

**GOVERNING WILMINGTON PUBLIC EDUCATION:
LEGAL LEGACY, COMMUNITY IMPACTS, POLICY
RECOMMENDATIONS**

by

Elizabeth Burland

A thesis submitted to the Faculty of the University of Delaware in partial fulfillment of the requirements for the degree of Master of Arts in Urban Affairs and Public Policy

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LEGAL LEGACY, COMMUNITY IMPACTS, AND POLICY
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by

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PREFACE

I would first like to thank my advisor, Dr. Dan Rich, for his support not only through the process of this thesis, but also throughout my academic career. He guided me through my academic interests, helping me focus my passion in inequality and education policy, and he gave me the opportunity to work with him as a graduate research assistant on the Wilmington Education Advisory Committee. This experience gave me a unique opportunity to combine work experience with my scholarly endeavors, and allowed me a rare perspective from which to write this thesis. I would also like to thank one of my committee members, Dr. Tony Allen, the chair of the Wilmington Education Advisory Committee (WEAC), for giving me the opportunity to work with the committee and use the WEAC report to develop my thesis. I would like to thank my final committee member, Professor Leland Ware, who guided me through a legal analysis of desegregation and Delaware public education. With his guidance and expertise I was able to develop a strong understanding of how the public education system came to be. I would also like to express my gratitude to the School of Public Policy and Administration, and all of the faculty and staff who have been instrumental to my education. Lastly, I would like to thank my mom, Helen Burland, who tirelessly read and edited every section, and the rest of my family and friends who have supported and helped me throughout the entire process.

This thesis is important for the city of Wilmington, Delaware in understanding how to improve education for students from the city, taking into consideration the history of the public education system in the state of Delaware. As a participant observer on the Wilmington Education Advisory Committee (WEAC), mandated by Governor Markell's Executive Order in September, 2014, I was able to watch the process unfold. I assisted WEAC with analysis that was included in the final report issued on March 31, 2015 that, detailed recommendations for actions that will not only better support the students of Wilmington, Delaware, but also improve education statewide. The opportunity to observe the committee's work in addressing challenging issues of education and governance in the context of a dynamic political situation, gave me the unique perspective I needed to develop this thesis.

The institutional responsibilities for the governance of public education in Wilmington are not fixed and have become increasingly fragmented over the last twenty years. It is important to point out that after months of research, I still do not fully understand all the institutional features of the governance system in the city of Wilmington. In fact, I recently sat in a room with several experts in the field of education in the state of Delaware who were debating the number of governing units currently serving Wilmington students. After that debate, we still were not able to agree on the number of governing units. The group of us had spent several months studying the data, many of them for years; this reinforced the incoherence of the system. This was one example of how confounded the system has become for Wilmington's students and their families. This research analyzes how the pieces of

Wilmington public education have developed and how they fit together. It also informs the work of WEAC that has already been influential in the future of education for the city of Wilmington. Hopefully it will inform future decisions to improvement the governance of Wilmington public education.

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ABSTRACT

The governance system for public education in Wilmington, Delaware is incoherent and fractured. The responsibility for the education of Wilmington students is dispersed among many governing units, creating a complex system for parents to navigate and diluting the voice of the Wilmington community. This thesis identifies the sources of the fractured and dispersed governance arrangement through an analysis of the legal and policy legacy of segregation and desegregation. Additionally, this thesis demonstrates that changes in the economic and demographic conditions of the Wilmington community have resulted in a student population that is now largely poor, black and Latino. These impacts on the education system are profound for city of Wilmington students who, on average, lag in most areas of student achievement, including graduation rates. To analyze these impacts, a Wilmington student data base was developed using a data from the Delaware Department of Education. After 60 years of reform initiatives beginning with Brown v. Board, most students in Wilmington still do not have access to high quality educational opportunities. These conditions have been recognized by various task forces since 2001, demonstrated by a review of past committees that have proposed recommendations that have yet to be acted upon. The Wilmington Education Advisory Committee, formed by Governor Jack Markell's Executive Order in September 2014, has issued a new set of

recommendations to redress the challenges posed by the fragmented and ineffective governance system. This thesis reviews and evaluates these recommendations and concludes that they will streamline governance in ways that benefit Wilmington public education, but they do not go far enough to create a coherent system of governance.

Chapter 1

INTRODUCTION

The United States was founded on principles of decentralized governance, which is particularly evident in the public education system. This decentralization stems from a general mistrust of centralized authority and a commitment to community control over the content and delivery of education. Across the U.S., public education governance, a constitutional responsibility of the states, is dispersed among approximately 13,600 locally-controlled school districts and 5,700 charter schools, most of which are independently governed (National Center for Education Statistics, 2014). This high level of decentralization is distinctive of the United States and unlike any other industrialized nation.

The United States has chosen a dispersed governance structure to allow for community control of education. The system of public education serving the city of Wilmington is highly decentralized to the point of fragmentation. However, this dispersion of responsibilities does not align with the values of a country that believes strongly in community control. The current governance arrangement for the city of Wilmington and New Castle County was created through a highly centralized federal court mandate to create a unitary district organization that would force desegregation. It was then modified by political compromise to arrive at the current arrangement of four public school districts sharing responsibilities for the governance of public

education in Wilmington. In addition, a New Castle County Vocational and Technical School District also shares responsibilities for Wilmington public education. The passage of laws in 1995 to promote school choice and charter schools led to further dispersion of governance responsibilities, including nine independently governed, state-authorized charter schools as of fall 2015, and three district-authorized charter schools with separate governing boards. This decentralization has created an incoherent system for parents and families to navigate.

The intention behind the court-ordered school district reorganization in 1974 was one of equity; however, combined with the evolution of school choice it has diluted the participation of the Wilmington community in the education of Wilmington students and dispersed the responsibility for educating these students. The actions taken in the name of equity, in effect, dismantled the Wilmington school district that previously served Wilmington students, and implemented arrangements that left the Wilmington community without any role or authority over the public education of their children. At the same time, it has dispersed responsibility for the governance of Wilmington public education among 19 different entities: four traditional districts, one vo-tech district, a dozen charter schools, the State Board of Education and the state Department of Education.

In 2015, the governance system for public education in Wilmington, Delaware is fragmented and incoherent. The current arrangement is the result of sixty years of decisions and nondecisions by the state and federal courts, and by executive and legislative action and inaction. Yet, this arrangement is not one that any lawmaker or

education expert has ever proposed as a desired framework for public education in Wilmington. Nor is it a reflection of the priorities and preferences of the Wilmington community it is intended to serve.

Though there are many conflicting ideas about the best system of public education governance to serve the students of Wilmington, no one advocates the current arrangement and no one believes the current system is best serving Wilmington students. Not only is the system complex and riddled with conflict, and increasingly so since the start of 2014, but the current arrangement is without a coherent plan for the public education system as a whole (Wilmington Education Advisory Committee, 2015). The governance system that serves Wilmington students is not one that supports local community control, and is instead disconnected from the community of which it serves. This is the conclusion of every task force and committee established since 2001 to recommend improvements in Wilmington education (see Chapter 5).

This thesis examines the nature of the education governance challenge in Wilmington; how it came about, the characteristics of the system and the community it serves. It also examines the policy solutions for a more viable path. This research was conducted parallel to and within the framework of the Wilmington Education Advisory Committee (WEAC), created by Governor Jack Markell in September 2014 to recommend policies to strengthen Wilmington public education. The analysis presented in this thesis helped to inform the work of the Advisory Committee, for which the author served as a research assistant, and much of the content of this thesis

draws upon research, analysis and recommendations made by the Advisory Committee for both its interim and final reports (Wilmington Education Advisory Committee, 2015).

This thesis demonstrates that the governance system in place in Wilmington in 2015 is a result of a hundred years of conflict, legal interventions, community changes, political actions and inactions. It also demonstrates that the result of these factors is the increasing complexity of the governance of public education for the community of Wilmington, Delaware. In 2015, the situation has finally reached a point of convergence of political will and community support to improve the system.

The Plessy v. Ferguson (1896) decision, which ruled the constitutionality of “separate but equal” doctrine, left a legacy of segregation that endured even after the Brown v. Board of Education decision in 1954 overturned this ruling. This is the case particularly in Delaware, despite the efforts of Louis Redding and Judge Collins Seitz to equalize educational opportunities for Delaware students (see Chapter 2). The era of mass resistance began after the Brown decision, and remained in Delaware until change was forced upon the state in 1974. Court mandated changes to the districts in northern New Castle County further confounded the governing system for the Wilmington community. Wilmington, with a high concentration of minority students, was particularly affected by the desegregation efforts in the state which were intended to provide direct improvements for these students. The educational impacts of these legal changes are especially manifested in Wilmington, and are still impacting Wilmington schools in 2015.

As desegregation was weaving through legal channels to effectuate change in the United States, the city of Wilmington was experiencing substantial changes in its population and economy. Suburbanization created a severe decline in population, primarily leaving low income and minority individuals and families isolated in the city. Between 1950 and 2013, the city population declined from over 112,000 to 71,143. The Wilmington economy also has changed. While the corporate economic center of the city remained strong for most of the last fifty years, it has primarily benefited those who commute into the city from the suburbs (see Chapter 3). There have been revitalization efforts in the city, but there are neighborhoods within the city that are still noted by high concentrations of poverty and high rates of violent crime. These community conditions affect the system of education in the city and influence the potential for successful education solutions.

Wilmington education today has a complex system of governance. At the top are the Delaware Department of Education and the State Board of Education. The city is split into four school district assignments: Brandywine, Christina, Colonial, and Red Clay Consolidated School Districts. The Christina School District, with its lines drawn as a part of court mandated desegregation, is one of only four discontinuous school districts in the country, out of a total of 13,600 districts.

In addition to the districts and independent schools in the city, students from Wilmington are also enrolled in a vocational technical district, and, as of Fall 2015, there are nine independent state-authorized charter schools, as well as three Red Clay authorized charter schools that operate largely independently, each with their own

independent school board. Beyond that, there are eight charter schools outside the city and three additional school districts outside the city that serve city of Wilmington children. See Figure 1 below for a map of the school district arrangement for northern New Castle County, Wilmington city boundaries are defined by the red line. See Table 1 for a breakdown of the schools that are located within the city, and schools outside the city that Wilmington students attend. Further, enrollment numbers for Wilmington students can be found in Appendix A.

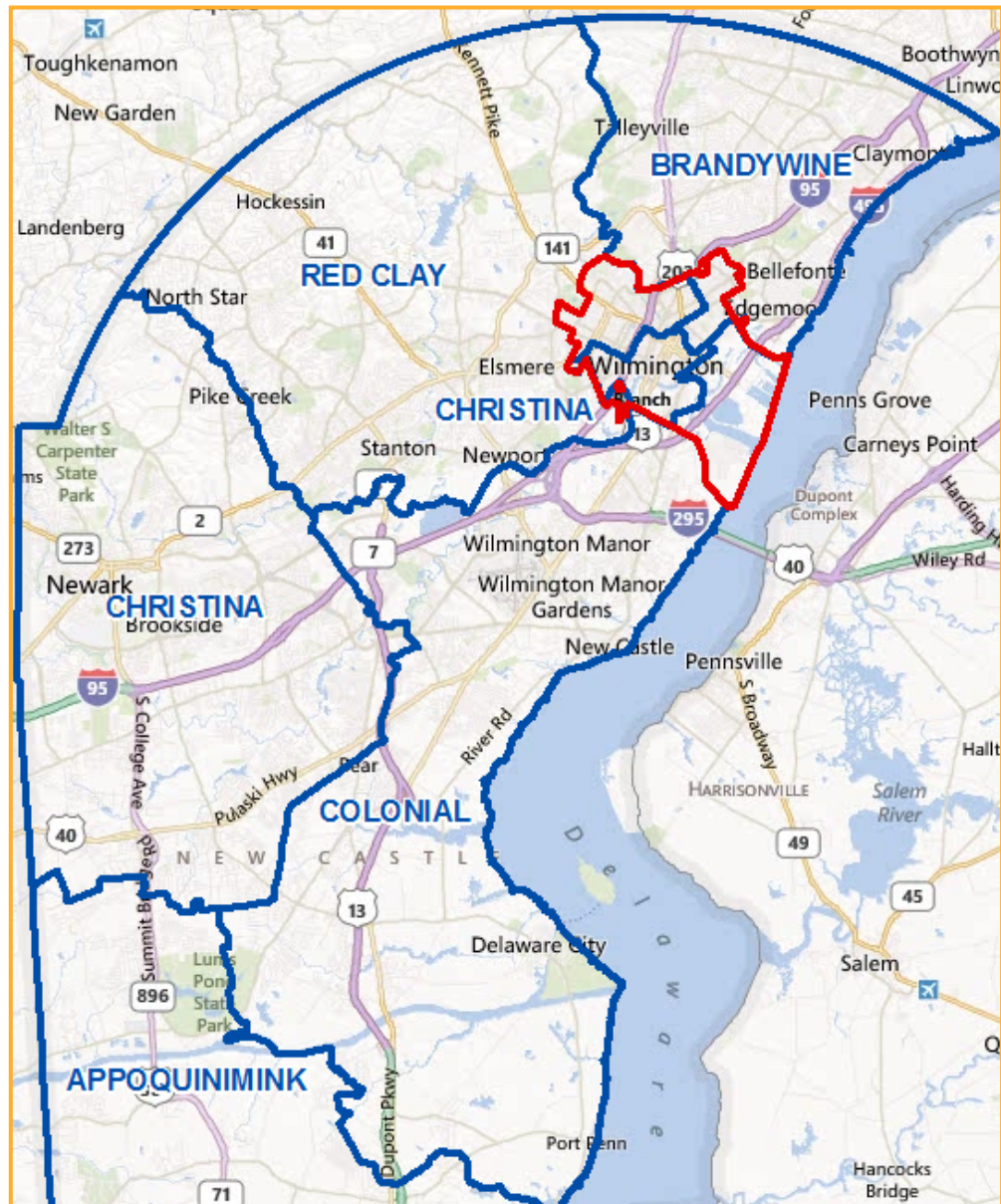


Figure 1 Northern New Castle County School District Configuration, Source: Delaware Department of Education GIS Mapping 2014 and referenced in the Wilmington Education Advisory Committee 2015 Report

Table 1 Schools Serving Wilmington Students, Fall 2015

Schools Located within City of Wilmington Limits			
District	Elementary	Middle	High
Brandywine	Harlan Elementary School	P.S. duPont Middle School	N/A
Christina	Bancroft Elementary School Elbert-Palmer Elementary School Pulaski Elementary School Stubbs Elementary School	Bayard Middle School	N/A
Colonial	N/A	N/A	N/A
Red Clay Consolidated	Delaware College Preparatory Academy** Highlands Elementary School Lewis Dual Language Elementary School Shortlidge Academy Warner Elementary School	Cab Calloway School of the Arts*	Delaware Military Academy** <i>(not located within Wilmington)</i> Cab Calloway School of the Arts* Charter School of Wilmington**
New Castle County Vocational Technical (NCC Vo-tech)	N/A	N/A	Howard High School of Technology
State-Authorized Charter Schools (Grade Levels Vary) within City of Wilmington Limits			
EastSide Charter School Edison Charter School First State Montessori Academy Freire Charter School***		Great Oaks Charter School*** Kuumba Academy La Academia Antonia Alonso Prestige Academy The Delaware MET***	
Additional State-Authorized Charter Schools Serving Wilmington Students			
Delaware Academy of Public Safety Delaware Design Lab High School*** Early College High School at Delaware State University First State Military Academy ***		Gateway Lab School Las Americas ASPIRA Academy MOT Charter School Odyssey Charter School	

Source: Delaware Department of (2014) School Profiles, referenced from WEAC 2015 Report

Notes: *Magnet School, **Red Clay-Authorized Charter School, ***Charter School set to open in Fall 2015

The state of Delaware has approved the opening of additional charter schools without any plan for how they will fit into the overall public education system in Delaware. In this complex system of governing units, the community of Wilmington has very little governing power over their students, and the community, and the city government that represents it, have relatively little say in what happens in relation to the education of Wilmington students. Additionally, parents are lost in this system of governance, which makes it even harder for them to be involved in their children's educational success. The policies that are made at the state and local level, the increasing charter school enrollments, and the Wilmington community as a whole are all impacting the effectiveness of the governance system, and it is important that action is taken to simplify the system and to strengthen the support of the Wilmington community. There is a clear gap in the achievement of Wilmington students as compared to the rest of the state as a whole. Wilmington students make up 11% of the total public school population in Delaware, but make up 16% of the school drop-outs. Additionally, Wilmington students on average score significantly lower on DCAS, Delaware Comprehensive Assessment System, than the state average. For example, on the Grade 3 DCAS Math, 40% statewide scored a 4 (advanced) compared to 9% of students from Wilmington. These are notable achievement gaps that are often lost in the data, which is analyzed by the Department of Education on a school and district level.

Since 2001, several committees have set out to provide recommendations for the improvement of Wilmington education (see Chapter 5). Though they all submitted

thorough reports with serious recommendations, no action was taken. In September 2014, Governor Jack Markell created the Wilmington Education Advisory Committee (WEAC), at the request of the Wilmington delegation in the Delaware General Assembly, to address the needs of the Wilmington education system. Formed by Governor Markell through Executive Order 46, the body was created to advise the Governor and his administration on how best to strengthen educational opportunities for all Wilmington students and their families (Delaware Executive Order No. 46, 2014).

In its initial deliberations, the members of the WEAC committee were concerned that it would serve the same outcome as those committees that came before it: to hand in a report with no action taken. Instead, throughout the committee's work in engaging political and community leaders, because of the changing political climate regarding education decision-making, there has been a convergence of conflicting viewpoints that has allowed for action to be taken on the recommendations of WEAC.

These circumstances are described in the WEAC report:

Governor Jack Markell and Delaware Secretary of Education Mark Murphy challenged two districts to accept plans to transform six low-performing, urban schools. The American Civil Liberties Union filed a claim with the U.S. Office of Civil Rights that the state's charter law has re-segregated Wilmington schools. Wilmington Mayor Dennis P. Williams filed suit against the State of Delaware to hold open the Moyer Academic Institute, a charter school deemed by the Delaware Department of Education to be failing its students. The board of Reach Academy for Girls, another charter school faced with closure, sued the State of Delaware for the right to continue (Wilmington Education Advisory Committee, 2015).

The WEAC report recommends that the governance system be streamlined, with only two traditional school districts serving the city. It also recommends a role for the city government through an Office of Education and Public Policy, and creating a plan for charter school development and a Charter Consortium that would promote collaboration across charter schools. The WEAC report proposes that this governance structure would better serve the unique needs of Wilmington students—the vast majority of which are low-income, and require supplemental services to support their education and their schools. The WEAC committee proposes that these changes need to be match with need a change in the funding structure to better support schools with high concentrations of students who are low-income, English language learners, and need special education services; those funding change would benefit the system of education not only in Wilmington, but also across the state. The challenge now is to address the implementation of these recommendations.

This thesis provides an analysis of the conditions leading up to the WEAC report and then examines the WEAC recommendations in greater detail. Chapter 2 discusses the legal history of desegregation and how that has influenced the public education system for Wilmington students. Chapter 3 summarizes the changes in the city of Wilmington from 1920 to 2013 and the relation of those changes to the system of public education. Chapter 4 examines the educational impacts of the current governance structure for Wilmington students. Lastly, Chapters 5 and 6 discuss policy recommendations for the improvement of the governance system for Wilmington public education, the implications of those recommendations, and why these

recommendations should be implemented and expanded to create a more comprehensive and coherent governing structure for Wilmington public education.

