

**Wilmington Education Improvement Commission
February 27, 2018
Delaware State University, Wilmington Campus
Meeting Minutes**

Welcome

Commission Chair, Dr. Tony Allen called the meeting to order at 5:00 p.m. Quorum was not met, therefore, January meeting minutes were not approved.

Christina School District Memorandum of Understanding

Dr. Dorrell Green, Delaware Department of Education's Office of Innovation and Improvement, Commission and Christina School Board members Harrie-Ellen Minnehan and Reverend Meredith Griffin all led the discussion on the status of the Christina School District's (CSD) and the Governor's office Memorandum of Understanding (MOU).

H.E. Minnehan began the conversation by updating the Commission on the status of the MOU. The Christina Board voted to approve the document in their February board meeting, along with the Superintendent, the Delaware Department of Education, and the Governor's office. Harrie-Ellen noted that eventually there will be a second MOU to be approved by the CSD Board and the Christina Education Association (CEA). The final date for that second agreement is June 1st.

H.E. Minnehan explained that the MOU agreed to by a 4-3 vote, is simply a framework and not a concrete plan. The plan, which will be implemented over five years, is currently being developed. Minnehan detailed that the schools affected by the MOU are Bancroft, Bayard, Palmer, Pulaski, and Stubbs. The plan will reconfigure Bancroft and Bayard into grade 1 and grade 8 schools. Health and Wellness centers will be established at Bancroft and at Bayard.

Stubbs will become a kindergarten center, and will additionally have a pre-kindergarten program for children aged three and four. At Stubbs, there will also be a program for adults who want to complete their own high school education. That program will be run by the James H. Groves program, which can provide either a G.E.D. or high school diploma. There also will be a daycare program for children from birth to age three also knowns as the Dual Generation Center.

Governor Carney asked that the State provide \$1.5 million in Opportunity Grants to fund the MOU. Each year, that \$1.5 million will increase by two percent. Those funds will be allocated through the Office of Innovation and Improvement. The funds will be directed toward physical education, the health centers, and yet-to-be-defined incentives for teachers, hiring additional staff, reduction in class size, and any other needs would be met by that annual \$1.5 million.

H.E. Minnehan went on to explain that Governor Carney has pledged \$2 million for the establishment of the Dual Generation Center. In his budget, Carney is asking for \$15 million for capital improvements on these city buildings. The state is responsible for 80% of that \$15 million and the CSD is responsible for the remaining 20%. This is a change from the current 60-40 split in place and is all contingent on General Assembly approval.

The Governor's Family Services Cabinet Council will assist Christina in establishing the Dual Generation Center. By May 1st, it is expected that the Board and the State will agree to an implementation plan. Operations in new schools will not begin until September 2019. High quality wrap-around services will be provided by nonprofit organizations operating in Wilmington, and will be available to all students. These services, combined with the Dual Generation Center, will begin operations in September 2018.

The MOU speaks to extending school years and school days and may include programs offered on weekends and during normal school break times. The MOU intends to give school leaders increased flexibility in terms of their use of resources, hiring staff, and curriculum development.

Reverend Meredith Griffin added that if the CEA and CSD do not meet an agreement by June 1st, the opportunity to continue negotiating can be extended. He offered gratitude toward Commission member Michelle Taylor for representing her organization, United Way, in supporting the MOU.

Dr. Rich, from the University of Delaware's Institute for Public Administration, explained that a Fiscal Impact Analysis will give an assessment of the capital needs of the community. A significant level of need is there, but a formal audit needs to be conducted in order to accurately assess and meet those needs.

It was affirmed that the MOU agreement provides an initial \$2 million for the dual generation center, as well as \$1.5 million per year over five years with a 2% increase every year. \$15 million in capital will be provided by the state on the condition that the CSD District raises 20% of that, or \$3.75 million.

Some problems with the MOU expressed were that the \$1.5 million per year would not be enough to support extended learning opportunities. Also, the June 1st vote on the MOU is cutting the timeline very close to the school year, and leaves little time for implementation. Some members of the Commission assured that the implementation issues will be sorted out in time.

Valentina Maza, Commission member, added that the needs of ESL students should be taken into account during the process. Also, from a student perspective, the expansion of the school day and year is not ideal.

Committee Updates

Parent Educator and Community Engagement, Meeting the Needs of Students in Poverty

Commission Member and United Way President Michelle Taylor briefed the Commission on the joint plans of these committees and United Way's project to Move the Needle on third grade literacy in Wilmington. Taylor provided an overview of the literacy rates of the state and compared those numbers to the city of Wilmington. For instance, of all Delaware students, about half are proficient in reading by third grade. For Wilmington students in low-income households, that same figure is 18%.

The goal of the program is to strategically increase the literacy of 500 children living in Wilmington's high need communities to be able to read on grade level by the end of third grade. This goal would be accomplished by starting with a cohort of approximately 125 children age four from three elementary schools in one school district in Wilmington. Each year a new cohort of approximately 125 children will be added to reach the total of 500 children engaged over four years (pending adequate funding.)

The focus is largely on attendance, school readiness, summer learning, and parent engagement. Tactics to accomplish the goal are in large part from partnerships that already exist in the community. Following the presentation, some points brought up by Commission members included the concern over how absenteeism is to be measured, as well as the missing component of early education.

Dr. Allen asked the Committee chairs to have a formal proposal for the Commission by the next Commission meeting, March 27th.

