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Photo Link: Kira Foos

HEADLINES

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A PERFECT STORM FOR SCHOOLS, TEACHERS: NO SUBS, BUS WOES, COVID

BY BETSY PRICE

By 5:30 a.m. on school days, Jeffery Gibeault is already up and wrestling with how to man his classrooms.

The principal of Southern Elementary School in New Castle has had to cover as many as 25 classes in one recent day because teachers were out coping with COVID-19 in some way. Wednesday was a good day. He only had to find people to cover seven classes.

Gibeault said he's afraid he'll jinx himself if he says that makes him hopeful, even coming one day after a state announcement that new cases seemed to have plateaued and were maybe starting to drop a bit.

"You know, I was feeling that way around Thanksgiving," he said. "Two weeks later, we really started to see the beginning of the surge...But, yeah, we're starting to recover and catch our breath a little bit. I hope we keep this direction for a while but to be a realist, I think this is just the lull in the many storms that are probably to come."

Finding someone to handle classes during the winter surge of COVID-19 has proven to be a challenge for schools up and down the state. Teachers are having to stay out mostly because of COVID. They may have

COVID themselves, have been exposed to COVID or have symptoms and need to be tested before they can return. Sometimes, their own children have COVID, have been exposed and are quarantined, or their child care provider is closed because of the spread of the virus there.

Substitutes are almost nonexistent and nobody is sure why. Some point to a reluctance to come into schools, given that they're known to be cauldrons of illnesses such as colds, flu and stomach bugs in the best of times, and perhaps serious illness now with the coronavirus continuing to circulate.

Schools are turning to paraprofessionals, administrators, tutors, student teachers and central office workers such as instructional coaches to lead classes.

Teachers upstate and down have been vocal about needing help and telling stories about classes that are doubled up or put in auditoriums to watch movies because there's no one available. Some are missing lunch and planning schedules while they're dealing with children who are coming into schools without mandated masks, and sometimes coming in late because bus systems are dealing with the same issues.

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AS REVENUES RISE, REPUBLICANS SAY TAXPAYERS SHOULD GET SOME MONEY BACK

BY CHARLIE MEGGINSON

Republicans in the House of Representatives have introduced six new bills to return surplus state revenue to Delawareans. With a windfall of cash from federal stimulus bills and the bipartisan infrastructure bill, Republican lawmakers say there's no better time to give Delawareans some needed relief.

The nonpartisan Delaware Economic and Financial Advisory Council, or DEFAC, has twice increased the state's revenue projections for both fiscal years 2022 and 2023 since the 2022 fiscal year began. The council now says the state will collect around \$820 million more than previously expected.

In response, Republicans have filed six bills aimed at slashing Delaware's income tax, gross receipts tax and corporate tax; decreasing the real estate transfer tax; adjusting taxes with cost-of-living increases and giving Delaware's lowest income earners a tax credit.

While tax cuts and rebates can't be directly funded by the American Rescue Plan Act, Republicans say the state's rosy economic forecast means there is room for adjustment elsewhere.

Rep. Rich Collins, R-Millsboro, called it "an embarrassment" that the state government failed to enact tax cuts last year. "After the bills are paid, and appropriate reserves are set aside, I believe government has a duty to return money to the people from whom it was taken," Collins said. "That was an obligation the legislature failed to honor last year."

INCOME & GROSS RECEIPTS TAX CUTS

House Bill 191, sponsored by Collins, would make a 10% across-the-board cut to the state's personal income tax rates, reduce the corporate income tax by nearly 30% and slash the gross receipts tax by 50%.

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RENTER, LANDLORD ADVOCATES DISAGREE OVER SOLUTIONS TO EVICTION CRISIS

BY CHARLIE MEGGINSON

Lawmakers and advocates say a new Delaware Supreme Court rule that allows tenants to be represented by non-lawyer advocates in eviction proceedings will create parity with landlords and mitigate some of the most harmful effects of housing insecurity.

Opponents, including the Delaware Apartment Association, the non-profit group that represents the interests of multi-family rental unit landlords, say efforts and money would be better spent in the form of direct rental assistance.

For the Supreme Court's rule change to have its full intended effect depends on the passage and signing of a bill that's been held up in the House of Representatives since before the legislature recessed in June 2021.

Senate Substitute 1 for Senate Bill 101, sponsored by Sen. Bryan Townsend, D-Brookside, would guarantee the right to counsel in landlord/tenant actions for households that fall below 200 percent of the federal poverty line.

"The bill tries to focus on those most in economic need," Townsend said in an interview with Delaware/

Town Square LIVE News. "The reason for it is because there's a vastly disproportionate percentage of instances in which the landlord has legal counsel or an experienced advocate in court to represent the interests of the landlord, but the tenant does not have legal counsel at all."

Indeed, according to the ACLU of Delaware, 86% of landlords retain legal representation in court eviction proceedings while, on average, only 2% of renters have representation.

"There's a sort of inherent unfairness to that," Townsend said. "If you happen to be one of the very few tenants who has access to counsel and you walk into court and you're sitting there waiting for your proceeding to begin, and you look over and there's another tenant without legal counsel—well, it's very likely that the two of you are going to walk out of the courthouse with quite different outcomes."

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CHILD CARE WORKERS STILL WAITING FOR PROMISED \$1,500 STATE BONUSES

BY CHARLIE MEGGINSON

Three months after Delaware's child care workers were promised direct financial relief in the form of \$1,500 individual payments, they haven't received a cent. Those workers may not receive any money until as late as June because the state is constructing a new registry to track who's working in child care centers throughout the state. That registry will also be used to distribute the payments.

Jamie Schneider, president of the Delaware Association for the Education of Young Children, said it's "absolutely unacceptable to continue to hold funds that are desperately needed by those who have worked in child care throughout the pandemic."

She thinks the state should have turned to community organizations like hers to help create the registry and distribute funds.

Jonathan Starkey, Carney's deputy chief of staff for communications, told Delaware/Town Square Live News that "the governor appreciates the dedication and sacrifices of Delaware's child care professionals," and that "we are committed to paying child care professionals a retention bonus."

"We also know it's important that Delaware establishes a registry of child care workers, which is a best practice we currently do not follow and that most other states have," Starkey said. "As they register, DOE will be using ARPA child care stabilization funds to provide an up to \$1,500 retention bonus to child care professionals."

Carney did not indicate when he thinks the registry will be complete and payments will be able to be made.

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PIKE CREEK CHURCH'S DRIVE-THRU ASH ANOINTING RETURNS

“Most of them were talking about how they were unable to get to their church at the times they offered it, but it was still important to them to try and get them,” Turner said.

Their Facebook page shows photos of a police officer and U.S. postal worker who dropped by to get them. It also shows photos of families, including a baby in a carrier with a cross of ash on her forehead.

The practice is a reminder that we all die and should prepare for that death by reconciling with God, Turner said. Those are major themes of the 40 days of Lent, a period of reflection and prayer to prepare the faithful for the joy of Jesus’s resurrection on Easter.

Last year, as the winter COVID-19 surge was waning, the church decided to switch to an evening Shrove Tuesday pancake and ash giveaway to avoid human contact. Shrove Tuesday was typically a three-day period in which believers celebrated and used up things like sugar and lard to clear their pantries for the seriousness of Lenten reflection. Many churches still celebrate that with pancake dinners.

Each Skyline visitor was given two individually wrapped frozen pancakes and a small container of ashes, with instructions on how to apply the ashes.

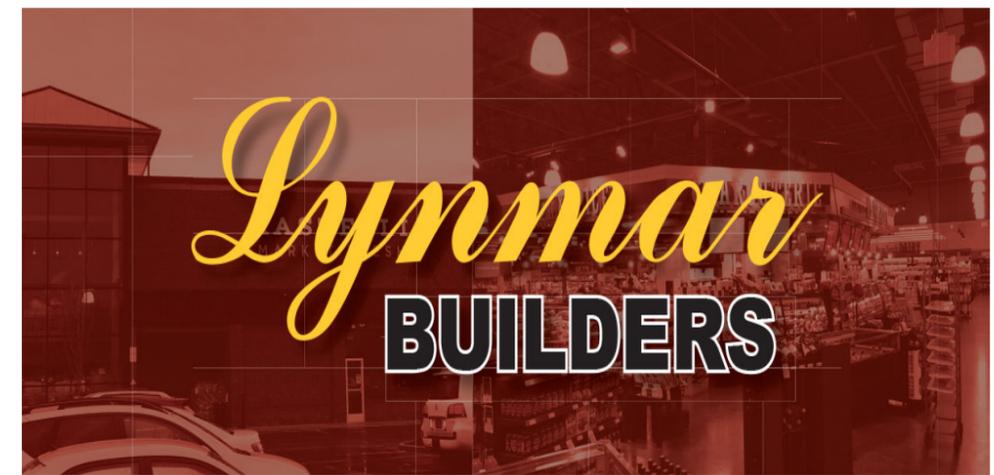
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BY BETSY PRICE

Police do it. Postal workers do. Even punkinheads in pumpkin seats do it. In the five years that Skyline United Methodist Church has offered a drive-thru ash anointing service, hundreds of people have motored through the church lot from 7 a.m. to 7 p.m. to be marked with ashes at the start of Lent.

The drive-thru returned March 2.

“It started as an outreach effort to serve the community,” said the Rev. Ruthann Turner, pastor of the church. Many working people have a hard time making it to an Ash Wednesday church service, she said. The drive-thru started before she became pastor two years ago. When she did, she asked the team to track who came through. Of the 150 who did that day, about one-third were church members. The rest were people from the area, many of them Catholic, Turner said.



