We have  
5           quite a few people. Kathleen Kunkel?

6           MS. KUNKEL: I'm opposed to  
7           Freire operating at the 14th Street and Orange  
8           Street location. I'm not against schools or  
9           education in any way, but I feel that a school  
10          with the size of enrollment that they propose  
11          is totally inappropriate use for the space,  
12          and I'm concerned about how this facility can  
13          meet the student needs.

14          The fact that they did not file  
15          for a charter modification is disturbing, and  
16          I think you should address that fact. In  
17          conclusion, I think this is an ill-advised use  
18          for the space. It's not in the best interest  
19          of the students and the neighborhood. Thank  
20          you.

21          MR. PODORSON: Good evening. I'm  
22          Roy Podorson, 1335 North West Street, been  
23          here since 1998. I woke up one morning in  
24          December and discovered there was a charter



1 school approved down the block of me. We  
2 never even knew it. We're, like, stabbed in  
3 the back, never had any comments about this  
4 thing.

5 And we're all here for one  
6 reason, to help preserve our neighborhood.  
7 The Midtown fear of destroying, consuming our  
8 neighborhood with hundreds of students in a  
9 neighborhood that has over 200-plus residents  
10 is a main concern.

11 Now, I've got to tell you, I  
12 studied infrastructure and traffic in  
13 Wilmington, Delaware and Cecil County for over  
14 eight years as a board member of the PAC,  
15 Public Advisory Committee for WILMAPCO, so I  
16 know a little bit about what's going on and  
17 what's going to happen here.

18 This is not proper for  
19 infrastructure at all for this school. It's  
20 not sound for a school this size, and it will  
21 not handle the amount of students  
22 overabounding sidewalks.

23 Could you imagine what's going to  
24 be happening when we have -- this is 75



1 students walking down a block that I put  
2 together as a thing to show. Imagine 200  
3 students. They're going to be overcrowding,  
4 getting into the streets. Cars come up the  
5 wrong way. Just the other day we saw a car  
6 going up 14th Street the wrong way.

7           There's going to be traffic  
8 accidents, and in the terrible weather that's  
9 going to happen in the wintertime -- we were  
10 told that the student drop-offs with parents  
11 and such would be around, not near the school,  
12 and definitely that's going to be something  
13 that's going to be not looked upon as a good  
14 thing for parents.

15           They're going to go down to the  
16 school, and there will be tremendous backups  
17 of traffic and much more serious concerns of  
18 safety.

19           The property values will be  
20 decreasing if they haven't already, especially  
21 opposite the school. And I feel sorry for the  
22 people who live across the street. Homeowners  
23 immediately adjacent to the school nearby  
24 would be mostly affected. It's going to be





1 harder to sell homes in the area, especially  
2 around the school. And, you know --

3 MS. HICKEY: One minute.

4 MR. PODORSON: One minute?

5 I might not have bought a home  
6 here if there was 500 students around the  
7 corner from me. It will not be secure,  
8 pleasant, and as friendly as it is today with  
9 the destruction of parking, dog walking, lines  
10 of kids waiting to get into the school.

11 And some of the restrictions we  
12 face as a neighborhood being forced to conform  
13 to a negative infrastructure of this kind is a  
14 disaster.

15 We should be taking this money  
16 and putting it into public schools. And  
17 that's all I have to say.

18 What I want to leave with you  
19 with is some pictures. Here's one truck  
20 trying to make a turn. This is schematic of  
21 75 students walking to the school down West  
22 14th. And this one, students crossing the  
23 street just to get near the school.

24 MS. HICKEY: So should we make



1 these three separate ones or all one?

2 MR. PODORSON: That's all one.

3 MS. HICKEY: Okay. Thank you.

4 MR. MONTGOMERY: Good evening.

5 My name is Bill Montgomery. I'm coming up on  
6 my 40th year in Midtown Brandywine, so I'm  
7 nowhere near Dion out there, but I've been  
8 around a while. And it is a great  
9 neighborhood.

10 I'd like to tell you what we're  
11 not in Midtown Brandywine, and we are not  
12 NIMBYs. We are not the  
13 not-in-my-backyard-type people. Our  
14 neighborhood has a history, at least over the  
15 40 years I've been there and beyond, where we  
16 work with folks.

17 We realize we are right downtown.  
18 We're nestled in the shadow of the central  
19 business district. And we work with our  
20 neighbors. The Hercules Building exists today  
21 because we worked and supported that project  
22 years ago.

23 Just over the last three years we  
24 have been working closely with the folks at



1 Christiana Care on their \$200-plus million  
2 expansion.

3           But you can't work with somebody  
4 who isn't there working with you. We work  
5 with our neighbors, our corporate neighbors.  
6 We don't find ways to sandbag them and oppose  
7 them. We try and work with them.

8           There's been next to no -- and I  
9 think a couple people have said this. There's  
10 been next to no real dialogue with the school.  
11 The board members have been nonexistent. I've  
12 heard that since I've been here tonight. You  
13 can't have a dialogue, you can't work through  
14 issues if people aren't going to work through  
15 it with you.

16           I will give all you folks credit.  
17 You've been here several times. You've shared  
18 information with our group. You've had folks  
19 down in Dover for hearings. We have not seen  
20 that, as has also been stated here, you  
21 haven't seen that from the City of Wilmington.  
22 They're running, hiding on this issue, and  
23 it's sad.

24           And we're not, as a couple people



1 have said, we're not anti-charter. I myself  
2 have worked with three different charters in  
3 the City to help them get their facilities or  
4 help them get off the ground or help them with  
5 various issues. That's not the point.

6 I think what we have here -- I'm  
7 trying to relate everything back to what you  
8 care about, and you care about leadership and  
9 the viability of this school. I'm not seeing  
10 it from where I stand, and I've been around a  
11 number of these schools.

12 Maybe they need more time at the  
13 drawing board. I don't know. But they're not  
14 ready for prime time here in Midtown  
15 Brandywine. Thank you.

16 MS. NAGOURNEY: Is there anyone  
17 else who wishes to make a comment?

18 In that case, the hearing is now  
19 closed. Thank you all for participating  
20 today. The Secretary will consider your  
21 comments as part of the decision-making  
22 process. Your comments will also be available  
23 for the State Board to consider. Thank you.

24 (Hearing concluded at 5:56 p.m.)



## 1 REPORTER'S CERTIFICATE

2  
3 I, SUSAN ARNOLD YODER, Registered  
4 Professional Reporter and Notary Public, do  
5 hereby certify that the foregoing record,  
6 pages 1 through 36 inclusive, is a true and  
7 accurate transcript of my stenographic notes  
8 taken on May 18, 2015, in the above-captioned  
9 matter.

10 IN WITNESS WHEREOF, I have hereunto set  
11 my hand and seal this 19th day of May, 2015,  
12 at Wilmington.

13  
14  
15 *Susan A. Yoder*  
16

SUSAN ARNOLD YODER, RPR, CRR

18  
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