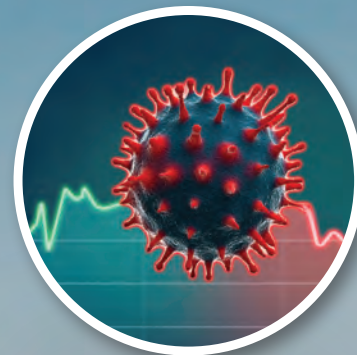


# DELAWARE BUSINESS

May/June 2020 \$3.00



Special Section  
**COVID-19**

## Superstars in Education

John H. Taylor Jr.  
Education Leadership  
Award Recipients

**PLUS:**

Unclaimed Property:  
A Delicate Balance  
for Delaware

Understanding the True  
Value of Your Workplace  
Wellness Program



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**DELAWARE STATE**  
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On behalf of our members, the Delaware State Chamber of Commerce would like to thank Delaware's caregivers, our health care heroes, who have been unwaveringly dedicated to keeping our community safe during these challenging times.  
Photo provided by ChristianaCare

# In this Issue

## Features

**SPECIAL SECTION: COVID-19 AND YOUR BUSINESS** ..... 14

**2020 SUPERSTARS IN EDUCATION** ..... 20

Meet this year's outstanding education programs  
John H. Taylor Jr. Education Leadership Award: Vision Coalition of Delaware

**GUIDE TO LEGAL, GOVERNMENT AFFAIRS, AND INCORPORATING SERVICES** ..... 39

Maintaining Good Standing is Essential to Your Business  
The Other Reason Why Corporations Choose Delaware  
Unclaimed Property: A Delicate Balance for Delaware

**GUIDE TO WELLNESS & HEALTH** ..... 50

Why Meals On Wheels Benefits All of Us  
Understanding the True Value of Your Workplace Wellness Program  
ChristianaCare's Center for Women's & Children's Health  
Saint Francis Healthcare



## On The Cover

The State Chamber honors educators and their programs and students, recognizing them for their innovative thinking and passion in building a brighter future for Delaware.

## Departments

**President's Message** ..... 2

**Legislative Priority** ..... 3

**Member News and Notes** ..... 4

**Business Spotlight:**  
SSS Clutch Company, Inc.  
**Nonprofit Spotlight:** Goodwill of Delaware and Delaware County

**Chamber Scene** ..... 11

**Welcome New Members** ..... 12

**Newsbites** ..... 58

**In Case You Missed It** ..... 62

**For Assistance, Contact the Chamber** ..... 64

**Volume 25, Number 3** / Delaware Business (USPS 012098) (ISSN 153253542) is published bi-monthly by the DSCC Center for Business Management. Subscription price is \$18 a year (included in membership dues). Known office of publication is 1201 N. Orange St., Suite 200, Wilmington, DE 19801. Periodicals postage paid Wilmington, DE 19850. Postmaster: Send address changes to Delaware Business, c/o DSCC Center for Business Management, P.O. Box 671, Wilmington, DE 19899-0671. Telephone (302) 655-7221.



# Message from the President



Michael J. Quaranta

With the spread of COVID-19, events and decisions are occurring hourly. As I sit at my desk and compose this today, March 19th, much of what I say may be “old news” or completely wrong by the time this goes to print. What I do know is that business leaders around the state need first-hand information from leaders and decision-makers so they can plan or influence the direction things take over the weeks ahead.

I am grateful to Dr. Marci Drees and the team at ChristianaCare for being available to speak with our members about the steps the hospital has been taking to aid people with coronavirus. Keep in mind all our hospitals cannot be singularly dedicated to this crisis. Car accidents, heart attacks, strokes, seasonal flu, broken bones and other challenges continue to walk through their doors while this pandemic plays out.

I am also grateful to Governor Carney and his team for being readily available to speak with our members. Together, we will understand the public health challenges before businesses and the implications public policy decisions will have, their ripple effects and any intended or unintended consequences on employers. Their accessibility during these past couple of weeks has yielded benefits to everyone.

We have no idea how long we will be dealing with this. My only points of reference are from the morning of September 11, 2001. I can almost retrace the steps I took from Union Station in Washington, D.C., towards the Capitol Building and the Capitol Police screaming at everyone to “take cover and shelter in place.” The next couple of days were tense, but within a week I was on an airplane with my then three-and-a-half-year-old son, Frank, to visit my mom who had recently retired to Bonita Bay, Florida.

This, however, feels much different. There is no “bad guy” rather there is this illusive and invisible “thing.” We cannot point to an incident and move on. This will play out over a yet to be determined period of time. However long or short that turns out to be, know that we will be with you, as we always have been, and do our best to get things on track.



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## LEGISLATIVE PRIORITY

# Government has an important role to play in supporting the business community

BY JAMES DECHENE AND VERITY WATSON

THE SPREAD OF and reaction to COVID-19 has the world changing minute by minute, and the business community has come together in these uncertain times to focus not only on keeping their doors open and their employees paid but also continuing to be a helpful presence in their communities.

It's not an understatement to say we are currently navigating in uncharted waters. In an effort to provide some stability for employers during these times, the State Chamber of Commerce, along with other chambers across the state, industry associations and other business-focused groups are committed to finding ways for employers to keep their lights on and continue to operate.

Some of these recommendations have already been implemented as of mid-March. Currently the waiting period to file for unemployment benefits has been reduced to seven days. Workers are now allowed to supplement their income with part-time employment while still collecting benefits. Tipped employees are not being classified as minimum wage as long as they claim their tips, increasing them to a higher unemployment benefit rate. Alcohol regulations have been relaxed to increase sales at local restaurants. Zero percent loans have been made available for businesses forced to close under the State of Emergency order.

As we continue to see fallout from this crisis, there are a few more areas where targeted government action could have very positive impacts for struggling businesses. These include:

- Additional changes needed to unemployment insurance:
  - Do not penalize employers when unemployment claims are made. Modification scores should be frozen during this time so businesses who are forced to lay off, especially those closed by executive order, are not further negatively impacted.
  - Increase eligible amounts from \$400 to \$600 per week.
- Many businesses have limited access to cash on hand. We should explore ways to keep cash in the hands of businesses through temporary exemptions from gross receipts and payroll taxes. Zero interest bridge loans and small business loans should be



explored as a way to infuse businesses with cash.

These unique circumstances demand unique solutions. Other recommendations being floated include the state utilizing its top bond rating to borrow funds necessary to fully fund the unemployment insurance trust fund, to provide employers with rent relief, and to cover payroll taxes paid by employers. As mentioned earlier, access to capital remains a critical component for

businesses looking to reopen, to remain open, and stay solvent during these difficult times. The ability for the state to provide this safety net is a much-needed service toward its maintenance of a strong bonding rating was designed to achieve.

As we look forward to the eventual reconvening of the General Assembly, the business community's message is clear—a plea for action only on critical legislation. Budget, Bond, and Grants-in-Aid bills are a priority, as are any bills providing relief to employers, employees, and at-risk citizens. During these uncertain times legislative focus should remain on how we will recover as a community.

The impact of the COVID-19 crisis has the potential to dwarf the economic impact of the Great Recession. In 2008-2009, extraordinary measures were undertaken by the Markell Administration and the General Assembly to keep Delaware going, and just a few short years ago we faced a \$350 million budget deficit that also took extraordinary measures to overcome. With the help and planning of the Carney Administration and the General Assembly, Delaware can position itself to come out of this crisis better positioned for the future.



**James DeChene**, Armitage DeChene & Associates



**Verity Watson**, Ruggerio Willson and Associates



# Member news & Notes

## BUSINESS SPOTLIGHT: SSS Clutch Company, Inc.

» This past April was historic as the U.S. Navy commissioned the 7th vessel to bear the name of the First State. The USS Delaware, designated SSN 791, is a Virginia-class, nuclear-powered fast attack submarine that was supposed to make its way to the Port of Wilmington for a special ceremony to mark the beginning of its service to protect the U.S. interests throughout the oceans of the world. It's the first to bear the name of Delaware in more than 100 years.

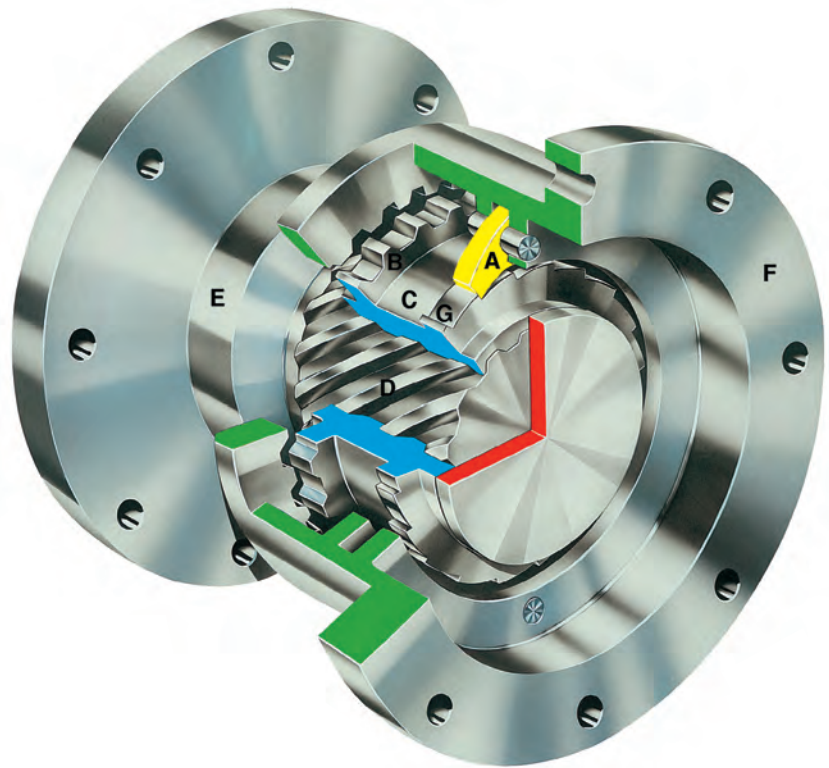
What makes this story that much more special is that Delawareans played a role in the building of this vessel.

SSS Clutch Company, Inc., a small manufacturer with a staff of ten in New Castle, installed the company's namesake, the SSS Clutch. SSS Clutch Company, Inc. is the North & South American affiliate company of SSS Gears Limited, Sunbury-on-Thames, London, England.

Due to the COVID-19 pandemic, the USS Delaware commissioning was performed administratively on April 4. However, the U.S. Navy is looking at a "future opportunity" to celebrate the vessel.

Morgan Hendry, President of SSS Clutch Company, Inc., commented, "We look forward to a rescheduled date to commemorate this special event. Seldom do all our employees get a chance to see the final installation of our product and to meet those who will utilize and operate our SSS Clutches."

At this point, you may be asking yourself, "What is an SSS Clutch?"



An SSS (Synchronous-Self-Shifting) Clutch is analogous to a bicycle freewheel. The clutch engages automatically when the driving side accelerates to the speed of the driven side and disengages automatically when the driving side slows down relative to the driven. Like a bicycle, the freewheel in your bicycle transmits power to the back wheel through the chain and sprocket when you peddle uphill. SSS Clutches, however, transmit power or torque through concentric teeth and can be made to transmit up to 500,000 horsepower.

Worldwide applications include SSS Clutches for naval marine propulsion in ships operated by 50 navies, gas fired combined cycle power stations, combined heat & power plants, and for peak load gas fired power plants in 55 countries. SSS Clutches are also supplied for mid & down-stream oil & gas applications such as dual driven natural gas pipelines, dual driven pumps, compressors, gas recirculation fans and generators in refineries, process plants, petrochemical plants, etc.

*continued*





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**Comfort Strength**  
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**extraordinary.**



# Member news & Notes

For instance, SSS Clutches are the key mechanism in large gas and steam turbine drives of combined cycle and peak load power stations as well as associated auxiliary drives such as gas and steam turbine slow speed turning gears, gas turbine starter drives and accelerator drives to run electrical generators for speed synchronization. It's a niche industry, but critical to the efficiency and durability of propulsion- and power-based technologies.

Since 1950, nearly 40,000 SSS Clutches have been supplied worldwide. About one quarter of these SSS Clutches are in service in North & South America, most of which were sold and are serviced by SSS Clutch Company, Inc.

"Our employees consist of mechanical and electrical engineers, technicians, contract administrators and assistants, plus we periodically employ consultants with specific industry expertise,"

explained Hendry. "SSS Clutch Company also occasionally hires engineering students as interns from universities and technical schools in our region."

SSS Clutches were first used by the US Navy in the 1960's and many classes of ships, now retired, were retrofitted with SSS Clutches to improve service reliability as well as to reduce life cycle maintenance and associated costs.

Today more than 1,400 SSS Clutches are currently in operation in twelve classes of U.S. Navy, U.S. Military Sealift Command, U.S. Coast Guard ships and three classes of US Navy submarines including the U.S. Navy Virginia Class, the latest of which is the USS Delaware, SSN791.