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MARIJUANA LEGALIZATION FAILS AFTER STUNNING SERIES OF EVENTS, POLITICAL MANEUVERING

BY CHARLIE MEGGINSON

The bill to legalize recreational marijuana in Delaware came to a stunning end in the House of Representatives when it failed after a series of events:

- A two-hour-long recess was called by Speaker of the House Pete Schwartzkopf so the Democratic caucus could meet.
- Rep. Jeff Spiegelman, a Republican who previously signaled support for legalization, announced that he would not be voting because of a conflict of interest. He did not elaborate.
- Rep. Mike Smith, a Republican who had publicly stated that he would be voting for the bill, introduced four amendments, three of which failed. He did it, he said, to “prove that [Democrats] do not care about bipartisanship” and then withdrew his support.

- A hastily conducted roll call fell short by two votes.
- The bill’s sponsor, Rep. Ed Osienski, waited too long to switch his vote from yes to no. That would have allowed him to bring the bill back to the floor later in the legislative session.

The bill needed a 3/5 majority, or 25 votes, to pass. It received 23 yes votes and 14 no votes with 4 not voting. A House rule would have allowed the bill to be reintroduced later in the legislative session by any representative who voted against the measure. For that reason, Osienski attempted to change his vote from yes to no after the roll call ended, but before Schwartzkopf banged his gavel.

Osienski spoke up too late. Here’s the exchange:

Osienski: “Mr. Speaker—I was going to change my yes vote to a no.”

Schwartzkopf: “Little late now. Can’t do it now.”

House Majority Leader Valerie Longhurst: “Can we rescind the roll call?”

Schwartzkopf: “Huh?”

Longhurst: “Can I rescind the roll call?”

Schwartzkopf: “You don’t need to.”

Longhurst: “Can’t rescind it?”

Schwartzkopf: “You can’t do it. They’ve already called it down.”

Multiple members asked aloud if the roll call could be rescinded. Others said it couldn’t because the vote had already concluded and Schwartzkopf’s gavel was down.

That means that for the bill to be reintroduced in 2022, either a Republican or Schwartzkopf—who did not vote for the bill—would have to reintroduce it. That seems unlikely to happen.

Schwartzkopf announced that the House would recess until 2 p.m. Tuesday.

In a press release after the session, Osienski said “For the past several years, the majority of Delawareans have been clear that they support legalizing recreational marijuana for adult users. We have heard from numerous members of the public—advocates, veterans, retired law enforcement officers, educators and even faith leaders—who have overwhelmingly voiced support for legalizing adult recreational marijuana.”

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DELAWARE SCHOOLS TO TURN TO SCIENCE OF READING TO IMPROVE LITERACY RATES

BY JAREK RUTZ

Delaware's once highly-ranked reading scores are worse than those in Mississippi. Much worse.

In 2002, Delaware fourth graders outperformed Mississippi's by 21 points on national scores, with the First State well above the national average. Today, after a decade of emphasizing training teachers in the science, Mississippi students handily outperform Delaware's, which has dropped below the national average.

Less than half of Delaware's students can read at their grade level, including about one-quarter of White students and half of Black and Brown students, attendees at the Delaware Reading Summit heard Thursday. That struggle follows them into their adult years, speakers said. Eight University of Delaware football stadiums could be packed with the 160,000 Delaware adults who can't read.

Legislators and education nonprofits want to change that by integrating the **science of reading** into public schools. The science of reading is defined as cognitive brain research that shows how students learn to read, said Monica Gant, chief academic officer for the Delaware Department of Education.

Senate Bill 133, signed into law in June 2021, was the first of several pieces of planned legislation that focused on the science of reading, Gant said. Sponsored by Sen. Laura V. Sturgeon., D-Hockessin, SB 133 created a literacy plan that would train teachers to be able to engage students in the essential components of evidenced-based reading

instruction. Many current teachers were trained under out-of-date materials, or programs that since have been proven not to work and may even be counterproductive, said several speakers at the summit.

SB 133 requires elementary school, early childhood education or special education teachers or reading specialists to provide instruction aligned with the science of reading by July 1, 2023.

Among other things, the science of reading says that nearly all children learn to read in the same way no matter their ethnicity or background; that one in five kids is dyslexic; and that fundamentals such as focusing on phonics, are key to success and later performance.

SB133 specifies the number of hours of professional development that teachers must complete to be considered proficient in teaching using the science of reading. Since SB 133 became law, more than 700 teachers and educators have taken part in that training, Gant said.

"We know reading is a complex process, more than just saying words out loud," said Mark Holodick, Delaware secretary of education, who supports both the shift in reading instruction and making it universal. "We need evidence-based research on how to promote language development."

Sturgeon announced during Thursday's Delaware Reading Summit that she will introduce an additional three pieces of legislation to address Delaware's literacy rate.

A former teacher and chairman of the Senate Education Committee, Sturgeon says she plans to introduce one resolution and two bills.

The resolution would strengthen the certification requirements of teachers applying to Delaware schools. Educators would be required to be well versed in the science of reading and able to construct lessons that closely align.

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BY BETSY PRICE

A lot of smiling faces are waiting to see people return to the reimagined Delaware Museum of Nature and Science next month. Some of them have a lot of really big teeth. And it's impossible to tell whether those dinosaurs in the museum's new Ellice & Rosa McDonald Foundation PaleoZone are happy to see patrons, or simply delighted to see lunch arriving on its own two legs.

Those toothy grins are part of the former Museum of Natural History's \$10.8 million evolution from 1972 specimen-oriented exhibits of, say, rows of shells, into a space that tries to tell the stories of the time and location, emphasizing the connec-

TAKE A FIRST PEEK AT NEW MUSEUM OF NATURE AND SCIENCE

tion between man, nature and science. Exhibits will highlight the paleozoic era, a rainforest, the African savanna, Arctic tundra, the ocean and Delaware ecosystems, from the piedmont in the north to the salt marshes of the south.

After being closed for 17 months, the museum will hold a grand opening weekend Friday, May 20, to Sunday, May 22, for invited guests and then open Monday, May 23, to the general public.

A walk-through this week showed a lot of exhibits with major pieces up but plenty of construction and final touches going on.

"This has actually been a multi-year long project," said Jennifer Accord, director of communications. "The Strategic Plan was created in 2014. I learned the new name at my interview in 2015. We started with a kind of baby master design plan in 2016. So this has been going on for quite a while. Every single one of the images and all of the text our scientists were very involved in creating and gathering. So it really has been achieved."

The entrance will retain the original Delaware Museum of National History name carved into the doorway as a nod to its beginning. Visitors will walk into a more open space with an atrium that's home to a specimen-studded tree of life mural highlighting the connections of man and the natural world.

One specimen is a snake, which Accord herself transferred from an old container into this jar. With all hands on deck, "somebody had to do it," she said. "I will tell absolutely everybody I did that. I'm very proud."

Across from the mural will be a new display space that include rotating exhibits from local groups such as the Delaware Mineralogical Society and the University of Delaware.

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DELAWARE'S AFFORDABLE HOUSING CRISIS AFFECTS MIDDLE CLASS, TOO

- In 2019, 38% of Delaware households struggled to make ends meet, according to the United Way of Delaware.

While many programs are aimed at Delaware's lowest-income earners, people in all segments of the economy are affected. Steve Lenhoff, a marketing professional for a large Wilmington bank, has lived with three roommates in a four-bedroom apartment in Bear for the past couple of years. Recently, the four roommates decided it was time to go their separate ways. Lenhoff quickly learned that finding a rental home in Delaware would not be as easy as it was just a few years ago.

"I started with a list of probably about 10 to 12 apartment complexes that I would be happy living in," Lenhoff said. "I narrowed it down to 3 or 4 very quickly just because there was no availability at a majority of them."

He began exploring his options and ultimately found that buying a home would cost about the same as renting. He decided to go in that direction instead.

"I had to have a decent amount of savings built up for it and that's the first hurdle that so many people are not able to overcome, unfortunately," he said. "The monthly amount I'm going to be paying in a mortgage probably lines up with what I would be paying in rent for an apartment."

With rising costs and stagnant wages, others who live paycheck to paycheck often do not have spare money to contribute to savings. That's just one of the many factors that contribute to the crisis Delaware—and the rest of the country—faces in terms of providing affordable housing for low- and moderate-income earners.

There are many causes, experts say, including insufficient government investment in affordable housing, burdensome regulations on landlords which result in higher prices, rising costs throughout the economy, and stagnant wages.

Evidence continues to pile up that Delaware is struggling to provide affordable housing:

- **Data** released April 21 by Housing Alliance Delaware says the state faces a shortage of more than 18,000 affordable and available rental homes for extremely low-income renters.
- Also on April 21, Delaware State Housing Authority **announced** that eligible Delaware renters can now receive up to 18 months of rental and utility assistance—instead of 15—through its Delaware Housing Assistance Program, commonly known as DEHAP.
- An annual household income of \$46,846 would be required to reasonably afford a two-bedroom rental home in Delaware according to the National Low Income Housing Coalition.
- The fair market rate for that home would be \$1,071 per month, according to the U.S. Department of Housing and Urban Development.
- There are currently only 27 rental properties on Zillow in the entire state of Delaware for \$1,071 per month or less.

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POLICE K-9S AMAZE ELEMENTARY STUDENTS

Department. Most K-9s that run through the unit are either a German shepherd or Belgian malinois. The department gets the dogs when they are between one and two years old and the K-9s typically work until they are seven to nine.

The pups go through a six-month training process. The first month or so is exclusively dedicated to the officer bonding with the dog and forming a relationship. “You’re just playing and building that rapport,” said Cockerham.