Delawareans for Educational Opportunity, NAACP-De v Carney

Connor Bifferato, Commission Lawyer, briefed the Commission on the contents of the complaint against Governor Carney, the Secretary of Education of the State of Delaware, Treasurer of the State of Delaware, and the financial officers of New Castle, Kent, and Sussex County. The plaintiffs are the NAACP Delaware chapter and Delawareans for Education Opportunity, representation is provided by the ACLU of Delaware.

Mr. Bifferato explained that the suit is based on the Delaware Constitution of 1897. The first line of the complaint reads, "The Delaware Constitution's requirement of a 'general and efficient system of free public schools' guarantees all children a meaningful opportunity to obtain an adequate education. Yet the state knowingly implements an education funding and governance system that prevents it from meeting that obligation." The complaint continues on with a brief history of Delaware educational segregation, and outlines the various systemic ways in which the defendants have failed to uphold the state's constitutional standards. The complaint points out there was de facto segregation as a result of the Neighborhood Schools Act and Charter Schools Act.

The relief sought by the plaintiffs' calls for five components:

1. Enter a Declaratory Judgement that the defendants have violated the Delaware state constitution
2. Enter permanent injunctions compelling Defendants to establish, fund, and maintain a general and efficient system of free public schools that provides all disadvantaged students with a reasonable opportunity to be equipped for their roles as citizens, full participants in our society, and competitors in the labor market.
3. Retain continuing jurisdiction over this matter until such time as the Court has determined that Defendants have, in fact, fully and properly fulfilled its orders;
4. Award Plaintiffs their costs of this action, including reasonable attorneys' and expert witness fees, to the full extent permitted by law; and
5. Grant such other and further relief as the Court deems just and proper.

Meredith Griffin and other Commission members pointed out that it is also the responsibility of the 62 members of the legislature to uphold Delaware's Constitution, and wondered why they were not named as defendants as well.

Dr. Allen asked Mr. Bifferato to make an educated guess on whether or not the defendants will try to cut a deal, or if this lawsuit will turn into a battle in court. Mr. Bifferato stated that there may be a fight, and that the Governor could potentially bring in a private firm as opposed to the Attorney General representing the defendants.

Homeless and Transient Student Legislation

Thomas Driscoll, Commission Lawyer, outlined the issue of the transient student population in Wilmington, Delaware. In the City of Wilmington there is a large portion of transient students meaning students move frequently and one move around the corner may change the district or school that child attends. This transience further destabilizes the child's development. Where it gets complicated is defining what a transient student is... as homeless children are protected under current state and federal legislation.

The McKinney-Vento Homeless Assistance Act is federal legislation that ensures that homeless students have the same access to free public education as other students. A definition of "homeless" is provided in this legislation.

Mr. Driscoll explained that the McKinney-Vento definition of homelessness includes any child or youth who lacks "fixed, regular, and adequate nighttime residence" and includes "children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason." Transient students who lack a permanent residence, and who are sharing housing with other persons would be considered "homeless" for the purposes of the statute and afforded the same protections and opportunities as other homeless youths and children. Driscoll points that there is a State Coordinator for Homeless Education, as well as Local Homeless Education Liaisons for districts and charter schools that would be well educated on this topic. Homeless is addressed on a case by case basis and therefore the line between homeless and transient gets confusing.

Possible legislative changes to better protect transient students include:

- Broadening the definition to include language from 42 U.S.C. § 11302(a)(5): "an individual or family who will imminently lose their housing, including housing they own, rent, or live in without paying rent, are sharing with others ..."
- To the extent that a homeless youth later finds a permanent resident, under 42 U.S.C. §11431(g)(3)(A)(ii) that student would be permitted to remain in the school of origin for the remainder of the school year. Mr. Driscoll pointed out that there could be political or practical concerns with any proposed legislation.

The Commission proceeded to discuss some issues with transient students, in particular calling them "homeless." Dr. Rich and others pointed out that a strong stigma exists against the word

“homeless,” especially for children. If homeless or transient behavior were to be addressed on a case by case basis, the procedures would have to be very sensitive to this fact.

Whitney Williams, Committee member, offered that school boards have the ability to address this issue on their own. Mr. Driscoll also illuminated the fact that if legislation were to be crafted to address this specific population of transient students, too narrow of a definition of “transient” would allow some students to slip through the cracks. Too broad a definition would allow too many students to change location and keep their respective schools when they very well have the resources to successfully transition.

Dr. Rich assured the Commission that the Secretary of Education is aware of the issue and that the Department is looking into it. Referring back to the Department later on for evidence that the legislation or the application of the law should be changed would be the next move. Dr. Rich also offered that districts would be concerned with the transportation costs associated with accommodating a transient population. Dr. Allen suggested that the Commission revisit the issue and in the future one possible strategy is for a formal proposal regarding this issue be made to the Department of Education.

Public Comment

There was no public comment.

The meeting adjourned at 6:55pm

Wilmington Education Improvement Commission
Tuesday, February 27, 2018

Commission Members:

Tony Allen, Chair
Meredith Griffin
Harrie Ellen Minnehan
Frederika Jenner
Tim Foxx
Karen Eller
Joe Pika
Valentina Maza
Eve Buckley
Mike Matthews
Tom Ogden
Eve Buckley
Michelle Taylor
David Sokola

Members of the Public:

Gwen Angalet
Bill Doolittle
Dorrell Green

IPA Staff Members:

Dan Rich
Kelly Sherretz
Haley Qaissaunee
Stephanie Becker
Melissa Micek
Cimone Philpotts
Chester Holland