For new construction U.S. Navy ship programs, SSS Clutches are currently being supplied for every new DDG-51 Arleigh Burke Destroyer as well as for the Ship to Shore Connector hovercraft, USS America

Class amphibious assault ships, etc.

"In our industry, one of the measures of reliability of rotating equipment is 'mean time between failures' (MTBF), said Hendry. "SSS Clutches have demonstrated a MTBF in excess of 275,000 hours, in three classes of US Navy ships, each operating for over thirty years. This is a remarkable achievement for equipment operating in arduous naval marine applications."

In addition to the naval marine propulsion work, SSS Clutch Company continues to supply SSS Clutches for power generation and oil & gas applications, which represent nearly seventy-five percent of all new orders.

SSS Clutch Company continues to expand the type and number of applications for its product. With the periodic addition of new employees, the Company continues to grow and position itself for the future.



## NEW TO THE CHAMBER

### DSCC Welcomes Melissa Brayman

Melissa Brayman joined the State Chamber in March as the Office Administrator. Aside from the administrative duties of ensuring the office is running smoothly, she also assists with keeping the President's schedule and supporting accounting functions.

Melissa is originally a native of Costa Rica, but she grew up in Newark and now lives in Pike Creek with her 13-year-old daughter, Maria Soleil and her boyfriend, Curt. Melissa enjoys any challenging outdoor activity, such as running, hiking, mountain-biking, snowboarding, camping, and most of all, backpacking. She and her daughter are 'partners in crime,' and love spending time together whether it's bonding over *The Walking Dead*, Zumba class at the YMCA, exploring NYC, or backpacking on the Appalachian Trail. Her list of things to accomplish this year: plant a vegetable garden, build a compost bin, and learn to play golf.



# Q&A with Captain Brian P. Hogan

## AN INTERVIEW WITH THE FIRST COMMANDING OFFICER OF THE *USS DELAWARE*

BY JOHN RILEY

» **John Riley:** Please tell us a little bit about your background and why you focused your naval career on submarines?

**Brian Hogan:** I'm a third-generation naval officer, and I'm proud to continue my family's service. My grandfather flew airships during World War II and my dad flew P-3s during the Cold War. I grew-up planning to join the navy, and I entered the United States Naval Academy after high school expecting to become a naval aviator like my dad and my grandfather.

Fortunately, all midshipmen at the Naval Academy are required to spend several weeks each summer serving in the fleet on what they call "summer cruises." These cruises are opportunities to spend time with each of the warfare communities in the navy and to learn about them: surface ships, marines, aviation squadrons, and submarines. These summer cruises taught me that I did not actually like flying airplanes nearly as much as I thought I would. Instead, I learned that I was attracted to the submarine community.

I graduated from the Naval Academy in 1998, and over the last 22 years I'm privileged to have served on six submarines and with over 1000 submarine Sailors. I have enjoyed and personally benefited from the opportunity to work alongside these highly capable Sailors, and I hope I have been able to add some value to their lives as well.

**JR:** When did you learn you would be the first commander of the *USS Delaware*?



**BH:** I received orders to the Delaware in June 2015. I began the Commanding Officer training pipeline that same month and reported for duty in February 2016.

**JR:** What was the most challenging aspect of preparing to go to sea for the first time?

**BH:** Taking a submarine to sea is always challenging, whether it's the first time or the hundredth time. A submarine, on its own, does not want to go to sea. It just wants to sit at the pier, and when you do take it to sea it is usually not very cooperative. The only thing that really keeps a submarine in line is the Sailors, who exert a massive amount of energy into it and work together to bend the submarine to their common will. Getting a submarine to sea, and keeping it at sea, requires a great deal of collective willpower on the part of the crew.

It is extremely rewarding to do this well - it is rewarding to see a submarine respond to the crew's energy and willpower, and for the crew to successfully operate in an environment where human beings are not supposed to be able to survive. The feeling of accomplishment that accompanies this is what makes a lot of submariners keep going to sea together.

**JR:** How long did you command the submarine and what were your special responsibilities during your tour of duty?

**BH:** Commander Matthew Horton relieved me as Commanding Officer in November 2019, so my tour was 45 months long - almost four years.

The first Commanding Officer of a new submarine has the unique responsibility to establish the initial command culture on their ship - the collective attitude, behaviors, and overall approach toward submarining. Sailors, like all human beings, learn most of what they know through osmosis - they learn by simply being part of a group and conforming their behavior and attitudes to what they observe around them.

Because of this, the culture of a command transcends any single individual - it drives the positive or negative behavior of every Sailor onboard, and it remains largely intact well after those who originally established that culture have left the command.

**JR:** How does the "Virginia class nuclear attack submarine" differ from other submarines in the fleet?

*continued*

# Member news & Notes

**BH:** The Virginia-class submarine is the most technologically-advanced submarine in the world. The open source literature will tell you that the Virginia-class incorporates the latest in stealth, intelligence gathering and weapons system technology.

From a personal perspective, all of my previous submarine tours were on Los Angeles-class attack submarines and Ohio-class ballistic missile submarines. My recent tour on Delaware was the first time I had ever served on a Virginia-class submarine, and overall, I was extremely impressed.

**JR:** Tell us a little about your experience becoming familiar with Delaware and state leaders?

**BH:** Our first experience with anyone from Delaware was our keel laying ceremony in April 2016, shortly after our first group of Sailors reported for duty. The keel laying is the first of four traditional milestones in the life of a ship (along with christening, commissioning, and decommissioning) and it ceremonially marks the beginning of the new construction process. Dr. Jill Biden, who is Delaware's Sponsor, and United States Senator Tom Carper attended the keel laying ceremony and basically introduced us to Delaware - through their speeches and their personal interactions with our crew. Dr. Biden (along with her grandson, Hunter) and Senator Carper stayed at the event long after it was finished and talked to every single one of our Sailors and their families.

We were very appreciative of the time that they invested in our crew, and they clearly indicated that it was important to build a positive connection between our Sailors and the State of Delaware. In the months following the keel laying our Sailors visited Dover Downs for a



Dover 400 NASCAR race, the University of Delaware for a football game, the Elizabeth Murphy School in Dover, the Dogfish Head Brewery in Milton, the Kalmar Nyckel museum in Wilmington, the Delaware State Archives in Dover, and the Delaware State Capital where our crew was specifically recognized by Delaware House Concurrent Resolution #16 of the 150th General Assembly.

During these visits we were very privileged to meet state leaders, leaders in business and education, and private citizens. Every one of our interactions reinforced our experience from keel laying - that it was clearly very important to everyone in the State of Delaware that our Sailors feel connected to their namesake, and proud of their service on a vessel named after the First State. As someone who is not from Delaware, I can tell you that my experiences over the past few years have made me wish that I was. Our Sailors have certainly benefited

from our positive relationship, and on behalf of our future Sailors, I certainly hope it continues for the life of the submarine.

**Captain Brian P. Hogan** is a native of Fairfax, Virginia. He is a 1998 graduate from the United States Naval Academy with a Bachelor of Science in Electrical Engineering. He also holds a Masters of Engineering Management from Old Dominion University and a Masters of Arts in National Security from the Naval War College.

Captain Hogan has served at sea on both fast attack and ballistic missile submarines. He was Chemistry and Radiological Controls Assistant, Damage Control Assistant, Assistant Engineer, and Operations Officer on USS CITY OF CORPUS CHRISTI (SSN 705), Engineer Officer on USS MINNEAPOLIS-SAINT PAUL (SSN 708), Executive Officer on USS WYOMING (SSBN 742)(GOLD) and USS NEVADA (SSBN 733)(BLUE), and Commanding Officer on USS DELAWARE (SSN 791).

Ashore, he served as the Flag Aide to Commander Submarines, U.S. Pacific Fleet, on the staff of the Deputy Chief of Naval Operations for Undersea Warfare (N97), and as the Executive Officer of the Tactical Readiness Evaluation Team for Commander Submarines, U.S. Atlantic Fleet.

Captain Hogan reported to the Office of the Secretary of Defense in December 2019.



**John Riley** is author of the recently released book, *Delaware Eyewitness, Behind the Scenes in the First State*. In 2016, John Riley retired after leading government relations for two global corporations. He played a key role in launching the Delaware Prosperity Partnership, including serving as interim CEO. John is an Army veteran and continues to be active in veterans' affairs.



## NONPROFIT SPOTLIGHT:

# Goodwill of Delaware and Delaware County

BY COLIN HEFFINGER

» It starts with donations. More than 650,000 donations are made to Goodwill of Delaware and Delaware County each year, effectively contributing to their dedicated mission to “improve the quality of life for people with barriers to self-sufficiency through the Power of Work.” Goodwill of Delaware provides jobs in retail, industrial cleaning, staffing services, sustainability and recycling to nearly 1,100 individuals with barriers to the workforce. By offering training and in-demand job skills, Goodwill can provide these individuals with a paycheck while better equipping them for future opportunities.

Goodwill of Delaware and Delaware County operates 16 retail locations and an Outlet across Delaware and Pennsylvania, reaching from Newtown Square in Pennsylvania to Millsboro in southern Delaware. Consistent donations from the local communities provide Goodwill with the opportunity to invest in its greatest asset – it’s people.

Through collaboration with local organizations, Goodwill Delaware offers a plethora of programs such as the Goodwill Digital Career Accelerator®, Work A Day, Earn A Pay, GoodWorks, Employment Supports, and StandByMe. Individuals with barriers to the workforce such as youth looking for their first job or individuals reentering the workforce



benefit from upskilling through these programs. By connecting with local businesses, Goodwill Delaware can determine which skills are in demand and adapt their programs to deliver immersive workforce development to job seekers.

Colleen Morrone, President and CEO of Goodwill Delaware and Delaware County, reflects on a recent training program. “Our digital skills training provides relevant, in-demand upskilling to better prepare individuals for the growing role of technology in the workforce. It helps us keep up with the fast-paced changes in employer needs by filling in the skills gap that job seekers typically face.”

“Our vision is to empower people by strengthening families and building communities,” Colleen continues. “Businesses and residents play a critical role in making this possible. We are a leading organization in sustainability and aim to raise the awareness level and continue to give back to Delaware.”

In the year 2021, Goodwill of Delaware and Delaware County will celebrate its 100-year anniversary of serving the local community and developing its workforce. “Our goal is to share with the community and set the stage for the next 100 years,” Colleen reflects. “We’re looking to create innovations for the workforce to fit the demands of the future.”

In response to the rising COVID-19 pandemic, Goodwill Delaware is striving further to make a difference for its employees and surrounding communities. A COVID-19 Relief Plan provides team members unable to work under the Governor’s order the opportunity to maintain pay and benefits for a period of time while stores and other sites are closed. Goodwill Delaware is advocating with Senators Chris Coons and Tom Carper for provisions to support larger nonprofits that exceed 500 employees. As the 4th largest nonprofit in Delaware, the 500 employee limit closes the opportunity for funding for vital support—central to our mission – to operate vital programs for our communities.

## Delaware Businesses Honored for Supporting Service Members and Veterans

» The Delaware Warrior Friendly Business Award recognizes businesses' efforts to support service members, veterans and their family members through workplace initiatives. The Joint Military Affairs Committee (Delaware State Chamber of Commerce and New Castle County Chamber of Commerce) and the Central Delaware Chamber of Commerce's Military Affairs Committee recognized the 2020 award recipients at the State of the Guard event on February 14.

**Healy Long and Jevin, Inc.** was honored in the Large Business category for its efforts to recruit service members and veterans, as well as create meaningful career opportunities in construction:

- Creating job postings for the military job boards at the Dover Airforce Base and the Delaware Air National Guard in New Castle, DE
- Posting positions in project management and operations management, and recognizing skills transfer—such as problem solving—from military service
- Creating internal training programs leading service members and veterans to either trades apprenticeships or construction management
- Promoting hiring veterans through trades and building associations
- Encouraging clients to hire veterans on major projects, such as the Boeing Plant project built by Skanska USA Building

**Boulden Brothers**, whose staff is comprised of approximately 20% veterans, was recognized in the Small Business category for its work in:

- Creating specific job postings directed towards veterans, which are



*From left: Carol Deatruck, Tim Boulden, and Alexis Crownover*



*From left: Bill Melis, John (Sean) Healy, and John (Jack) Healy*

posted on Boulden Brother's website as well as veteran job boards

- Targeting job openings specifically to members who are preparing to transition out of the military through communication from the Director of the Joint Support and Outreach Services

- Partnering with the Perfect Technician Academy in Texas to send veterans for training
- Promoting veterans as hardworking, reliable, committed and level-headed in difficult situations through local radio ad campaigns.



# CHAMBER SCENE



More than 100 people attended the State of the Guard event in February



The February Networking Breakfast was held at DE Council for Gambling Problems



# WELCOME New Members



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## **BIKE DELAWARE**

**www.bikede.org**

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**PO Box 426**

**New Castle, DE 19720**

Bike Delaware is a member-supported nonprofit organization that advocates for safe, convenient and fun cycling and walking for everyone.