Then comes obedience training. The dogs have been trained in Europe, and officers must learn and practice speaking commands in another language. Cockerham said this part of training is surprisingly tiring because officers are essentially playing tug of war with a 70- to 100-pound dog all day while studying commands in a foreign language.

The next stage of training is tracking and scent discrimination. The dogs have a much more developed sense of smell than humans. The K-9s are trained to be able to identify drugs, weapons and explosives. Conine asked the crowd to raise their hands if they thought the dogs were trained to attack. All the children’s hands shot up. Conine said that that’s a misconception. The job of K-9s actually is tracking guns, explosives and drugs, he said.

Sometimes the dogs are used to chase or subdue a suspected criminal who has any of those. The dogs have a big advantage over officers using guns or tasers, Conine said. The animals can be called back, he pointed out. Once an officer fires a gun or taser, the firing can’t be undone, he said. But dogs can be commanded to retreat and pull back if a criminal is cooperative and surrenders.

To show the kids how that happens, Cockerham wrapped a dog’s protective vest around her arm like a sleeve and stood about 100 feet away from Conine and EXO. Conine shouted a Czech command, and EXO sprang from a sitting position into an all-out sprint to Cockerham, where he clamped his jaws around her arm.

BY JAREK RUTZ

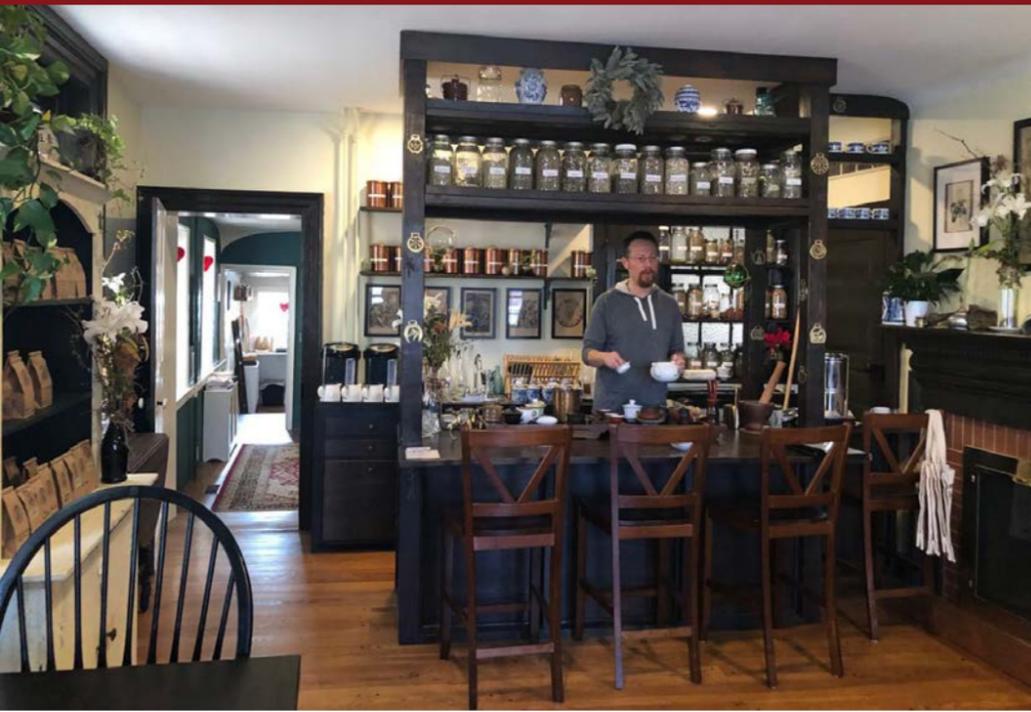
Children at Highlands Elementary School made some furry friends on April 14. Wilmington police officers Andrew Conine and Hailey Cockerham brought their two K-9 partners, EXO and Baylis, to the school to demonstrate to a group of 30 kindergarteners, third-graders and fourth-graders how the animals help. The children were thrilled with every move the dogs made as the officers went through a checklist of commands for the dogs.

EXO, a German shepherd, and Baylis, a Belgian malinois-shepherd mix, jumped over fences, pursued a target, and, most importantly, sat long enough to be petted by each child.

When Conine asked the students where they thought the dogs came from, one student shouted “from the pet shop.” The dogs both came from Europe—EXO is spoken to in Czech by Conine while Cockerham speaks to Baylis in French.

A broker called **Tarheel Canine** picks out the dogs from overseas and brings them to North Carolina, where they are selected and picked up by the Wilmington Police

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BY BETSY PRICE

Fancy a beer or a glass of wine with buddies? The Mercury's got you.

Craving a cup of tea, perhaps a blend named for area sites? The Mercury's got you.

Seeking a light lunch or dinner that's vegetarian, but you'd never know it was? The Mercury's got you.

Looking for a nice patio to dine or drink in the sun? The Mercury Cafe and Teahouse in Historic New Castle has got you covered.

The dining scene newcomer, which opened in December but has been closed for the last week because of COVID-19, expected to reopen May 19, in time for the return of A Day in Old New Castle on Saturday.

Already a local haunt in its warren-like 1682 building across from the old New Castle County Courthouse Museum, The Mercury is run by husband and husband Aaron Vederman and Dwayne Foster.

THE MERCURY FAST BECOMING COMMUNITY HUB IN OLD NEW CASTLE

Foster long has made a career in the hospitality industry, starting when he was 15. Vederman, a neuropsychologist by day, has immersed himself in the world of tea after becoming fascinated by it in grad school.

The pair met in 2007 in Detroit, Michigan, and as the relationship bloomed, so did their desire to reshape their lives.

"I've always wanted to open my own bar and restaurant," Foster said. "Aaron was like, 'Wouldn't it be cool if we could open a place that did a bar and with tea, and we could have two bars together?'"

After moving to Portland, Oregon, and living there nine years, Vederman began to feel the pull to come home to Delaware, where his parents and other family members live.

On a visit home in 2019, he and Foster drove through Historic New Castle while they were killing a little time on the way to the Philadelphia International Airport.

"We were just sort of exploring, knowing that we were probably going to leave Portland at some point," Vederman said. Foster had never seen old New Castle. On the drive, they spotted the building at 206 Delaware St. for sale. It had been a cafe.

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ONE DEMOCRAT. ONE REPUBLICAN. BOTH WANT AN INSPECTOR GENERAL

BY CHARLIE MEGGINSON

Two lawmakers on opposite sides of the political spectrum have found common ground in their desire to increase transparency and accountability in state government.

A **bill** filed by Rep. John Kowalko, D-Newark South, and Rep. Mike Smith, R-Pike Creek, would establish an independent and nonpartisan inspector general office in Delaware.

The proposed office would investigate state agencies to identify and root out waste, fraud, abuse, mismanagement, corruption and other conduct contrary to the public interest. The inspector general would serve a term of five years and be eligible for reappointment for

no more than two additional terms, for a 15-year maximum period of service, according to the proposal.

Kowalko and Smith **previously drafted separate bills** to create the office but ultimately decided to combine their efforts.

“I’ve always felt that government oversight and good-government bills are going to be a bipartisan issue,” said Kowalko, who is **not** seeking re-election. “A good legislator, whatever party they’re in, is going to understand that the more openness and more oversight on our actions there is, the more confidence the people are going to have in us, which makes it easier for us to do our work.”

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FUJIFILM EXEC: TWO PLANTS MAY NOT BE ENOUGH

BY BETSY PRICE

While **Fujifilm** celebrated the opening of the first of its two new ink manufacturing plants in Delaware Thursday, its president said Friday it may need more.

“There might not be enough capacity,” Ian Wilkinson said. “So we need to think about what we do next.”

Its 20-acre New Castle site will be home to **Fujifilm Imaging Colorants Inc.**’s first dispersion ink manufacturing facility in the U.S. The \$19 million **investment** will create more than 21 new professional, managerial, engineering and skilled labor jobs, on top of its current 90.

The jobs are rooted in the science of producing water-based digital inks, which allow printers much more flexibility in using the products. They are aimed at large commercial jobs.

Analog printing, Wilkerson said, usually requires a big order to make setting it up worthwhile. But digital

inks allow companies to specialize by item. That means a printer can put a person’s name on a single pair of new sneakers or alter food packaging to include symbols related to a specific geographic area to attract buyers in a store, he said.

While the commercial process of printing may be the same as those used in a home printer, the sizes of the machinery and quantities of ink needed are huge.

Wilkerson held up a desktop printer cartridge he’d just changed.

“You’ve got kind of five milliliters of ink inside that, maybe, and it costs you \$40, \$50 or something like that,” he said. “Here in this facility, our capacity for water-based inks is the equivalent of eight Olympic-size swimming pools.”

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 DELAWARE TECH



DEM. BILLS WOULD BAN SEMI-AUTOMATICS, UNDER 21 POSSESSION

BY CHARLIE MEGGINSON

With less than a month left in the legislative session, Democratic lawmakers in Delaware have introduced sweeping legislation to ban semi-automatic firearms and restrict the purchase and possession of all firearms to Delawareans ages 21 and older.

“We have an obligation to do everything we can to prevent tragedies like we’ve seen across the country from happening here in Delaware,” Gov. John Carney said in a press release Thursday afternoon. “This is a historic, meaningful package of legislation and I look forward to seeing these bills on my desk this session.”

House Bill 450, which would ban semi-automatic weapons—referred to in the bill as “assault weapons”—asserts that “the proliferation and use of assault weapons poses a threat to the health, safety, and security of all citizens of this state.” It cites mass shootings in Uvalde, TX; Buffalo, N.Y.; El Paso, TX; Parkland, FL.; Las Vegas, NV.; and Newtown, CT, to justify its urgency.

