

**Wilmington Education
Improvement Commission**
Solutions for Delaware Schools

July 7, 2016

Christina School District
Board of Education
c/o Harrie Ellen Minnehan

Red Clay Consolidated School District
Board of Education
c/o Kenneth Rivera

**RE: Legislative Update of the 148th General Assembly
Notice of the Commission's intent to suspend the redistricting timetable**

Dear Board Members:

I am writing to update you on the 148th legislative session and its implications for the work of the Wilmington Education Improvement Commission (hereinafter "the Commission") and for the redistricting process.

For over 60 years, since the Brown v. Board of Education decision, the State of Delaware's General Assembly has not acted to improve K12 education opportunities for the state's most underprivileged, specifically for low-income students, English Language Learners, and special education students, K-3. In the last two years, however, members of the 148th General Assembly have introduced the 8 bills listed below to begin dealing with the challenges facing these students. Four of the bills (those highlighted) have passed both houses.

- HB 117 (Heffernan), a bill to amend the unit counts to reflect additional support for low-income students and English Language Learners.
- HB 30 (Williams), a bill to amend the unit count to fill the gap in funding support and other resources for special education students, kindergarten through the third grade.
- **HB 148 (Keeley), a bill to establish the Commission as a citizen-led group through 2021 to advance the educational interest of disadvantaged students throughout the state of Delaware.**
- **Senate Bill 122 (Henry), a bill to develop a resource, transition and implementation plan for redistricting as outlined by the Commission's predecessor group, the Wilmington Education Advisory Committee. That plan as you know was completed in December or 2015 and approved by the State Board of Education in March of 2016.**
- HJR 12 (Potter), a bill to affirm the State Board of Education's approval of the Commission's redistricting plan.

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- HB 424 (Lynn), a bill clarifying that the affirmation of the State Board of Education's approval does not obligate the state to any particular set of funding arrangements as outlined in the plan. We continue to believe that any funding measures should be approved separately from affirmation of the State Board of Education's decision.
- Senate Joint Resolution 17 (Blevins), a bill affirming the State Board of Education's approval of the Commission's redistricting plan, with a condition that more details will need to come before the General Assembly prior to final approval.
- Senate Bill 300 with HA 1 (Blevins), a bill authorizing continued work by the Commission on transition planning for redistricting, and appropriating \$200,000 dollars toward that end. That money is meant for the express purpose of evaluating the fiscal impacts of redistricting as outlined in our plan, and does not obligate further work by any school district until the redistricting receives final approval by the General Assembly and the necessary and sufficient funding is provided.

The General Assembly did not approve the \$6 million allocation that Governor Markell had recommended to initiate support for the redistricting process or the funding needed to begin a statewide phase-in of a unit allocation for low-income students, English language learners, and basic special education grades K-3. As you know, this unit funding is the Commission's highest fiscal priority. In response, Governor Markell has committed to put no less than \$7.5 million in his FY 2018 budget plan to initiate this unit funding. This is a key step to change the 70-year old public education funding system to focus more directly on addressing student needs. The Governor's letter of commitment is attached.

While my Commission colleagues and I are disappointed with the outcomes of this legislative session, we have been given the opportunity to fight another day, a point that was in serious question last week. The Commission remains wholly committed to reducing the fragmentation and dysfunction caused by 23 different school systems currently serving Wilmington's 11,000 children. In addition, the Commission will continue to focus attention on the needs of low-income students, English language learners, and other students with special needs in Wilmington and throughout Delaware. That includes meeting the non-instructional needs of these students, engaging empowered parents in school reform, and changing the antiquated funding system for students and schools that has for many years created sustained inequities dating back to well before *Brown v Board of Education* (1954).

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As you know, the redistricting resolution passed by the Commission on March 14, 2016 is quite explicit as to the consequences of the failure of the General Assembly to allocate the necessary and sufficient funding to support the redistricting process. That full resolution is attached, and provides as follows:

“The Commission shall suspend the timetable for implementation of the Plan at the request of the boards of education of the Red Clay or Christina school districts if either of them determine that the necessary and sufficient funding and transition supports, as laid out in the Compendium dated February 11, 2016, are not provided by the conclusion of each stage and in the manner proposed. The Commission will not require the districts to continue with implementation if the necessary and sufficient resources are not provided. Any suspension of the Plan’s implementation during the Approval, Planning, or Transition stages shall automatically mean that the Plan will not resume unless and until the necessary and sufficient funds are provided.”

Since it is clear that the General Assembly did not allocate the necessary and sufficient funding, there is no need to wait to receive your requests to suspend the timetable for implementation of the plan. At the Commission’s next regularly scheduled meeting, I will call for such suspension and expect to receive an overwhelming vote of support. A Commission meeting is being scheduled for the week of July 25th. I trust that as members of the Commission, both Harrie Ellen Minnehan and Kenny Rivera will attend, and we would be pleased to have all board members of both districts attend. I will get back to you with the date, time and location as soon as that is settled.

Thanks for your continued leadership and unwavering resolve. Please let me know if you have any questions.

Sincerely,



Tony Allen, Ph.D.
Chairman

cc: Members of the Commission
Dan Rich, Ph.D., Commission Policy Director
Merv Daugherty, Ed.D. Superintendent, Red Clay Consolidated School District
Robert Andrzejewski, Ed.D. Superintendent Christina School District
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