## **THE GENERAL STORE**

**www.gscowork.com**

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The team at the General Store, a co-working space, is committed to bringing a consistently great workplace experience.

## **GOLDMAN SACHS 10,000 SMALL BUSINESSES AT COMMUNITY COLLEGE OF PHILADELPHIA**

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**(267) 299-5900**

**17000 Spring Garden St.  
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Goldman Sachs 10,000 Small Businesses is designed for business owners who have a business poised for growth! It is an educational program that drives business growth, increases job creation and drives the business owner to work strategically on their business and not work "in" their business. The curriculum

designed by Babson College of Boston, goes beyond the basic concepts that many small business courses present.

## **LAM VENTURES, INC.**

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**Wilmington, DE 198024825**

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**www.sjmetalrecycling.com**

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**New Castle, DE 19720**

Whether it is a few aluminum beverage cans, a bundle of copper wire, a need for a dumpster at your location to haul away your metals, SJM Metal Recycling has both individuals and businesses covered.

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Solayman Trading provides business consulting, import and export and engineering services.

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**www.usps.gov**

**(302) 478-3201**

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**Wilmington, DE 19803**

## **TEK ELECTRONICS, LLC**

**www.tekelectronicllc.com**

**(302) 449-6947**

**PO Box 853**

**Middletown, DE 19709**

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Founded in 2002, United Energy Trading, LLC is a fully integrated energy marketing and logistics organization with operations throughout the continental United States and Canada. They focus on energy logistics, marketing optimization, asset management, and producer services.

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# Telework Security Practices for Delaware Businesses

BY WALTER DONALDSON CFE, CFCI, CFSSP

AN ORDER BY THE GOVERNOR to “shelter-in-place of residence” took effect on March 24th in Delaware. This closed all “non-essential” businesses in an effort to slow the spread of coronavirus. Under this new order, approximately one million residents, who are not employed by an exempted business, are now only permitted to leave their homes for groceries, to fill a prescription, or go to a doctor’s appointment. Many of these individuals are now teleworking from home.

Not everyone is accustomed to working remotely and may not have considered the cyber security implications of doing so. Having the appropriate cyber security mindset could potentially save both an individual and their company from falling victim to a preventable security incident.

### General Security Configurations while Teleworking

Ideally, an organization’s IT manager has provided you with any specific rules associated with their business prior to teleworking. Absent those specific rules, there are universal security considerations individuals should establish in their home. To start, ensure that the home computer communications network is secure from any intrusion or eavesdropping. An individual can take the following steps to ensure a secure wireless network connection from home:

- Check the internet router to see if it is set up with “WPA2” or “WPA3” security.
- Make sure the router admin password is not the default password; or if so, change the password to something that only you will know.
- Ensure all devices connected to the network have current security updates installed.

### Considerations When Using Personal vs. Business Devices

There is an increased security risk when using personal devices as opposed to using business devices with enhanced security features.

**Passwords:** If an individual is using their own computer or mobile device for teleworking, the employee should make sure they’ve enabled basic password authentication to access their device. Additionally, if two-factor authentication is available on any of the services or sites that are accessed on the computer, they should also be turned on.

**Saving Information:** Individuals often download company materials to their personal laptop, desktops, USB drives and cloud hosting services, like BOX or Dropbox. These methods of saving company information directly onto your personal hard drive should not be done without authorization.



**Anti-virus Software:** Short of installing your business's approved security solutions, like anti-virus software and network security settings, your personal computer is at an increased risk of compromise. An individual should ensure that they have an antivirus solution installed on their computer and that auto updates are turned on to ensure that their computers are up to date with the most recent security software patches.

**Virtual Private Network:** If an individual's business uses a virtual private network (VPN), they should ask if it can be installed on a personal device.

**Downloading Software to a Computer:** Business devices that have been issued to an employee should already have a standard image on the machine that includes all company approved software, security solutions and configurations. An employee should check with their IT manager prior to downloading any new software to the device. An IT manager should be able to remotely access into your machine to provide assistance, if needed.

### Current Cyber Schemes

The FBI's Internet Crime Complaint Center ("iC3") has seen an increase in attacks during this coronavirus pandemic. For example, they have reported instances of fake CDC emails that deliver malware intended to steal information or to lock a person's computer, and then demand payment in order to "unlock" the computer. Phishing emails have also increased regarding charitable contributions; airline refunds; fake cures for the virus, vaccines and fake testing kits.

All of these scams can be avoided by some basic email and internet guidance to protect yourself from falling victim:

- Do not open attachments or click links within emails from senders you don't recognize.
- Do not provide your username, password, date of birth, social security number, financial data, or other personal information in response to an email.
- Always verify the web address of legitimate websites, and manually type them into your browser.
- Check for misspellings or wrong domains within a link (for example, an address that should end in a ".gov" ends in ".com" instead) ■



**Walter Donaldson** CFE, CFCI, CFSSP is a Managing Director of Freeh Group International Solutions, LLC (FGIS) headquartered in Greenville, Delaware. FGIS provides professional services in the areas of compliance, investigations & due diligence, safety & security and cybersecurity. For further information about how FGIS can assist your organization, please contact the office at +1 302-824-7533, or online at [www.freehgroup.com](http://www.freehgroup.com).

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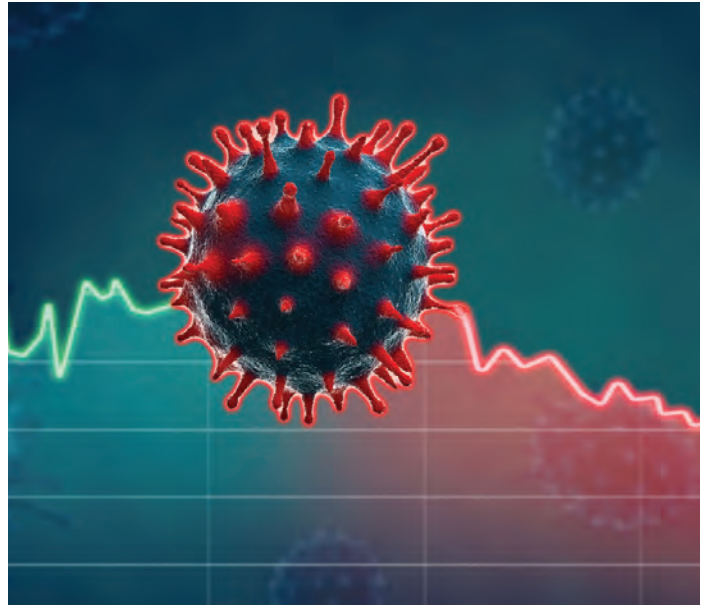
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# Risk Management

## Keeping Your Business Running and Protecting Your Employees and Reputation

BY RALPH PETTI, MBCI, CBCP, GRCP, CERT



**THE PANDEMIC.** It has changed our lives forever – and is still a threat that is lingering and will have to be completely extinguished. As 9/11 and Hurricane Sandy were major incidents that severely impacted our region, they both had end-dates that could be reached as we worked together to settle things. The COVID-19 virus pandemic is something for which there may not be an antidote, as of this writing, for upwards of a year.

It's a hard lesson to learn when someone tells you what to do and you are giving up a little bit of your American freedom, but with the pandemic, we had no choice except to act. If we did not listen to the authorities and act on their recommendations, we would be looking at a much longer period of stress, isolation, compromise and major medical issues.

In Delaware, no other major disasters experienced have had the impact that the pandemic has had on our communities. We have had major events that disrupted our lives, but life has gone on. Delawareans are survivors and we are doing our best to get through this calamity. But there is a silent disaster event always lurking nearby us.

Major disaster events happen every day that can truly affect your business. These could be fires, blackouts, terrorism, cyberattacks, severe weather, road closures, etc. These events compromise employees, products, facilities, transportation and communication methods, supply chain partners and the list goes on.

If you are just backing up your data with your disaster recovery plan, you are not planning for the continuation of business processes. Disaster recovery is not business continuity planning!

Business continuity planning can:

- Protect the safety of your employees, clients, stakeholders and their families
- Keep your reputation intact by having all employees understand what to do
- Clearly understand all your business processes and obligations
- Clearly identify all of your key suppliers and their impact on you
- Help to rectify your business risks and exposures that you may have

- Create specific crisis management plans that can be used internally and externally
- Coordinate with any disaster recovery backup or IT services providers
- Establish ONE plan: succession planning, evacuation planning, employee safety, etc.

The pandemic. 9/11. Hurricane Sandy. All major events. Most have ended and we moved on. Some may not. It's up to you to consider a simple and affordable "All-Hazards Planning" model that is easily completed and maintained by your own team.

The most important things that you can consider as a business owner, whether you are a Small-Medium Business or a Global Enterprise Business, is the protecting your employees and your company's reputation. Roughly 80% of all businesses that do not have a plan when an incident strikes may go out of business within two years. By having a plan, your company will be able to optimize the way that you operate and be a viable and successful member of the community. ■



**Ralph Petti, MBCI, CBCP, GRCP, CERT** is a certified risk manager focusing on business continuity planning to help ensure that businesses prepare for, and survive from, disaster events of all kinds. A four-time Delaware State Chamber Ambassador-of-the-Year, Ralph is also a licensed realtor and insurance professional and conducts his risk management work through Continuity Dynamics, Inc. and Readiness Associates, LLC, and partners with the likes of FEMA and DHS.

# SBA Offers Disaster Assistance to Delaware Small Businesses Economically Impacted by the Coronavirus

THE U.S. SMALL BUSINESS ADMINISTRATION is offering low-interest federal disaster loans for working capital to Delaware small businesses suffering substantial economic injury as a result of the coronavirus (COVID-19), SBA Administrator Jovita Carranza announced. SBA acted under its own authority, as provided by the Coronavirus Preparedness and Response Supplemental Appropriations Act that was recently signed by the President, to declare a disaster following a request received from Gov. John Carney.

The disaster declaration makes SBA assistance available in the entire state of Delaware; contiguous counties of Caroline, Cecil, Dorchester, Kent, Queen Annes, Wicomico and Worcester in Maryland; and Gloucester and Salem in New Jersey.

“SBA is strongly committed to providing the most effective and customer-focused response possible to assist Delaware small businesses with federal disaster loans. We will be swift in our efforts to help these small businesses recover from the financial impacts of the coronavirus (COVID-19),” said Administrator Carranza.

SBA Customer Service Representatives will be available to answer questions about SBA’s Economic Injury Disaster Loan program and explain the application process.

“Small businesses, private nonprofit organizations of any size, small agricultural cooperatives and small aquaculture enterprises that have been financially impacted as a direct result of the coronavirus (COVID-19) since Jan. 31, 2020, may qualify for Economic Injury Disaster Loans of up to \$2 million to help meet financial obligations and operating expenses which could have been met had the disaster not occurred,” said Carranza.

These loans may be used to pay fixed debts, payroll, accounts payable and other bills that can’t be paid because of the disaster’s impact. Disaster loans can provide vital economic assistance to small businesses to help overcome the temporary loss of revenue they are experiencing,” Carranza added.

Eligibility for Economic Injury Disaster Loans is based on the financial impact of the coronavirus (COVID-19). The interest rate is 3.75 percent for small businesses. The interest rate for private nonprofit organizations is 2.75 percent. SBA offers loans with long-term repayments in order to keep payments affordable, up to a maximum of 30 years and are available to entities without the financial ability to offset the adverse impact without hardship. ■



*“SBA’s Delaware office is available to help small business owners understand our loan programs, and help them through the process”*

– John Fleming, Director, Delaware District Office,  
Small Business Administration

Applicants may apply online, receive additional disaster assistance information and download applications at <https://disasterloan.sba.gov/ela>. Applicants may also call SBA’s Customer Service Center at (800) 659-2955 or email [disastercustomerservice@sba.gov](mailto:disastercustomerservice@sba.gov) for more information on SBA disaster assistance. Individuals who are deaf or hard-of-hearing may call (800) 877-8339.

Completed applications should be mailed to U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155. **The deadline to apply for an Economic Injury Disaster Loan is Dec. 18, 2020.**

For more information about coronavirus, please visit: [Coronavirus.gov](https://coronavirus.gov). For more information about available SBA resources and services, please visit: [SBA.gov/coronavirus](https://SBA.gov/coronavirus).



# TIPS FOR MANAGING YOUR FINANCES

Information as of April 7, 2020

As the novel coronavirus disease (COVID-19) continues to impact communities in Delaware and across the country, America's banks are taking steps to respond to the needs of individuals and small business owners directly affected. This support will vary by institution and the customer's specific circumstances, but could include, for example, fee waivers; deferred payments for credit cards, auto loans and mortgages; loan modifications; low-rate and zero-rate loans, and other accommodations.

## CONTACT YOUR FINANCIAL INSTITUTION

Any individuals and small business owners financially impacted by the outbreak should contact his or her financial institution.