The bill, dubbed the “Delaware Lethal Firearms Safety Act of 2022,” aims to prohibit the manufacture, sale, offer to sell, transfer, purchase, receipt, possession, or transport of “assault weapons,” with exceptions. The bill bans guns specified as “assault long guns, assault pistols and copycat weapons.” A list specifying the weapons affected by the legislation is available [HERE](#).

The bill does not prohibit the possession and transport of firearms that were lawfully possessed or fully applied for before the law takes effect, although it does impose certain restrictions on those weapons. The bill doesn’t specify when the law would take effect if signed by the governor.

Jeff Hague, president of the Delaware State Sportsmen’s Association, called the bills “a knee-jerk reaction that will solve absolutely nothing.” The Delaware State Sportsmen’s Association is the state’s official National Rifle Association affiliate. Efforts to reach sponsors were not immediately successful Thursday.

Law enforcement and military personnel who use the weapons as part of their official duties would be exempt and retired law enforcement personnel would be granted a “limited exception.”

In the past, many opposed to more restrictive gun laws have cited Delaware’s Constitution, which goes further than the United States Constitution in enshrining Delawareans’ right to keep and bear arms. Article I, Section 20 of the Delaware Constitution says, “A person has the right to keep and bear arms for the defense of self, family, home and State, and for hunting and recreational use.”

“I’ll guarantee you as president of the Delaware State Sportsmen’s Association, if this bill is passed and signed by the governor, there’ll be an immediate lawsuit,” Hague said. “I can guarantee you that because we believe it’s unconstitutional.”

Because the Delaware Constitution guarantees the right to use firearms for hunting and recreation, Hague—who participates in gun shooting competitions and lawfully hunts using certain semi-automatic firearms—believes the proposed law would infringe on Delawareans’ rights.

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COLONIAL'S DROPOUT PREVENTION PROGRAM SHOWS IMPRESSIVE RESULTS

The district needed to focus on keeping the kids coming to school, helping students with academic and emotional support, and even tracking their classes to make sure they were taking and passing the correct classes to get the required graduation credits.

Menzer went to Murray Berstein, then chief executive officer of Nixon Medical Services, who was also passionate about students staying in schools so they have a gateway to college and future endeavors.

“Look, why don’t you get a bunch of business people together who want to tell a principal how to run a school, and we’ll bring them in,” Menzer said to Berstein. “We’ll meet regularly and talk about the challenges a principal of a high school faces and maybe we can do something, and we can focus on dropout prevention because that’s what you’re passionate about.”

Menzer envisioned Colonial hiring people from [Communities in Schools](#), a national nonprofit that works inside public schools to help at-risk students. But Menzer needed \$52,000 to hire two Communities in Schools employees. Bernstein, [WSFS Bank](#) in Wilmington and Chris Kenny, CEO of ShopRite joined forces to raise the money. (Kenny is the owner of [Delaware LIVE News](#)).

“The CIS workers really just end up being an added resource for our school in terms of climate, counseling and guidance,” said Menzer.

Last weekend, the state published its annual dropout and graduation report. The data comes from the 2020-2021 academic year. The First State had a graduation rate of 87.02% and a dropout rate of 1.4% last year. Those numbers have been consistent since the state began publishing these reports in the 2014-2015 school year. That year, Delaware students had a graduation rate of 84.3% and a dropout rate of 2.19%.

[CLICK HERE TO READ MORE](#)

BY JAREK RUTZ

Kelvin Addy needed a push to make it into William Penn’s 2014 graduating class. Now he’s working for one of the organizations that helped him get his diploma, helping today’s students succeed and closing a circle that began with Colonial School District’s novel dropout prevention program.

Since the program’s implementation in 2012, graduation rates have spiked and dropouts have plummeted. At the time, the dropout rate at the school was 7% and the graduation rate was 74%. As of 2021, the last year that Colonial has a complete dataset, the dropout rate fell to 1.7%, and the graduation rate leaped to 83%, even with the pandemic chewing on resources.

The idea for the program came in 2005, when Jeffrey Menzer, then principal of William Penn High School—the district’s only high school—noticed that the system did not have a great track record of seeing its students through to graduation. He thought that ought to change.



BY CHARLIE MEGGINSON

When Georgetown's state senator and representative learned a bill to ban high-capacity firearm magazines could impact close to 100 jobs in their district, they knew something had to be done.

Senate Substitute 1 for Senate Bill 6, sponsored by Sen. Dave Sokola, D-Newark, banned the possession, sale, purchase, receipt or transfer of magazines that hold more than 17 rounds of ammunition.

That was unwelcome news for **Atlantis Industries Corporation**, a Georgetown injection molding company that manufactures a wide array of plastic products, ranging from pharmaceutical packaging to automotive parts.

Atlantis Industries also manufactures high-capacity magazines, which it sells to law enforcement agencies around the country and for military applications worldwide, according to Rep. Ruth Briggs King, R-Georgetown.

"This is a small business that started out very small in Milton and came over to Georgetown to the industrial

PETTYJOHN, BRIGGS KING SECURE EXCEPTION TO MAGAZINE BAN, SAVE JOBS

park," Briggs King said. "It has steadfastly grown in both the type of products that they make and the number of people it employs."

She said that while high-capacity magazines aren't Atlantis Industries' entire business, they have helped the company grow and expand into other product lines.

"They are a vital part of the economy here in Sussex County," said Sen. Brian Pettyjohn, R-Georgetown. "I didn't want them to be forced to move their operation or lose one of their customers because of a bill that we passed in the General Assembly."

Originally, Briggs King tried to amend Senate Bill 6. Her amendment would have carved out an exception for companies that manufacture the outlawed parts but sell them exclusively to governments or out of state.

"Last year, the bill passed unanimously in the House with the amendment," Briggs King said. "It went back to the Senate and Sen. [Dave] Sokola would not rerun the bill with that amendment on there."

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The image shows a large, detailed gingerbread house. The roof is decorated with green icing and white icing. The walls are white with red and green icing accents. In front of the house, there are three penguins made of gingerbread, each wearing a different colored scarf (orange, blue, and red). The house is surrounded by other gingerbread decorations, including a small Christmas tree and candy canes.

 **Hagley**

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KOWALKO: HOUSE SPEAKER KILLED INSPECTOR GENERAL BILL

BY CHARLIE MEGGINSON

An outgoing Democratic member of the Delaware House of Representatives says House Speaker Pete Schwartzkopf blocked his bill to create an Office of the Inspector General. Rep. John Kowalko, D-Newark, said the move was typical of Schwartzkopf’s leadership style.

That leadership style can be characterized by “coercion, intimidation, incentivizing and reward,” Kowalko said, and the **inspector general bill** is just one example of that.

“That’s not the way to lead and if that’s the way you’re leading, then obviously you have a failure in your ability to be a leader,” he said.

Kowalko’s term expires in November 2022. He is not seeking **re-election**. “As far as I’m concerned, Speaker Schwartzkopf was the sole reason that bill did not get a floor vote,” Kowalko said. “I’ve said it before and I’ll say it again: an authoritarian ruler is not what we should expect or what we should be burdened with.”

In a statement to Delaware LIVE News, Schwartzkopf said he has publicly made it clear that he supports the idea of creating an inspector general’s office.

“Creating a new state agency doesn’t happen very often, and when it does, it requires a lot of coordination and collaboration,” Schwartzkopf said. “It requires dedicated funding and resources to be lined up as well. The push for this bill came very late in the session after the budget process was completed.”

Schwartzkopf said the bill needs some additional work to ensure the office can operate as intended and is properly resourced to be effective.

Rep. Mike Smith, R-Pike Creek Valley, who co-sponsored the bill, did not respond to multiple requests for comment.

Because **House Bill 405** didn’t pass before June 30, the bill will need to be refiled during the next General Assembly and go through the committee process again.

The bill, which was released from the House Administration Committee, would have created an office to identify and root out waste, fraud, abuse, mismanagement and corruption in state government.

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LEGISLATIVE HALL EXPANSION FAR FROM A DONE DEAL

BY CHARLIE MEGGINSON

A committee assembled to draft plans for a potential **expansion** of Delaware's state capitol building spent much of its Aug. 11 meeting reiterating the tentative nature of its work. The **committee** was established after the General Assembly unanimously **voted** in 2021 to study and recommend a plan to address Legislative Hall's technological, security and space needs.

The group appears to have nearly reached a conclusion about its recommendation back to the General Assembly and governor: a \$122 million expansion that doubles the size of the existing building.

But at the group's second-to-last meeting on Aug. 11, Sen. Bryan Townsend, D-Glasgow, expressed concern about submitting such an expensive and elaborate plan while other facilities in the state have more significant deficiencies.

The proposal includes a four-level, 350-spot parking garage with a private floor and underground tunnel beneath Martin Luther King Jr. Boulevard so lawmakers and staff may "limit cross-contact with the general public." A massive new wing would double the size of the current building and include space for offices, a secure courtyard and larger House and Senate chambers.

A reconfiguration of the existing building would allow for a new cafeteria, enhanced security checkpoint, gift shop, bathrooms, offices, storage space and more.

The plan is far from finalized.

The committee will make a recommendation to the General Assembly, which will ultimately vote to move forward immediately, return to the drawing board, delay the plan or scrap it altogether.