Chapter 2

HISTORY OF SCHOOL DESEGREGATION: THE IMPACT OF THE LEGACY ON EDUCATION IN WILMINGTON, DELAWARE

Though the vestiges of past segregation and other discriminatory actions still remain in Delaware, which resisted desegregation for decades, there has been significant progress towards achieving some of the goals of the desegregation movement. The state of Delaware has made progress towards equality of educational opportunity for all students in the state, at least removing inequalities in the law and in funding of education facilities and operations. Even so, most schools in Wilmington have high concentrations of low-income students, most of who are black and Latino.

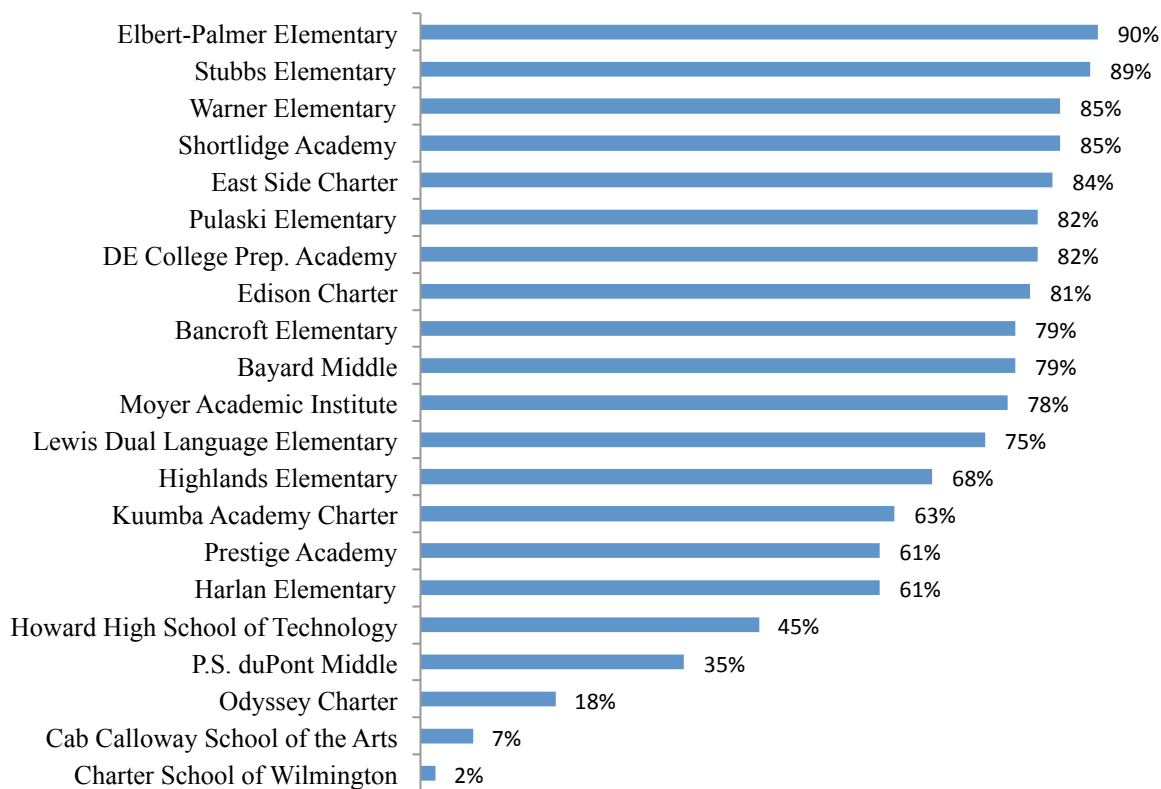


Figure 2 Percentage of Low Income Enrollment in Wilmington Schools in 2014, Source: Delaware Department of Education (2014) School Profiles and referenced in WEAC 2015 Report

The National Association for the Advancement of Colored People (NAACP), its branch, the Legal Development Fund (LDF), and many other civil rights activists worked for many years to reverse the precedent set in Plessy v. Ferguson. Beginning with desegregation in higher education, civil rights crusaders Louis Redding, Thurgood Marshall, and Collins Seitz pushed for equal opportunities and

desegregation of schools across the country and throughout the state of Delaware. There was a period of time defined by resistance to desegregation efforts in the state during which very limited progress was made. That was followed by court mandated redistricting that forced desegregation in the state, and particularly the city of Wilmington. That court mandated redistricting, coupled with years of segregation and resistance to desegregation disconnected the community of Wilmington, Delaware from the system of public education that serves Wilmington students. This disconnect is largely due to the elimination of the governance structure over Wilmington education and the dispersal of responsibility for the education of Wilmington students. The changes that have occurred in Delaware since these court decisions have left a system of governance that is ineffective in serving the needs of Wilmington students and their families. The fragmentation of this governance system is no longer serving the purpose that it was intended for, and instead is going against what the American public education system is founded on which is local authority over centralized control. Problems of the system for Wilmington residents must be addressed in order to finish the work of Louis Redding and the other individuals and groups who started the process of equal opportunities for all students.

Prior to School Desegregation

The history of racial conflict in public education in Delaware predates the historic Brown v. Board of Education Supreme Court decision. During the

reconstruction era in the United States, free public education was not provided for black children. Black students attended private schools which were sparsely located throughout the state, and that was only those students who could afford it (Hayman, Jr. R. L., 2009a). Throughout the late 1860s, the Freedmen's Bureau contributed to the strengthening of education for black students. They established 32 additional schools for black children, still unfunded by the state. In 1875, Delaware was the only state in the country that provided segregated education using segregated funding; the black citizens were taxed for their own schools (Hayman, R. L. Jr., 2009a). Between 1881 and 1891, the state's funding of education for black students was approximately one dollar per student each year, without providing any college options and only one high school in the state (Hayman, R. L. Jr., 2009a). To further display the inequality that existed between black and white students during this time, the average term for white students was 8.4 months, nearly twice the term for black students (Hayman, R. L. Jr., 2009a). It would take until 1921 for there to be a requirement for equal education for Delaware's white and black students (Hayman, R. L. Jr., 2009a). Well before 1921, however, the Supreme Court ruled on *Plessy v. Ferguson* in 1896, which mandated "separate-but-equal" throughout society. This set the stage for years of segregation in the United States education system, particularly in Delaware, which resisted desegregation for decades. This case set the precedent of "separate-but-equal" that the National Association for the NAACP and LDF, as well as civil rights leaders throughout the country worked for decades to reverse (Greenberg, J., 1994).

Desegregation in Higher Education

In the initial stages of the NAACP's effort to defeat what many believed was the unconstitutional precedent set by *Plessy v. Ferguson*, the strategy, set by leader Charles Houston, was to argue cases in which black and white facilities were unequal, and fight for the equalization of facilities. This was called the NAACP's "equalization strategy," and the goal was that states would not be able to afford to maintain this separate system equally, and it would eventually lead to desegregation (Greenburg, J., 1994). They first took on cases of higher education, particularly in specialized graduate school programs (Ware, L., 2009). Though it was possible prove that separate facilities were not equal, which did occur years later, initially efforts were focused where there were not even separate facilities. In 1935, the Missouri State Supreme Court heard *Lloyd Gains v. Lincoln University* in Missouri. They ruled that providing out of state scholarships for students wishing to receive legal training when there was none available for black students was enough to satisfy equal opportunity. When the NAACP lawyers appealed, the United States Supreme Court ruled that this was not satisfactory under the separate but equal standard of *Plessy*; therefore, the state was obligated to give black students legal training within the state (Ware, L., 2009). The same was found in *Donald Murray v. Pearson* in 1936, in which Donald Murray, an African American student fought for admission to the University of Maryland Law School. The NAACP filed cases across the country and fought to prove

that these students should be admitted to the white schools, that any institution built as a result of one of these cases could not be equivalent to the long-standing white school (Williams, J., 2009). Though Murray won in Maryland, the case was never appealed to the Supreme Court, so there was no precedent set (Greenberg, J., 1994).

After proving that scholarships for out of state study when a black education was not available in state was not meeting a state's constitutional obligation to provide equal opportunity, the NAACP started to introduce social science in segregation cases to prove that segregation affects a student's ability to learn. Thurgood Marshall, leading civil rights lawyer, on behalf of LDF, applied for a court order to require the University of Texas Law School to admit Heman Marion Sweatt. The court gave the law school six months to put in place a law school for blacks that provided them with an equivalent education (Hayman, R. L. Jr., 2009a). At the end of the six-month period, it was determined that the opportunities available to black students were not equal. The case made its way up to the Supreme Court, where the LDF lawyers made their case that segregation itself, regardless of the equality of the physical facilities, interferes with the student's ability to acquire an equal education. They worked with sociologists, psychologists, psychiatrists, and educators to develop their case. Charles Thompson, educational psychologist and the founder of the *Journal for Negro Education*, said about school segregation, "whenever segregation existed, black schools were vastly inferior to white" (Greenberg, J., 1994, p.65).

Their argument included testimony from a variety of experts that testified on the negative impact of segregation on students' educational opportunities. The basis of

the argument challenged the ruling in Plessy, essentially attempting to prove that separate was, at its core, unequal. They argued that segregation punishes blacks simply for being black. It cited that the University of Texas Library had over 65,000 volumes as compared with the black college, which had none, and Sweatt was the only black student at the black school compared with the 850 students at the University of Texas Law School (Greenberg, J., 1994). The Supreme Court ruled that simply providing a physically equal facility for black students does not do enough to provide for an equal education, recognizing that other factors, including the faculty and the status of the school that cannot be built overnight simply by having an equal physical facility (Greenberg, J., 1994). They identified that the newly created black law school was inferior in all aspects including physical facility as well as the intangible aspects of the school, such as the faculty, tradition, the standing in the community. In addition, excluding Sweatt from the majority of the population of the school, as well as from most of what will become the Texas bar, made his education unequal to the education provided to his white peers. They fell short of declaring that segregation in education, in all forms, was unequal (Greenberg, J., 1994).

In 1948 the LDF filed a case in the three-judge U.S. District Court in which George McLaurin was denied admission to Oklahoma Graduate School of Education based on his race. After the court ruling, he was admitted to the school but he was segregated from the rest of the students. He was forced to sit in a room attached to the classroom watching his white peers interact with one another and the professor. After filing in district court again, and being denied, the LDF appealed to the Supreme

Court. Thurgood Marshall argued that the separate seats were inhibiting his ability to learn, including, but not limited to his inability to interact with his fellow students and professors. In addition, they argued that treating these black teachers as inferior in the graduate school classroom will ultimately hurt their future pupils. The argument claimed, “Those who will come under his guidance and influence must be directly affected by the education he receives. Their own education and development will necessarily suffer to the extent that his training is unequal” (Greenberg, J., 2009, p.77). After their ruling, McLaurin was permitted to attend class in the same room but was limited to a designated area to sit. When the case reached the Supreme Court again, the Court ruled that in higher education, segregation “stigmatized McLaurin and handicapped his ability to pursue an education” (Ware, L. 2009, p. 123). Thurgood Marshall argued that a separate school could not be equal, and the Supreme Court agreed that a school that was produced as a result of court mandate could not immediately be equal to a long-standing institution, and that segregating a student within the classroom was also detrimental to their learning. The Court did not rule, however, on the constitutionality of segregation in general.

Desegregation of Higher Education in Delaware

Prior to 1950 the state of Delaware had two primary institutions for higher education: University of Delaware, a white institution, and the black institution which would become Delaware State College and eventually Delaware State University. In

1948, Delaware State College lost its accreditation due to severe underfunding (Hayman, R. L. Jr., 2009a). In 1950, the NAACP brought an injunction to the Court of Chancery that claimed Delaware State College was inferior to the University of Delaware. Therefore, the plaintiffs in the case should be admitted to the University of Delaware. Louis Redding, the first African American admitted to the Delaware State Bar and prominent civil rights lawyer in the state of Delaware, argued the case along with Thurgood Marshall. They focused both on the inequality of the schools and the unconstitutionality of segregation, using the precedent set in Sweatt and McLaurin (Hyman, R. L. Jr., 2009b). Judge Collins J. Seitz presided over the case. Judge Seitz ultimately required the University of Delaware admit black students; however, he did not rule on the constitutionality of segregation because he believed that decision should be rendered by the Supreme Court. The most important element of this ruling was that unlike many cases before it, Judge Seitz did not give the state of Delaware time to create a school for black students that was equal or to attempt to equalize the already existing school for black students. Judge Seitz stated,

It seems that when a plaintiff shows to the satisfaction of a court that there is an existing and continuing violation of the separate-but-equal doctrine, he is entitled to have made available to him the state facilities which have been showed to be superior. To do otherwise is to say to such a plaintiff, ‘yes, your constitutional rights are being invaded, but be patient. We will see whether in time they are still being violated.’ To postpone such relief is to deny relief, in whole or in part, and to say that the productive provisions of the Constitution offer no immediate protection” (Seitz, C. J. Jr., 2009, p. 93).

The NAACP and the LDF would eventually be successful in desegregating schools, and Judge Seitz and Louis Redding were both instrumental in these efforts.

Desegregation in Public Education

The public education system in the state of Delaware remained segregated even while cases began to impact segregation in higher education. In 1948, parents of children from Dover and Bridgeville, Delaware and the NAACP focused on gaining admission for their children to the white high school. At the time, the closest four-year high school for black children was in Wilmington, Delaware, 50 miles from Dover (Gadsen, B., 2013). Around the same time, students in New Castle County requested admission to the schools in New Castle County including Claymont, Newark, and Alexis I. du Pont. The State Superintendent of Schools, George Miller, denied their admission requests (Gadsen, B., 2013). Louis Redding and Jack Greenburg took the cases arguing that these students should be able to attend schools in their home district. Their main argument was based on the inequity caused by the excessive travel time for the black students only. The goal was not to build separate facilities but to access existing schools that were unavailable to black students. Additionally, the black facilities were not equal to those at Newark High School and the other white high schools in the county (Gadsen, B., 2013). The state made their case that if the schools are found unequal, the court should allow the state to develop the separate schools to make them equal. After the initial cases were filed in *Wilson v. Beebe* and *Johnson v. Beebe*, Attorney General Hyman Albert Young requested that the federal courts allow the state to claim jurisdiction over this case, and this was allowed as long as relief is granted to the plaintiffs. The claims of inequality were rejected (Gadsen, B., 2013).

Though Judge Collins Seitz had been a champion for Redding and the LDF in the University of Delaware case, they had not wanted to jeopardize his confirmation as chancellor by bringing before him a controversial case. After Judge Seitz was confirmed, Redding and Greenburg initiated the combined cases, *Belton v. Gebhart* and *Bulah v. Gebhart*. These cases addressed the inequities between the black and white schools in Delaware. The goal of these cases was to prevent the state from denying black students admission to white public schools in Delaware. These cases were the first time the damaging effect of segregation was introduced in a case related to primary and secondary education in Delaware (Gadsen, B., 2013). When the Attorney General denied their request, Redding and Greenburg called in education experts on the inequities of the schools themselves and the social science experts who testified on the psychological problems associated with segregation. They argued that segregation denies black students the education needed to be equal citizens in the country and that segregated schools were harmful in the development of black children. Fredric Wertham, psychiatrist, served as a primary witness arguing that this state imposed segregation and discrimination was well documented and long standing with irreversible negative effects on black students in Delaware. His most significant argument was,

Segregation in schools is legally decreed by statute, as in the state of Delaware, interferes with the healthy development of children. It doesn't necessarily cause emotional disorder in every child. I compare that with the disease of tuberculosis in New York, thousands of people have the tubercle bacilli in their lungs – hundreds of thousands – and they don't get tuberculosis. But they do have the germ of illness in them at one time or another, and the fact that hundreds of them don't develop tuberculosis doesn't make me say, 'never

mind, the tubercle bacillus; it doesn't harm people, so let it go' (Greenburg, J., 1994, p. 139).

Judge Seitz refused to simply listen to the two sides argue over whether or not the facilities were equal. He personally visited each of the facilities to determine equity. He determined that the white schools had amenities that the black schools did not, with facilities and grounds that were far superior to those at the black schools. He also ruled that the difficulty associated with desegregation is irrelevant; that state imposed segregation harms the mental health, therefore the learning, of black students (Kluger, R., 2004). Though Judge Seitz again did not rule on the constitutionality of segregation, he ruled that the black students must be admitted to the white schools immediately. This case would be one of the consolidated cases heard by the Supreme Court in *Brown v. Board of Education* (Gadsen, B., 2013).

Consolidated *Brown v. Board* Cases

In *Davis v. County School Board of Prince Edward County, VA*, the court determined that segregation does not cause harm to students; therefore, segregation is not unlawful. They also declared that segregated schools actually employed more black people than would occur if the state were to allow for the schools to desegregate. Additionally, the concern of the court was that desegregation would not only disengage people from the schools but also would decrease funding and ultimately hurt students (Hayman, R. L. Jr., 2009b). This case would be appealed to the Supreme Court as a part of the consolidated cases in *Brown v. Board of Education*. *Briggs v.*

Elliot addressed inferior school facilities for black students in South Carolina and was also part of testimony. In their attempt to plead their case in front of the judge that was the most sympathetic to their efforts, they ended up changing the course of the case. Judge J. Waties Waring of South Carolina did not want to see another case in which the defendants just attempted to equalize the system, while leaving segregation in place in the state. He asked Thurgood Marshall and Harold Boulware to resubmit their complaint, aimed at attacking the school segregation laws in South Carolina. Marshall proceeded according to the directive of the judge although he was concerned with the way that the judge meddled in the case (Greenburg, J., 1994). One of their witnesses, Ellis Knox, a professor of education at Howard University testified, “When children are segregated...segregation cannot exist without discrimination, disadvantages to the minority group, and that the children in the Negro schools very definitely are not prepared for the same type of American citizenship as the children in the white schools” (Greenburg, J., 1994, p. 123). This case also introduced the work of Kenneth B. Clark, whose research focused on the image and self-esteem of black children caused by segregation. The defendants conceded that the schools were unequal, and the court held that the district needed to work to equalize and report their progress in six months (Greenburg, J., 1994).

The original *Brown v. Board of Education* case was filed on February 28, 1951 by the name of Oliver Brown, et. al. v. Board of Education of Topeka, Shawnee County, Kansas. They argued that not only were the black and white schools unequal, but the black students living near white schools had to travel a great distance to get to

the black schools. The presiding judge, Judge Huxman, ruled that the schools were equal in all aspects other than that segregation creates situations which were unequal simply because segregation is unequal. When asked about it years later, the judge said, "I tried to wrap it up in such a way that they could not duck it. They had whittled away at it long enough" (Greenburg, J., 1994, p. 131). He was referring to the fact that in his ruling, though he could not determine the constitutionality of segregation, he was forcing the Supreme Court's hand. They could not rule on this case without addressing the issue of segregation. There was a good amount of agreement on the accuracy of the psychological claims on segregation after this case, and their similarities to the cases of higher education that had already been ruled on. Judge Huxman himself agreed that segregation has an impact on the ability of a child to learn. The NAACP made a significant statement on the subject of segregation:

The very purpose of the Thirteenth, Fourteenth, and Fifteenth amendments was to effectuate a complete break with government action based on the established uses, customs, and traditions of the slave era to revolutionize the legal relationship between Negroes and whites, to destroy the inferior status of the Negro and to place him upon a plane of complete equality with the white man. When the court employed old usages, customs, and traditions as the basis for determining the reasonableness of the segregation statutes designed to resubjugate the Negro to an inferior status, it nullified the acknowledged intention of the framers of the [fourteenth] Amendment, and made a travesty of the equal protection clause" (Kluger, R., 2004, p. 649).