- **Phone:** Call the number on the back of your credit card or debit card. The customer representative will be able to help you with your questions or direct your call, as needed. As many customers are asking for support at this time, you may experience longer wait times.
- **Online:** Most bank websites have specific information about how their institution is responding to customers impacted by COVID-19, including ways to contact them for assistance.
- **Mobile:** Many transactions that can be performed online or over the phone, can also be done on mobile banking apps. If you have not installed the app for your financial institution, they can often be found on the Apple or Google app stores or on your bank's website.
- **ATMs:** Banks are taking a number of extra steps to ensure ATMs are a clean and safe way to conduct everyday banking transactions. Check the website of your financial institution for nearby ATM locations.
- **Financial Centers:** If you need to speak with someone in-person, banks have taken a number of steps to ensure their branches are clean and safe for customers. Branch hours may be different than normal and some branches may be closed at this time. Check the website of your local institution or call for additional information about hours of operation.

The Federal Deposit Insurance Corporation (FDIC) has developed a [list of frequently asked questions for bank customers affected by COVID-19](#) which provides information related to a number of banking topics, including deposit insurance, access to money, credit and FDIC operations.

For more information about what specific banks are doing to support customers, clients, their employees and communities where they operate, visit the [American Bankers Association Industry Response to the Coronavirus page](#).

## FINANCIAL ASSISTANCE PROGRAMS FOR SMALL BUSINESS OWNERS

In addition to the steps that banks are taking to help all customers, there are a number of government-sponsored programs in place to help small business owners and their families impacted by the COVID-19 response:

- **Small Business Administration (SBA):** The Small Business Administration has a number of programs to support small business owners during these times, including the Paycheck Protection Program and Economic Injury Disaster Loans. Visit their [Coronavirus \(COVID-19\): Small Business Guidance & Loan Resources page](#) for information about this and other programs available to small business owners.
- **Delaware's Hospitality Emergency Loan Program (HELP):** Delaware is offering the [Hospitality Emergency Loan Program \(HELP\)](#) which provides financial relief for restaurants, bars and other businesses in the hospitality industry that employ thousands of Delawareans. Eligible businesses that have been in operation for at least a year and have annual revenue below \$1.5 million can apply for no-interest loans capped at \$10,000 per business per month. The loans are to be used for rent, utilities and other unavoidable bills (no personal expenses) and have a 10-year term with payments deferred for nine months. Email [business@delaware.gov](mailto:business@delaware.gov) to learn if you qualify or call (302) 739-4271 with additional questions.

For current information related to Delaware's response to the COVID-19 outbreak, please visit the state website at [de.gov/coronavirus](http://de.gov/coronavirus). Information available on the site includes recent announcements from the governor, updates on health care, testing & schools and additional resources for vulnerable populations.



# Navigating the New Coronavirus Laws

BY KATHERINE WITHERSPOON FRY

THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT (the “FFCRA”) was signed into law on March 18 and took effect on April 1. The Coronavirus Aid, Relief, and Economic Securities Act (the “CARES Act”) was enacted and immediately implemented on March 27. These new laws, which impact an estimated 61 million employees, may enable employers to meet expenses, including payroll, provide paid leave to employees to prevent further spread of COVID-19 in the workplace, and allow workers to collect unemployment benefits if all else fails.

The best approach is proactive: learn the laws’ requirements and benefits. Then use the information to make a plan that minimizes exposure to COVID-19, maximizes payroll, and maintains productivity. For instance, dollar-for-dollar tax credits are available for paid leaves and employment taxes. Low-interest and interest-free loans are available to pay employees, and employers may delay payment of the employer’s share of Social Security taxes. Learn the available options and document expenses.

Adhere to the specific provisions of the FFCRA in order to prevent spread of COVID-19 in the workplace during times when essential businesses continue to function. Business owners should be aware that after 2020, when the law is no longer in force, employees are likely to pursue a significant amount of litigation for violations of the law. Moreover, the Department of Labor historically aggressively pursues employers who violate the Fair Labor Standards Act; the FFCRA will be enforced under the same standards. The penalties, which include back pay to workers, double damages, and a fine for willful violation, are hefty. Note that the Department of Labor will not penalize employers for failure to comply until April 18, as long as they acted in good faith to do so prior to that time.

The FFCRA requires employers of up to 500 employees to provide two weeks of paid sick leave when the worker is not able to report to work or telework, in the following circumstances: 1) to seek treatment for COVID-19 and to recover; 2) when ordered to do so, to self-quarantine due to exposure to COVID-19; 3) to care for someone whom the employee would be expected to tend when ill or ordered to quarantine; and 4) to care for their children whose schools or daycares are closed, or who are not able to care for themselves due to a disability, at two-thirds of regular pay. This law covers all employees, whether full-time or part-time, including those jointly employed by another employer, such as a temporary agency. The amount payable is capped at \$500 per day. There are exemptions for health care workers and first responders.



The second type of leave mandated by the FFCRA is an additional 10 weeks of leave at two-thirds regular pay to care for children, as set forth above, for those who have been employed for 30 days or who are re-hired during 2020. The amount payable is capped at \$200 per day. Again, this paid leave is only mandated when the employee is unable to work or telework. However, employers and employees may agree to work part-time and take intermittent leave totaling 10 weeks. The law encourages flexibility in granting leave, and this may benefit the employee who has the ability to work part-time and share leave with a spouse, for instance. Employers of less than 50 may apply for exemption from this portion of the FFCRA under certain circumstances such as when the worker’s absence would make it impossible for the company to function.

In addition to understanding the leave provisions, employers should also avail themselves of the loans, employment-tax deferrals, and other benefits offered under the CARES Act to meet payroll and other employee expenses. The CARES Act also increased availability of unemployment benefits, including part-time benefits for employees whose hours are cut due to economic downturn, while lowering or eliminating requirements to search for work while furloughed or working reduced hours. If companies can’t afford payroll, even with available loans and tax credits, this allows workers to collect unemployment at the regular rate plus \$600.00 per week for 13 weeks and regular unemployment for an additional 26 weeks.

Education is the key to navigating these straits. Knowledge of these laws enables employers to maximize benefits to employees while ensuring workplace safety during this storm. This may provide all parties with a little sorely-needed peace of mind. ■



**Katherine Witherspoon Fry** is Principal at Offit Kurman.

# Superstars in Education

The Delaware State Chamber of Commerce  
and its affiliate, The Partnership, Inc.,  
are pleased to announce the  
2020 Superstars in Education award winners

THIS YEAR MARKS THE 28TH YEAR that we celebrate educators and their programs and students, recognizing them for their innovative thinking and passion in building a brighter future for Delaware.

The 19 members our Selection Committee, chaired by Dr. Linda Poole and Dr. Rob Rescigno, met over the course of three months to choose our winners. The rigorous process included reading and grading applications, meeting to discuss the merits of each application and finally, making site visits to get a firsthand look at the finalists in action. Our selection committee returned full of excitement and fun stories from the site visits. This year we are proud to recognize three programs from around the state as our 2020 Superstars in Education award winners. These dedicated educators are creative and passionate about their programs. The students are engaged and eager to be lifelong learners, sharing meaningful and impressive testimonials about the impact these special programs have made on their lives.

Superstars in Education is charged with recognizing outstanding educa-

tional programs and individual achievements. This event highlights excellence in science teaching, integrated classroom technology and school-to-career partnerships. It also serves the business community and its investment in the future. A strong workforce is imperative to economic development in the state. A skilled and educated workforce draws businesses to our state and encourages existing businesses to expand right here in Delaware. Whether college bound, preparing for a trade job or working in the manufacturing world, students need to be equipped with the knowledge and skills to be productive employees and citizens. Today's students are tomorrow's workforce.

The Partnership, Inc. is the 501(c)(3) education affiliate of the Delaware State Chamber of Commerce. It was created to promote charitable and educational activities by developing and fostering programs that encourage private sector involvement in workforce development and education. Superstars in Education and Delaware Principal for a Day are the organization's flagship programs.



## Meet The Partnership, Inc. Board of Directors 2020



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## 2020 Winners

### W.O.L.V.E.S READING PROGRAM

#### Las Américas ASPIRA Academy, Charter School

The W.O.L.V.E.S. Reading Program is aligned to Las Américas ASPIRA Academy's (LAAA) mascot, mission, and vision by fostering a culturally inclusive community that honors and helps all students realize their full potential in English and Spanish content area classrooms and beyond. The program enhances the balanced literacy framework at LAAA by embedding language acquisition scaffolds so that all students, English Language Learners (ELLs) included, improve their literacy achievement and ultimately close the reading achievement gap.

### STUDENT ADVISORY PROGRAM

#### Talley Middle School, Brandywine School District

At Talley Middle School, teaching and fostering positive social behaviors is important to academic success and creating responsible citizens in the local community. The program was created with the goal of providing a systematic way to teach social emotional lessons and engage students in important age-appropriate conversations that help them grow as individuals.

### SUSSEX TECH HEALTH PROFESSIONS PROGRAM

#### Sussex Technical High School, Sussex Technical School District

Of the school's 17 career-technical areas, the Health Professions Program is the most popular. Through classroom and clinical instruction, students gain hands-on experience and training for a range of careers in medical or healthcare fields. The four-year program prepares students to ultimately achieve certified nurse assistant (CNA) status, which allows graduates to enter the job market immediately upon graduation or to work in their field and earn an income while pursuing higher education.

## 2020 Superstars in Education Selection Committee

**Linda Poole** Co-chair  
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**Nick Christine**  
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Christiana Mall

**Connie Montaña**  
Bank of America

**Peggy Strine**  
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**Eric Bentley**  
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**Michael Marinelli**  
Archmere Academy

**Beverly Stewart**  
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**Carolyn Zogby**  
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**Mary Liz Biddle**  
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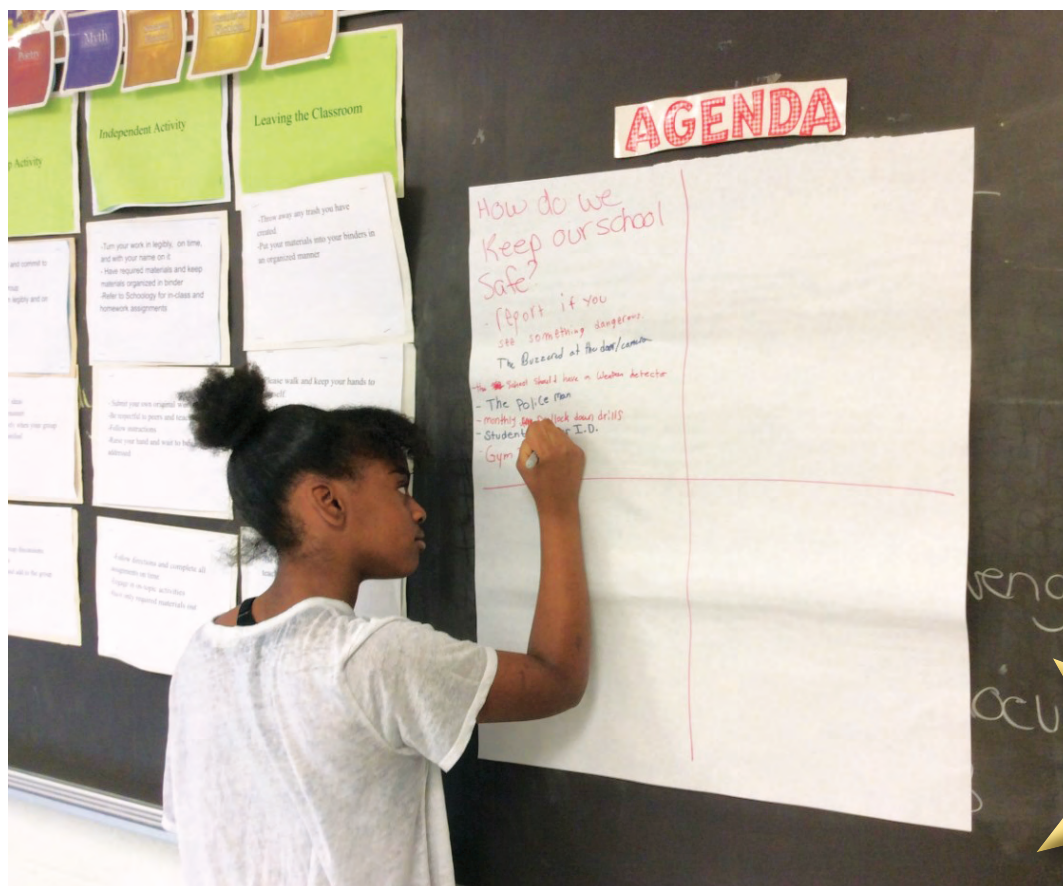


The Partnership, Inc. is the 501(c)(3) education affiliate of the

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\*As of  
4/9/20





# Illuminating Topics that Make a Difference

Talley Middle School's Student Advisory Program **BY COLIN HEFFINGER**

FOR THE AVERAGE MIDDLE SCHOOLER, it can be challenging to speak with others about topics that are sensitive and important. At this age in their lives, students typically stray away from confining in their family members for guidance. This creates a need for a safe space in which students feel comfortable to discuss a variety of important topics such as bullying, handling conflicts with peers, social media behavior and more.