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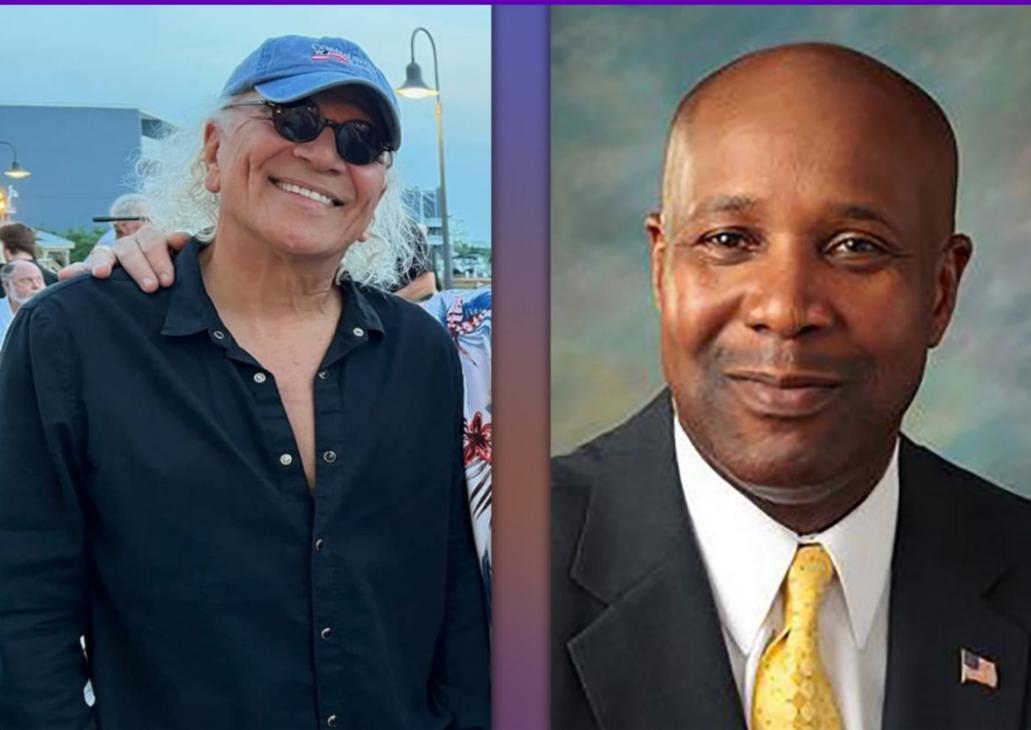
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BY CHARLIE MEGGINSON

A Sussex County campaign mailer deemed **racist** by Republican Party officials was financed with money from four prominent county figures.

Some political observers say the mailer is an example of a schism in the Sussex County GOP.

The mailer, which criticized Greg Fuller, a Republican candidate for register of wills, was organized by the 35th Representative District Conservative Committee.

According to recent **campaign finance filings**, between July 15 and July 29, the committee collected \$17,500 in contributions from four people: Alex Pires, founder of Highway One Group; Chris Hudson of Hudson Management; developer Elmer Fannin and homebuilder Scott Dailey—who is running for re-election as Sussex County recorder of deeds—through Caleb Ventures LLC, a company he owns.

PIRES, THREE OTHERS PAID \$17K FOR ANTI-GREG FULLER MAILER

Pires donated \$5,000; Hudson donated \$5,000; Fannin donated \$6,000 and Dailey donated \$1,500. The group used that money to fund two mailers: one that criticized Fuller and another in support of Fuller's opponent, Candice Green Wilkinson, daughter of former register of wills and current county councilwoman Cindy Green. Dailey's Caleb Ventures LLC also contributed \$600—the maximum amount allowed by law—to Green's campaign.

Fannin donated \$600 to Green's campaign, and at least six of his family members also donated the maximum for a grand total of \$3,600.

The 35th Representative District Conservative Committee's financial report says the committee spent \$17,150 in two separate transactions on July 19 and July 22. The money went to a Florida-based campaign consultant named Jon Coley, who produced the mailers.

Other than one payment to M&T Bank, the payments to Coley are the group's only transactions during this election cycle.

Coley has done work for the Green family before.

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STATE EDUCATION TEST SCORES DISMAL, DESCRIBED AS 'CRISIS'

BY JAREK RUTZ

Delaware's 2022 test scores were released Tuesday, and they aren't pretty. Just 30% of Delaware students in grades three to eight met grade level math requirements, while 42% earned a proficient score in English language arts. These scores come from the state-administered Smarter Balanced Assessment, an end-of-the-year summative test that measures the abilities of students in grades three through eight in math and reading.

Because of the pandemic, there was no testing in 2020, and education officials have expressed concern over the value and accuracy of data in 2021. **Compared** to the last year with a full and complete dataset, Delaware's reading and math scores plummeted further and it already ranked in the bottom half of the country.

"This is a crisis, there's no other way around it," said Laurisa Schutt, executive director of **First State Educate**, a local education advocacy group.

The Department of Education also published the state's SAT scores Tuesday, and they also show a drop, but not as much as the Smart Balanced test.

TEST SCORES RELEASE

In 2019, 48% of students scored proficiently in the evidence-based reading and writing portion, 28% tested proficient in math, and 42% reached that mark in the essay portion.

In 2022, the numbers are 47% for the evidence-based reading and writing portion, 24% for math, and 38% for the essay.

"We were using these test results as a baseline for recovery," said Theresa Bennett, director of the Office of Assessment at the Department of Education.

The subpar scores come even though more than \$600 million has been **allocated** to Delaware education for pandemic relief.

"We've never had as many resources in Delaware public education as right now," said Education Secretary Mark Holodick at a Brandywine School District town hall meeting Monday. "We're in an amazing position to do great things for kids because we have the resources that we haven't had before."

The scores look even worse when broken down by ethnicity, income and special needs, said Liz Parlett Butcher, director of communications for First State Educate.

The scores have four achievement levels: 1 means the student does not meet standards, 2 indicates a student nearly meets standards, 3 means the student meets standards and 4 means the student "exceeds standards."

VULNERABLE STUDENTS STRUGGLING

In 2022 on the English Language Arts portion of the Smarter Balanced Assessment, 69% of students with disabilities fell into achievement level 1, as did 50% of low-income students and 56% of English Language Learners.

For the math part of the test, it's even worse: 76% of students with disabilities scored in the first achievement level, as did 61% of low-income students and 62% of English Language Learners.

The three subgroups struggled even more on the SAT. For the evidence-based reading and writing part, just 3% of English Language Learners scored proficient, with 8% of students with disabilities and 29% of low-income students doing the same.

The SAT math scores are even lower. Just 1% of English Language Learners, 2% of students with disabilities, and 10% of low-income students earned a proficient score in the math portion of the SAT.

For the essay part, 3% of English Language Learners, 5% of students with disabilities, and 21% of low-income students scored proficient.

[CLICK HERE TO READ MORE](#)



REHOBOTH'S OFFSHORE WIND PRIMER AIRED ALL SIDES OF ISSUE

BY BETSY PRICE

Whether you are a big fan of offshore wind power or you want all those turbines gone with the wind, a special **meeting** held by Rehoboth Beach officials offered insight into the projects and processes to create them.

The four-hour meeting revolved around the three projects proposed off Delaware's coast and ultimately functioned as an illuminating primer on the issue. Watch it **HERE**.

Organized by Rehoboth Beach to create a shared pool of information for future discussions, the event allowed state and federal government, the industries proposing the projects, local officials, researchers and opponents to talk from their points of view. Most of it amounted to congenial sales pitches given by self-assured lecturers.

Occasionally the talks veered into emotional waters, especially over the location and heights of the turbines.

"That pristine sunrise will never be the same," said Ocean City Mayor Rick Meehan. "It will look like a backdrop from 'Star Wars.'"

The farms have proved to be contentious issues for Delaware beach towns that will deal with the impact of two already announced projects: US Wind's MarWin farm offshore Maryland and Ørsted's Skipjack wind farm offshore Delaware and Maryland, as well as a recently announced Garden State project from New Jersey.

The US Wind and Ørsted projects will cover 125 square miles, said David Stevenson, director of the Center for Energy Competitiveness at the Caesar Rodney Institute, and an unapologetic opponent of the wind farms. That area will have turbines placed a mile away from each other.

But even as US Wind and Ørsted glowingly described their efforts and government agency reps explained that

the public does have input, Meehan and Terry McGean, Ocean City's city manager, urged Delaware not to be complacent.

OFFSHORE WIND TURBINES

"This is a very important issue for all of us, and it's one that we tend to take very seriously," Meehan said. "We need to really look at the future and, yes, there's money being spent. Yes, they can provide money for different projects, but can you really buy the future? I really don't think you can."

Despite talk about replacing aging facilities, improving the environment and clean energy, the wind farms are not economically viable without substantial government subsidies for the builders, McGean said.

Ocean City has been fighting the Skipjack project for more than a decade, partly because of fears the ocean view will be ruined and hurt tourism and property values. Information frequently changes about how many turbines will be installed, how tall they will be and how far offshore, McGean said.

For example, he said, the town was told that US Wind was going to put 77 turbines as close as 15 miles from shore. But the company's federal application said 114 turbines would be installed 11.4 miles from shore. On Tuesday, US Wind's Mike Dunmyer told the meeting there would be 121 turbines in that project. The Skipjack project will use 69 turbines that will be 20 miles from Ocean City's coast, but could be closer to Delaware's coast. All other information about the project is redacted in Ørsted's application for Maryland subsidies, McGean said.

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VOTE-BY-MAIL RULING: MORE COMPLEX THAN SIMPLY BARRING IT

BY CHARLIE MEGGINSON

Republicans were quick to say “we told you so” Thursday as word spread that a Chancery Court judge had **ruled** that Delaware’s new vote-by-mail law violates the state Constitution.

