

**JEA P. STREET
COUNCILMAN, TENTH DISTRICT**



COUNCIL
June 12, 2013

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Honorable Theopalis Gregory, President
Wilmington City Council
800 N. French St
Wilmington, De 19805

Re: Christina School District OCR Resolution

Dear President Gregory and Members of City Council,

Thank you for having this meeting this evening. The unprecedented and historical finding of discrimination in the district warrants your ongoing attention.

The December 14, 2012 compliance Review letter to Dr. Freeman Williams gave the District accolades for steps that it had initiated. Those steps included:

- 1. Strengthening the implementation of the positive behavior support program.**
- 2. Hiring personnel to assist in developing behavior modification plans and classroom management and training.**
- 3. Engaging parents and community members in the process of revising the code.**
- 4. Working with the Delaware Department of Education to make improvements in the school system.**

Regrettably it appears that these things have not continued during the current school year. The fact is that during this school year I have received complaints from staff regarding the number of educational diagnosticians in city schools. There have been ongoing disputes regarding the work assignments of special education diagnosticians and teachers. To my knowledge, there has been no effort made to engage City parents and City leaders in revising the student code and the ongoing dispute between the District and DOE is a well known matter of public record.

Given the District's failure to make progress during this school year, in my view, it is now time to seek additional relief. In that regard, I urge the following:

1. That the City **file a complaint with OCR about the District's implementation of the resolution** and request that all federal funds be withheld from the district until compliance is reached.

2. To the extent that the district has discriminated in violation of Federal Law, it has also violated State Law. In this regard, the Delaware Department of Education and indeed the Governor

should not be allowed to remain silent and hide behind the Federal Government. Just as they intervened with Marion T. Academy, Moyer Academy and Pencader Charter, the State has a responsibility to assure that state funds are not used by a district that discriminates against African American children. Therefore, I urge that the City **file a formal complaint with the State** and seek relief including the withholding of state funds until non discrimination can be assured.

3. Continuing to compel the attendance of City children to the District's failing high schools in areas of the district that are non contiguous to the City are a substantive violation of the Neighborhood School Act. This extraordinary violation **cries out for relief from the Delaware General Assembly, the State Board of Education, and/or the Courts and I urge the City to seek relief from any or all of these entities accordingly.**

4. In January 2001, the Neighborhood School Committee made several recommendations regarding the education of children in high poverty schools. Those recommendations included: urging that the **City of Wilmington be included in only two districts** and that a **weighted funding formula** be established for high poverty schools. In April 2008, the Wilmington Education Task force reiterated these recommendations. To date, no action has been taken. In that regard, it is past time to **obtain these two major changes from either the legislature and/or the Courts.**

Under House Bill 165 the General Assembly and the Governor stand ready to provide extraordinary levels of new funding to Charter Schools while ignoring the plight of children left behind in the segregated, high poverty schools that it has created. In that regard, the challenge to the City is just as great as separate but equal was prior to the Brown vs. Board decision in 1954 and just as substantial as Evans Vs Buchanan (subsequently, Coalition to Save Our Children vs. State Board et al) was following the passage of the Educational Advancement Act in 1968. Relief was required then and it is required now. Therefore, I urge that the City of Wilmington **seek that relief by any legal means necessary.**

Sincerely,


Jea P. Street, Councilman
New Castle County
District 10

Pc. Honorable Dennis P. Williams, Mayor, City of Wilmington
All Honorable Members of Wilmington City Council
Honorable Jack Markell, Governor
Ms. Wendella P. Fox, Director, Philadelphia Office, United States, Department of Education
All members of the Delaware General Assembly
Dr. Mark Murphy, Secretary of Education
All Members of the Delaware State Board of Education
All Honorable Members of the Delaware Black Caucus
Honorable Thomas P. Gordon, County Executive

All Honorable Members of New Castle County Council
Dr. Freeman Williams, Superintendent Christina School District
All Members Christina Board of Education
Mr. Benjamin Todd Jealous, President, National Office NAACP
Mr. Richard Smith, President, Delaware State Conference of Branches, NAACP
Mr. Charles Brittingham, President, Wilmington Branch, NAACP
Mr. Gary Hayman, President, Newark Branch, NAACP
Ms. Kathleen McCrae, Executive Director, ACLU