Enter Talley Middle School's Student Advisory Program, a school-wide program that provides lessons where students, parents, teachers and administrators work together to shine light onto topics that are significant and relevant to students. Lessons are taught grade-wide to pocket-sized groups of students, which create an environment where students feel comfortable discussing their perspective on topics that would otherwise be challenging.

Melinda Tartaglione, assistant principal at Talley Middle School, reflects on the success of the program. "The goal of the Student Advisory Program is to give students a safe space and dedicated time to talk about topics that are important to them at their grade level. We used some generic lessons but then adjusted them to fit the overall program and message in our building. Positive behavior lessons are written specifically for topics and built with examples that fit our students and building, as well as giving students an interactive and creative way to process the material. We enjoy using community circles, artwork, modeling, and guided discussions in a small class environment to make lessons powerful."

The Student Advisory Program acts as a catalyst for growth and increased academic performance amongst students. By actively confronting



# Superstars in Education

daily topics and issues that students face, the program helps students effectively grow as individuals and contribute to the learning opportunities of their grade level.

The program enlightens students on topics such as cyberbullying, anxiety, current events, how to handle issues with peers and understanding the differences between students with disabilities. There's also a larger theme that remains consistent throughout all lessons: the powerful impact of perspective and understanding others through empathy.

"The overarching message of our program is our 212° motto: Go the Extra Degree," Melinda explains. "Be 212° and go the extra degree! At 211° water is hot, but at 212°, water boils. And with boiling water comes steam. With steam you can power a train. One degree makes all the difference. This is a message we learned from author Sam Parker, and we have worked to make it a strong part of the program we share with our Talley Family."

Teachers, administrators, parents and students all play a critical role in the success of the Student Advisory Program. Grade level teams discuss



what they see in their classrooms to shape lessons and determine which topics can be taught to the whole grade level. As the program continues to grow, sharing the topics more will support students further as parents could continue conversations outside of the classrooms to reinforce major themes and structure a level of consistency. A student panel will also provide feedback on the effectiveness of lessons as well as providing new ways to make activities engaging and exciting for students at the end of the year.

Melinda reflects on the future for their program beyond Talley Middle School. "The Student Advisory Program shares ideas with schools in the district," Melinda continues. "Other schools have adopted the program and really enjoy it so far. We

look forward to continuing to provide students with a safe space to discuss topics that are important to them." ■

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DELAWARE TECH





# Wolves That Learn and Grow with the Pack

The impact of overcoming language barriers **BY COLIN HEFFINGER**

NOT ALL WOLVES are the same. A rising population of pups, often English Language Learners (ELLs), may struggle to express their ideas in English while concurrently learning the written, verbal, and audio aspects of the language. This continuous battle to express their thoughts and ideas in English, combined with teachers' lack of preparation in teaching ELLs, can create a language barrier that is often difficult to surmount. ELLs are as capable as every other student to think at cognitive levels about complex texts through scaffolded instruction to ensure comprehension.

Due to the growing ELL population, Las Américas ASPIRA Academy

(LAAA) designed and implemented the W.O.L.V.E.S. Reading Program in 2017, which addresses the problem of limited teacher instruction and student engagement in grade-level, complex texts with language acquisition scaffolds. LAAA is a K-8 charter school utilizing a bilingual programmatic focus called dual language education in which instruction is given in both English and Spanish. The W.O.L.V.E.S. Reading Program builds from this structure by directly engaging students through complex reading immersion in Spanish and English language literature, which expands via written and verbal learning instruction within groups.



# Superstars in Education

“The purpose of the W.O.L.V.E.S. Reading Program is to enhance the balanced literacy framework at LAAA by embedding language acquisition scaffolds so that all students, English Language Learners (ELLs) included, would improve their literacy achievement and ultimately close the reading achievement gap,” reflects Emily Edmonds-Eveland, Director of Curriculum and Instruction for Las Americas ASPIRA Academy. “Students are excited when its W.O.L.V.E.S. reading time because it provides complex reading tasks in English and Spanish that students can read and understand.”

LAAA partnered with the University of Delaware and Dual Language Education of New Mexico to receive professional development on a variety of biliteracy instructional strategies including Sheltered Instruction Observation Protocol, Thinking Maps, and Literacy Squared. Teachers used this knowledge to create over 300 lessons in English and Spanish with embedded language and literacy acquisition scaffolds with accompanying trade books which are incorporated during small group (K-2) and shared reading (3-5) instruction.

Since its inception in 2017, the W.O.L.V.E.S. Reading Program has made huge strides for the future. It has been actively presented at the La Cosecha Dual Language 2018 and 2019 New Mexico Conferences, as well as at the ISTE 2019 Philadelphia conference, where the program was given back to communities. Over 300 lessons created through the W.O.L.V.E.S. Reading Program are available online, providing the opportunity for other schools across the nation to build from the program.

Emily elaborates further on opportunities for other schools to utilize the

W.O.L.V.E.S. Reading Program in their teaching curriculum. “The English Language Arts Common Core State Standards requires teachers to teach with more challenging texts and for students to be able to read and comprehend complex literary and informational texts independently and proficiently; therefore, it is important for both teachers and students to be supported in this process,” Emily continues. “Teachers need to be encouraged because there are so many scaffolds and strategies out there. It’s about finding the ones that students need, being creative and adjusting the program to fit their students. For teachers working with ELLs, the W.O.L.V.E.S. Reading Program can be helpful to them as well.” ■

In the face of the current COVID-19 pandemic, the W.O.L.V.E.S. Reading Program has quickly adapted by using blended learning models to effectively teach students that are unable to attend classes in person. Teachers are actively making flipped lessons, shared reading approaches for grades 3 through 5, and Zoom video conferences to provide students with the opportunity to continue reading and engage in discussion about the text with their teachers and classmates. By bringing the classroom lessons online, teachers can keep their students involved from the safety and comfort of their homes.

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# Preparing the Next Generation

Sussex Tech's Health Professions Program **BY KELLY BASILE**

WHETHER IT BE COLLEGE, career or military service, Sussex Technical High School's 17 career-technical programs are aimed at preparing students for their futures. As a countywide vocational-technical school, their mission is to serve students and employers alike.

One area of employers with great needs are those in the health care sector. The recent COVID-19 pandemic has not only given people a greater appreciation for health care workers but also proved how critical these professionals are to the country's wellbeing.

According to the Centers for Disease Control and Prevention, health care is the fastest-growing sector of the U.S. economy, employing over 18 million

workers. This career cluster in Delaware alone has the most new jobs projected through 2026, making up 8.4 percent of the state's total new jobs.<sup>1</sup> The nursing assistant field will have an estimated 789 job openings and registered nurses will have an estimated 761 annual openings in the state.<sup>2</sup>

To help fill these job gaps, Sussex Technical High School created the health professions program. Through classroom and clinical instruction, students gain hands-on experience and training for a range of careers in medical or health care fields.

"The health professions program is the most popular of the school's career-technical areas," says Dr. John Demby, principal. "Students are



# Superstars in Education

*“I wanted to learn a trade and prove to the naysayers that learning a skill does not subtract from the value of academics – rather, it enhances it.”*

**- Karli Sunnergren, Class of 2019 Valedictorian**



attracted to the theme of serving others and the job opportunities upon graduation, and our employers are fantastic supporters.”

This four-year program prepares students for a variety of jobs and ultimately gives them the opportunity to earn their certified nurse assistant (CNA) certification, which will allow graduates to enter the job market immediately upon graduation or work while pursuing higher education.

“Our students have consistently gone on to professions in the health sciences – as physicians, surgeons, researchers, nursing providers, and other varied career paths,” explains longtime instructor Nancy Massaro. “Over the last two decades, graduates have worked for the National Institutes of Health and the Centers for Disease Control and Prevention. They’ve become veterinarians, traveling health care providers, biotechnical engineers, and worked for local schools, nonprofits and businesses.”

Students learn everything from how to measure and record blood pressure and other vital statistics; apply dressings; recognize signs and symptoms of illnesses and medical conditions; use basic nutrition principals to prepare and serve meals; to executing basic safety techniques to control infectious disease.

Students also learn and practice soft skills such as respecting patients’ cultural or religious beliefs; understanding patient and family needs for emotional support; identifying learning needs and mental illness; and understanding professional responsibilities and duties as a key member of a health care team.

To ensure the soft and hard skills needed for the students to be successful professionals, Sussex Tech engages an advisory committee comprised of local businesses in the industry to provide real-world connections to current industry equipment, standards, and practices.

What’s more, Sussex Tech’s health professions program saw 100 percent of graduating seniors pass the state CNA licensing exam in 2019. This puts the program on the same level as the top nursing education programs in Delaware. Of the roughly 30 approved CNA training programs in the state – most of which cater to adult learners – only eight have 100 percent pass rates.

Proof of success isn’t just in the numbers, it’s also clear when one listens to what the students have to say about the program’s impact on their futures.

“I’m so grateful to have CNA experience, as they are underappreciated but vital aspects of patient care,” says recent graduate Karli Sunnergren, who plans to pursue a career in medicine or medical research. “No matter where I work in health care, I will always be appreciative of all that CNAs do.” ■

To help Delaware’s health care workers battle the coronavirus, the Sussex Technical School District donated extra medical supplies and protective equipment to staff at Nanticoke Memorial Hospital in Seaford and Beebe Healthcare in Lewes.

“In this fight, everyone has to do their part. For Sussex Tech, that means supporting our front-line nurses and doctors here in our community,” said Superintendent Stephen Guthrie. “We know these extra supplies will go to a life-saving cause. Sussex Tech has educated local medical professionals for the last six decades, and we stand behind them all the way.”

The items donated include 8,800 gloves, 35 surgical gowns, 30 personal protective gowns, five biohazard protective kits, seven boxes of alcohol wipes, 23 bottles of hand sanitizer, 10 boxes of masks, 11 boxes of thermometer covers, sanitizer wipes, and other supplies.

The donations were provided by the high school and adult education health professions programs and the high school nurses’ staff.

*1 Delaware 2026 Occupation & Industry Projections, Delaware Department of Labor, July 2018.*

*2 Delaware Career Compass, 2019-2020 Edition, Delaware Department of Labor.*



# One Group's Vision for Student Success

2020 John H. Taylor Jr. Education Leadership Award Winners,  
Marvin "Skip" Schoenhals, Ernie Dianastasis, and Gary Stockbridge

BY MATT AMIS

"THERE ARE SO MANY PEOPLE in Delaware that really have a passion for education," muses Gary Stockbridge, regional president of Delmarva and Atlantic City Electric. "And 80 percent of the stuff we all have a passion for, we all actually agree on."

"But so often today, people spend 90 percent of their time on the 10 percent of the stuff that they don't agree on—fighting. There is so much stuff we can work together on; let's focus on that and let's get stuff done."

Therein lies the ethos of The Vision Coalition of Delaware, a group that Stockbridge chairs, and one of the nation's most enduring public-private partnerships dedicated to improving public education on a state-wide level.

The longstanding coalition has given a space for business leaders like Stockbridge—or Ernie Dianastasis, CEO of The Precisionists, Inc., or Marvin "Skip" Schoenhals, the retired former board chair of WSFS Bank—

to work with district superintendents, state-level policymakers, grassroots advocates, nonprofit leaders, and more, for 16 years.

"The concept of trying to transform public education as a businessperson, what would be more important than talent acquisition and retention?," says Dianastasis. "From that perspective, what better way to help than with the farm system, our K-12?"

The Vision Coalition is tasked with helping Delaware create – and deliver on – aspirational, long-term blueprints for modernizing and improving the state's public education ecosystem, so that all children—not just those from well-off families—have a chance to succeed and grow into healthy, productive citizens.

They are the group responsible for Vision 2015, a ten-year plan released in 2005 that was hailed as one of the most comprehensive and coherent education plans in the nation. Vision 2015 focused on nearly



# Superstars in Education

every aspect of public education to provide students with greater and fairer opportunities.

“My involvement began really out of a personal conviction to help people learn how to be able to function at the level of which they were capable,” Schoenhals says. “That they would have the opportunity to get an education that would maximize their potential...It doesn’t take you long to think about...the huge economic impact that that has on society.”

While Vision 2015 earned local and national acclaim, it also set Delaware up for a huge federal windfall. The planning and convening set Delaware up to have the highest scoring plan in the U.S. and to win \$119 million through the federal Race to the Top competition in 2009.

Delaware moved on more than 75 percent of the policy recommendations set forth in the Vision 2015 plan and held annual conferences each year to hold themselves accountable

As technology and modern approaches began making their way into classrooms, the coalition released Student Success 2025 in 2015 to help inform the priorities of the next decade.

Based on feedback from 4,000 Delawareans, Student Success 2025 acknowledges that, to truly succeed in the future, students will need more than just core academic knowledge. To tackle tomorrow’s problems and excel in the jobs of the future, students will need “soft” skills and attributes like creativity, flexibility, and curiosity.