This case was appealed to the Supreme Court, as *Brown v. Board of Education* case and is known as one of the most significant decisions in public education in the country.

Brown v. Board of Education

The collective strategy had several primary goals for the consolidated Brown v. Board cases to be heard by the Supreme Court had several primary goals.

Throughout history, separate schools were never equal, and those inequalities were continually harmful to black students in segregated systems. They held onto the idea that segregation was unconstitutional because these laws were based on nothing but race. The NAACP said, “standard equal protection doctrine, developed in economic regulation cases held that a classification violates equal protection if based upon differences not reasonably related to a proper legislative objective” (Greenburg, J., 1994, p. 121). The state’s argument centered on the complications associated with the actual process of desegregation, it stressed separation of powers, and argued that it was the state’s decision, not a federal decision. The team that argued for an end to desegregation worked to prove that not only were there physical inequalities between the black and white schools in the cases, but there was a psychological harm done because of segregation (Greenburg, J., 1994).

The Supreme Court heard the cases but then requested to rehear the arguments and required each side address specific issues. The re-argument was set for October and eventually pushed to December. The Court wanted both sides to answer several questions,

What was the understanding of the Congress that adopted, and the state legislatures that ratified, the Fourteenth Amendment as to whether it would proscribe segregation in public schools; Did they understand that Congress in the future would have the power to abolish segregation, or that the court could

interpret it in order to abolish segregation; Is it the power of the Court to construe the amendment to abolish school segregation; Assuming that it is decided that segregation in public schools violates the Fourteenth Amendment, would a degree necessarily follow that, within limits set by normal geographic school districting, Negro children should forthwith be admitted to schools of their choice, or might the Court permit an effective gradual adjustment; (Assuming gradual change be permitted) who should work out the transition (Greenburg, J., 1994, p. 178)?

After re-argument, the Court ultimately decided that *Plessy v. Ferguson* was not a case of education, and therefore did not pertain to education. They then determined that all cases that were decided based on the precedent set by the case were now irrelevant.

The court also determined that the same negative effects seen from segregation in *Sweatt* and *McLaurin* cases applied even more to the cases of primary and high schools. This proved to be one of the most important cases for the future of education throughout the country, and specifically in Delaware. The fact that the Court determined that separate but equal was no longer the law of the land and that segregation was unconstitutional, was important for desegregation nationwide. Unfortunately, the Court did not tell states how segregation should be dismantled which led to slow progress and desegregation efforts that were largely ineffective (Greenburg, J., 1994).

Implementing Brown

In the decision of *Brown v. Board*, the Court failed to offer guidelines for remedying segregation, simply stating that it might require solving many local problems and that the courts would need to ensure that the school authorities were

doing their best to work towards dealing with the issues of segregation (Green, R. L., 1985). According to the Court, the Brown decision was about removing the consideration of race not necessarily about desegregation. It was about attempting to remove a racial hierarchy thereby ensuring constitutional rights to African Americans that were previously denied to them because of racial consideration in, among other things, education (Hyman, R. L., & Ware, L., 2009). Though this was a monumental decision in the United States, and a great step towards unraveling the problems that black individuals faced; the socioeconomic and social inequities that exist in American society could be traced back to the times of slavery and could not be eliminated overnight. Challenging the exclusion that existed became a challenge as most of the country worked against history to develop a new social foundation of equality (Cottrol, R. J., 2009).

Though *Brown v. Board of Education* was a groundbreaking decision that certainly shaped civil rights, particularly in education, arguably until present day, not everyone accepted desegregation immediately. In the state of Virginia, immediately after the decision, Governor Thomas B. Stanley declared that he would do everything in his power to avoid, and resist, desegregating schools in Virginia. Additionally, Senator Harry F. Byrd set out with a campaign of “massive resistance” working towards gaining support against desegregation among politicians. He believed that the decision in *Brown*, in addition to not agreeing with desegregation, was a violation of state’s rights. The state worked on strategies for avoiding desegregation, including revising the mandatory attendance law to allow white students to avoid attending

integrated schools, and created new pupil assignments. President Eisenhower did not act on this state, and others, who were developing these strategies of mass resistance. A particularly intense example was in Norfolk, Virginia, where the Governor shut down all six white high schools for five months. This left over 10,000 students out of school for that period of time. Though city council held a vote, the voting question was biased asking if residents would like to integrate schools, knowing that they would lose state funding for doing so; therefore, they would be required to pay tuition. This measure was not approved, and the state viewed this as support for this massive resistance (Doyle, M. C., 2005). This movement was not only concentrated in Virginia, it was seen in other states as well, including Delaware, where resistance to desegregation was seen throughout the state.

There were some changes that began slowly in the state of Delaware following the Brown decision. The Superintendent of Wilmington Schools declared that the city would work towards desegregation. They developed a “freedom of choice model,” which would allow parents to choose to send their students to other schools, however was not an active effort to desegregate the schools. Southern Delaware was the locus of control for the state, despite the industrial and population center in the city of Wilmington. Wilmington worked to keep statewide taxes low for southern Delaware and the legislature maintained a favorable corporate tax code to draw in many companies to the state. Because of the control that southern Delaware had on the state, and Southern Delaware’s resistance to desegregation, efforts throughout the state were slow (Kluger, R., 2004).

On September 8, 1954, Milford Special School District allowed 11 black students to enroll in their all white high school. In addition, a few neighboring towns had also admitted black students. By October however, the protests were great and the threats were harsh causing the board to back off plans of desegregation. Students and parents called other parents in the district, threatening the parents not to send their students to school. On September 27, 3 of 106 students were attending Gumboro, it was 38 out of 644 in Milsboro, and 18 out of 131 in Ellendale. These boycotts went throughout Sussex County, causing schools to close due to a lack of attendance. On September 30th a new school board was put into place and they acted to try to solve the problem immediately. The solution was to remove the black students from the school. This order was immediate, and they pleaded with parents to send their children to school on October 1 (Camp, O., & Kee, E., 2009). Almost immediately, Louis Redding filed in Chancery Court, and asked for the reinstatement of the students to Milford High School. Judge Marvel ruled that they should be readmitted immediately because they had already attended, and the Supreme Court had already ruled in Brown. He said that their legal right to attend the school was “clear and convincing, any inconvenience or distress to the defendants must give way before the much greater inquiry, which would be inflicted on plaintiffs by denial of their personal and present rights” (Camp, O., & Kee, E., 2009, p. 157). The school board appealed, and the Delaware Supreme Court decided that in the absence of a submitted desegregation plan, they could not admit the students (Camp, O., & Kee, E., 2009).

In another attempt to desegregate schools in Delaware, Louis Redding brought forth *Evans v. Buchanan* in 1956 (Ware, L., 2009). In 1957, Judge Paul Leahy required the Delaware State Board of Education to develop a desegregation plan for the schools in the state. One of the main problems, however, was that though they were required to try to desegregate, there was a clear absence of the definitions of a desegregated school. This meant that they had no guidelines for what goals they were necessarily trying to meet, and what the plans had to look like (Gadsen, B., 2013). This meant incredibly slow progress towards real desegregation efforts in most places throughout the state. No significant changes would occur for twenty years following the Brown decision. This inertia was responsible for the embedded problems that persisted in the public education system well beyond desegregation.

In 1958 the US Court of Appeals for the Third Circuit determined that it is the state's responsibility to require desegregation plans to be submitted, but the state fought it in a few ways. They said that they should not tell the local districts what to do, and also used the example of desegregation causing public disorder, as it had in Milford, Delaware a few years prior. The State Superintendent did not want the power to mandate the local districts, but wanted a "freedom of choice" model to be implemented giving black students the opportunity to attend previously all white schools (Gadsen, B., 2013). In the years after Brown, between 1955 and 1965, there was only an increase of 1% per year in black students attending schools with whites. It took the threat of federal funding to finally move forward towards implementing the decision laid out in Brown. 1965 was the first year that the Department of Health,

Education, and Welfare was required to withhold federal funds from schools that discriminated in any way. This was a result of the Civil Rights Act of 1964. That year, there were 10.9-15.9% additional black students in previously all white schools (Greenberg, J., 1994). The State Superintendent, Richard Gousha, began the “phase-out” of black high schools in order to work towards anti-discrimination policies, and by 1965, New Castle County schools were primarily nondiscriminatory (Gadsen, B., 2013).

In 1968, the Educational Advancement Act was passed. It detailed many consolidation plans but prohibited consolidation for districts greater than 12,000 students. There were no districts in the state of Delaware other than the Wilmington School District that served over 12,000 students. This confined Wilmington residents to the Wilmington School District, also confining the majority of the state’s black students to that district as well. This legislation continued to support de facto segregation policies, halting any efforts for desegregation that would have otherwise been possible (Ware, L., 2002). 1968 was also the year that the Supreme Court ruled on *Green v. County School Board, New Kent County*, determining that desegregation efforts must go further than “freedom of choice” systems that they really need to make the effort to dismantle the legacy of de jure segregation. They also determined that the “deliberate speed” had passed its usefulness, and that effective desegregation remedies must be acted on immediately (Green, R. L., 1985). In *Green v. County School Board*, the Court determined that the burden would be on the school boards to achieve their desegregation plans, that they must immediately remove dual systems. This significant

step shifted the burden on the plaintiff to prove that the school boards had policies that were the cause of the segregation to the school boards to prove that they were not. They now had to eliminate segregation “root and branch,” meaning not only did they have to remove the policies themselves but the actual vestiges of the segregation policies (Hayman, R. L., & Ware, L., 2009). It also recognized that though “freedom of choice” models appear to be race neutral because there are racial disparities in choice that make this freedom inherently unequal. The Green case became the basis of the “Green Factors” which have been used in the creation of desegregation plans and the scrutiny of schools in terms of facilities, faculty, staff, extracurricular activities, and transportation. When this case was decided, the state of Delaware and New Castle County were under federal scrutiny for their desegregation efforts and the city of Wilmington was divided among four different districts in order to work towards diverse school environments (Ware, L., 2002).

In 1976, after reopening *Evans v. Buchanan*, the court ruled that there was in fact an inter-district violation in this case after the court had ruled that inter-district remedies could only be put to use if there is actually a problem involving both districts. At this point, the Educational Advancement Act was already determined to be unconstitutional, eliminating the rule that larger districts could not consolidate. The decision allowed for busing, and consolidated the 11 New Castle County districts into one single district (Ware, L. & Robinson, C., 2009). The goal was to once again create more diversity in the schools by consolidating the whole county into one district.

Once the court ruled that the Educational Advancement Act created a situation in the county that allowed for the maintenance of the racially identifiable city and suburban schools, the NAACP began forming the basis of argument for educational equality. The city began to see a change in demographics with white flight as a result of suburbanization. The city saw a decrease in population and an increase in the concentration of low-income population. This evolution changed the identity of the city and affected the education of city of Wilmington children. Many who did not leave the city pulled their children out of the public schools. The branch president, James Sills, did not believe they were meeting their constitutional obligations. Though most agreed on the problem, most did not agree on the solution. Many wanted funding to improve the segregated city schools. Others wanted the system dismantled to better move kids around. The challenge became deciding between having complete control over the schools, or losing control and allowing for desegregation to occur (Gadsen, B., 2013).

In 1971, the Supreme Court ruled on *Swann v. Charlotte-Mecklenburg Board of Education*. They found the existence of racially identifiable schools was enough to prove discrimination, that is, race-neutral policies did not go far enough to eliminate segregation and discrimination. Instead of being forced to prove discrimination, the state had to prove that official discrimination had no hand in segregated schools in order to remove responsibility (Cottrol, R. J., Diamond, R. T., & Ware, L., 2003). As a result, the Supreme Court finally set a precedent of genuine desegregation, though desegregation remained very difficult in urban, racially identifiable communities

(Cottrol, R. J., Diamond, R. T., & Ware, L., 2003). This decision allowed for more intensive measures to eliminate segregation. As soon as the courts identified a constitutional violation in the form of discrimination, it was their responsibility to remedy the situation (Green, R. L., 1985). In 1973, however, the Court ruled that economic segregation and inequity in terms of property taxes did not constitute a constitutional violation. This limited the effectiveness of desegregation efforts (Green, R. L., 1985).

There had been much debate about the involvement of suburban schools in the efforts to desegregate primarily urban schools. In 1974, *Milliken v. Bradley* was ruled upon in the Supreme Court. The case was from Detroit, where city schools were almost entirely black and suburban schools all white. Though city and state entities were involved in the situation of segregation, there was no proof that suburban schools were involved in the segregation efforts. Therefore, it was determined that they could not be involved in any imposed segregation remedies. The Supreme Court agreed. They ruled that unless suburban schools were a direct cause of segregation efforts, remedies to segregation could not cross district lines. This was an effort to let local school leaders deal with the issues involving segregation rather than allowing for state mandates (Goldman, R. L., 2009). This narrow definition limited both the scope and impact of remedies to solve long-standing problems from segregation. It was difficult to prove intent on the part of the suburban schools to foster segregation, and it limited the ability of metro desegregation plans that would solve some issues of community

segregation causing segregation in education (Cottrol, R. J., Diamond, R. T., Ware, L., 2003). Thurgood Marshall wrote the dissent in the Supreme Court decision. He wrote,

Our nation, I fear, will be ill served by the Court's refusal to remedy separate and unequal education, for unless our children begin to learn together, there is little hope that our people will ever learn to live together...In the short run it may seem to be the easier course to allow our great metropolitan areas be divided up each into cities – one white, the other black – but it is a course, I predict, our people will ultimately regret (Goldman, R. L., 2009, p. 186).

This case would influence desegregation efforts in Delaware, though this would not be the last of this issue for the courts.

Delaware and the State's Role in Continuing Segregation

In a district court case in Delaware, plaintiffs argued that there is a legal distinction between intent and outcomes of certain state policies that have caused segregation. There was not necessarily intent to discriminate, but there were discriminatory housing policies that have segregated communities and as a result, education. These policies should still be considered rectifiable discrimination in education. Judge Caleb Wright agreed that the community, and therefore school, segregation in New Castle County was a result of policies that involved both city and the suburbs; therefore, both the city and the suburbs should be involved in the remedy (Gadsen, B., 2013). It was determined that the Educational Advancement Act played a role in excluding Wilmington which resulted in racially identifiable schools that resulted from state policy. The State Board created a plan to remedy the situation, dividing Wilmington by the suburban districts and creating a 9-3 desegregation plan,

in which students in both the city and the suburban communities would spend three years in city schools and nine years in suburban schools (Gadsen, B., 2013).

In 1965 Milliken was once again heard in District Court, this time arguing for additional educational components, instead of metropolitan desegregation, to remedy the effects of past discrimination. The District Court determined that districts that have a population over 70% black cannot avoid segregated schools; therefore, without inter-district remedies, there is no way to desegregate and the effects of segregation must be solved another way. It ruled that the state of Michigan had to pay for half of the services added, including comprehensive programs in reading, training, testing, and counseling and career guidance. The State Board of Education appealed the decision, asking whether these remedial programs could be court mandated and whether the court could mandate states to pay the cost if found responsible for the violations (Green, R. L., 1985). The State Board of Education argued that these educational programs exceeded the courts power granted by the Supreme Court, that there was no constitutional violation. The Supreme Court ruled that the courts only over step their appropriate limits if their goal is to rid the state of “a condition that does not violate the constitution, or does not flow from such a violation...Federal courts need not, and cannot close their eyes to inequalities, shown by the record, which flows from longstanding segregated system” (Green, R. L., 1985, p. 92). These educational programs allowed for remediation for minority students who have lagged behind in the inferior segregated schools that they were forced into. The case argued that simply reassigning pupils to desegregate schools and make up for decades of inequitable

treatment is not enough to remedy the situation. Education components were necessary to address these inequalities (Green, R. L., 1985).

Community segregation impacted the diversity in schools as highlighted in *Milliken v. Bradley*. In 1977, the Supreme Court ruled in *Arlington Heights v. Metropolitan Housing Corp.* Though this was not a case of education, the ruling affected desegregation in all aspects of communities. The court's ruling was that intent to discriminate was required in order to prove discrimination, that the impact of action was not enough. Many argued, however, that there were discriminatory policies that affected housing segregation, which in turn created segregated school systems. These discriminatory practices caused black and Latino families to have less access to the neighborhoods that white families lived in, perpetuating the status of segregated neighborhoods. Without the ability to use the impact of policies to prove discrimination, any action on this was very difficult (Goldman, R. L., 2009).

In New Castle County, desegregation came from federal court mandates. In 1976, they mandated the consolidation of schools into one district and was then remedied through inter-neighborhood bussing. The goals were to actually force the county to desegregate schools that they had resisted for too long. There was incredible resistance to the one district model. Between 1975 and 1978, there was significant outmigration of students to private schools with 1500 students enrolled in Christian schools and the opening of several new schools. There were a few community organizations that fought against bussing and other means of desegregation (Green, R. L., 1985). In the second year of the desegregation plans, the county held a tax

referendum, but there was still a good amount of resistance from the community to the one district model. After recognizing that there would be no state support until they switch out of the one district desegregation plan, there was a transition to a multidistrict model (Green, R. L., 1985). In 1978 the courts allowed the single district to be split into four school districts, dividing the city among the four suburban districts and bussing students to create desegregated schools (Hayman, R. L. Jr., 2009a). With this model there were some concerns about the fragmentation of those with the city's children in mind with the separation of the districts (Green, R. L., 1985). This separation of school districts that dispersed the responsibility for education children from the city of Wilmington was the final action that removed any educational authority from the city. It disconnected Wilmington, as a community, from the education of Wilmington students. These students were dispersed among several governing units, and there was no longer one unit responsible for their education. Though the intention was equity, this was the beginning of the formation of a fragmented governing system that served the city of Wilmington in a way that allowed for no local control and a barrier to parent engagement and student achievement.

The courts recognized the inequalities in the system for students with unique needs that were not being met due to the vestiges of segregation throughout the public education system. Additional funding for remedial programs had been allowed in the Milliken decision allowing for the push for programs in New Castle County schools. Those in favor of additional funding for these programs argued that physically reassigning students to achieve desegregation would not immediately mean that the

students will be educated equally. This additional relief worked to address the educational deficiencies that resulted from years of inequality of opportunities. The state was opposed to providing this aid, but the district court approved the relief as “necessary and essential to accomplish the transition to unitary racially non-discriminatory schooling and to overcome the vestige effects of de jure segregation in Northern New Castle County” (Green, R. L., 1985, p. 62). In 1996, the Third Circuit determined that the school districts in New Castle County had achieved their set goals and were no longer under federal court supervision (Goldman, R. L., 2009).

