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June 10, 2013

Via Hand Delivery

Honorable James Johnson
105 Skelton Drive
New Castle, De 19720

RE: House Bill 165

Dear Representative Johnson,

I write to make you aware of my extreme opposition to House Bill 165 that amends the Charter School Act. In my view, the proposed amendment will do irreparable harm to the students left behind in the regular public schools. The harm will be most pervasive in the high poverty segregated schools in the City of Wilmington and in my Council District outside the City of Wilmington that encompasses the predominance of the former DeLawar School District. Other schools throughout New Castle County attended by children who reside in these areas will also be harmed. These schools have been created as a result of the Choice, Charter and Neighborhood School Acts. The General Assembly and the four Districts in northern New Castle County created these schools and have failed to provide the resources necessary for the students who attend them to receive a "free and appropriate education" as required by State law.

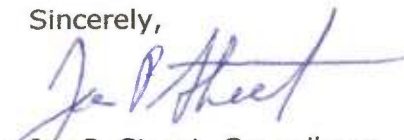
In her August 14, 1995 order, Judge Sue Robinson opined that "the defendants are unlikely to return to the segregative practices of their predecessors". The regrettable harsh fact is that through the above referenced acts, we have indeed returned to those segregative ways. Not only have the schools been re-segregated, but we have created a dual school system within a re-segregated school district that the proposed amendment will enhance. The fact is that there are predominantly majority charter schools and predominantly minority charter schools located in Northern New Castle County and throughout the State of Delaware. To the extent that proponents of the amendment maintain that this is a result of parent choice, they must be reminded that the Choice School Act does not provide transportation, leaving parents in low income neighborhoods the choice of sending their children to a segregated public school or a segregated charter school. Passage of the

amendment will serve only to enhance these segregative ways and I urge its defeat for this and other reasons.

Fundamental fairness requires that the proposed amendment not be enacted. In January 2001, the Neighborhood School Committee made recommendations to the City of Wilmington and the Delaware General Assembly regarding the education of children in high poverty segregated schools. Included in those recommendations was the strong suggestion for a weighted funding formula for high poverty schools. Subsequently, in April 2008, the Wilmington Education Task Force made recommendations to the General Assembly that also urged a weighted funding formula. To date, no legislation has been introduced and no weighted formula exists. In 2010, April through September, a series of meetings were held with Governor Markell and his administrative team regarding the education of African American children. In September 2010, the Coalition of Organizations that included the Delaware Black Caucus and the Newark and Wilmington Branches of the NAACP made requests to Governor Markell. A weighted funding formula was included in those requests. At that time Governor Markell indicated that he was not willing to support a weighted funding formula. In my view, it is fundamentally unfair to enhance segregation with the proposed amendment that provides high levels of funding for charter schools and at the same time continue to ignore the dire need for a weighted funding formula for the children left behind in the failing public schools. The harsh fact is that to the extent that the State wants to continue down this "segregation forever" road and allow selected children to escape our failing public schools, it cannot be allowed to continue to abdicate its responsibility to the failing schools that it has created.

Finally, as we stand on the eve of the sixtieth year anniversary of the landmark Brown vs. Board decision (May 17, 2014) we should be ashamed of our segregation in the past, our current re-segregation, and the proposed amendment that will help ensure that it lasts over a long period of time. In that regard, I trust that the proponents do not intend to join in next year's celebration.

Sincerely,



Jea P. Street, Councilman
New Castle County
District 10

Pc: Honorable Jack Markell, Governor
All Honorable Members of the Delaware General Assembly
Dr. Mark Murphy, Secretary of Education
All Members of the Delaware State Board of Education
All Honorable Members Delaware Black Caucus
Honorable Thomas P. Gordon, County Executive
All Honorable Members of New Castle County Council
Honorable Dennis P. Williams, Mayor, City of Wilmington
All Honorable Members of Wilmington City Council
Benjamin Todd Jealous, President, National Office NAACP
Mr. Richard Smith, President, 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