The goal is for all Delaware students to thrive, accomplish more, and take advantage of expanded opportunities aligned with their unique skills, interests, and abilities. This includes providing support needed for all

## How Have Our Public Schools Improved Over the Last Decade?

- **Early Learning has grown and improved:** 10,000 students enrolled in high quality early learning programs in 2018, a 49 percent increase.
- **More parents are choosing our public schools:** Over the last decade, parents of about 13,000 children have voted with their feet and moved back to our public schools
- **More high schoolers are graduating:** Since the establishment of a sound measure of high school graduation in 2013, we’ve seen a steady increase, up from 80 percent to 87 percent.
- **Delaware is a national leader in Career Pathways:** Starting with just 27 students six years ago, we now have 16,000 students engaged in meaningful work experiences, earning opportunities for industry credentials and early college credits.
- **More of our young people are ready for college and careers:** A big uptick in college credit attainment while still in high school (e.g. 44 percent increase in the number of high schoolers taking dual enrollment courses from SY 2016) and a 43 percent decrease in youth unemployment over the last eight years.



students to succeed, including students who are homeless, living in foster care, hungry, neglected, physically disabled, cognitively challenged, or learning English. Student Success 2025 has six key tenets:

- The state should prioritize investments in early learning.
- Schools should harness technology to personalize learning for students.
- College and workforce training should be more accessible after high school.
- The state’s funding system must be overhauled to be more efficient and fair.
- Educators should receive top-notch training and in-school support.
- Schools should work better together towards common goals.

This long-term vision is critical, but the future is here. The commitment of the business community is paying off. More of our young people are attending high quality early learning, coming back to our public schools, completing high school, and getting into college and careers (see side bar).

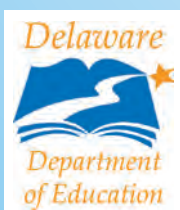
Back when Skip was the chair of the Vision Coalition, only about a third of our young people were in full-day kindergarten and there was no way of measuring quality across our early childhood providers. Today, all kids have access to full-day kindergarten and there is STARS, a statewide quality-rating system benefiting 10,000 of our youngest learners per year. This took steady, persistent advocacy over a decade.

Likewise, the business community played a lead role in helping catalyze the state’s effort to launch career pathways. By working in partnership with the state, higher education, our schools and non-profits, Delaware is now seen as a national leader in connecting our young people to a range of fast growing industries. The private sector’s willingness to invest early in this idea helped it grow from just 27 students in 2014 to what will be 20,000, or half of our high schoolers, next year. “A lot of it is happening now!,” says Dianastasis. “What a wonderful connection point between industry and the kids and schools. If we didn’t have that foundation and alignment laid with the Vision Coalition, it would’ve been a lot harder to get something started.”

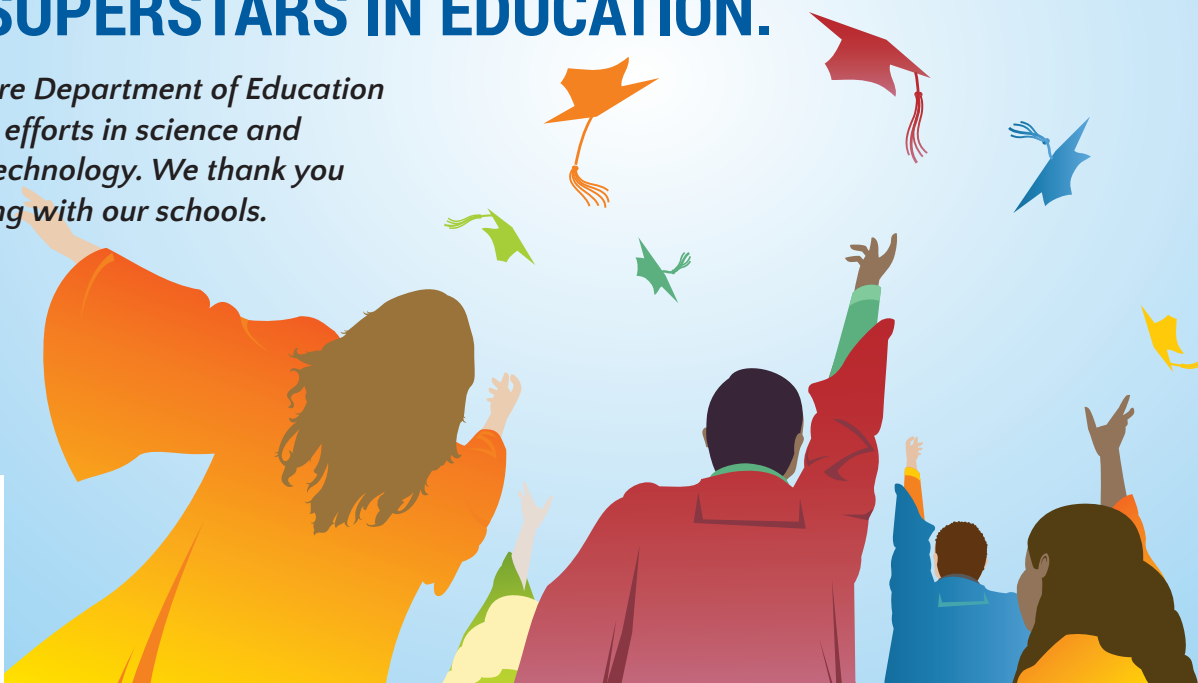
The business community needs to continue to be at the table and lead. The hard work of building a world-class system of public schools takes more than any political cycle. These three leaders exemplify the commitment the First State needs to continue to grow and improve. ■

Whether they're off to college or heading directly into a trade or technical career,  
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Recognizing the need to foster working relationships between business leaders and educators, The Partnership, Inc. created the Delaware Principal for a Day program to provide the business community an opportunity to spend the day in a Delaware school, carrying out the daily responsibilities of a principal.

# DELAWARE Principal FOR A DAY

**In 2019, 117 school visits were scheduled in every type of school in every corner of the state!**

## APPOQUINIMINK SCHOOL DISTRICT

### Bunker Hill Elementary School

Dr. Edmond Gurdo, Principal  
Jvonne Oliver, M&T Bank

### Lorewood Grove Elementary School

Melisa Stilwell, Principal  
Brian DiSabatino, EDiS Company

### Meredith (Everett) Middle School

Nick Hoover, Principal  
Katie Wilkinson, Fulton Bank

### Middletown High School

Matthew Donovan, Ed.D, Principal  
Gen. Brig. Michael Berry, DE National Guard

### Silver Lake Elementary School

Christy Boyd, Principal  
Bridgette Boody, Rodel

### Waters (Alfred G.) Middle School

Dr. John Tanner, Principal  
Jerry Doherty, EDiS Company

## BRANDYWINE SCHOOL DISTRICT

### Brandywine High School

Keith Rolph, Principal  
Dr. Pat Smith, Holmes Smith Consulting Services

### Carrcroft Elementary School

Mark Overly, Principal  
Matt Stehl, M&T Bank

### Claymont Elementary School

Tamara Grimes-Stewart, Principal  
Sec. Rick Geisenberger, DE Dept. of Finance

### Concord High School

Mark Mayer, Principal  
Douglas Azar, ChristianaCare

### P.S. duPont (Pierre S.) Middle School

Delethia McIntire, Principal  
Rick Deadwyler, Corteva Agriscience

### Forwood Elementary

Michael McDermott, Principal  
Fred Sears, Delaware Community Foundation, ret.

### Hanby Elementary School

Wendy Johns, Principal  
Barry Crozier, Belfint, Lyons & Shuman, CPAs, ret.

### Lancashire Elementary School

Veronica Wilkie, Principal  
Andrew DiSabatino, EDiS Company

### Lombardy Elementary School

Linda Jarman, Principal  
Kathy McGuiness, State Auditor



The focus on the kids' well being, academic and interpersonal skills was very impressive. In 15 years, these kids will have a dramatic impact on our community. I can't wait to see it! - **Brian DiSabatino**, EDiS Company

## BRANDYWINE SCHOOL DISTRICT (continued)

### Maple Lane Elementary School

Yulonda Murray, Principal  
Allison David, Claymont Community Center

### Mount Pleasant Elementary School

Matthew Auerbach, Principal  
Diane Sparks, Wilmington Trust

### Springer Middle School

Dr. Tracy Todd Woodson, Principal  
Greer Firestone, Heart in the Game Foundation

## CAESAR RODNEY SCHOOL DISTRICT

### Brown (W. Reily) Elementary School

Dr. Susan Frampton, Principal  
Rep. Andria Bennett, State of Delaware

### Fred Fifer III Middle School

Kimberly Corbeil, Principal  
Tina Bradbury, Downtown Dover Partnership

### Postlethwait (F. Niel) Middle School

Dr. Kristina Failing, Principal  
Rep. Andria Bennett, State of Delaware

### W.B. Simpson Elementary School

Jennfier Martin, Principal  
Katrica Miller, M&T Bank

### Star Hill Elementary School

Nicole Kurz-McDowell, Principal  
Kathy McGuinness, State Auditor

### Stokes (Nellie Hughes) Elementary School

Darisa Everett, Principal  
Trinidad Navarro, Insurance Commissioner

## CAPE HENLOPEN SCHOOL DISTRICT

### Beacon Middle School

David M. Frederick, Principal  
Pam McCutcheon, Provident State Bank

### Cape Henlopen High School

Nikki Miller, Principal  
Mark Loukides, Beebe Healthcare

### H.O. Brittingham Elementary School

Ned Gladfelter, Principal  
Shadette Brittingham, Beebe Healthcare

### Love Creek Elementary School

Lisa Morris, Principal  
Chris Moody, DE Technical Community College

### Mariner Middle School

Alfred Best, Principal  
Tamisha Hopkins, YMCA of Delaware

### Milton Elementary School

Beth Conaway, Principal  
Melanie Oliver, M&T Bank

### Rehoboth Elementary School

Amanda Archambault, Principal  
Lisa Truitt, Wilmington Trust

### Shields (Richard A.) Elementary School

Kimberly Corbidge, Principal  
Sen. Ernie Lopez, State of Delaware

### Sussex Consortium

Dr. Vivian J. Bush, Principal  
Mary Susan Jones, Microtel Inn & Suites Georgetown

From Principal Nikki Miller: We had a great day with Mark here from Beebe Healthcare! We learn so much each year with the Principal for the Day program. Thanks for wanting to learn more about how our community hospital can support Cape Henlopen High School!



Nikki Miller, Principal





## **CAPITAL SCHOOL DISTRICT**

### **Fairview Elementary School**

Melissa White, Principal  
Tina Bradbury, Downtown Dover Partnership

### **Kent County Community School**

Ryan Matthews, Principal  
Rep. William Bush, State of Delaware

## **CHRISTINA SCHOOL DISTRICT**

### **Christiana High School / Middle School Honors Academy**

Catherine Herring, Assistant Principal  
Michael Quaranta, DE State Chamber of Commerce

### **Downes (John R.) Elementary School**

Anne Park, Principal  
David LaPergola, M&T Bank

### **Keene (William B.) Elementary School**

Mariellen Taraboletti, Principal  
Tahnaya Peeples, M&T Bank

### **Kirk (George V.) Middle School**

Norman Kennedy, Principal  
Liz Farley Ripple, University of Delaware

### **Marshall (Thurgood) Elementary School**

Amy Selheimer, Principal  
Debra Troxler, DE Technical Community College

### **Newark High School**

Aaron Selekman, Principal  
Chris Manning, Nemours Children's Health System

### **Sarah Pyle Academy**

Kristina MacBury, Principal  
Caroline Jones, Kind to Kids Foundation

### **Shue-Medill Middle School**

Michele Savage, Principal  
Maureen Rozanski, BSA+A

### **Christina Early Education Center (CEEC)**

Rebecca Ryan, Principal  
Bryan VanGronigen, University of Delaware

**Delaware Technical Community College  
visited 8 schools in all three counties!**

**13 members of the General Assembly and state dignitaries participated in Principal for a Day!**

## **COLONIAL SCHOOL DISTRICT**

### **Castle Hills Elementary School**

Janissa Nuneville, Principal  
Neil Kirschling, Rodel

### **Carrie Downie Elementary School**

Douglas Timm, Principal  
Dorcas Olatunji, DE State Board of Education

### **Colonial Early Education Program**

Katrina Daniels, Principal  
Mary Liz Biddle, PNC Bank

### **Eisenberg (Harry O.) Elementary School**

David Distler, Principal  
Jenna Ahner, DE State Board of Education

### **Leach (John G.) School**

Kristina Lamia, Principal  
Yvette O'Donnell, M&T Bank

### **McCullough (Calvin R.) Middle School**

William Johnston, Principal  
Bill Topkis, Delaware Founders Initiative

### **Pleasantville Elementary School**

Jennifer Alexander, Principal  
June Roux, DE Technical Community College

### **George Read Middle School**

Nick Wolfe, Principal  
Dawn Bonavita, DE Technical Community College

### **Wilmington Manor Elementary School**

Lindsay DiEmidio, Principal  
Catrina Jefferson, CSC

## **DELMAR SCHOOL DISTRICT**

### **Delmar High School**

Michael Bleile, Principal  
Michael Quaranta, DE State Chamber of Commerce

### **Delmar Middle School**

Andrew O'Neal, Principal  
Brian Nourie, M&T Bank

## INDIAN RIVER SCHOOL DISTRICT

### Clayton (John M.) Elementary School

Allisa Booth, Principal  
Fred Thomas, Bethany-Fenwick Area Chamber of Commerce

### Long Neck Elementary School

Clara Conn, Principal  
Vicki Pachuta, M&T Bank

### Southern Delaware School of the Arts

Travis Bower, Principal  
Rep. Ruth Briggs King, State of Delaware

## LAKE FOREST SCHOOL DISTRICT

### Chipman (W.T.) Middle School

Robert Bennett, Principal  
John Moore, United Way of Delaware

### Lake Forest South Elementary School

Tania Alexander, Principal  
Stephenie Tatman, Dolce Bakery & Coffee Shop

## LAUREL SCHOOL DISTRICT

### Laurel Middle School

Dr. Lisa King, Principal  
Brian Allen, Fulton Bank

### Laurel High School

David Hudson, Principal  
Ryan Venderlic, Junior Achievement of Delaware

### Laurel Elementary School

Brandon Snyder, Principal  
Claudette Satchell, M&T Bank

I always look forward to Delaware Principal for a Day - a wonderful Delaware State Chamber program that gives you a brief look into the daily lives of our educators.