A collection of cases in 1991, *Board of Education of Oklahoma City v. Dowell*, *Freeman v. Pitts*, and *Missouri v. Jenkins*, determined that de facto segregation is not a constitutional violation; segregation is only a violation if caused by direct governmental actions (Goldman, R. L., 2009). In *Freeman v. Pitts*, the court determined that school districts could not be held responsible for racially identifiable schools that exist because of the racial composition of external factors, including neighborhood composition. The determination, in which the Supreme Court disagreed with the local courts, was that a school district did not need to satisfy all aspects of the Green test, and that any factors that were a result of external factors would not limit the determination of unitary status for a school district. This backtracked from the Green decision because it removed burden from the school districts, saying that the plaintiff must prove that the school districts are responsible for the segregation and not external factors. *Missouri v. Jenkins* further solidified this standard. The federal district court had ordered many changes in the district including increased salaries for

teachers, creation of magnet schools to attract white suburban students, and continued funding until minority test scores were up to the national standards. The Supreme Court determined, based on the *Milliken I* standard, that there was no inter-district violation; therefore, the suburban districts could not be involved. They held that white flight and poor test scores were not a result of direct action on the part of the school districts, but were, in fact, a result of external factors, and that the Constitution was not violated if there was no *de jure* segregation (Goldman, R. L., 2009). This was a big step back because the court removed the root and branch desegregation efforts and determined that the standard was “whether the [constitutional violator] ha[s] complied in good faith with the desegregation decree since it was entered, and whether the vestiges of past discrimination ha[ve] been eliminated to the extent practicable” (Greenburg, J., 2009, p. 129). These three cases reversed the position that school districts shared responsibility for desegregation. These rulings narrowed the criteria by which districts were evaluated for compliance. This resulted in the determination of unitary status in school districts, including those in New Castle County.

In 1995, the courts ruled that New Castle County had achieved unitary status and would no longer be under federal scrutiny for their efforts to desegregate, and the U.S. Court of Appeals affirmed this decision in 1996 for the Third Circuit. In the case, *Coalition to Save Our Children v. State Board of Education* the court found that inequalities attributed to socioeconomic status instead of direct discrimination are not constitutional violations and therefore cannot be acted upon (Ware, L., 2009). The opponents of the unitary status argued that black students were not receiving the same

quality of education, though the schools themselves were balanced. The primary argument was that African American students were disciplined at a disproportionate rate and were also over represented in special education classes and non-college track programs. The determination was based upon private versus state actions, that the federal courts could not counteract demographic shifts that were a result of private decisions. This decision ignored the discriminatory housing practices that influenced the population make up of schools (Ware, L., 2002). These determinations were a setback for those supporters of the Brown decision and the Green decision. Additionally, this premature determination of unitary status allowed certain schools to retain large concentrations of minority students and students in poverty.

Not only was this dismantled system of public education for Wilmington students no longer serving the purpose it was intended to, but it also made it increasingly challenging for the city of Wilmington to take responsibility for the education of city children. In 1995, Charter Law was put into the Delaware Code, allowing for the implementation of charter schools in the state of Delaware. The purpose of charter schools, as defined by the law, is to provide an alternative to traditional public schools. Charter schools would be free of certain regulations, with the intention that they would use innovation to improve student learning, giving parents and students opportunities not available to them in their home school district. Upon enactment of the charter law, no strategic plan was created to make sure each area of the public education system fit together in a coherent fashion. Charter schools would each be governed by an independent board, with no oversight to allow for the

sharing of best practices and collaboration. This was coupled with the school choice law that was implemented for the 1996-1997 school year with the goal of increasing opportunities for all students. It gave parents the opportunity to apply for enrollment in a public school in any school district as defined by the law. The intention of these laws was to provide increased access to opportunities for students and their families.

Though this is the case, not all parents exercise choice the same way. A study done by the Education Research Alliance for New Orleans on school choice before and after Katrina found some discrepancies in choice preferences for low-income families.

While higher income families on average rank school ratings and school test scores as one of the top preferences when choosing a school. Lower income families are more likely to favor more practical factors including proximity to home, siblings in the school, and extended school days. This study was done in New Orleans, which has a system of choice after Katrina that requires all students to exercise choice after the elimination of attendance zones. In Delaware, where families have the option to exercise choice but are not required, knowledge is another factor that influences freedom of choice. The Education Research Alliance for New Orleans stated, “Choice is not enough and it is only real when parents are well informed and can readily access the schools they prefer” (2015, p. 7). Charter and school choice allowed for the further dispersal for the responsibility for the education of Wilmington students. The issue of fragmentation of responsibilities, as well as the isolation of low income and minority students would only be reinforced by the introduction of the Neighborhood Schools Act in 2000.

Delaware and the Neighborhood Schools Act

Once the state of Delaware was determined to be clear of discriminatory practices, although arguably prematurely due to the lessening of the Green factors, the Neighborhood Schools Act of 2000 was passed, requiring students to be assigned to the schools closest to where they lived. Districts were required to submit plans by November 15, 2001 that better aligned bussing and feeder patterns to follow the provisions of the Act. Though the Act required districts to ensure the best plan for the most fair and equitable system for all students, many people who were critical argued that students in Wilmington would now be concentrated in high poverty, high minority schools. Brandywine, Christina, and Red Clay School Districts all resisted the Act and Brandywine was able to get approval for a plan that avoided neighborhood schools (Fuetsch, M., & Ware, L., 2009). By ignoring the effect that housing and community segregation has on education, the states and the Supreme Court are allowing for schools to stay segregated or become re-segregated; housing discrimination and school desegregation cannot be separated if educational equality was to be achieved (Ware, L., 2002). Often questioned was whether or not desegregation was completely necessary. An argument against that point was as follows,

The critical issue is not the social desirability of integration or whether African Americans' self-esteem compels them to live in close proximity whites, but how restrictions on individual liberty caused by severe special isolation undermine the social and economic well-being of inner city residents. Racially identifiable schools are merely one manifestation of intersecting discriminatory practices that combine to inflict distinct injuries that are more severe than the harm other forces of discrimination could produce (Ware, L., 2002, p. 8).

This noted the importance of overcoming this combined effect of community segregation and isolation with educational segregation in creating the equality of opportunities for all students.

Conclusion

Years of efforts to resist desegregation, and eventually to remedy past desegregation have left city of Wilmington students in a fragmented system, not supported in their unique needs as a population with higher minority and low income concentrations that have been impacted by decades of unequal treatment. The National Association for the Advancement of Colored People (NAACP), its branch, the Legal Development Fund (LDF), and many other civil rights activists worked for many years to reverse the precedent set in *Plessy v. Ferguson*. Beginning with desegregation in higher education, civil rights crusaders Louis Redding, Thurgood Marshall, and Collins Seitz pushed for equal opportunities and desegregation of schools across the country and throughout the state of Delaware. That court mandated redistricting after years of resistance to desegregation have left a complex and fragmented governance system for families to navigate. The dispersal of responsibility for the education of Wilmington students dilutes the voice of parents and the Wilmington community, and creates a system in which there is no one governing unit that takes responsibility for the education of Wilmington students. The vestiges of past segregation and discriminatory actions still remain for city of Wilmington children, coupled with racial

and low-income isolation in the city has left an incoherent public education system. In addition to these factors, the evolution of school choice in the state has allowed for further fragmentation of the system. This has left Wilmington students, parents, and the community as a whole in a system of education that is not well suited for their needs. The fractured system of governance is coupled with the community changes that occurred across this same period of time in the city of Wilmington, isolating low income and minority families in the city. This created even more of a challenge in governing the children of those isolated families that are fractured into an incoherent system of public education. The problems of the system for Wilmington residents must be addressed in order to finish the work of Louis Redding and the other individuals and groups who started the process of equal opportunities for all students.

Chapter 3

THE CITY OF WILMINGTON, DELAWARE 1920-2013

Wilmington public education is governed by a system that was largely evolved in an attempt at desegregation in the state of Delaware. This governance structure is illogical and fractured, no longer serving its intended purpose which was to promote equity, and is instead disconnecting the community from the public education of city of Wilmington students. The incoherence of the system is only made worse by the evolution of the city of Wilmington from 1920 to 1950, and 1950 to the present day. For the purpose of analysis, the city of Wilmington was defined by the city boundaries, to align with the definition of Wilmington students, as defined by Delaware Department of Education data by the city boundaries. This was done with an understanding that there are many ways to define the city of Wilmington as a community functionally that may not align with the city boundaries, though those functional boundaries are more difficult to define and analyze. This evolution has created complexities for public education for Wilmington students that make solutions even more challenging. The visible changes in the city certainly have an affect on the success of solutions for Wilmington students, but this same community has very little voice in the public education system that serves these students.

How Community Segregation Influences Student Achievement

In the 1920s, Wilmington was the industrial center of Delaware. Though Wilmington's economy has made a successful transition to become a center for banking and business, the community has declined since 1950. Wilmington was the economic center of New Castle County but the county as a whole saw significant suburbanization, leaving Wilmington with a population in decline (Mallach, A., 2012). Before 1950, Wilmington had a population of over 112,000, declining to 80,386 in 1970 and 71,143 in 2013 (United States Census Bureau, 2013). As the population in the city declined, the population in New Castle County increased significantly. Throughout the period of suburbanization, the city became increasingly concentrated with minorities and low income populations, due to the outmigration of individuals and families who could afford to move away from the city. In 1950, Wilmington held approximately half of the population in the county and the median household income at 91% of the county median household income (Mallach, A., 2012). In 2013, the median household income was \$38,727, nearly \$30,000 lower than the median household income of the county and the city of Wilmington in 2010 made up about 13% of the countywide population (United States Census Bureau, 2013). While the unemployment rate increased significantly from 1950 to 2009, Wilmington has a large number of jobs for a post industrial city. Under further examination this strong presence of jobs in the city is not always reflective of the job force of city residents. The city only has a portion of the county's total population leading the city to draw from the entire county for employment. The majority of jobs in the city are in fact

occupied by individuals that do not live in the city due to the difference between the job skills of city residents and the jobs available (Mallach, A., 2012). Additionally, with the outmigration of individuals from the city into the suburbs, there was more commuting capability, allowing the people who could afford to live in the suburbs to do so and commute into the city for work each day. As the city of Wilmington population declined, the population in New Castle County increased significantly. Many of the demographic shifts in the city were seen in the suburbs in reverse. When compared to other post industrial cities, Wilmington appears to be succeeding because of the strength of the economic base. However, the progress achieved by the city is certainly not evenly distributed causing extreme inequities in the city (Mallach, A., 2012).

The severe decline in population left abandoned houses, vacant properties, and a stall in any development. There was a decline in the number of households in the city evident from the decrease in population. Additionally, homeownership rates declined. In Wilmington, the vacancy rate went from 2.1% in 1950 to 12.8% in 2010. Between 1950 and 2000, Wilmington demolished over 25% of the city's housing stock that was built before 1950. These properties were taken down, reflecting the lack of demand for housing in the city due to the decline in homeownership and the high vacancy rate (Mallach, A., 2012). The high concentration of low income residents in the city, as a result of suburbanization and a higher concentration of minority residents in the city, represents the current population profile of the city of Wilmington. The racial makeup of the city can be seen in Figure 3 as compared with the county, the

state, and the country. For Figure 3, American Indian and Alaska Native and Native Hawaiian and Other Pacific Islander race categories have not been included because the percent of population is zero. In Wilmington, black or African American residents make up 56% of the population, as compared with 24% of New Castle County, 21% of Delaware, and 13% of the United States (United States Census Bureau, 2013).

Table 2 Race Breakdown of Wilmington, Delaware

White	37%
Black or African American	56%
American Indian and Alaska Native	0.50%
Asian	0.50%
Native Hawaiian and Other Pacific Islander	0%
Other	3%
Two or more races	3%

Source: 2013 American Community Survey 5-Year Data

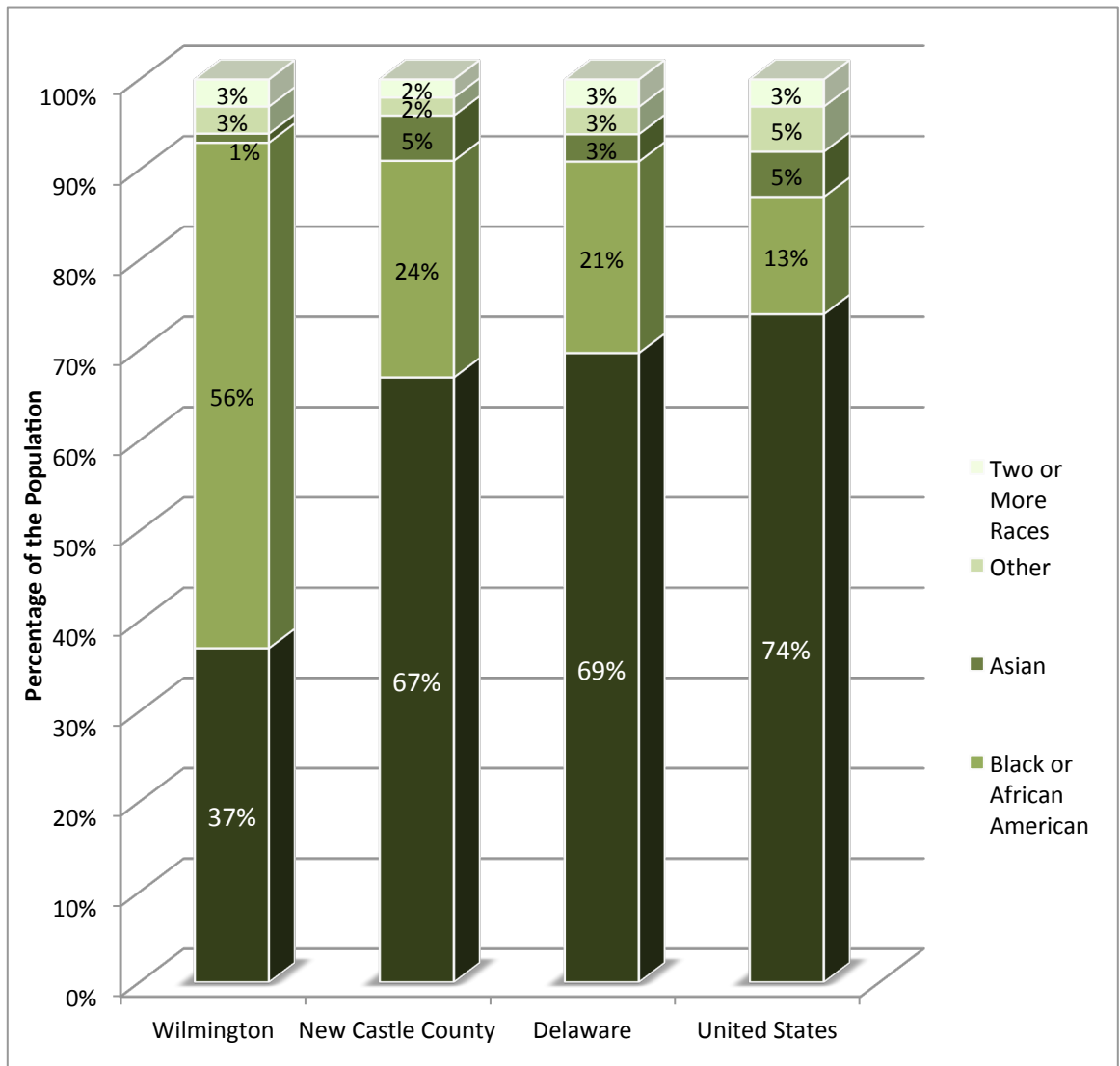


Figure 3 Racial Makeup of the City of Wilmington Compared with the County, State and Country, Source: 2013 American Community Survey 5-year Data

Wilmington has succeeded where many post industrial cities have failed when examining economic indicators. However, when social indicators are also considered, such as crime rate, graduation rate, and ethnic makeup, Wilmington has seen a much more significant decline. In 2009, the crime rate was 1,849 per 100,000 residents, reporting 17 murders in 2009. The state of Delaware recorded a crime rate of just 637 per 100,000 residents in 2009 (Mallach, A., 2012). In recent years Wilmington has worked to address these problems of crime without much success. Wilmington in particular has become a very bifurcated city, in which some sectors are excelling and others remain highly concentrated with poverty and crime (Mallach, A., 2012). A particularly notable challenge that low income students in urban areas face is overcoming the violence in their communities that become a barrier to school achievement. There are certain resources that children from these environments require to succeed that are not always provided to them.

Community demographics and culture have an affect on student achievement and student outcomes. Though many factors contribute to these numbers, the disparities cannot be ignored. The United States has a very low rate of social mobility, that is, individuals born into poverty are less likely to move up in society as compared with other countries. This is due to the inequities existing in the communities, and society's inability to address these inequities to give everyone an equal opportunity (Gregg, Jonsson, Macmillan, & Mood, 2013). Communities which have lower levels of individual educational attainment are less likely to instill the values associated with educational achievement in their students and might have additional difficulty

navigating the complicated governance structure that overarches the education of their children. In the city of Wilmington, only 25% of the population has a bachelor's degree or higher, compared with 34% of the rest of the county (United States Census Bureau, 2013). The educational attainment of Wilmington as compared with New Castle County, Delaware, and the United States can be found here in Table 2.

Table 3 Educational Attainment, 25 Years and Over

Educational Attainment	Wilmington	New Castle County	Delaware	United States
Less than a high school diploma	18.50%	10.70%	12.30%	13.90%
High school graduate (includes equivalency)	33.40%	29.10%	31.70%	28.10%
Some college, no degree	18.80%	19.70%	19.90%	21.20%
Associate's degree	4.40%	6.80%	7.30%	7.80%
Bachelor's degree	14.60%	19.90%	17.20%	18.00%
Graduate or professional degree	10.30%	13.90%	11.70%	10.80%

Source: 2013 American Community Survey 5-Year Data

Educational attainment is one of the many factors that influence the success in school of children living in poverty. This cycle of poverty will be broken only if both school-based issues and socioeconomic issues in the community are addressed. The barriers to equal education for city of Wilmington students begins with the complex and uncoordinated governance structure of education administration that serves the

students. A profile of the Wilmington community can be found in Table 3. The community demographics defining the community that Wilmington students come from influence a student's ability to achieve, however the city of Wilmington as a community has very little voice in the education of Wilmington students, parents are served by a fractured system, and there is no one governing unit that has a responsibility for serving city of Wilmington children. Efforts to simplify and coordinate governance is the first step to improving education for all students and their community.

Table 4 City of Wilmington Community Profile

Wilmington: 2013 Population: 71,143			
Race		Educational Attainment 25 years and over	
White	37%	Less than 9th grade	5.80%
Black of African American	56%	9th to 12th grade, no diploma	12.70%
American Indian and Alaska Native	0.5%	High school graduate (includes equivalency)	33.40%
Asian	0.5%	Some college, no degree	18.80%
Native Hawaiian and Other Pacific Islander	0%	Associate's degree	4.40%
Other	3%	Bachelor's degree	14.60%
Two or more races	3%	Graduate or professional degree	10.30%
Ethnicity		Population 3 years and over enrolled in school	
Hispanic or Latino	8%	Nursery school, preschool	1,395
Not Hispanic or Latino	92%	Kindergarten to 12th grade	12,445
		College, undergraduate	3,078
		Graduate, professional school	864
Households		Wilmington Student Public School Enrollment Characteristics (2014-15 School Year)	
Female Householder, no husband present	25.30%	Percent of Wilmington students classified as low-income in 2014	70%
Male Householder, no wife present	6.40%	Graduation Rate of Wilmington Students in 2014	68%
Married-couple family	22.80%	Percentage of Delaware High School Drop outs coming from Wilmington in 2014	16%
Median Household Income	38,727	Number of Wilmington Students in Traditional Public Schools	8,674
Median Household Income	38,727	Number of Wilmington Students in Charter Schools	2,178
Percentage of families below the poverty level with related children under 18 years	29.70%	Number of Wilmington Students in VoTech Schools	585
Percentage of families below the poverty level with related children under 18 years	29.70%		

Sources: 2013 American Community Survey 5-Year Data and Delaware Department of Education Data Set, 2014-15 School Year

The city of Wilmington today is very different from the city that existed in 1920 and 1950. Wilmington today is made up of more than half African American and Hispanic individuals, and is highly concentrated with low-income populations. The economy is strong, but the majority of the workforce commutes into the city. This leaves many Wilmington residents unemployed or underemployed. These changes have happened alongside the changes in the public education system in Delaware. These changes further exacerbated the challenges facing public education for the city of Wilmington. After desegregation, court mandated redistricting, and eventually the determination of unitary status and the Neighborhood Schools Act, city of Wilmington students are divided among four different school districts and a number of charter schools. The community segregation that has occurred over time only exacerbates the problem of racially and socioeconomically isolated schools, particularly in combination with the Neighborhood Schools Act that required students to be assigned to the schools closest to their home. This community evolution is only making the system of education more complicated, and needs to be addressed as a factor that influences public education of the students in the city of Wilmington.