Democrats were quick to say the ruling—all but guaranteed to be appealed to the Delaware Supreme Court—will disenfranchise voters, especially low-income voters and people of color.

Vice Chancellor Nathan Cook, in fact, did not find the concept of mail-in voting unconstitutional. He ruled that the **way** it became law put it at odds with the state Constitution and that it cannot be used in November’s general election.

In an 87-page, beautifully written opinion, Cook relied on legal precedent: A 1972 Supreme Court advisory

opinion that said it is “beyond the power of the Legislature” to limit or expand the Constitution’s list of reasons an elector can cast an absentee ballot.

“Thus, if I were writing on a blank slate, I would likely conclude that the Vote-by-Mail Statute is not prohibited by the Delaware Constitution,” Cook wrote. But the Supreme Court’s advisory opinion also cited case law from **1939** and **1942**, and, so, Cook said, “I am not writing on a blank slate.” It’s not for him to revisit those cases, he said. That’s a matter for the Supreme Court.

GOP GLEEFUL, DEMS FRUSTRATED

Republican Jane Brady, one of the attorneys behind the **lawsuit**, said Cook was “right on the law.”

“I think that he did a good job of going through the legislative and case law history,” she told Delaware LIVE

News Wednesday.

On Friday, state House Republican leaders issued a joint statement saying the ruling reflected their arguments during hearings on the vote-by-mail bill.

“This week’s ruling only confirms what our legal team had been advising all along,” said House Minority Leader Danny Short, R-Seaford. “To allow for vote-by-mail in Delaware, the legislature would have to amend the state Constitution.”

The only way to do that is to pass legislation by a two-thirds majority vote in both legislative chambers in two consecutive General Assemblies. While Democrats have had a supermajority in the Senate, allowing them to do that, they did not in the House, where Republicans could block such votes.

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CHANGE TO STATE RETIREES' HEALTH INSURANCE PROMPTS ANGST

BY CHARLIE MEGGINSON

A change to the health insurance held by retirees of Delaware's state government is causing an uproar. The state's requirement that retirees and pensioners switch from original Medicare to a specially-tailored Medicare Advantage plan has led to charges that retirees will lose their doctors or be denied services that are currently covered.

That's not true, said Delaware Secretary of Human Resources Claire DeMatteis. She insists the plan will be cheaper for retirees while offering the same access to care. It will even include a few perks, she said, such as [SilverSneakers](#), a fitness program for senior citizens.

DeMatteis said 95% of Delaware doctors who accept traditional Medicare have already signed on to participate in the Advantage plan. State officials are working to get others on board, too.

The shift is necessary to reduce the state's \$10 billion unfunded liability for retiree healthcare, according to DeMatteis. Left unchanged, that liability would likely

grow to \$31 billion by 2050. An unfunded liability is when the state sets aside less than is needed to cover the expected full costs of benefits for its retirees.

With the Medicare Advantage plan, officials project the unfunded liability will shrink to \$3 billion by 2050.

"That's still not perfect, but much better than the current state," DeMatteis said. "Because the worst case scenario is the unfunded liability grows so severely that the state can no longer afford to pay for retiree health care. That won't happen because of the very reasonable, measured reforms that we're implementing now."

[Rep. John Kowalko](#), D-Newark, who voted for the change in the FY 2023 budget, said the reforms are anything but reasonable and measured, and the governor's administration quietly pushed the change through the legislature without them having all the details.

"This is a g-d d-mn freaking abuse of the retirees of Delaware," Kowalko said. "When you put this type of Medicare Advantage plan in place as the only option

available for retirees, what you're actually doing is privatizing Medicare."

He believes the program will require additional referrals and pre-authorizations for medical care that retirees can access now without the red tape.

"What this means is that the most efficient health care plan that we offer in this country, next to the [Veterans Affairs] plan, will be at the mercy of for-profit enterprises—in this case, Highmark," Kowalko said.

DeMatteis said it's true that some services that are "not medically necessary" will meet higher scrutiny under the new plan, but that's just one of the factors that will bring the overall cost down. Traditional insurance, including the plans active state employees use, have had prior authorization requirements for decades, she noted.

"When it came out 40 years ago, people didn't understand what managed care was," DeMatteis said. "But we've been living with managed care very successfully now for 40 years and managed care is just that—it's to make sure there's an extra step to ensure that health-care service is medically necessary."

According to data from Highmark Blue Cross Blue Shield, during the past two years, 92% of all prior authorizations were approved initially. Of the 8% that were denied, at least 1% were overturned on appeal.

"So then you have to look at that 7% of healthcare services that are denied because they're not medically necessary," DeMatteis said. "It has nothing to do with emergency services and has nothing to do with life-threatening chronic care conditions, but 7% of what we previously had been paying for without any questions

[CLICK HERE TO READ MORE](#)



TATE MUSEUM EXHIBIT TO TRAVEL TO DELAWARE ART MUSEUM IN 2023

BY BETSY PRICE

An exhibit from the Tate Museum in London will travel to the Delaware Art Museum in October 2023. It's a major coup for the Wilmington institution, which will be the exhibit's only stop in the United States.

The Tate show "[The Rossettis](#)" will focus on the family of British Pre-Raphaelite painter Dante Gabriel Rossetti and will feature several pieces from the Delaware museum's collection of Pre-Raphaelite Art.

The show will run in London at Tate Britain from April 6 to Sept. 24. It will then travel to Delaware, where it will end the Delaware Museum's Year of Pre-Raphaelites, which has just begun.

The Delaware museum's new Pre-Raphaelite curator Sophie Lynford told patrons Tuesday night that Tate curators told their Delaware counterparts that the Tate

show could not be mounted unless it could borrow the Delaware works.

DELAWARE ART MUSEUM TRIUMPH

Being able to host the Tate show is a crowning moment for the Delaware Art Museum, which not so long ago had essentially been blackballed by the museum world for selling art works to clear debts. For a few years, it was not able to borrow artwork and no one asked to borrow its works.

Then prominent museums began doing the same thing a few years later, and suddenly the Delaware museum looked like a forward-thinking institution wisely making sure it was around to serve the Delaware community for another century.

DelArt officials expect the Tate show to generate a lot

of excitement in the region and beyond. Lynford said the museum is already getting inquiries from as far as California about when the Tate show will be in Delaware so they can make travel arrangements. Complete details will be announced soon, a museum official said.

The Delaware museum's Pre-Raphaelite collection is one of its three core collections. Said to be the largest collection of Pre-Raphaelite art outside of Britain, the museum's collection started with works collected by Wilmington mill owner Samuel Bancroft and donated to the museum in 1935.

The Pre-Raphaelite artists were a group of artists and writers including Rossetti who disdained the Royal Academy's focus on art in the holier-than-thou style of Renaissance painter Raphael. They took inspiration from the work of the medieval period—before Raphael—and focused on contemporary life.

The group was active from the mid-1900s and their lives and work paralleled the Industrial Revolution and the rise of the Arts & Crafts movement. The museum already has begun celebrating its Year of Pre-Raphaelites.

A recently opened exhibit, [Forgotten Pre-Raphaelites](#), features more than 40 artworks from the museum's collection that are rarely on view. The works are by overlooked artists who experimented with Pre-Raphaelite themes and techniques, including art by the American Pre-Raphaelites and work by women artists.

On Friday [A Marriage of Arts & Crafts: Evelyn & William De Morgan](#), makes its American debut. It will run from Saturday, Oct. 22, through Feb. 19, 2023.

[CLICK HERE TO READ MORE](#)



SUPREME COURT STRIKES DOWN VOTE-BY-MAIL, SAME-DAY REGISTRATION

To learn more about the lawsuit and the arguments involved, click [HERE](#).

REACTION

Ayonne “Nick” Miles, one of the plaintiffs who challenged the mail-in voting law, said the case was never about the statute itself, but the way it became law.

“This has always been about the process and the fact that the General Assembly brazenly disregarded the amendment process and thought they were untouchable and couldn’t be challenged,” Miles said. “The highest court in Delaware just put them in their place.”

Sen. Kyle Evans Gay, D-Ardens, sponsored the bill to allow no-excuse mail-in voting. “I’m disappointed by the Supreme Court’s ruling but I respect it entirely,” Gay told Delaware LIVE News. “I’m just really thankful that we now have certainty in what we need to do in order to continue to expand voting rights.”

She said she still believes in her interpretation of the Constitution—that it provides a “floor, not a ceiling,” to the reasons one can vote absentee.

“But the Supreme Court disagreed, and like I said on the Senate floor, that is our system of democracy—that is our checks and balances,” Gay said. “The Supreme Court has done its part and it’s now up to the legislature to do its part to [enact] the policies that we want to be enacted. It’s not impossible. It just has to be done differently.”

Gay said the General Assembly should take up a constitutional amendment during the next legislative session to “address any of the barriers that we have seen to expanded ballot access.”

Jane Brady, attorney for plaintiffs Michael Higgin and Michael Mennella, said that’s exactly what the General Assembly will need to do—and should have done in the first place.

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BY CHARLIE MEGGINSON

In a unanimous decision, the Supreme Court of Delaware has ruled the state’s mail-in voting and same-day voter registration statutes unconstitutional. Neither will be allowed in the Nov. 8 general election. The ruling, which came just one day after oral arguments, is a major defeat for Gov. John Carney and Delaware Democrats.

In an abbreviated [order](#), the court said the vote-by-mail statute “impermissibly expands the categories of absentee voters identified in [Article V, Section 4A](#) of the Delaware Constitution.” As for the same-day registration statute, the court said it conflicts with [Article V, Section 4](#) of the Constitution.