”

Catrina Jefferson  
CSC



## MILFORD SCHOOL DISTRICT

### Banneker (Benjamin) Elementary School

Dr. Bobbie Kilgore, Principal  
Kathy McGuiness, State Auditor

### Milford Central Academy

Gary Zoll, Principal  
Debbie Millman, M&T Bank

### Milford Senior High School

Jesse Parsley, Principal  
Scott Welch, Mohawk Electrical Systems

### Morris (Evelyn I.) Early Childhood Center

Jennifer Hallman, Principal  
Rep. Bryan Shupe, State of Delaware

### Ross (Lulu M.) Elementary School

Cynthia McKenzie, Principal  
Rob Rescigno, Wilmington





## **NEW CASTLE COUNTY VOCATIONAL-TECHNICAL SCHOOL DISTRICT**

### **Delcastle Technical High School**

Clifton Hayes, Ed.D., Principal  
Stewart Wiggins, YMCA of Delaware

### **Hodgson (Paul M.) Vocational Technical High School**

Dr. Gerald Lamey, Principal  
Danielle Hufford, ShureLine Electrical

### **Howard High School of Technology**

Kyle Hill, Principal  
Mark Brainard, DE Technical Community College

### **St. Georges Technical High School**

Dr. Shanta Reynolds, Principal  
Kathy Janvier, DE Technical Community College

## **POLYTECH SCHOOL DISTRICT**

### **Polytech High School**

Dr. Ryan Fuller, Principal  
Mark Stellini, Assurance Media, LLC

## **RED CLAY CONSOLIDATED SCHOOL DISTRICT**

### **Baltz (Austin D.) Elementary School**

Amy O'Neill, Principal  
Domenica Personti, Recovery Centers of America

### **Cab Calloway School of the Arts**

Julie Rumschlag, Dean  
Lora Johnson, DE Technical Community College

### **Charter School of Wilmington**

Dr. Jim Capolupo, Head of School  
Lora Johnson, DE Technical Community College

### **Conrad Schools of Science**

Mark Pruitt, Principal  
Nick Hoeschel, HFS Advisers

### **Cooke (William F.) Jr. Elementary**

Linda Ennis, Principal  
Pete Booker, SmartDrive foundation

### **du Pont (H.B.) Middle School**

Jay Bastianelli, Principal  
Peggy Strine, Community Development Consultant  
Liz Brown, Be Well Life Coaching

### **Heritage Elementary School**

Alice Conlin, Principal  
Mark Hutton, M&T Bank  
Rob Belfiore, EDiS Company

### **Highlands Elementary School**

Dr. Chrisaun Fitzgerald, Principal  
Debbie Bracy, Joe's Crab Shack

### **Linden Hill Elementary School**

Melissa Brady, Principal  
Rep. Michael Smith, University of Delaware

### **Marbrook Elementary School**

Melissa Phillips, Principal  
Madeleine Bayard, Rodel

### **McKean (Thomas) High School**

Brian Mattix, Principal  
Paul Herdman, Rodel

### **North Star Elementary School**

Dr. Karin Jakubowski, Principal  
Martha Gilman, Gilman Development Company

### **Richey Elementary School**

Stephanie Armstrong, Principal  
Rep. Kim Williams, State of Delaware

### **Shortlidge (Evan G.) Academy**

Maribeth Courtney, Principal  
Gerard Mahotiere, Real Estate Property Management

### **Skyline Middle School**

Frank Rumford, Principal  
Jim Wilson, Wilmington University

Thank you, Be Well Life Coaching by Liz Brown for a phenomenal visit to HB du Pont Middle School. We were so fortunate for you to see all the wonderful things that happen at HB on a daily basis.

”



Jason Bastianelli  
Principal

## SEAFORD SCHOOL DISTRICT

### Blades Elementary School

Dr. Kristen Jennette, Principal  
Judy Johnson, Fulton Bank

### Frederick Douglass Elementary School

Carol Leveillee, Principal  
Gerald Rocha, United Way of Delaware

### Seaford Central Elementary School

Chandra Phillips, Assistant Principal  
Michelle Ball, M&T Bank

### Seaford Middle School

Jim Cave, Principal  
Sen. Brian Pettyjohn, State of Delaware

### Seaford Middle School

Jason Cameron, Principal  
Patricia Carter, M&T Bank

### West Seaford Elementary School

Laura Schneider, Principal  
Nicole Daniels, M&T Bank

## SMYRNA SCHOOL DISTRICT

### Clayton Elementary School

Michael Daws, Associate Principal  
Kyle Caldwell, M&T Bank

### Clayton Intermediate School

David Paltrineri, Principal  
Ayanna Osinuga, Khan Consulting, LLC

### North Smyrna Elementary School

Stephanie Smeltzer, Principal  
Michelle Wall, Make-a-Wish Foundation Delaware

### Smyrna High School

Stacy Cook, Principal  
Stuart Comstock-Gay, DE Community Foundation

## SUSSEX TECHNICAL SCHOOL DISTRICT

### Sussex Technical High School

John L. Demby, Ed.D, Principal  
Adam DiSabatino, EDiS Company

## WOODBRIIDGE SCHOOL DISTRICT

### Woodbridge High School

Kelley Thompson, Principal  
Claudette Satchell, M&T Bank

## PRIVATE SCHOOLS

### Nativity Preparatory School of Wilmington

Yachira Torres, Principal  
Nick Christine, Microsoft Store at Christiana Mall

### Newark Centre for Creative Learning

Lauren Evans, Administrative Director  
David Bart, Jerry's Artarama

### Serviam Girls Academy

Altina Herbert, Principal  
Cynthia Pritchard, Philanthropy Delaware

## CHARTER SCHOOLS

### Early College High School at Delaware State University

Dr. Evelyn Edney, School Leader  
Michael Quaranta, DE State Chamber of Commerce

### MOT Charter School - Academy of Science & Technology

Dr. John Scali, Principal  
Roxane Ferguson, Middletown Area Chamber of Commerce

### Newark Charter School

Lisa Ueltzhoffer, Principal  
Rep. Paul Baumbach, State of Delaware

### Positive Outcomes Charter School

Steven Norman, Dean of Academics  
Rachel Hohman, Dean of Students  
Nick Christine, Microsoft Store at Christiana Mall

### Providence Creek Academy Charter School

Denise Stouffer, Head of School  
Carolyn Zogby, Uruline Academy, ret.

### First State Military Academy

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## PAROCHIAL SCHOOLS

### Holy Angels School

Dr. Barbara Snively, Principal  
Eric Bentley, Microsoft Store at Christiana Mall

### Padua Academy

Dr. Mary McClory, Head of School  
Timothy Houseal, Young, Conaway Stargatt & Taylor

### Saint Edmond's Academy

Brian Ray, Head of School  
Mike Freda, EDiS Company

### St. Elizabeth Lower School

Tina Wecht, Principal  
Eric Bentley, Microsoft Store at Christiana Mall

### St. Elizabeth High School

Terre Taylor, Principal  
Eric Bentley, Microsoft Store at Christiana Mall

### St. Mary Magdalen School

Patrick Tiernan, Principal  
Amy Reardon, RideShare Delaware

### St. Mark's High School

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# Lawyering in Uncertain Times

BY JAMES D. TAYLOR, JR.

IT'S A TIRED TRUISM that lawyers are creatures of habit and by nature abhor uncertainty. We're trained to identify issues, spot trouble around the corner, evaluate risks, and guide clients to their objectives within the bounds of the law. The law may change and evolve, but it rarely does so unexpectedly. Court decisions provide precedent, legislative and regulatory acts typically occur after months or more of robust debate, and the rules that guide our profession are both well-known and evenly applied. Change happens, albeit slowly, in the legal profession.

Not so during this strange time. As of this writing, three significant pieces of federal legislation have all been enacted within a two-week span and without the normal flow of legislative committee hearings, markup, and an opportunity for review and consideration before their effective dates. Combined, the Coronavirus Preparedness and Response Supplemental Appropriations Act, the Families First Coronavirus Response Act, and the CARES Act expand, create, and impose rights, opportunities, and restrictions on businesses large and small that are still being reviewed and applied. Agencies reacted with implementing regulations that could not await the ordinary notice and comment period. Businesses and institutions understandably needed to know immediately how these acts affected them and their employees and customers, and lawyers had only hours or days to absorb and begin advising on these new developments.

At the same time, states of emergency ordinarily invoked for limited duration in response to blizzards and hurricanes have taken a whole new meaning as an ever-growing list of executive and emergency orders at the state and local level (along with a federal national emergency) closed and curtailed businesses, affecting the way that all of us live and work. There is little certain or normal during this strange time.

Like most businesses, the practice of law shifted overnight. Governor Carney's emergency orders recognized law firms as essential businesses and permitted them to operate as necessary to serve their clients during this time of need. Most law firms, though, nevertheless migrated to a work-from-home platform that kept most lawyers and staff safe at home.

Courts also reacted quickly. To varying degrees, courthouses were closed, trials and hearings were postponed, deadlines extended, schedules that had been in place for years were no longer operative, and the period for bringing certain claims were extended during these emergency times.

More personally, a significant portion of my practice is devoted to representing universities, charter schools, and other entities that receive public support. As co-chair of our Firm's Higher Education Practice Group, we saw clients close their campuses, move overnight to remote learning, and move employees to a work-from-home environment. Those changes didn't come easily, and there is inevitably more change – both temporary and permanent – to come from this.



But the business of law has continued. The transition to a work-from-home environment was of course easier for some than others, though in a few short weeks lawyers who would never have worked remotely are now doing so with relative ease while providing the same caliber of service to their clients – many of whom are also working remotely. Courts not accustomed to telephone hearings are now convening by phone, others connected via video, and electronic filings (already the norm in Delaware) continued unabated.

If, as the proverb tells us, necessity really is the mother of invention, then the “new normal” may promote positive – even profound – changes in how the legal community serves its clients. Will public meetings now be more broadly streamed online? Will more court proceedings be conducted via video? Will more stockholder meetings be conducted similarly? Will more business be conducted electronically, with a permanent shift to video meetings and electronic signatures and notarization? Will more law firms adjust to a work-from-home model and reduce their needs for large offices?

I don't know. I do know, though, that whatever the challenges, Delaware is particularly well-poised to meet them. We are blessed with elected officials who understand the critical contributions Delaware's legal system makes to the state's economy, a notoriously collegial bar always ready to lend a hand, an accessible and nimble judiciary, and leaders of the

Delaware Bar focused on maintaining the principles that have enabled Delaware to keep its rightful place as a leader in legal innovation. ■



**James D. Taylor, Jr.** is Partner at Saul Ewing Arnstein & Lehr LLP.



# Maintaining Good Standing is Essential to Your Business

CONTENT CONTRIBUTED BY CSC

STATES REQUIRE CORPORATIONS and other business entities to file a periodic report with state filing offices to remain in good standing. States use different terminology for periodic reports such as Corporate Annual Report, Statement of Information, Annual Registration, Annual List, Franchise Tax Report, Biennial Statement, and others. For simplicity, this article will refer to these documents as annual reports.

## **As corporate documents go, annual reports aren't especially long or detailed.**

Not only do different states have different names for their annual reports, they also have different requirements for what information they must include, what time of year they're due, and penalties for non-compliance. These reports are required to stay in good standing with jurisdictions.

Annual reports typically require information such as entity name, principal place of business, registered agent information, and a list of business entity governors, including directors and officers of corporations, members and managers of limited liability companies (LLCs), and general partners and limited partners of a limited partnerships (LPs). Prior to a transaction, lenders, landlords, and other counter-parties may check a state filing office searchable database for the status of a business entity, and if available, the names of business entity governors, so it can be a problem if the most recent annual report does not include the current governors.