Chapter 4

EDUCATIONAL IMPACTS

After desegregation, court mandated redistricting, and eventually the determination of unitary status and the Neighborhood Schools Act, city of Wilmington students are divided among four different school districts and a number of charter schools. The changing conditions in the city of Wilmington, especially the outmigration of population to the suburbs, only exacerbate the educational impacts of the current system. Wilmington students today are largely poor, black and Latino and the schools operating in Wilmington are largely distinctive for high concentrations of these low-income students. The educational impacts from the system are not always evident due to a lack of data kept on Wilmington students and their achievement. Upon analysis, it is clear that there are educational impacts on Wilmington students at least in part due to the governance system that serves them.

Wilmington Schools

Wilmington students in the public school system currently attend schools in 4 public school districts, 18 charter schools, and one vocational technical school district. There are 11,595 students in the public school system. Vocational technical schools and charter schools are both public schools. Charter schools are publicly funded

independent schools that must be authorized by an entity, in Delaware either the state Department of Education or a school district. These schools have more autonomy and the ability for innovation, the goal being to share the successful innovations with all schools, however, there has been no formal process through which this collaboration occurs. The enrollment distribution of students from the city of Wilmington among traditional, charter, and vo-tech schools can be seen below in Figure 4.

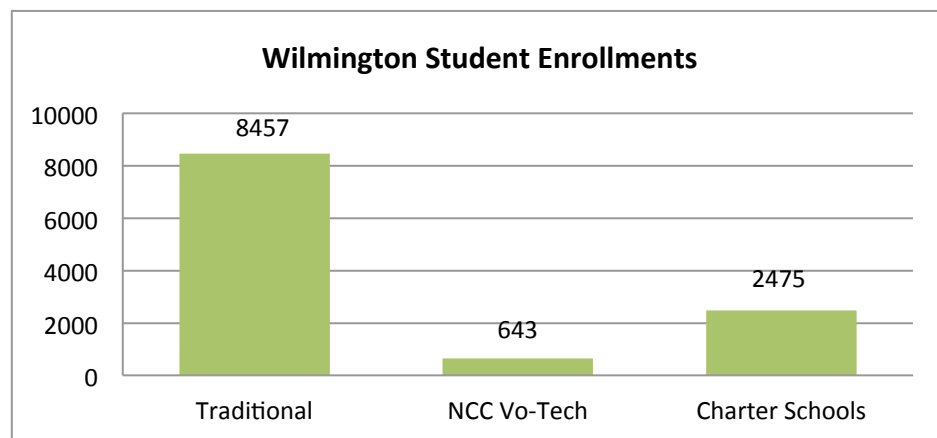


Figure 4 Wilmington Student Enrollments 2014-15, Source: Delaware Department of Education 2014-15 School Year

It is important to note that while only three systems are displayed, the traditional schools are broken up over four districts, and the charter schools are each an individual governing unit serving city children separately with limited collaboration and communication. This system is continuing to expand and get more complex, and

the longer the state waits to make changes, the more embedded these complexities will become.

There has been a lack of accountability on the part of the various governing units to collaborate and improve the overall system of education for Wilmington students because of the fragmentation of responsibility for education Wilmington students. The current arrangement makes it difficult for parents and community leaders to advocate for the education of their children, and the more fragmented the system gets, the worse this challenge becomes. There has been no overall plan for the public education system and how charter schools fit into that. In the next five years, the number of open charter seats will increase by approximately 60%, further disconnecting the system, unless something is done to create a “coherent and responsive governance of Wilmington Education” (Wilmington Education Advisory Committee, 2015, p. 12).

Due to the fragmentation of the governance structure of the schools in northern New Castle County, little has been done to analyze and recognize the unique needs of Wilmington students specifically. The public education system serves 11,595 students from the city of Wilmington. These students are a majority minority, with 74% black or African American, 18% Hispanic/Latino, and 7% white. The community has a population that is 7% English language learners. Of the 11,595 students from the city of Wilmington, 2,120 of those students have a documented disability. Additionally, 83% of Wilmington students are classified as low-income, a much higher concentration of low income students than each district as a whole (Delaware

Department of Education, 2015). This group of students is not being tracked by the Department of Education, and no one unit is responsible for the education of the 11,595 students so they get lost in the dispersed set of governing units that serve them.

Wilmington students make up 11% of the total public school population in Delaware, but make up 16% of the school drop-outs. Of the 752 students in the class of 2014 from the city of Wilmington, 238 of them did not graduate. The graduation rate of Wilmington students compared with students not from Wilmington, and all students in Delaware can be seen here in Figure 5 (Delaware Department of Education, 2015).

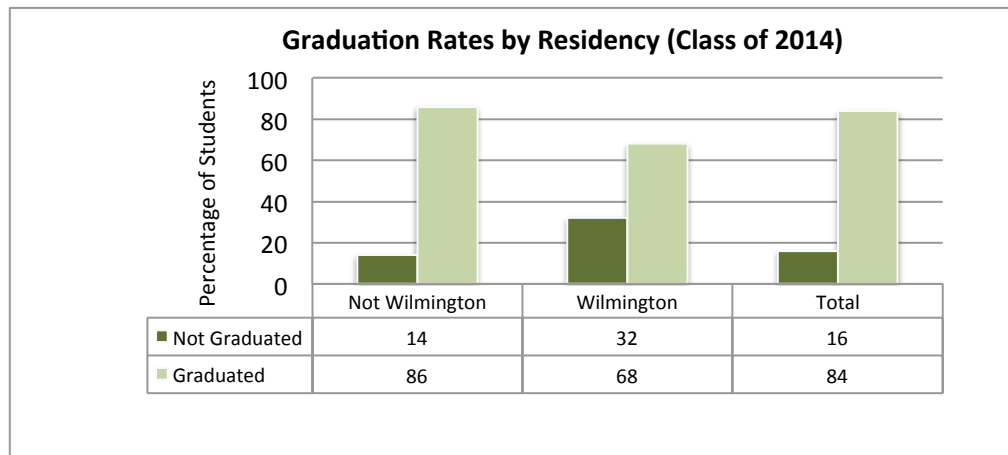


Figure 5 Graduation Rates by Residency, Source: Delaware Department of Education 2013-14 School Year

Black or African American students and Hispanic students have lower graduation rates than white students from the city of Wilmington. The graduation rate in the city for black or African American students is approximately 67%, Hispanic students had a graduation rate of 63%, and white students from the city graduated 87%. The education system has been unsuccessful in addressing the needs of Wilmington students and this is reflected in the disparity of graduation rate

Though test scores are certainly not the only indicator of success, severe discrepancies in standardized test scores show a system that is failing a particular subgroup of the population. Students from the city of Wilmington on average perform worse on both the Delaware Comprehensive Assessment System (DCAS) Math and DCAS Reading for grades 3, 5, 8, and 10 than state averages. For example, see below the DCAS Math scores for grade 3. As is evident in the percentage of the students from Wilmington that scored a one or two, not proficient, compared to the state average percentage in that range. For example, on the Grade 3 DCAS Math, 40% statewide scored a 4 (advanced) compared to 9% of students from Wilmington.

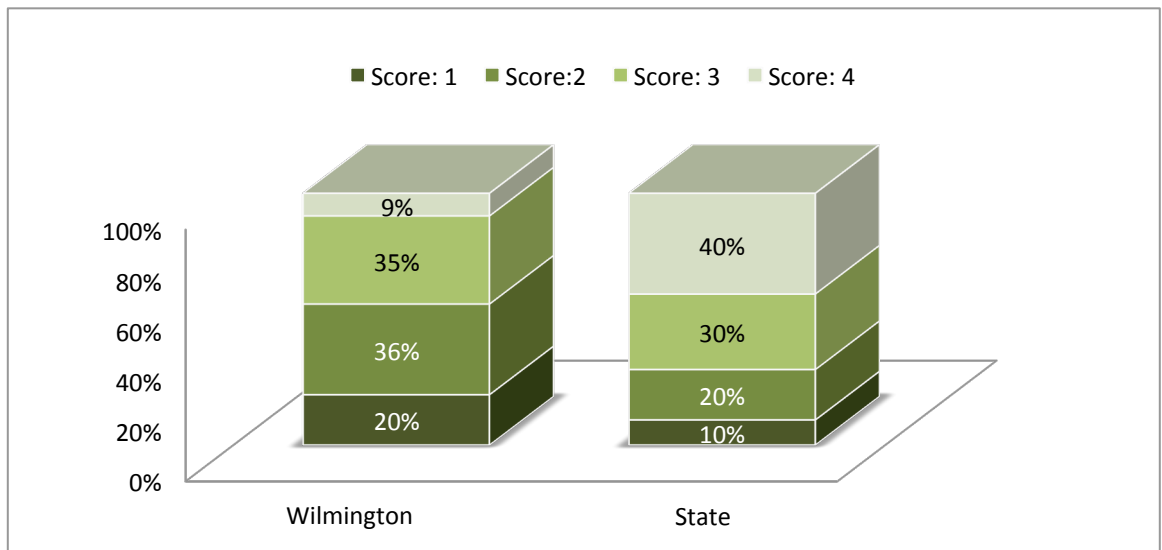


Figure 6 Grade 3 DCAS Math Scores, Source: Delaware Department of Education 2013-14 School Year

Similar disparities can be seen across grades in both the reading and the math tests.

See Figures 7 and 8 to see the proficiency gaps between the city of Wilmington and the state averages across the board. See Appendix B for full set of data on Wilmington student achievement.

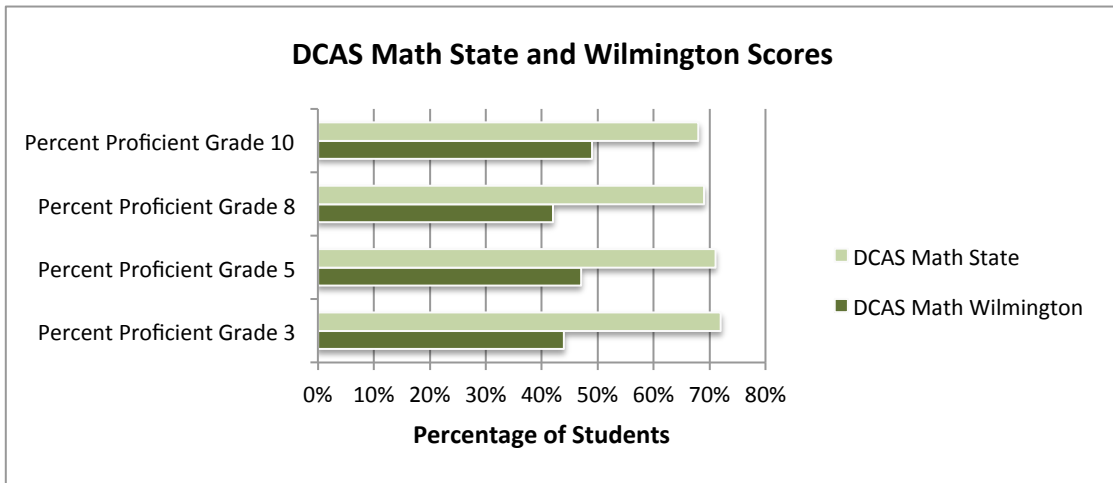


Figure 7 DCAS Math State and Wilmington Percent Proficient, Source: Delaware Department of Education 2013-14 School Year

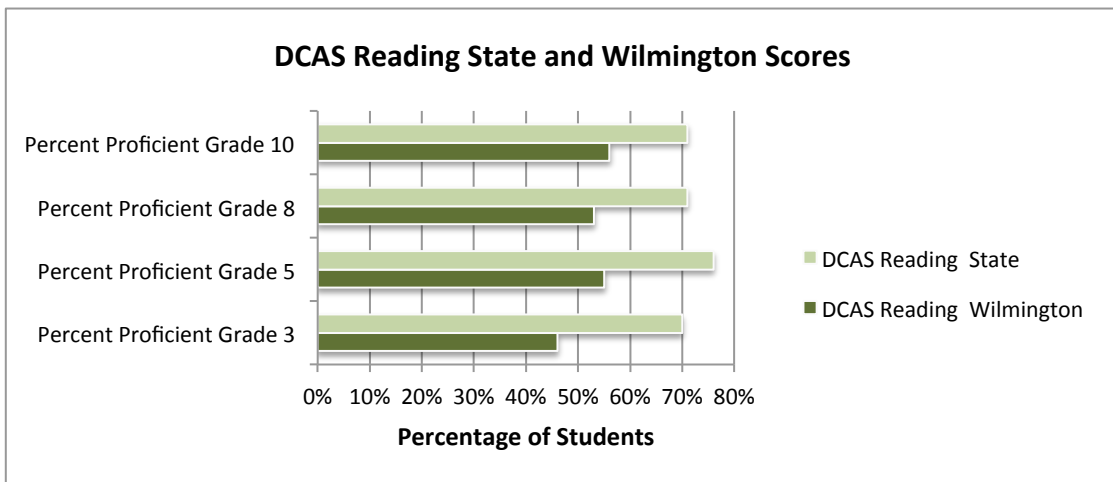


Figure 8 DCAS Reading State and Wilmington Percent Proficient, Source: Delaware Department of Education 2013-14 School Year

The Wilmington community, particularly the Wilmington city government, community advocates, and the Wilmington delegation in the General Assembly recognize the insufficiency of the system serving the Wilmington students. In the current governance system, the city of Wilmington has little voice in the fractured public education system that serves their children. Starting with the 2001 Neighborhood Schools Act, the Governor and the General Assembly publically recognized the inequality that exists in the incoherent governance structure, and has designated committees to study the system and possible solutions. The confluence of the legal complications, the community factors, and the educational impacts has left a condition where the inequalities that were identified 60 years ago are still present. In a system in which Wilmington students are attending highly segregated schools, and are performing significantly lower on the Delaware standardized tests than the average Delaware student, it is clear that there are evident inequalities. These inequalities are a result of the legal history of desegregation in Delaware, including court mandated fragmentation of the city into four districts, and the Neighborhood Schools Act which isolated an already minority and low income concentrated community into schools where their unique needs were not being met.

The fragmentation of the system is a primary factor in the inequality of educational achievement. Parents and the local community are disconnected from the public education of city of Wilmington students. These students are lost in a complex system of governance. City of Wilmington children are no longer considered a community being served by the public education system, particularly evident in the

lack of data available for city of Wilmington students as a group. Data is held on students in the state of Delaware and is organized by district and by school. In order to fully analyze the achievement of city of Wilmington students, a new database was created that supports analysis of city of Wilmington students as an isolated group. Without this database, these evident achievement gaps are lost in the school district data throughout which these students are dispersed. Please see Tables 4-6. Further data can be found in Appendix B.

Table 5 Comparative Student Graduation Rates, Class of 2014

	Wilmington		Delaware	
Not Graduated	238	32%	1,511	16%
Graduated	514	68%	8,201	84%

Table 6 Comparative Student Graduation Rates, Class of 2014, by Race

	Wilmington		Delaware	
By Race	Not Graduated	Graduated	Not Graduated	Graduated
Hispanic/Latino	37%	63%	19%	81%
American Indian or Alaska Native	*	*	*	*
Black	33%	67%	20%	80%
White	13%	87%	13%	87%
Asian	*	*	8%	92%
Native Hawaiian or Other Pacific Islander	*	*	*	*
Two or More Races	71%	29%	14%	86%

Table 7 Wilmington Student Dropout Rates by Residency and by Race, Class of 2014

Not from Wilmington	879	84%
Wilmington Resident	172	16%

By Race	Total	Percentage
American Indian or Alaska Native	*	*
Asian American	30	3%
Black or African American	450	43%
Hispanic/Latino	143	14%
Two or More Races	17	2%
White	407	39%

Source for Tables 4-6: Delaware Department of Education Data Set, 2013-14 School Year

Note: *Fewer than 15 students

The Impact of School Segregation on Student Learning

In Wilmington, as in other communities, decades of de facto community segregation, even after legal segregation was ended, spilled over into the community schools significantly impacting student achievement and contributing to a persistent achievement gap between most Wilmington students and those in the rest of New Castle County and Delaware. The original purpose of the current system governing education for the city of Wilmington was to force decisions of equity upon the state of Delaware. This system that was created as a result of a long legal history of desegregation is no longer serving the intended purpose of equality, and instead has

had negative structural impacts as well as impacts on the students it serves. The system creates a barrier to accessing equal educational opportunities. Several factors provide for this, and not all have been addressed by policy primarily because many of the factors are not school based but community based. Community poverty, neighborhood crime, parental educational attainment, and several other factors contribute to the achievement gap between minority and nonminority students, and between students in poverty and not in poverty. In addition to these factors, social capital is a major factor in student achievement. Social capital includes factors such as parental encouragement, peer engagement, and participation in after school activities. These factors are much more likely to be positive in higher income communities with lower minority percentages, lower crime rates, and higher levels of educational attainment in the community (Patterson, Kupersmidt, & Vaden, 1990). All of these factors are seen in the statistics for city of Wilmington, and are reflected in student achievement.