The Supreme Court published its decision in a 3-page abbreviated order so as to allow as much time as possible for election officials and voters to communicate and understand changes to the upcoming election. Traditional absentee voting is not affected by the court’s decision.

“A more formal opinion, fully explaining the Court’s views and the reasons supporting our unanimous decision, will issue in due course,” the court said. “The mandate shall issue immediately.”



HISTORY FAVORS RAMONE, NUMBERS FAVOR BURNS IN PIKE CREEK RACE

BY CHARLIE MEGGINSON

A suburban New Castle County race for state House is turning into one of most hotly-contested battles of this year's general election.

Incumbent Republican Rep. **Mike Ramone**, who has been in office since 2009, faces Democrat Dr. **Frank Burns** for the South Pike Creek seat—one of the last held by Republicans in the state's northernmost county.

Before entering politics, Ramone founded and operated several local businesses, including the Delaware Swim and Fitness Centers, the Delaware Swim Team, Aquatic Management Systems and Ramone's Landscaping.

Burns is a doctor of biochemistry who owns **BioPrimate**, a company that specializes in microbial community and microbiome research.

Although Ramone is a Republican, the district he represents is not. Of the 19,030 registered voters in the

21st Representative District, 8,517 are Democrats, 5,117 are Republicans, and 5,396 belong to a third or no party.

That's part of Ramone's pitch: He's an independent voice who votes issue-by-issue and his primary concern, he says, isn't partisan politics—it's his constituents' wallets.

Burns doesn't buy Ramone's schtick. Try as he might to appeal to the center (and even the left), Ramone is a Republican, Burns says, with all the associated baggage.

With so many national issues bearing down on the election, Ramone must chart a delicate course between what his party wants and what his constituents demand.

Burns said many local issues, like traffic concerns, are apolitical and come down to a lawmaker's ability to connect residents with the people or agencies who can solve their problems. The result is an untraditional election between a popular Republican in a solid-blue

district and a political newcomer whose views more closely align with the majority.

WHY STAY IN OFFICE, RAMONE?

Incumbent Republican Rep. Mike Ramone, who has been in office since 2009, faces Democrat Dr. Frank Burns for the South Pike Creek seat—one of the last held by Republicans in the state's northernmost county.

By age 45, Ramone had established a series of successful businesses in northern Delaware and could have easily retired and dedicated the remainder of his life to leisure, he says.

"The businesses were good, people had been good to us and we were in a very strong position financially," Ramone told Delaware LIVE News. "So I was like, 'You know what, I think I'm going to try to give back to those who gave to us.'"

Ramone, now 61, said he never considered himself a politician, and still doesn't. He doesn't stay in office for the clout, he said, and would "get out of the way and help...if a great Republican or Democrat came along who I felt would be phenomenal for the district."

This isn't the year, Ramone said. His daughter, who he undoubtedly feels would meet that criteria, was rezoned out of his territory during decennial redistricting in 2020. She's **running** for state representative against Rep. Paul Baumbach.

"The reality is," Ramone said, "when they do redistricting and cut your whole family out of your district and put them in another district, I'm not the kind of guy that walks away from that—I'm not going to get bullied out of being a legislator."

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STATE TO UNVEIL NEW MATH PROGRAM TO COMBAT LOW SCORES

BY JAREK RUTZ

Delaware will announce a new statewide math plan in December to counter COVID-19 learning loss and boost the state's horrific test scores, which are among the worst in the nation. The state has been working on the plan since January but is not yet prepared to release details because the plan hasn't been finalized.

Underscoring the need for help, especially in math, is the fact that 18 Delaware public schools have single-digit proficiency scores in math, and two have them in English language arts.

That means less than 10% of the students, who are tested in third through eighth grade, understand math at their grade level. (See the list below)

The goal of the new math program will be to assure every student has mathematical mastery by eighth grade, said Monica Gant, the chief academic officer for the state Department of Education.

The math plan is expected to mimic some aspects of the science of reading plans sparked by state legislation. Those plans require schools to teach according to science that shows how the brain works and will require some teacher training, using materials curated by the state and more frequent testing of students to determine how they understand the material during the school year, so help can be given, if needed.

While the state blames a lot of the low scores on virtual learning and other COVID-19 woes, others also cite teacher shortages, large class sizes and a lack of funding for materials and support such as tutoring all play a role, those people say.

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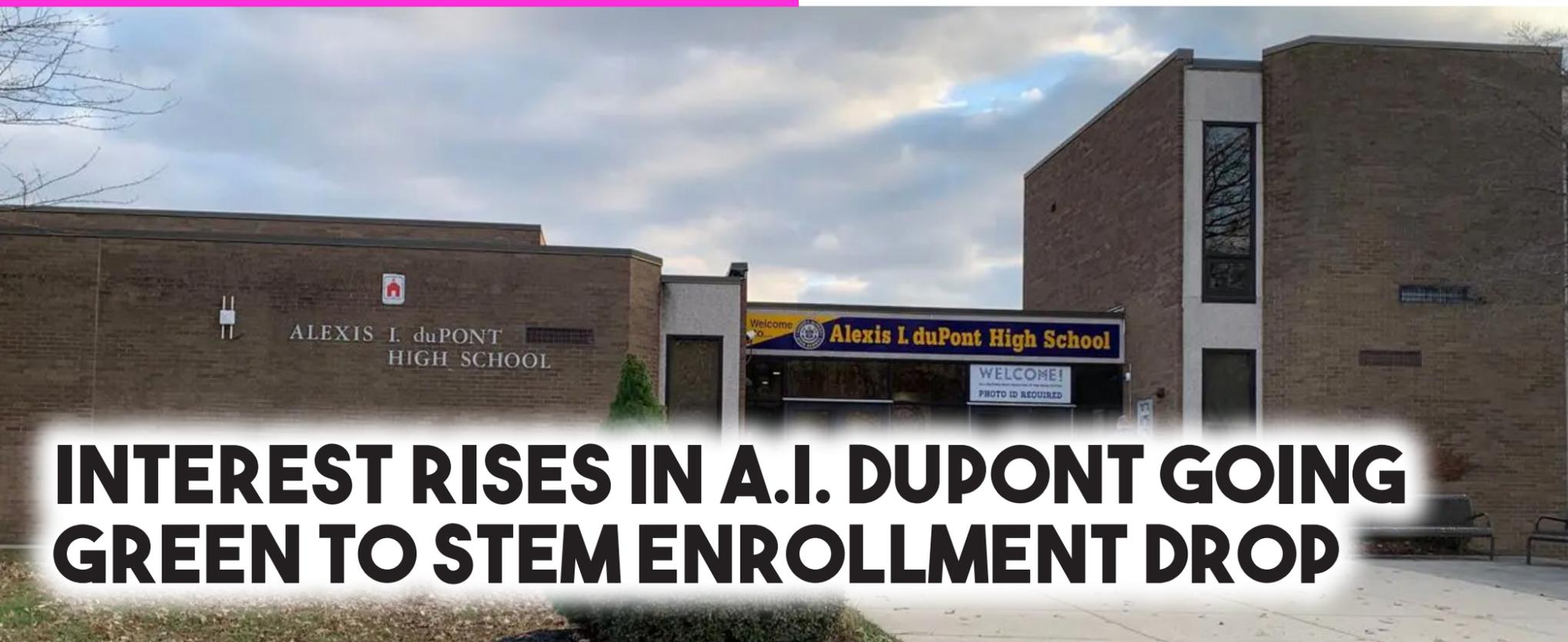
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INTEREST RISES IN A.I. DUPONT GOING GREEN TO STEM ENROLLMENT DROP

BY BETSY PRICE

The leader of a Red Clay task force wants to reinvent Alexis I. du Pont High School as a magnet school with a green campus that offers environmental science classes to prepare students for jobs in the eco-industries.

The rebranding move, which has been warmly endorsed by government officials and others, is designed to help stem the shocking decline in A.I. enrollment, which dropped more than 50% in the last decade, by offering something new to attract more students.

“We decided that was a great thing for A.I. High to become the greenest high school campus in Delaware and in Greenville,” said Victor J. Leonard Jr., a member of the [Red Clay Consolidated School District](#) board, in an October board meeting.

The idea was met Wednesday night in the board’s No-

vember meeting with support from the public—including state Sen. Laura Sturgeon, D-Hockessin, a former educator—but also with fretting by some administrators and board members who questioned Leonard’s committee organization and purpose.

Board member Cathy Thompson warned for the second meeting in a row that the task force was not operating under the board’s rules governing committees.

Instead of a loose group of people interested in the idea running around gathering ideas, the task force should have a defined mission, specifically-named members who include teachers, and an expectation of what it would produce, she said Wednesday and in the October meeting.

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COLONIAL SURPRISE: READING SCORES HIGHER AFTER COVID

BY BETSY PRICE

Colonial School District Superintendent Jeffrey D. Menzer unearthed a surprising fact while he was devising a method to track the effectiveness of a new focus on student reading skills and scores. The 2022 eighth graders who had been at Colonial schools since second grade, scored higher on reading proficiency tests than those in eighth grade in 2019, Menzer told the Colonial School Board Tuesday night.

“You’re telling me our post-COVID students outperformed their pre-COVID peers in reading,” the superintendent recalls asking the data team.

That data showed 40.9% of the 2022 eighth graders maintained or improved their ranking as proficient—meaning they met their grade’s standard. But only 35.5% of the 2019 eighth graders did, the data showed.

