

JEA P. STREET
COUNCILMAN, TENTH DISTRICT

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COUNCIL
March 11, 2010

Mrs. Romona S. Fullman, Director
Delaware Commission for Women
And
Division of Human Relations
State of Delaware
Carvel State Office Building
820 N. French Street
Wilmington, Delaware 19801

Dear Mrs. Fullman,

Thank you for the opportunity to discuss my November 4, 2009 complaint and my amended December 1, 2009 complaint to the Human Relations Commission against the Christina School District (the District). The Complaint was filed on behalf of students and parents in the matters of:

1. R. C. vs. Christina
2. I. H. vs. Christina
3. B. S. vs. Christina
4. J. S. vs. Christina
5. L. S. vs. Christina
6. S.W. vs. Christina

Our complaint is submitted for your consideration based upon our collective claim of **discrimination on the basis of race and age**. In addition, we contend that the students have and are being discriminated against in part because I have served as their student advocate. In that regard, we (the parents and I) believe that the District's actions and inactions have been retaliatory.

Overall, we believe that the students are victims of discriminatory acts by the District and that the actions of the District in these matters are indicative of a systemic problem within the District that requires a full investigation of the District's disciplinary policies and practices. We further contend that children of color within the District are compelled to go to school in a **hostile educational environment** that has an adverse impact on their academic careers that will inevitably negatively impact their quality of life as adults.

I am submitting one complete copy of the records as we know them in these matters. I am also submitting to you specific contact information for the parents and students.

I believe that it is important to give you a brief overview of these matters:

1. In the matter of **R.C. vs. Christina**, R.C. is an eleven year old **special needs student** who currently attends Bancroft Elementary School. He was expelled from the District on or around December 9, 2008 for possession of a knife and threatening for a period of one year. Although, he was and is a special needs student, he was placed in Alternative School for one year without any opportunity to return to school upon receiving intervention and counseling. He served the entire year in the Alternative School without incident. The parents asked me to write the letter of request for readmission to regular school on October 21, 2009. This request was made because the parents did not have the skills to write the letter. However, the District refused to accept the letter from me and delayed the student's admission to regular school. The parents signed the letter stating it was sent on their behalf at the Alternative School in the presence of a school administrator, and the District still refused to accept it. Worse, when the student was finally scheduled to return to regular school, the school refused to admit him without verification of his address. The address was exactly the same as it was when he was expelled and the same as it was when he was in Alternative School. He missed another day of school due to this hyper technical action that we believe was **mean spirited retaliation**.

2. In the matter of **I. H. vs. Christina**, the student is an eleven year old special needs student. He was expelled for possession of a knife and placed in Alternative School for one year. The criminal charges in this matter were dropped. He was expelled from the District on October 13, 2009. This was **the same night that the District changed its policy to assure that a Caucasian first grade student, who was charged with the exact same violation as I. H. but, did not serve one minute in Alternative School**. The District has refused to acknowledge that the student is special needs. The matter is being appealed, but the student is currently attending Alternative School. A separate administrative complaint has been filed regarding his special needs.

3. In the matter of **B. S. vs. Christina**, the student is a twelve year old student who was expelled by the District and placed in Alternative School for one year for possession of a box cutter. This matter is currently being appealed in Superior Court. A copy of the student's March 9, 2010 brief in this matter is attached here as **(attachment 1)**. The brief spells out many of our concerns that show disparate treatment for these students as compared to the way white students have been treated by the District. The student is currently attending Moyer Academy while the matter is under appeal.

4. In the matter of **J. S. vs. Christina**, this high school student was placed in the District's "so called" Distance Education Program, which provides no instruction because he **entered and completed a drug treatment program**. The placement is indefinite. The student was never given a hearing and the

State Board of Education refused to take an appeal of the decision made by the District's administration. To our knowledge, the District's Student Code is devoid of any reference what -so- ever regarding students entering a drug treatment program. This begs the question of whether or not all students, in all Districts' are expelled from school for completing a drug treatment program? We maintain that they are not and that the action taken with this student is consistent with the District's **pervasive mean spirit that reeks with racism.**

5. In the matter of **L. S. vs. Christina**, the student is a special needs Bilingual High School student. She was expelled from school for one year for possession of a weapon in a fight in front of her home. The weapons charge was dropped. The Department of Education found that the District was non compliant with regard to her special needs and ordered that a manifestation hearing be convened. That hearing was held on January 15, 2010. We maintain that the so-called manifestation hearing was a hoax and have filed a second administrative complaint with the Department of Education. The student is scheduled to return to school next month, after being at of school for one year, for a charge that was dropped by the Courts. This case is especially egregious because the District knows full well that the student's parents have a language barrier. In addition, the District knew on October 12, 2009 that I was representing the student and parents. On December 17, 2009, I notified the District that I would be representing the parents until I obtained counsel for them and that I should be notified about any meetings or proceeding with the District. On January 15, 2020, I represented the family at the so-called manifestation hearing and my secretary at Hilltop Lutheran Neighborhood Center served as interpreter for them. To date, I have not been notified about any meetings nor have I been given copies of any correspondence. I believe that the District has engaged in this dastardly mischief to avoid the presence of a representative or interpreter thereby assuring that the parents remain confused and the student disenfranchised.


6. In the matter of **S. W. vs. Christina**, the student is a senior in High School. She was expelled by the District because of a domestic dispute with a family member wherein she was accused of possessing a butcher knife. The weapons charge was dismissed by Chief Judge Alex Smalls in the Court of Common Pleas. Judge Smalls ordered her to return to school in October 2009, but to date, the District has refused to admit her. On October 20, 2009, the District declared that if the student was "**adjudicated non-delinquent, she will return to Christiana High School**". The problem with that was and is that she couldn't be adjudicated delinquent or non-delinquent, because she is 18 years old and the charges were never in the Family Court. The weapons charge was dismissed. The Vice Principal is trying to serve as the students advocate but, the Director of School Climate refuses to return the

students or the grandmother's calls. In November, she was told she could return to school after the second marking period. We are currently in the third marking period and the last conversation with an assistant in the "so-called" office of school climate was that the Director said "**maybe she could return in April**". This is the epitome of retaliation due to the fact that the student and grandmother turned to me for help.

I have enclosed for your information, copies of correspondence to and from the District this year attached here as **(attachment 2)**. I believe the correspondence bears out the concerns we have with the District and clearly show that the District remains steadfast in its **pervasively mean spirited policies and practices** that we believe are **discriminatory, willful and malicious**.

Finally, the school profile reports for the District copy attached **(as attachment 3)** clearly show that there were a record number of 19,017 suspensions and 80 expulsions from the District in the 2008/2009 school year. Although, the data does not show the race of the students suspended and expelled, we have good cause to believe there is an over representation of minority students and we are requesting your assistance accordingly.

Sincerely,



Jea P. Street, Councilman
New Castle County Council
District 10

Pc: State Human Relations Commissioners – with attachments and without the student case files
All Members Delaware Black Caucus – without attachments and without the student case files
Parent of Students reflected above – with attachments only