Black children are more likely than white children to grow up in low-income, mother-headed, and single-parent homes. In the city of Wilmington, 25% of families have a female head of household with no husband present, compared with only 14% in New Castle County and in Delaware, and 13% in the United States (United States Census Bureau, 2013). Each of these factors is an indicator of students being at risk of lower achievement. The reasons for the risk of lower achievement are identified by years of research on continual discrimination and segregation within communities. The problems associated with economic distress, as felt more heavily in some

communities than others, have a negative impact on a student's academic achievement (Patterson, Kupersmidt, & Vaden, 1990). One explanation is that low-income students are more likely to have experienced stressful life events including familial conflict, domestic violence, community violence, high mobility, discrimination, and exposure to drug and alcohol use than students from higher income backgrounds. These stressors experienced at home influence students at school in the form of lowered mood, reduced attention span, mental illness, and emotional distress (Cholewa & West-Olatunji, 2008). In addition, low-income students are more likely to have limited access to health services, a safe place to spend time after school, and after school cultural learning activities. They are also more likely to come to school hungry. Low-income parents are more likely to be working a job that is not a typical workday, have less educational attainment and therefore be less engaged in a student's education. Each of these influences a student's ability to achieve in school while the factors cannot be controlled within the school (Okpala, Okpala, & Smith, 2001). Solutions aimed at reducing the achievement gap must address both in school and home factors. The fractured system of governance for Wilmington students makes parent and community engagement increasingly difficult. This disconnect is a barrier when considering solutions that target where students are coming from and the educational impacts of that community. Children from lower income backgrounds are more likely to be behind in their development prior to the start of school. Research has shown that there is a high correlation between student achievement and early vocabulary skills and access to books at home. In addition children who attend high quality preschools

are more likely to succeed in school and subsequently enroll in college resulting in higher earnings later in life. There is a clear impact of economics on childhood development when it comes to being able to prepare children for success in the education system. Early childhood programs in lower income areas are more likely to be of lower quality although this is not true in all cases. Preschool offers opportunities for students to expand their vocabulary, learn numbers, and begin to learn how to read. It also begins socializing students and teaching them the behavioral skills that they might not learn at home (A science-based framework for early childhood policy, 2007). Each of these factors is applicable to the education of Wilmington students. This is one area that Delaware has made significant process is, though there are more improvements to be made. Low income families in Delaware relied on Purchase of Care subsidies provided by the state to allow parents of children below a certain poverty level to purchase childcare in order to go to work. Prior to action to improve early childhood access, there was no incentive for high quality childcare providers to accept purchase of care, a subsidy much lower than the market rate for quality early childhood programs. This required parents of low income families to send their child to a subpar early childhood program, because that was all they could afford. Governor Markell and the Delaware General Assembly have made progress towards increasing access to high quality early learning programs. There has been a significant increase in high quality programs in the city of Wilmington with participation in the Stars for Early Success program which provides support and an increased subsidy with participation. This has encouraged more participation, and has provided more access

for low income families to early childhood programs (Stars for Early Success).

Though this area still has room for improvement, the needs of low income families in this area are being addressed.

The current arrangement of governance for the city of Wilmington does not promote parent or community engagement in a population already at risk for being disengaged. The system of governance does not address the needs of Wilmington students, and by fragmenting the responsibility for educating Wilmington students as severely as is the case in New Castle County, there is little focus on the specific needs of Wilmington students as a community within schools. In addition to these particular factors to student success, research has shown that classroom diversity benefits both minority and nonminority students. According to research by the American Educational Research Association, presented in the “Brief *Amici Curiae* of the Brennan Center for Justice at NYU School of Law and the League of Women Voters of the United States in Support of Respondents,” in the Supreme Court decision in the *Fisher v. University of Texas* case against affirmative action, “diversity encourages the cross-racial interaction that is necessary to enhance students’ ability and willingness to engage more collaboratively in civic activities.” Diversity also promotes leadership skills and encourages civic engagement among students of all races and ethnicities, encouraging tolerance, which is a skill required in the diversity of the world after leaving school (2012).

Research supports that a diverse classroom benefits social skill development as well as academic achievement for both minority and low-income students as well as

the broader range of economic and non-minority students. When communities are segregated, students lack a diverse experience at home or in school affecting their ability to achieve in school and later in life. In order for these communities, both the affluent and in poverty, the majority minority communities and the majority white communities, to all develop strong, tolerant, and productive members of society, it is important that society encourages school diversity (Patterson, Kupersmidt, & Vaden, 1990; Abigail Noel Fisher v. University of Texas at Austin, 2012). This is lacking in many schools across the country.

One of the main reasons for the racial and economic segregation within school systems has to do with economic and racial community isolation. Funding is not the only issue in the segregation of schools based on socioeconomic status and race, but also it is important for students to get diverse opinions through learning and to learn social skills in diverse environments (Henig, Hula, Orr, & Pedescleaux, 2001). The Neighborhood Schools Act, which required that all students attend schools closest to their homes, increased the likelihood for economic and racial isolation. The intention was to create community ownership over schools and the education of community children, to minimize travel time, and to foster parent engagement. Though the intentions are ones that are almost universally desired, creating feeder patterns in which students are assigned to their neighborhood schools creates a system in which there are racially identifiable schools and high concentrations of poverty. In the Supreme Court Case of Abigail Noel Fisher v. The University of Texas at Austin, the

Brief Amici Curiae of the Brennan Center for Justice at NYU School of Law and the League of Women Voters of the United States in Support of Respondents, said:

Social science research has shown...the positive effects racially and ethnically diverse student populations have on students of all races, including enhanced cognitive abilities, self-confidence, leadership skills, social activism, and engagement, tolerance, and the ability to work collaboratively in a diverse environment (2012).

When schools are segregated, both minority and nonminority students, wealthy students and students in poverty, all miss the benefits of a diverse student population. The court ruled that de facto segregation, both racial and class based, is discriminatory and deprives students of their equal educational opportunities (Milo Sheff et al., 1996). Though the Brown decision made segregation and discrimination in education illegal, there was little enforcement of the actions of the state to work towards integration, and there was also a limited understanding of how much integration is enough, which certainly limited the success of these plans. Schools are segregated in large part because of community segregation and isolation.

The education inequalities identified in the Brown v. Board of Education and the cases that followed, including the psychological and emotional impacts of racial and socioeconomic isolation are still applicable to the situation facing city of Wilmington students today. Though action was taken after the court decisions, there are still significant inequalities that exist in the education system. These inequalities can still be assessed by the standard that was set in the Brown v. Board of Education decision based on the impacts of segregation, inequality, and racial and socioeconomic isolation. It is important that action is taken to meet the needs of these students in

order to truly provide equal educational opportunities for all students in the state of Delaware.

Chapter 5

PREVIOUS IMPROVEMENT RECOMMENDATIONS

Since the Neighborhood Schools Act, there have been several committees that have looked at the improvement of education for the city of Wilmington. The Wilmington Neighborhood Schools Committee was created as a part of the Neighborhood Schools Act of 2000 to establish an implementation plan of the Act that would be fair and equitable to all children. This committee, chaired by Raye Jones Avery, released a report in 2001 titled *They Matter Most: Investing in Wilmington's Children and Delaware's Future*. In 2006, the Hope Commission released a report with the primary recommendation of creating a strong youth advocacy organization to improve the education of children in the city of Wilmington. The Wilmington Education Task Force was created by a Delaware Senate joint resolution, and was chaired by Senator Margaret Rose Henry. They produced a report in April 2008, which gave further recommendations to overcome the challenges facing Wilmington students. There are several recurring themes in the reports that were produced previously. Some primary topics include teacher training and professional development, additional funding for low-income students as a high need population, early learning, and a redevelopment of the governance structure, among others are addressed in each subsequent report. Despite the overlapping recommendations of each commission, very little action has been taken. Below is a summarization of the

past recommendations highlighting the overlap in recommendations. By the categories of: addressing the issues of unique needs of students; funding; and governance.

Governance

For many years now officials have agreed that the current configuration of Wilmington Schools is not the most efficient or effective means of educating Wilmington students. The fragmentation of Delaware schools serving the city of Wilmington is no longer serving the purpose that it set out to do many years ago. Therefore, it is important that the governance structure of Wilmington schools is addressed in any future changes made to the system. Both the 2001 and 2008 report identified solutions to the governance structure. The 2001 report recognized two possible solutions: a “Charter District” or a “Metro District” (Wilmington Neighborhood Schools Committee, 2001). The 2008 report acknowledged one starting point for the reconfiguration and a potential goal to work towards in the future (Wilmington Education Task Force, 2008).

The Charter District introduced in the report done in 2001 was a plan to improve student learning by increased innovation in all schools, as was the purpose of the original charter law. This would require modification of the Delaware Code in reference to charters, but would essentially create a district in which all schools within the city of Wilmington would have the freedom of innovation as charters do now. It would create a choice district, in which students have a choice of the schools serving

the city, and any student who does not file a choice application will be placed in a school based on proximity, learning styles, and other factors deemed important by the board. By converting the public schools in this way, it would be necessary to include a preference provision in Wilmington charters that ensure that all Wilmington students have a place at a school nearby. This recommendation would create a citywide governing body to monitor these schools, increasing local control and facilitating reorganization of unsuccessful schools (Wilmington Neighborhood Schools Committee, 2001).

The Metro District would consolidate Wilmington's schools within Red Clay and Brandywine districts, eliminating the four-district model serving the city. These districts would be consolidated into a single district with one tax base, allowing for the continued financial support of Wilmington schools. Though students would comply with the Neighborhood School Act regulations, Delaware school choice would still allow all schools to be open to all children. This would require analysis of the current infrastructure. The identified benefits of this plan include minimizing the number of under resourced high-poverty schools when complying with the Neighborhood Schools Act, opportunities for diversity, reduces the states vulnerability to violations of equal rights provisions, and better equalization of resources for all schools (Wilmington Neighborhood Schools Committee, 2001).

Consideration of a Wilmington School District was halted when the funding challenges were identified. Without the consolidated tax district, Wilmington's local tax base is not significant enough to support its schools. The 2001 report quickly

dismissed this consideration unless a significant change is made in the state equalization formula (Wilmington Neighborhood Schools Committee, 2001).

The 2008 report identified redistricting to include all students to the east of Market Street as part of the Brandywine School District and the children living to the west of Market Street to be part of Red Clay School District. The report also describes the long-term development of one school district for Northern New Castle County. With any changes to the governance structure, it discusses Wilmington representation on school boards, as well as creating revenue neutral district lines, as to not create a situation in which one district is affected significantly more by the changes. They also recommend the creation of one or more middle schools and a public high school in the city. In addition, they recommend creating an urban professional development center in the city to have the ability to model best practices for schools in Wilmington and to help with recruitment and retention of quality teachers and school leaders. This was a secondary recommendation to the redistricting issue, as that was posed as the more pressing challenge (Wilmington Education Task Force, 2008)..

These reports since 2001 have identified a need to implement a different school district model than exists today. No action has been taken to address the configuration of school districts thus far.

Unique Needs of Students

Wilmington students and Wilmington schools face unique needs that other schools may not face and may not be addressed in the current system of education. Each report described the unique needs that they identified for the city and its students. The report produced in 2001 details the challenges faced in schools with higher percentages of low-income students. The creation of neighborhood schools, by its nature, creates schools in the city that are highly concentrated in poverty. The report identifies that children in high poverty schools, identified in the report as schools with more than 40% low-income students, perform worse academically, read less, have lower attendance rates, are more likely to have serious developmental delays and untreated health problems, have less funding for advanced classes, higher rates of student behavior problems, less highly qualified teachers, and a lack of family involvement. Students in schools with lower concentrations of poverty do not face these challenges to the same extent yet are treated the same in terms of funding, teacher training and recruitment, among other things. This report cites both national and local studies identifying the unique needs of urban, low-income students that need to be addressed in any proposed recommendation (Wilmington Neighborhood Schools Committee, 2001). The Hope Commission report also identifies a need to focus on student recidivism, and how to reduce this to better improve the quality of student learning (Wilmington Hope Commission, 2006).

The 2001 report identifies a need for smaller learning environments for closer relationships between adults and children. In addition to smaller class size, the report discusses a need for recruitment and retention of highly skilled and highly qualified teachers for these schools. It is explained that smaller schools should raise student achievement, reduce disruptive behavior, increase graduation and attendance rates, and improve school climate, which helps to retain teachers. In smaller schools, teachers are often more collaborative, responsible for collective achievement. Students thrive in environments where they feel safe and are well known by the staff and their peers. Each teacher can address the unique needs of each student when class sizes are reduced, allowing for the attention each student needs to succeed. This 2001 report went so far as to say that students should be organized into smaller learning communities, staying with the same teachers throughout several years to allow for a targeted literacy and math core (Wilmington Neighborhood Schools Commission, 2001). The 2008 report also identified the improvement of school learning environments to provide students with safe and comfortable learning environments with highly qualified teachers, including smaller class environments and the promotion of high academic standards (Wilmington Education Task Force, 2008).

The report done in 2001 recognized that early literacy as a need to be addressed. Parents are the first teachers beginning with vocabulary and reading, but the report identified that there is a supporting community that must assist parents with this responsibility (Wilmington Neighborhood Schools Committee, 2001). The Hope Commission report also identified early literacy, community and parent involvement

as keys to success in education. There is an importance to educating parents alongside children to make sure learning occurs both in home and in school (Wilmington Hope Commission, 2006). It also identified in the 2001 report that students who attend full-day kindergarten gain valuable academic and social benefits, including independent learning, collaborative skills, and reflectiveness. Key program improvements must occur in reading, including early interventions for those that fall behind. Full day kindergarten allows for programs to help parents, provide a full range of services through collaboration with the community, and to develop skills necessary for success. In addition to these recommendations, the committee led by Raye Jones Avery identified increased instructional time, availability of reading specialists, curriculum counselors, college and career counseling, and special education service as important components of a comprehensive education for Wilmington students (Wilmington Neighborhood Schools Committee, 2001).

Many of these unique needs recommendations must also be addressed in terms of funding. Unless the way schools are funded is adjusted, these changes will be near impossible to implement. Each report indicated that financing of schools is essential to improving educational environments and addressing the unique needs of Wilmington students.

Funding

Each report identified that the current funding formula is not meeting the needs of Wilmington students. The 2001 report does so in framing that there are unique needs to urban students in primarily low-income schools, and these needs are not being met by the current system of education available to students. It identifies that funding needs to address the unique requirements of low-income students, including funding for quality early childhood programs, special education services, and increased instructional time. The report also indicates that the attraction of quality teachers may need to come in the form of competitive salaries, a loan forgiveness program, a waived city wage tax, well-resourced working conditions, and professional development so that teachers are continually able to meet the needs of their students (Wilmington Neighborhood Schools Committee, 2001).

In response to the consideration of a Wilmington School district, as a response to the Neighborhood Schools Act, the committee in 2001 recognized that this would provide an incredible challenge in terms of funding for those Wilmington Schools. The equalization formula that was analyzed would not do enough to make up for the significantly lower tax base. The report indicates that no proposal should be made to eliminate the consolidated tax base, unless a proper state equalization formula is created (Wilmington Neighborhood Schools Committee, 2001).

The 2008 report more specifically identifies the need for a funding formula to address the needs of the individual student and the individual classroom. The report

identifies weighted student funding as a source of meeting the diverse set of needs that Delaware students possess. The 2008 report, like the one produced in 2001 as well as the Hope Commission Report, identifies the need for teacher recruitment and identifies student loan forgiveness and professional development as two ways to improve in this area. In order for Wilmington Schools, serving a higher needs population, to afford recruitment and professional development would be additional funding from the state. This would be addressed within this proposed weighted student-funding program. It also identifies technology as an important part of giving students equal access to an education with their suburban peers. Additionally, the recommendation was made to fund transportation for students who choose to attend high schools in surrounding districts. This report in 2008 had a focus on flexibility in the funding of education for Wilmington students as a way to address the unique needs represented among the school age population (Wilmington Education Task Force, 2008).

Additional Information

Each report indicates a need for more data to support any of the recommendations set forth. In addition, the 2008 report identified a need for data specific to Wilmington students that is continuous and can be used to determine quality-learning strategies and improve student learning. It also addresses data collection on community partnerships, community-based education, and effective

family and community engagement models (Wilmington Education Task Force, 2008).

Table 8 Summary of the Recommendations from the Wilmington Neighborhood Schools Committee Report (2001)

Governance	Create a <i>Charter School District</i> in which all schools within the City of Wilmington would have the freedom of innovation that charter school do and allow for freedom of choice within the city.
	Merge the Red Clay Consolidated and Brandywine School Districts and the City of Wilmington into one <i>Metropolitan School District</i> , creating a common tax base.
	[Consideration of a Wilmington School District was halted after identifying the funding challenges that such a district would provide.]
Meeting the Unique Needs of Students	Implement full-day kindergarten programs.
	Implement smaller class sizes.
	Recruit and retain highly qualified teachers for high-need schools.
	Provide additional professional development so teachers are continually able to meet the needs of their students.
	Create small learning communities for high-need students, staying with the same teacher for several years and focusing on literacy and math core.
	Make early literacy a focus, helping parents to support early literacy including reading and vocabulary.
	Allow state and local authorities to seek partnerships with health, family welfare, and educational service providers.
	Provide adequate resources and attention to ensure that English language learners attain academic language proficiency in a timely fashion and master state content standards at grade level.
Funding	Provide funding to address the unique requirements of low-income students: early childhood, special education services, and increased instructional time.
	Provide incentives for teachers including a waived city wage tax, competitive salaries, and a loan forgiveness program.
Other	Establish monitoring and accountability for all schools to judge success based on the achievement of all students.

Table 9 Summary of the Wilmington Hope Commission Report (2006)

Meeting the Unique Needs of Students	Improve the quality of childcare and pre-school for all City of Wilmington children.
	Focus on early literacy and math skills in middle schools.
	Provide professional development that focuses on ensuring all students graduate from high school.
	Work with Delaware colleges and universities to prepare teachers for the challenge of teaching urban youth.
	Help parents prepare their children for school.
	Create partnerships among school districts, community centers, and religious institutions to ensure effective after-school programs and tutoring for students in their communities.
	Create an education advocacy organization in the city to mobilize resources to improve achievement among all students, working closely with districts, the government, community groups, and the faith-based community.
Other	Reduce school truancy.

Table 10 Summary of the Recommendations from the Wilmington Education Task Force (2008)

Governance	<i>The River Plan</i> , redistricting to place all students to the east of Market Street in Brandywine School District and place students to the west of Market Street in Red Clay Consolidated School District. Any changes to district lines should be given enough time to implement and should be as revenue-neutral as possible.
	Move toward having one northern New Castle County School District.
	Give Wilmington students the opportunity to attend public schools in their communities for grades Pre-K to 8.
	Provide proportional representation for Wilmington students on school boards.
	Create one or more middle schools and a public high school in the city.
	Create an Urban Professional Development Center in the city to be able to model best practices for schools in Wilmington and to assist with the recruitment and retention of quality teachers and school leaders.
Meeting the Unique Needs of Students	Increase the number of vocational technical seats available to city students.
	Ensure equity and access of the latest technology available in city public schools.
	Provide innovative training and recruitment to attract and maintain quality educators.
	Develop smaller learning environments where the same teachers, families, and students stay together over a period of time.
Funding	Provide funding for students who choice into high schools in surrounding districts.
Other	Conduct annual assessments to track student progress over time.
	Conduct additional study on urban education, community school partnerships, and public/private partnerships.
	Develop a citywide implementation plan, establishing appropriate outcomes, conducting a gap analysis, building on what is working, and creating an implementation strategy.

Neither the 2001 or 2008 report clearly identifies barriers to implementation of these recommendations; therefore, they do not address how to overcome them. There has been little progress to address these past recommendations. Very little action has been taken to address the solutions to improve the governance system provided by the various commissions, allowing the complexity of public education in Wilmington to progress further. The political will had not previously been there to support these bold recommendations. Since 2001, the governance situation has gotten worse. Each of these reports has identified a need for a change in the governance system that serves Wilmington students, and the situation has escalated as each of these reports has been produced. In the 2014-15 school year, the problems generated from this governance arrangement drive an effort to recommend, and implement, solutions. It will take the convergence of political will, community frustration, and support for a collection of recommendations in order to create change for city of Wilmington students.