“I’m hearing all about learning loss and how we fail the students and the staff are panicked that they failed our students during COVID and they’re not doing anything to help them, but our post-COVID cohort actually outperformed the pre-COVID cohort,” Menzer said.

He credited the dedication of teachers who kept trying to help students with schools closed and classes forced into online sessions that were not comfortable for students, teacher or parents.

“Granted, we’re still not meeting the standard. We need to be totally transparent,” Menzer said. “This 40.9% here is low, but it’s higher than it was before COVID. So whatever we did for students to help them stay on track, I believe this is something to be celebrated by every teacher on this staff.”

The comparison pleased Laurisa Schutt, executive director of First State Educate, a nonprofit devoted to improving Delaware’s public schools.

“Menzer is using data analytics to determine what is working and what is not working so his educators know when and how to pivot,” she said. “The outcome is that kids are learning—with proof. Data is not something to be feared for blame—it is valuable information from which to focus precious little time. Well done, Colonial, for leaning into the high stakes of now!”

Britney Mumford, executive director of Delaware-CAN, a nonprofit that encourages everyday citizens to get involved in education, said Colonial’s data is truly encouraging.

“They show us that when we adopt innovative but proven new methods we can expect improvement,” she said. “The dedication of Menzer and the Colonial School District on improving reading proficiency deserves applause but what I really love is their candor on the topic.

“While scores have improved, he doesn’t hesitate that they can’t take their foot off the gas. Hats off to a team that pushed even harder in such trying times. Let’s replicate this success.”

FINDING THE READING SCORES

The system’s discovery comes as the district is spending about \$3 million to buy a new curriculum that gives the district a more comprehensive way to focus on the science of reading.

That money is coming from Colonial’s share of the federal Elementary and Secondary School Emergency Relief funds designed to help schools cope with problems generated by the COVID-19 pandemic.

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DELAWARE GOP LEADERS: PARTY NEEDS CHANGE TO WIN

BY CHARLIE MEGGINSON

Republicans did not fare well in Delaware's Nov. 8 election. Democrats widened their majority in the state Senate, maintained the balance of power in the House, and won every election for statewide elected offices.

In the wake of the Republican **wallop**, some party leaders are hoping the party will begin to move in a more productive direction—one that appeals to the center, defined by a clearly communicated, positive vision for the First State. Without change, some insiders fear Republicans will lose influence with each passing election.

"I believe we are not good at messaging and making sure people know what we do on a daily basis to serve our constituencies," said Rep. Mike Ramone, R-Pike Creek South. He was **elected** House minority leader after a two-hour caucus meeting Tuesday.

"We enable ourselves to be branded by whatever polarizing national topic exists at any given moment," he said.

Ramone's ascension to leadership marks a departure from the Delaware Republican Party's strategy up to this point. Rep. Danny Short, R-Seaford, served as minority leader for nearly 10 years before caucus members decided the time was right for a change.

"If there's a message that I hope resonates within our party, it's that we don't all need to think exactly alike on every single item, but at this point, our state needs help economically, we need help in the education environment, and the people in our state are getting taxed to death," Ramone said. "We need to change that."

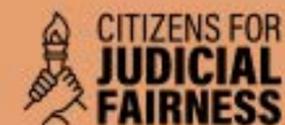
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MANY DE DISTRICTS DON'T EVALUATE SUPERINTENDENTS ANNUALLY

BY JAREK RUTZ

Even though the job of superintendent of education is one of the most powerful in a school district, many Delaware districts don't perform annual reviews of theirs.

"Some boards have a formal review, and some don't," said Donald Patton, board member of [Christina School District](#). He was a teacher and principal for decades before being elected in May. "How do you hire someone in your top position, the only person that you hire as a board member, and there's no evaluation being done until the contract is up?" he asks.

Advocacy group [First State Educate](#) is learning that annual performance evaluations for school districts are not common.

"Hundreds of millions of dollars, learning outcomes where they are, and incredibly challenging teaching conditions means the stakes are very high for quality and sustainability," says Laurisa Schutt, executive director. "Evaluations can be collaborative learning tools that

focus us on our top strategic priorities. Without feedback, it's hard to know where we are and how we are progressing."

Two of the primary duties of school boards is selecting and supervising the district superintendent.

"School board members do not have to be experts in any one area, but they need to be able to ask the right questions and acquire information essential to making good choices," says the National School Board Association [website](#). "Finances, curriculum and testing, strategic planning, state and federal legal requirements, and evaluating the superintendent's performance are some of the demands on modern school boards."

WHY EVALUATE THE SUPERINTENDENT?

The average salary for superintendents in America is well into the six figures, with some making more than \$200,000, according to a [study](#) from the School Superintendents Association.

"We're paying all this money for the superintendent and we give him raises that are not tied into anything, he just gets a raise," Patton said. "Raises should be tied into success and progress and if it's not, then why are we automatically rewarding them?"

Christina's school board is now deciding the best instrument to use to evaluate its superintendent, Dan Shelton.

In late September, Dr. John Marrinuci, executive director of the [Delaware School Boards Association](#), presented a new review process to the board. It had been created by a different district's board member as part of her doctoral dissertation. The proposed review would evaluate a superintendent's ability to meet expectations in vision and goals; teaching and learning; professional responsibilities; superintendent's goal; and people, systems, and operations.

Naveed Baqir, who serves on the Christina board with Patton, said the agendas of school board members changed partly because the members themselves changed over the years. That may be one reason many districts don't have a formal annual review. Some board members may use annual evaluations to express their frustrations that their own agendas are not thriving, Baqir said.

A board member also may think the superintendent is meeting his or her requirements but wants something more out of the district as a whole.

"That's where that constant update is required," he said. "That's why most school districts, especially when there's a major change in the board membership, end up in a situation where they want a new evaluation tool."

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A WOMAN'S PLACE? FOR RUTH BRIGGS KING, IT'S THE LEGISLATURE

BY CHARLIE MEGGINSON

It's not uncommon for state Rep. **Ruth Briggs King** to be the only woman in a room full of men. The Georgetown lawmaker is the only female legislator in Delaware's General Assembly who belongs to the Republican Party. She doesn't let that get in the way of representing her constituents. In fact, she sees it as an opportunity.

"There have been numerous times when I have had to bring up what the guys didn't see," Briggs King told Delaware LIVE News.

"You don't know what you don't know, so we can be talking about healthcare and you might not understand there's a need for additional women's health services or pediatric services because, well, you're not a woman."

Her comfort speaking out for women's issues even when she's outnumbered comes from a philosophy she's carried her whole life.

"I've always gone by the mindset that, to whom much is given, much is expected. I have certainly been given so many opportunities—not just handed to me, but I worked for these opportunities—and I work to live up to those expectations."

Sen. Brian Pettyjohn, R-Georgetown, who shares a large part of his district with Briggs King, said her presence makes the Republican Party stronger.

"Too often we kind of get caught in our own bubble and don't recognize women's point of view in some of the legislation and some of the points and arguments that

we make," Pettyjohn said. "Having her there as a resource and having her as another voice is extremely powerful. It's extremely important and definitely valuable."

Briggs King was recently recognized by women's lifestyle magazine **ELYSIAN**, which singled her out for her "unwavering leadership and strengths in organizational development and strategic planning" with "a proven track record to address and solve problems with an end-game of realizing results."

WHO IS RUTH BRIGGS KING?

Briggs King has served in the House of Representatives since 2009. Her district, RD 37, spans from Georgetown to just north of Millsboro in Sussex County. East to west, the district stretches from the Harbeson area to Hardscrabble, not far from Sussex Tech.

Prior to joining the legislature, Briggs King was a sort of "Jill of all trades," working in medicine, education, banking, finance and real estate. The Del Tech and Wilmington University grad said there was never one moment when she realized she wanted to run for public office.

"I was running around in those circles because my dad had been very engaged in politics and his father before him, so it was just something I always saw as an opportunity," she said.

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AS A.I. DU PONT HIGH ENROLLMENT DROPPED, SO DID TEST SCORES

BY JAREK RUTZ

As enrollment declined at A.I. du Pont High School starting in 2008, the percentage of minority students and English Language Learners rose dramatically while test scores dropped steadily. That year, the school enrolled 1,492 students. Today, just 680 students are enrolled at A.I.

In 2008, the student body was 24.1% Black, 11.8% Hispanic and 60.2% white, according to state report card archives. This year, 44.4% of the school's enrollment is Black, 35.7% are Hispanic and 15.7% are white. The percentage of English Language Learners rose from 5.6% of students to today's 15.44%. The number of low-income students increased 13.5%.

"I do not believe enrollment is in any way connected to test scores," said Principal Kevin Palladinetti.

Mark Pruitt, director of secondary schools at Red Clay, said any comparison of test scores needed to be taken with a grain of salt because of the pandemic.

"There's going to be a dip in every school in the state, and probably the country," he said. "It's been very difficult to get good data."

But the school's struggles didn't start with the pandemic. Data from 2008 to 2018—all before the pandemic—showed SAT scores and reading and math proficiency declined. Palladinetti pointed out that enrollment didn't fall 54% overnight.

"The enrollment drop has been very gradual over time, so the impact in the building isn't as dramatic as people assume," he said. "We're talking about a 10- to 11-year period of time here, so it's been slow and steady."

It's easier for families with multiple children to send their children to the same school and that has meant A.I. High often didn't lose just one student to another school—it also lost that student's siblings and family members.

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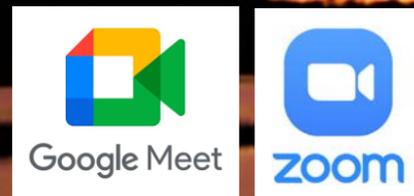


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