Chapter 6

POLICY RECOMMENDATIONS

The Wilmington Education Advisory Committee (WEAC) was mandated by Governor Jack Markell's Executive Order in September 2014, at the request of the Wilmington delegation from the Delaware General Assembly and is the latest group to address the challenges that have existed in the city of Wilmington for over a century. The committee has worked to build upon the recommendations of past commissions, framing the recommendations around the longer history of Wilmington education, but also considering the changes in conditions since the first report was released. Though the expectations for this committee were simply the same as the committees before, the situation in the state of Delaware has evolved since its inception to produce real and immediate action. Since 2001, the governance structure for public education in the city of Wilmington has become even more confrontational, and in the absence of any change, the system is becoming even more of a conflict. Even since the initiation of WEAC, the American Civil Liberties Union and the Community Legal Aid Society have filed a complaint against the Delaware Department of Education claiming that charter schools have re-segregated public education, creating racially identifiable schools. In November 2014, Wilmington Mayor Dennis P. Williams sued the state Department of Education to keep the Maurice J. Moyer Academic Institute open. In January 2015, Reach Academy for Girls, a charter school in Wilmington filed a

lawsuit against the state to fight to stay open after Secretary of Education, Mark Murphy, chose not to renew their charter. As the state entered the 2014-2015 schools year, there were four school districts, one vocational technical district (vo-tech), eighteen charter schools, and five schools in outside districts that serve Wilmington students. This includes seventeen independent governing units within the city itself, not counting the State Board of Education and the Department of Education. The state approved five new charter schools, three of which were in the city, to open in 2015. In the absence of action, the governance structure has gotten even more fragmented. As a result of these factors, the climate in Delaware is one in which change is possible, and likely.

The Committee issued an interim report on January 26, 2015 and, after consultation with hundreds of stakeholders, a final report on March 31, 2015 that provides recommendations for the improvement of education for city of Wilmington residents served by Delaware schools after being given the task of providing the Governor with recommendations for the improvement of the system. The committee focused on four main areas: governance, funding, unique needs of Wilmington students, and implementation. Though the mandate was to address education in Wilmington, and the community focused on the unique system that serves Wilmington students, the recommendations made will have a broader impact throughout the state of Delaware. The committee followed several guiding principles, which framed the recommendations in the report:

- Delivering high-quality public education to all children, including those who are low-income, black or Latino, is not only a Wilmington problem. It is a challenge facing all of Delaware. Strengthening Wilmington education will strengthen public education throughout Delaware.
- All Wilmington schools should meet high and rising standards for student learning in Delaware and across the globe. There should be agreed-upon measures for student success in meeting those standards that apply to all schools.
- Parent and family engagement is critical to the effectiveness of public education, and we must establish a strong Wilmington education partnership between schools and the families they serve.
- All Wilmington students should have access to high-quality educators who are prepared to meet their diverse needs, and to the human and financial resources needed to support student success.
- Wilmington schools should be seen as community assets and must have allies to address the complex challenges of educating the city's children. These allies include engaged families, community and business partners, early childhood educators, mental and physical health providers, institutions of higher education, and social service providers.
- Wilmington students should continue to be served by a combination of district, charter, and vo-tech schools. Policies and practices for Wilmington schools should promote collaboration, shared learning, and a mutual commitment to improvements that serve all students (WEAC, 2015, p.1).

One recommendation not made by the committee, that many of community advocates desire, is a Wilmington School District. The primary argument for this is complete community control over the education of city of Wilmington students. Dr. Tony Allen, the chair of WEAC, says that this idea is “a largely nostalgic reaction to a time that once was, where Wilmington communities were still racially segregated but were multi-income and made up of professionals of color living in close proximity to the working poor.” The city of Wilmington is very different than it once was. The past 60 years of changes to the city population have left a community with fewer resources and fewer role-models that show what achievement looks like. As Dr. Allen describes

a school district that is defined by the city boundaries is not a viable option. The previous groups, starting with the 2001 Wilmington Neighborhood Schools Committee, all considered this option and determined the infeasibility. As noted by WEAC, a Wilmington school district would “solidify educational segregation and further isolate Wilmington’s high-needs students” (Wilmington Education Advisory Committee, 2015, p.11). Additionally, the current tax base in the city of Wilmington would not be able to support a school district without the consolidated tax base (Wilmington Education Advisory Committee, 2015). Dr. Allen says,

You couldn’t build a Wilmington School District today without recognizing its immediate economic peril and the concentrated challenges that such a school district would face. We don’t surmise any more success in that construct than what exists today (Wilmington Education Advisory Committee, 2015, p. vii).

Instead of a Wilmington School District, WEAC advocates increased involvement for the city of Wilmington in the education of Wilmington students. The report calls for action on the part of the city government to mobilize voices for their students.

The primary recommendation of the committee is to restructure the districts to better streamline education for city children. The recommendations include removing Christina and Colonial School Districts from the city, and placing all city schools and city children from those districts with Red Clay School District. Dr. Allen says,

It is irrational to have responsibilities for Wilmington public education fragmented to the extent that there is one district with fewer than 200 students and literally no schools in the city, and another district that is one of only four discontinuous districts in the nation (out of 14,000 school districts) that has 20 miles of interstate highway separating one part from the other (Wilmington Education Advisory Committee, 2015, p. vii).

WEAC also recommends that the city government should have a greater role in the education of their children, particularly related to community and parent engagement and mobilization. Additionally, as charter schools, public schools, and vocational technical schools are all a part of the system of education that serves the community, there should be a specific strategic plan that addresses the public school system in Wilmington. The goal is to make sure that before a new school is approved, there is a need and also a plan in place for the school and the overall system. Lastly, there should be citywide consortium for charter schools that works to develop the sharing of best practices throughout the system (Wilmington Education Advisory Committee, 2015).

Redistricting of schools will change the physical enrollment numbers as well as the profile of the students attending those schools. Red Clay will see the greatest impact, as it will get the students who are Wilmington residents as well as the schools in Christina that are located within the city. Placing a stronger responsibility on Red Clay for the education of Wilmington students requires them to take a leadership role in ensuring the overall system of education for Wilmington education improves. Though the sole responsibility will not be with Red Clay for educating Wilmington students, this greater presence in the city will require some responsibility on the part of Red Clay for providing for the needs of Wilmington students as a unique subgroup of the student population. Figure 9 pictured below shows the enrollment illustrations of the traditional districts before and after redistricting. This illustration assumes student populations will remain constant, not accounting for the expected increase in charter

school enrollments. It also does not include the Red Clay authorized charter schools as a part of Red Clay enrollments, and does not show New Castle County Vocational Technical district or the charter school enrollments.

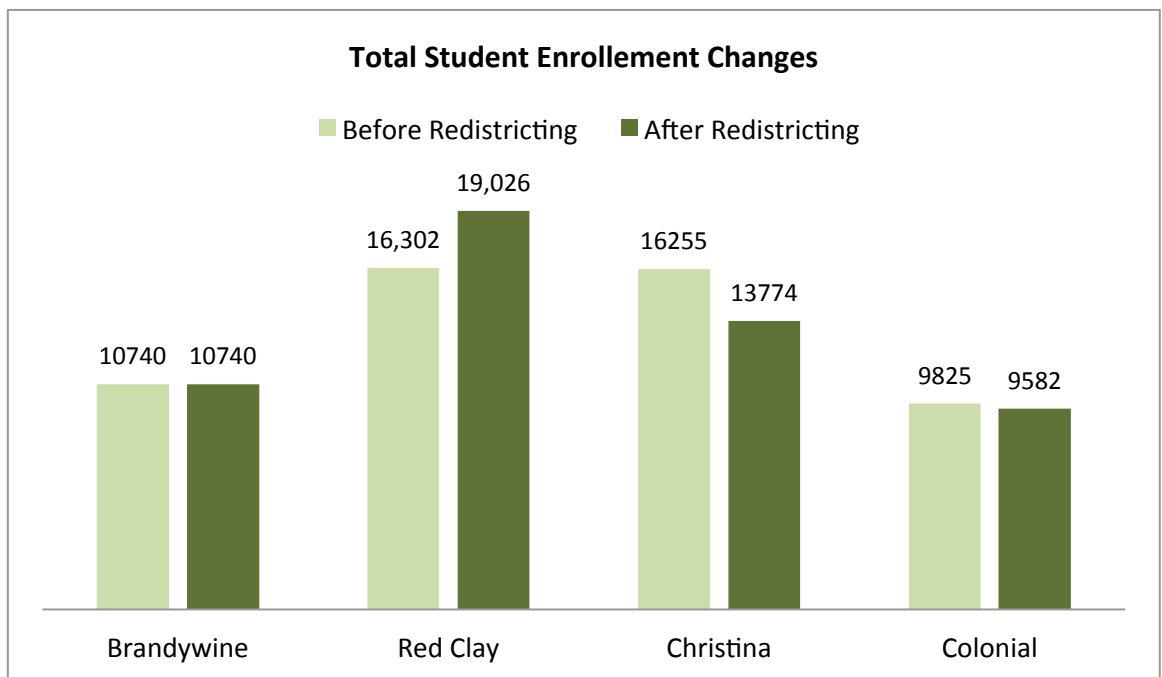


Figure 9 Student Enrollment Changes Before and After Redistricting, Source: Delaware Department of Education 2014-15 School Year

One of the primary reasons for moving the students to Red Clay is that Red Clay is the only school district that has authorized charter schools. As charter schools are

responsible for a large portion of the education of Wilmington children, it is imperative that the districts are able to work with the charter schools in the overall education of Wilmington students. Additionally, Red Clay has successfully worked with the city's struggling priority schools, and it is important that they continue to work to improve all schools for their growing system (Wilmington Education Advisory Committee, 2015). The current enrollment of Red Clay is 16,302, and all other factors constant, the enrollment will grow to 19,026 students if the plan is carried out. This excludes Red Clay authorized charter schools. Colonial School District only currently serves 243 city of Wilmington students, and has no schools within the city. Brandywine's enrollment will stay the same, and Christina will lose 2,481 students. Red Clay will go from 23% black or African American, 43% white, 27% Hispanic and 5% Asian to having 30% black or African American and 37% white with the other categories remaining constant. The district will go from 53% to 58% low income, and the percentage of ELL students and students with a disability will remain almost the same. There will be very few changes to the demographics of Colonial School District. Christina School District will go from 32% white, 40% black or African American, 30% Hispanic, and 5% Asian to 37% white and 34% black or African American with the other categories staying constant. They will also decrease their low-income enrollments (Delaware Department of Education, 2015). All data points can be seen in Appendix C.

These illustrations assume that the student populations will remain constant, and do not reflect actual charter enrollment projections. Currently there are 11,595

Wilmington residents enrolled in Delaware public schools. 8,457 of those students are enrolled in traditional public schools, 643 are in vocational technical schools, and 2,475 are enrolled in charter schools. Within five years available seats in charter schools is expected to increase by 60%. In order to see the potential impact on the current system, an illustration was developed to show the impact on traditional, charter, and NCC Vo-Tech enrollments based on a certain percentage of students attending charter schools from the city of Wilmington, see Figure 10 below.

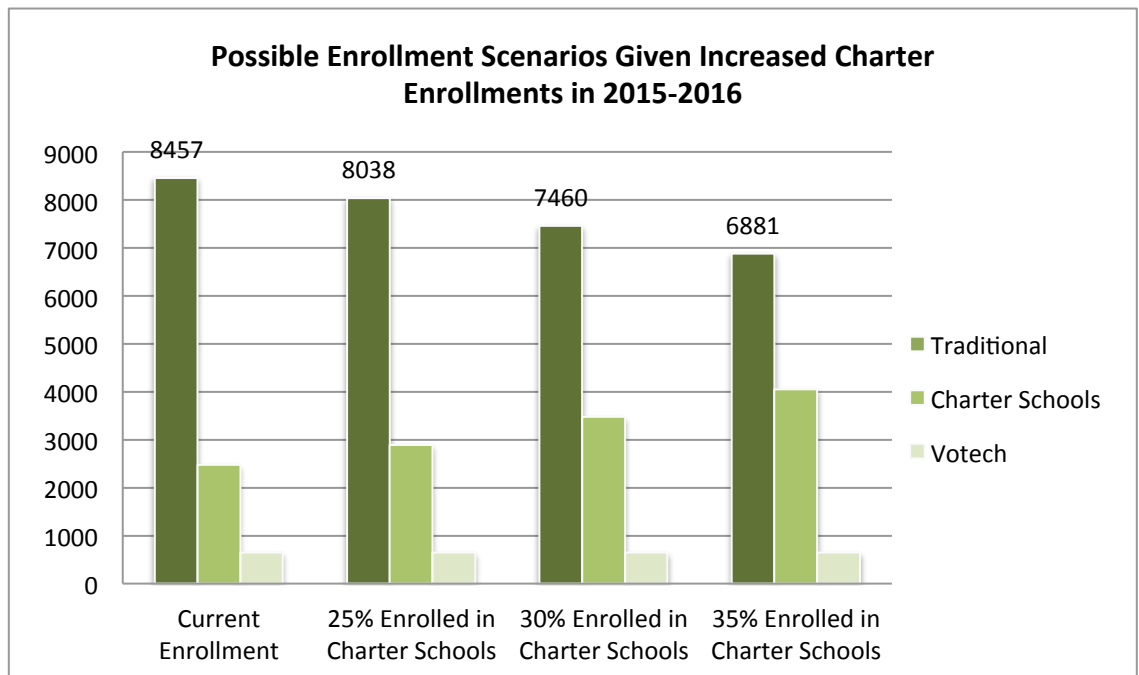


Figure 10 Student Enrollment Illustrations with Potential Increased Charter Enrollment, Source: Delaware Department of Education 2014-15 School Year

The impact of increased charter school enrollment on traditional schools is evident by the figures above; however, if there is a need for charter schools, and they can be authorized and employed in a way that fits into an overall plan for public schools in the state, they can continue to work towards a stronger system to support Wilmington students. The National Association of Charter School Authorizers works with charter school authorizers around the country to develop a strategic plan to accomplish a clear set of goals, which is the purpose for developing this new school. Because the majority of charter schools in Delaware have been authorized by the state, the system has been largely disconnected, authorizations have not been a part of a plan for the desired combination of schools, the number, or the distribution of these charter schools. The state plan for how charter schools fit into the overall picture of public education in Delaware can lead to a system that is conducive to collaboration and innovation to best support the education of Wilmington students and all students in the state of Delaware. Though many states have implemented charter law, very few states have created a strategic plan for the oversight of overall public education. However, in the majority of states, charter schools are authorized primarily by school districts, which is different than Delaware, which has primarily state authorized charter schools. Most states and cities, with the introduction of charter schools, created a cap to limit the number of charter schools that could be approved until they determined the success of the charter school experiment. Delaware did not introduce a cap, and at this time with charter schools such a prominent fixture in the overall public education system in

Delaware, a strategic plan for public education is much more constructive for the state. The strategic plan should include a needs assessment, to determine the need for each type of public school in an effort to control the development of new schools in a way that ensures that everything is done in the best interest of the students in the state (Wilmington Education Advisory Committee, 2015).

As a part of the strategic plan for Delaware public schools, it is important that a charter consortium is considered that will promote collaboration and also foster an environment that best supports what Wilmington students need. Though there are legal limitations to requiring charter schools to be a part of this consortium, upon renewal of the charters, it could be addressed. In the current arrangement, each charter school acts independently, and there is no accountability to provide for the system as a whole. The idea of the consortium would be to create a system in which best practices can be shared, and collaboration is fostered. This charter consortium would serve as a liaison with the school districts serving the city of Wilmington and should also collaborate with the Wilmington city government to foster community and parent engagement in city education (Wilmington Education Advisory Committee, 2015).

The committee is working to address some of the unique needs that Wilmington students face that might impact their ability to access an equal education. As discussed earlier, Wilmington students live in communities that are highly concentrated in poverty. WEAC discusses the importance of early childhood education in addressing the needs of Wilmington students, and all students, particularly those living in poverty. Additionally, it is important to create alignment of services, creating

a smooth transition into the K-12 system for students who need particular services. The primary recommendation of WEAC in this area is to stabilize and coordinate existing organizations and institutions and to build off of the goal of the Early Childhood Strategic Plan (Wilmington Education Advisory Committee, 2015).

WEAC has recognized that the current funding structure for public education in Delaware does not meet the needs of Wilmington students, and does not support a system in which Delaware students have a fair chance at success. The Wilmington Education Advisory Council Interim Report states,

Strengthening Wilmington education requires funding adjustments in four areas: 1) an allocation of funds to schools with high concentrations of students in poverty; 2) an improved revenue base to support the overall costs of public education; 3) transitional resources to effectively implement district realignment; and 4) funds for early childhood and other programs needed to meet the needs of low-income students (WEAC p.3).

The primary focus of the funding recommendations for the state is funding that addresses the student needs, particularly of the growing low-income population. The recommendation is to either modify the existing unit funding system to incorporate those needs, or to move to a weighted student funding formula. These unique needs include schools with high concentrations of poverty and English language learners, and also incorporates funding for special education status in grades K-3. The committee also makes recommendations about the funding base, including property reassessment, authority of the districts to apply an equalization surcharge tax, as well as transitional funding to support the district reorganization. These funding changes

will be supported by existing infrastructure as well as proposed implementation strategies (Wilmington Education Advisory Committee, 2015).

Finally, WEAC addresses a need to create a structure for implementing these essential recommendations for the improvement of Wilmington education. The committee calls for the creation of the Wilmington Education Improvement Commission, through modification of the Delaware Code, which will advise the state on implementing these changes. The goal is to ensure that the recommendations are carried out in a way that is most effective in addressing the needs of Wilmington students, and students across the state (Wilmington Education Advisory Committee, 2015).

WEAC discusses the challenge of political will creating recommendations that will be taken into action. There is rarely a time in which large-scale action, as is necessary in the case of Wilmington education, is politically feasible. Though there is never an ideal time for actions of this magnitude, Dr. Allen states,

While the segregation of schools was struck down in public law 60 years ago, the inequality of educational opportunity has persisted for three generations of students who were supposed to be the beneficiaries of these historic rulings. This is not what Chancellor Seitz, Attorney Redding, or the U.S. Supreme Court Intended (Wilmington Education Advisory Committee, 2015, p. v).

The WEAC recommendations are an important first step towards catalyzing future change; however, they do not go far enough toward remedying the inequalities that still exist in the public education system. There is never a time when political action is easy, but now is a time in which the Governor and the Legislator, as well as community leaders, are ready to take action. This is not the time for minimal steps.

There is no guarantee that the Wilmington city government will take an active role in engaging the community and parents in the education of Wilmington students. More should be done to ensure that the community and parents will have more control and participate in the education of Wilmington students. In addition, placing more responsibility for Wilmington education in the hands of the Red Clay School District is an important step in simplifying the governance system. Despite this, only removing two governing units is not enough to streamline public education for Wilmington students. There are still nearly 20 charter school units that are individually governed that serve Wilmington students. The way the state of Delaware created the system of charter schools without a plan for how they would fit into the overall public education system was irresponsible and has created an incoherent system that needs to be addressed. Without a stronger overlay for these units, the system of governance for the city of Wilmington will remain fragmented as ever. It is important that action is taken to create a more coherent total public education system for the state, and especially for city of Wilmington students. Though WEAC does not take a strong enough stance on some of the primary issues facing Wilmington education, the recommendations made are ones that will certainly clear the way for future change. The work of WEAC to engage every stakeholder in the process makes these recommendations even more feasible. With more widespread community and governmental support, it is likely that action will be taken and widely supported. WEAC also recommends an implementation commission, which is an important step that distinguishes the work of WEAC from the groups before it. This ensures that the recommendations will be

carried out. There needs to be some responsibility on the part of the state, however, to maintain a database on Wilmington students that has not previously been done, to track this group of students. This would also be a tool for evaluation of changes to the system for Wilmington public education. If the recommendations of WEAC are implemented, and the state takes on a stronger responsibility for ensuring that Wilmington students are seen as an important subgroup with unique needs, this could catalyze future improvements that will make the entire public education system in the state of Delaware stronger, better serving the needs of students statewide.

Chapter 7

CONCLUSION

The governance of Wilmington public education is incoherent, fragmented, and not serving the needs of city of Wilmington students. The responsibility for educating students from the city is dispersed among many different governing units which makes community engagement challenging, makes the system difficult for parents and families to navigate, and dilutes the voice of the city.

This thesis has identified the sources of the fractured and dispersed government arrangement. As demonstrated in Chapter 2, the legal and policy legacy of desegregation in Delaware and New Castle County have resulted in the current fragmentation of district responsibilities and the proliferation of independently governed charter schools. As established in Chapter 3, changes in the Wilmington community, especially the outmigration of population to the suburbs, has exacerbated the challenges of Wilmington education. Wilmington students today are largely poor, black and Latino and the schools operating in Wilmington are largely distinctive for high concentrations of these low-income students. As demonstrated in Chapter 4, the implications of the above changes for Wilmington education have been profound. Wilmington students typically lag in most areas of student achievement, including graduation rates. After 60 years of reform initiatives beginning with *Brown v. Board*, most students in Wilmington still do not have access to high quality educational

opportunities. Various task forces have recognized these conditions since 2001. As demonstrated in Chapter 5, each of these task forces has proposed changes in governance, funding and service supports needed to address the distinctive needs of Wilmington students—and indeed all students in schools with high concentrations of poverty. Until now, none of the recommendations made by these task forces have been acted upon. Today, Wilmington students are not even recognized as a subgroup with any standing by the Delaware Department of Education; data is only tracked on the school and school district levels. This makes it difficult to follow the achievement of Wilmington students, and it also makes it difficult for the districts and charter schools that serve Wilmington students to exercise responsibility for meeting their unique needs.

As described in Chapter 6, the Wilmington Education Advisory Committee has issued new recommendations to redress the challenges posed by the fragmented and ineffective governance system. As documented by the WEAC report and reviewed in this thesis, these recommendations directly respond to the conditions that have developed and become more acute over the past 60 years. Dr. Tony Allen, the chair of WEAC, in his forward to the WEAC report writes,

It is a time to act. It is a time to set Wilmington education on a new and different path. To do that, we should reduce the forces that divide our efforts, and eliminate the barriers to high-quality public education for all Wilmington students. Anything less will continue to compromise the lives of our children and diminish the prospects for both Wilmington and Delaware. (WEAC p. 4)

Though the recommendations of WEAC do not address every challenge facing Wilmington students in Delaware schools, the primary goals the committee set out to address were to create a system in which students could succeed. Though there is much more work to be done in the future, these recommendations create a foundation from which success can be developed. By first developing a governance structure that better supports Wilmington education, further improvements can be made to strengthen student learning. . As the Wilmington Education Advisory Committee Interim Report says,

We recognize that there are many other factors impacting Wilmington education, such as the content of the curriculum, the organizational and instructional practices within our schools, and the quality and performance of school leaders and other educators. These factors should be addressed but they are beyond the scope of our review (Wilmington Education Advisory Committee, 2015, p.6).

The committee successfully addressed the broad and urgent needs of city of Wilmington students, and the hope is that these changes will pave the way for future improvements for the education of Wilmington students (Wilmington Education Advisory Committee, 2015).

The confluence of factors has created an environment where action is possible. In fact, there is a bill in the Delaware General Assembly to provide basic special education funding for grades K-3. Additionally, the Governor has announced a strategic planning process for Delaware public education. The state Department of Education and the State Board of Education will do a needs assessment, to determine where there is a need for new schools, and to ensure that the right schools are opening

in the right places to best suit the needs of Delaware students. As stated in the WEAC report, Delaware charter schools are an important and growing part of the Delaware public education system, and it is important that there is a plan in place for their development.

This thesis discussed the legal history, the economic framework, which shows how this incoherent system of governance came about, and why it is important to fix it. The recommendations provided by WEAC fit into an overarching system of governance in the city of Wilmington and the state that have a long legal history which has created the system in place today. The analysis done on the current system, the history, and the improvements for the future is an important understanding of the public education system serving Wilmington students today. Through analyzing a data set from the Department of Education, a new database on the education of Wilmington students was created where none existed before. This database will be useful for future research on the education of students from the city of Wilmington. Additionally, it is important that the state takes responsibility for maintaining a database on Wilmington students that defines them as a student population within the public education system. This database would ensure that these students are tracked in terms of achievement, particularly to see gaps that exist and progress that is made as a result of certain policy decisions. Further, this basis of research could certainly be expanded in the future to further understand the current system and the possibilities for the future. Upon further reflection, in the future it would be important to be able to track which feeder patterns students enrolled in charter schools are coming from, any why they chose to attend a

different school. In the spirit of increasing collaboration among governing units, understanding why students choose to leave particular schools could be important information for the schools, the districts, and the state to understand how to improve all Delaware public schools. Also, further research on the barriers to school choice for low income families would be a good extension to this analysis. Additionally, it would be important to follow through the implementation of the strategic plan and the charter consortium, evaluate the outcomes, and work to develop best practices that could be applied universally as desired. More research is needed on the best way to support the charter consortium and how it can best fit into the overall public education governance system in a way that is agreeable to both the state and charter leaders. WEAC recommended the creation of an implementation commission, which is an important first step; however, the commission should be tasked more specifically with supporting the districts and charter schools through the transition of recommendation implementation. Though the state already has a supporting role for school districts, this period of transition will require even more specific supports and it is important that the state is ready to provide. If the state is successful in streamlining the governance system, as well as improving Delaware public education, following through with evaluation could lead to the improvement of public education throughout the country.

It is clear that these recommendations are not only bold, but also necessary with the state of incoherence in the governance system. It is also clear that the political will is there to take these recommendations into action. The governor and the state

legislature need to see to it that these recommendations are taken in full and promptly, with care as to not negatively impact those students and families currently in the system. The governance structure is in place largely because of a hundred years of action and inaction on the part of lawmakers, which has left a fractured and illogical system of governance for Wilmington students, a system that no one would have chosen for the city. The community changes over time have left many Wilmington students isolated in communities that are concentrated in poverty. This community has gotten lost in a dispersed public education system, and the unique needs of those students are not being met. The community that students come from has an impact on their educational achievement, but has little voice in the system that serves them. This system has taken a toll on the physical system in addition to having educational impacts on the students, and it is time for action to improve that system.

Delaware has a long history of segregation and resistance to desegregation that has left Wilmington students in a fragmented system that is no longer serving its intended purpose. In order to see successful outcomes, it is imperative that the Governor and the General Assembly take action now. It is also important for the governor, the legislature, and the community to recognize that these recommendations are not meant to be the end, but the structural pieces necessary to ensure that Wilmington education will improve in the long run. It is time to make a change, and it is crucial that it happens now when the political climate is right. If the state sees through the implementation of the recommendations made by WEAC, and uses these

governance changes as a catalyst for further improvements to public education for Wilmington and the entire state, the public education system will be greatly improved.

The education philosophy in the United States is based on decentralized authority over governance. The current arrangement of governance for education in New Castle County, Delaware does not align with the ideal of local control. The city of Wilmington, as the education system is set up now, has no say in the education of Wilmington students. Additionally, the federal court mandated district model disconnects Wilmington students from their parents and the community they live in. The goal of the federal court mandate was to force equity for New Castle County, but instead forced centralized control taking away the authority of the community and creating a fractured system of education for Wilmington students and their families to navigate. It also created a system in which no one unit is responsible for educating Wilmington students and meeting their unique needs. The introduction of school choice has only amplified this problem. The state can no longer allow the city of Wilmington to be served by a fractured and incoherent system of governance that does not meet the unique needs of its students. The time is now to make a change.

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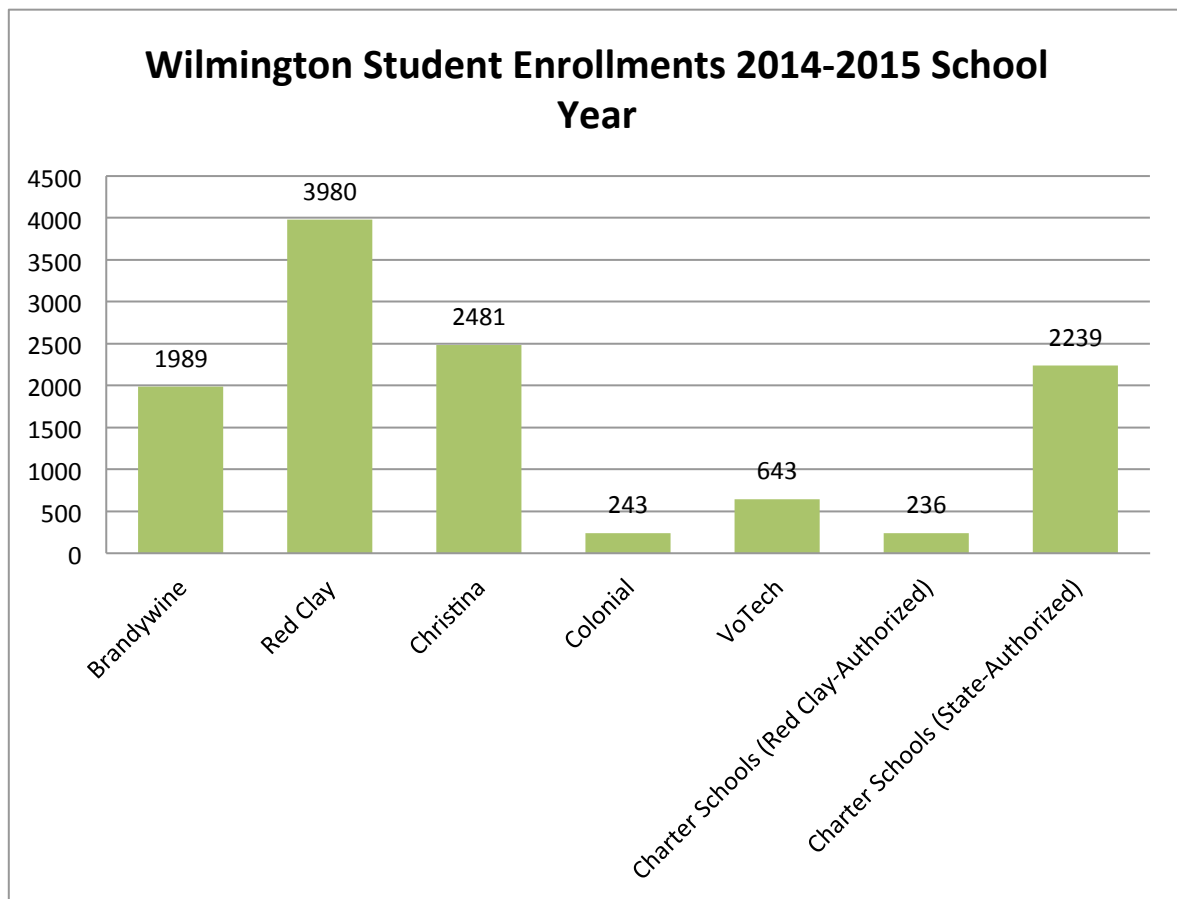
Appendix A

WILMINGTON STUDENT ENROLLMENT DATA

Wilmington Student Enrollments	
Brandywine	1989
Red Clay	3,744
Christina	2481
Colonial	243
VoTech	643
Charter (Red Clay Authorized)	236
Charter (State-Authorized)	2239

Wilmington Student Enrollments	
Traditional	8457
VoTech	643
Charter Schools	2475

Source: Delaware Department of Education Data Set, 2014-15 School Year



Source: Delaware Department of Education Data Set, 2014-15 School Year

Wilmington Student Enrollments

Red Clay Consolidated School District*	3,744
Christina School District	2,481
Brandywine School District	1,989
New Castle County Vocational Technical School District (NCC Vo-Tech)	643
Edison (Thomas A.) Charter School	516
EastSide Charter School	320
Kuumba Academy Charter School	302
Colonial School District	243
Family Foundations Academy	189
Reach Academy for Girls**	169
Odyssey Charter School	158
Delaware College Preparatory Academy*	154
Prestige Academy	143
Moyer (Maurice J.) Academic Institute**	143
Academia Antonia Alonso	130
Charter School of Wilmington*	64
First State Montessori Academy	59
Las Americas ASPIRA Academy	46
Delaware Academy of Public Safety and Security	39
Delaware Military Academy*	19
MOT Charter School	<15
Gateway Lab School	<15
Early College High School at Delaware State University (DSU)	<15
Silver Lake Elementary School (Appoquinimink School District)	<15
Middletown High School (Appoquinimink School District)	<15
Loss (Olive B.) Elementary School (Appoquinimink School District)	<15
W. Reily Brown Elementary School (Caesar Rodney School District)	<15
Dover High School (Capital School District)	<15

Source: Delaware Department of Education Data Set, 2014-15 School Year

*Red Clay Authorized charter schools not included in Red Clay School District enrollments

**Reach Academy for Girls and Moyer Academic Institute are closing starting Fall 2015

Schools or districts located in the city of Wilmington

There are 5 new charter schools authorized to open Fall 2015. Three will be located within the city and two will be located outside the city. All are able to draw from city of Wilmington students.

Appendix B

CITY OF WILMINGTON STUDENT ACHIEVEMENT

	DCAS Math			DCAS Reading		
	Wilmington		State	Wilmington		State
Percent Proficient						
Grade 3	401	44%	72%	415	46%	70%
Score of 1	184	20%	10%	316	35%	16%
Score of 2	322	36%	20%	171	19%	14%
Score of 3	316	35%	30%	219	24%	24%
Score of 4	85	9%	40%	196	22%	46%

Percent Proficient						
Grade 5	412	47%	71%	472	55%	76%
Score of 1	229	26%	12%	207	24%	11%
Score of 2	231	27%	18%	181	21%	13%
Score of 3	326	37%	43%	302	35%	33%
Score of 4	86	10%	27%	170	20%	43%

Percent Proficient						
Grade 8	342	42%	69%	430	53%	71%
Score of 1	245	30%	14%	236	29%	15%
Score of 2	228	28%	18%	143	18%	14%
Score of 3	252	31%	38%	233	29%	27%
Score of 4	90	11%	30%	197	24%	44%

Percent Proficient						
Grade 10	313	49%	68%	354	56%	71%
Score of 1	113	22%	10%	136	22%	11%
Score of 2	208	22%	21%	141	22%	14%
Score of 3	261	24%	46%	154	24%	24%
Score of 4	52	32%	23%	200	32%	51%

Source: Delaware Department of Education Data Set, 2013-14 School Year

Note: Scores of 3 and 4 are considered proficient.

Score of 1 = Well Below

Score of 2 = Below

Score of 3 = Meets Expectations

Score of 4 = Advanced

Appendix C
IMPACT OF REDISTRICTING

Christina Before Redistricting
Enrollment: 16255

Christina After Redistricting
Enrollment: 13774

Racial Breakdown		Racial Breakdown	
AM7 - American Indian or Alaskan Native	38	AM7 - American Indian or Alaskan Native	36
AS7 - Asian	717	AS7 - Asian	713
BL7 - Black or African American	6468	BL7 - Black or African American	4674
HI7 - Hispanic/Latino	3310	HI7 - Hispanic/Latino	2748
MU7 - Two or more races	551	MU7 - Two or more races	529
PI7 - Native Hawaiian or Other Pacific Islander	*	PI7 - Native Hawaiian or Other Pacific Islander	*
WH7 - White	5160	WH7 - White	5064
Grand Total	16255	Grand Total	13774

ELL Classification		ELL Classification	
Not ELL	14911	Not ELL	12638
ELL	1344	ELL	1136
Grand Total	16255	Grand Total	13774

Disability		Disability	
Students Without a Disability	13352	Students Without a Disability	11442
Students With a Disability	2903	Students With a Disability	2332
Grand Total	16255	Grand Total	13774

Low Income Status		Low Income Status	
Not Low Income	5838	Not Low Income	5549
Low Income	10417	Low Income	8225
Grand Total	16255	Grand Total	13774

*Numbers not included if there are fewer than 15 students who meet this category

All before and after illustrations assume student population remains constant and no new charter growth.

Source: Delaware Department of Education Data Set, 2014-15 School Year

Colonial Before Redistricting
Enrollment: 9825

Colonial After Redistricting
Enrollment: 9582

Race Breakdown		Race Breakdown	
AM7 - American Indian or Alaskan Native	23	AM7 - American Indian or Alaskan Native	23
AS7 - Asian	284	AS7 - Asian	283
BL7 - Black or African American	4250	BL7 - Black or African American	4045
HI7 - Hispanic/Latino	1968	HI7 - Hispanic/Latino	1941
MU7 - Two or more races	212	MU7 - Two or more races	205
PI7 - Native Hawaiian or Other Pacific Islander	11	PI7 - Native Hawaiian or Other Pacific Islander	*
WH7 - White	3077	WH7 - White	3074
Grand Total	9825	Grand Total	9582

ELL Classification		ELL Classification	
Not ELL	8969	Not ELL	8732
ELL	856	ELL	850
Grand Total	9825	Grand Total	9582

Disability		Disability	
Students Without a Disability	8369	Students Without a Disability	8182
Students With a Disability	1456	Students With a Disability	1400
Grand Total	9825	Grand Total	9582

Low Income Status		Low Income Status	
Not Low Income	3194	Not Low Income	3182
Low Income	6631	Low Income	6400
Grand Total	9825	Grand Total	9582

*Numbers not included if there are fewer than 15 students who meet this category
All before and after illustrations assume student population remains constant and no new charter growth.
 Source: Delaware Department of Education Data Set, 2014-15 School Year

Red Clay Before Redistricting**
Enrollment: 16,302

Red Clay After Redistricting**
Enrollment: 19,026

Race Breakdown		Race Breakdown	
AM7 - American Indian or Alaskan Native	28	AM7 - American Indian or Alaskan Native	30
AS7 - Asian	889	AS7 - Asian	894
BL7 - Black or African American	3708	BL7 - Black or African American	5707
HI7 - Hispanic/Latino	4329	HI7 - Hispanic/Latino	4918
MU7 - Two or more races	325	MU7 - Two or more races	354
PI7 - Native Hawaiian or Other Pacific Islander	*	PI7 - Native Hawaiian or Other Pacific Islander	*
WH7 - White	7016	WH7 - White	7115
Grand Total	16302	Grand Total	19026

ELL Classification		ELL Classification	
Not ELL	14421	Not ELL	16931
ELL	1881	ELL	2095
Grand Total	16302	Grand Total	19026

Disability Identification		Disability Identification	
Students Without a Disability	14172	Students Without a Disability	16269
Students With a Disability	2130	Students With a Disability	2757
Grand Total	16302	Grand Total	19026

Low Income Status		Low Income Status	
Not Low Income	7631	Not Low Income	7932
Low Income	8671	Low Income	11094
Grand Total	16302	Grand Total	19026

*Numbers not included if there are fewer than 15 students who meet this category

**Red Clay School District enrollments do not include district-authorized charter schools

All before and after illustrations assume student population remains constant and no new charter growth.

Source: Delaware Department of Education Data Set, 2014-15 School Year