## **Now that we have a better idea of what annual reports are, the next question is: when are they due?**

Most jurisdictions require filings by a specific date, with springtime deadlines such as March 31 and April 15 among the most common. In other jurisdictions, reports are due on the anniversary date of when the entity was formed or first qualified to do business there, or at the end of the anniversary

month, or even three months after the anniversary date. Along with timing variations, states also hold different kinds of entities to different reporting standards. For example, Delaware requires corporations to file annual franchise tax reports on or before March 1, while LPs and LLCs are required to pay an annual fee on or before June 1.

## **Make no mistake—failing to file an annual report can have serious consequences.**

Miss a due date and you run the risk of losing your entity's good standing, along with accompanying dangers and inconveniences such as limitations on your ability to transact business and loss of legal standing, as well as fees, fines, and accrued interest. Delaware and Illinois are among the states that assess additional late fees for every month your report is late.

Sometimes these problems are not immediately apparent. It's important to know that a good standing certificate from the jurisdiction is often a condition for financing or even opening a bank account. It's not unheard of, for instance, for companies to find themselves in the midst of a corporate transaction only to learn that their entity's good standing has been revoked in that jurisdiction.

Never mind the direct cost of embarrassment; the process of reinstatement can take days or weeks and, in some cases, can derail a transaction. Revocation in some states also means that companies forfeit rights to their company name which may become available to others after administrative dissolution or revocation. Companies that miss their filing dates also court danger in the form of bad press.

While annual reports are relatively straightforward in any one jurisdiction, the challenge becomes much greater for those companies qualified to do business in multiple states, with differing due dates, requirements, and implications for not remaining in compliance. They're small and easy to overlook. But small as they are, they carry significant risks to your company's status and reputation. ■

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# The Other Reason Why Corporations Choose Delaware

BY DOUG DENISON

DELAWAREANS KNOW that the First State is famous for a lot of things: Ratifying the Constitution, beautiful beaches, prodigious poultry production, just to name a few. If you're in business, you probably also know that Delaware is famous as a place to incorporate. You might even know some of the statistics: 1.5 million companies call Delaware their legal home, including more than two-thirds of the Fortune 500.

If you're even more well-versed, you'll know that the reason Delaware is so special in the corporate world is because of a few things. There's the Court of Chancery and its 125-plus years of business caselaw. You also have the Delaware General Corporation Law itself, which is updated regularly in a process that's largely free of political influence. Add to that the state's concentration of law firms and business services companies ready to handle the most complex of business transactions.

But there's another factor that you might not be familiar with – a fourth leg of the stool supporting Delaware's reputation as "America's Corporate Capital."

It's a small state agency comprised of about 100 people working out of a ground-floor office in Dover, open for business from early in the morning to late at night. Under the umbrella of the Secretary of State, the Delaware Division of Corporations and its dedicated team of behind-the-scenes professionals are responsible for all the certificates, reports, tax payments and other filings that companies are required to submit in order to stay on the books in Delaware.

"What happens here in this basement is so important to the whole franchise, the whole state," said Sandi Pisarski, who has worked for the Division for more than 50 years.

Today, Ms. Pisarski is part of the management team for the Division, responsible for the thousands of filings that come through every day, primarily in digital form. When she began her career in 1969, she was a typist and things were a little different.

Everything was on paper, of course, and changes came slowly.

"I remember when we had one computer, and we all had to share it," she said.

Through the big-business 80s and into the 90s, Delaware's reputation as a corporate hub became legendary and the Division had to keep up.

That's around the time June Bilbrough started with the Division as a part-time clerk working in overflow space in Dover's Old State House, taping back together tax report documents that filers had mistakenly separated into two parts.

She remembers when things really kicked into gear with the proliferation of the Limited Liability Company (LLC), one of today's most common legal vehicles for organizing a business.

"I think we always had a percentage of the Fortune 500, but in the 80s you really started taking notice of the companies that were here," Ms. Bilbrough said.



The Division has always done its work with small teams of staff who live and die by the cycle of filings that come due throughout the year. When things are busiest, especially before the March 1 corporation tax deadline and the LLC tax due date on June 1, everyone takes on the influx of paperwork regardless of seniority.

"In an all-hands-on-deck situation, managers will pitch in and get right in the queue," said Ms. Bilbrough, who oversees the Division's corporate franchise tax section. "Managers, administrators, everyone is on deck."

It's good for morale, too, for employees to know that their bosses are right in the trenches with them when the workload is at its peak.

But the measure of success for the Division isn't just the number of filings it can process in a day. The picture is bigger than that.

"Customer service is our number one goal, because we know that the money we generate here is so important to the economy of Delaware; it helps the roads, it helps the teachers, it helps the schools," Ms. Bilbrough explained.

Without that level of service and efficiency, the other big pillars of the Delaware corporate franchise might not be able to carry the weight of the state's reputation on their own.

"[Businesses] don't have to be here in Delaware; there's no reason they couldn't go to their home states, but they come here to Delaware because we're efficient, we know what we're doing and we do it well," said Ms. Bilbrough. "Even with Chancery Court, the code updates, if they can't get

good customer service, they're that much more likely to stay away." ■



**Doug Denison** is the Director of Community Relations at the Delaware Department of State.



# INCORPORATIONS BY THE NUMBERS

Nearly 1.4 million\* business entities from around the world call Delaware their legal home—including two-thirds of Fortune 500 companies—and in 2018, 82% of all new U.S. Initial Public Offerings chose to incorporate in Delaware. In the United States, businesses are formed and regulated at the state level, so the first step in starting up operations in the U.S. is to choose where to form your company and where to locate your business. Delaware is the ideal choice for both.

## DELAWARE TOPLINE FIGURES

Number of legal entities incorporated	New business entity formations	Percentage of Fortune 500 companies incorporated
<b>1.4M</b>	<b>216K</b>	<b>67%</b>
Percentage of U.S.-based IPOs incorporated	Division of Corporations General Fund Revenue	Percentage increase in General Fund Revenue (2010-2018)
<b>82%</b>	<b>\$1.3B</b>	<b>52%</b>

\*Stats as of 2018

### Delaware Topline Trends

	2010	2011	2012	2013	2014	2015	2016	2017	2018
New Business Entity Formations	117,833	133,300	145,182	152,897	168,966	178,721	181,166	198,457	216,005
% of Fortune 500s Incorporated	63%	63%	64%	65%	66%	66%	66%	67%	67%
% of U.S.-based IPOs incorporated	76%	86%	90%	83%	89%	86%	89%	80%	82%

### Delaware New Business Entity Formations by Type

	2010	2011	2012	2013	2014	2015	2016	2017	2018
LLCs	82,027	93,222	103,271	109,169	121,592	128,042	128,852	143,996	157,142
Corporations	28,181	31,472	32,394	34,234	36,445	38,288	40,253	41,553	44,669
LPs/LLPs	6,362	7,287	8,105	8,234	9,721	10,746	10,337	11,517	12,432
Statutory Trusts	1,263	1,319	1,412	1,260	1,208	1,645	1,724	1,391	1,762
Totals	117,833	133,300	145,182	152,897	168,966	178,721	181,166	198,457	216,005

### Delaware Division of Corporations General Fund Revenue (\$ Mil.)

	2010	2011	2012	2013	2014	2015	2016	2017	2018
Net Business Entity Taxes	\$765.1	\$759.7	\$766.0	\$776.8	\$814.6	\$919.8	\$976.5	\$998.8	\$1,161.8
Business Entity Fees	\$74.9	\$83.1	\$84.5	\$89.8	\$96.0	\$102.7	\$104.8	\$110.8	\$119.0
UCC Fees	\$14.1	\$16.4	\$16.7	\$16.9	\$17.2	\$18.3	\$19.3	\$19.5	\$23.4
Total Revenue	\$854.1	\$859.2	\$867.2	\$883.5	\$927.8	\$1,040.8	\$1,100.6	\$1,129.1	\$1,304.2

Source: Delaware Division of Corporations  
<https://corp.delaware.gov/stats/>

Compiled by:



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# In a Time of Adaptation, Building Relationships Remains First

BY REBECCA L. BYRD

AS OF THE 1ST OF JANUARY, The Byrd Group became ByrdGomes. This new name reflects the most recent incarnation of what is one of Delaware's oldest and most dynamic lobbying firms. And while technology and the expectations of both clients and government officials has changed, one thing has not: Relationships.

The roots of ByrdGomes can be found in Wood, Byrd and Associates, which began when Bob Byrd joined Bill Wood in 1988. It was seen as two respected professionals coming together to form a powerhouse firm. The world looked very different then. There were no cell phones, internet, or wifi. Personal computers, fax machines and car phones were the latest technology. And lobbying was somewhat different then too. Clients got their lobbyists together for meetings held at beautiful locations with golf trips and expensive dinners. And things in Dover were different as well: there was more entertaining and later nights.

Over the next twenty-five years WoodByrd's business was extremely successful, and they were generally seen as a firm on the cutting edge. They worked with top grassroots professionals out of D.C., and they brought in new office technology. They also added to their staff, hiring Kim Gomes and Cindy diPinto as apprentice lobbyists.

In the past 10-plus years there has been a lot of change. First, Byrd, Gomes, and diPinto left to join a law firm, some of the first lobbyists to do so in Delaware. Then I joined in 2009, shortly before our dear friend Cindy passed away. Then in 2013 we left the law firm to strike out again on our own. Finally, in 2020 we changed the name to recognize the contributions of and the shift to the next generation.

At the same time, lobbying has changed. The internet and social media have changed many things about how we do business. There are fewer late nights in Dover and much less entertaining. Legislators and staff expect a lot of data and information from lobbyists to make good public policy decisions. Clients are also focused on information and results. Client meetings are not about golf and socializing; they are about learning the client's needs and issues. Frequently they include site visits. Since I've been doing contract lobbying, I've toured mail order pharmacies, a major lab servicing international clients, state-of-the-art distribution centers, and a nuclear plant.

But the thing that remains the same, and the thing that ByrdGomes always focuses on is relationships. Building relationships is extremely important in our business. We must have a good relationship with every legislator and every staff member we meet. We must also build good relationships



*Pictured from left: Rebecca Byrd, Robert Byrd, and Kim Gomes*

with our clients, which may seem obvious. But at times, we have to give our clients difficult advice that they may not want to hear. Each of us: Byrd, Gomes, and myself, bring our own professional and personal experiences and relationships to the table for our clients.

A recent example of how our firm operates successfully is the COVID-19 crisis. Starting about the third week of March, our business entered an unprecedented time. First, we were all working remotely. This included the cancellation of many in-person meetings and the postponement of legislative session. Second, almost all our clients had a concern or issue related to the crisis. Third, government was making major decisions which required input from our clients and affected them. This meant we had to get quick answers to and from government, set up meetings (now conference or video calls) quickly, and rely on phone calls, emails, and texts instead of personal conversations.

Our own firm had to change the way we worked too. Instead of weekly staff meetings and ad-hoc conversations, we started having daily conference calls to keep up with what each of us was dealing with. As of this writing, we think, and hope our clients agree, we have been successful.

We are successful because we continue to stay true to two things: building good relationships and having flexibility to adapt to changes in the world

around us. ByrdGomes looks forward to our next 30 years of success, knowing that we are ready to meet the needs of our clients in an ever-changing world. ■



**Rebecca L. Byrd** is Partner and Legal Counsel at ByrdGomes.





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# UNCLAIMED PROPERTY: A Delicate Balance for Delaware

Enforcing the law in the face of ongoing legal challenges  
and economic uncertainty BY MICHAEL HOUGHTON AND KATHERINE BETTERLY

UNCLAIMED PROPERTY is an arcane concept, a modern outgrowth of ancient legal principles. These principles, as recognized in a series of U.S. Supreme Court opinions, provide the State the right to take custody of abandoned property – uncashed checks, unclaimed bank accounts, stock certificates and much more – in the possession of a person or company (i.e., “holders”), which has not been claimed by the owner for a defined period of time (“dormancy period”) pursuant to certain “priority rules.” Under these rules, once property is in the State’s possession, it may (1) hold it indefinitely for the benefit of the owner who may come forward to claim it in the future or (2) take property for which there is no known owner or which is never claimed by an identifiable owner and use that property for “the common good” (e.g., fund government operations). As case law and commentators have noted, “in these situations the policy is that it is better that the states and its citizens enjoy the benefit of the wind-fall rather than the holder.”<sup>1</sup>

For Delaware, the legal home to thousands of “holders,” collection of, and fiscal reliance on, unclaimed property has always been tricky. Delaware markets itself to American business as the “corporate capital of the world” with a world-class judiciary, a balanced corporate tax structure and responsive state government. But it is a dicey proposition to also then pursue these same companies for often millions of dollars in unclaimed property, some of which is “estimated,” much of which is used by Delaware to fund State operations. Though enabled by law to collect these monies from its companies, the State must balance what it can do with what it should do. Trying to strike this delicate balance has involved legislative changes, creation of programs encouraging voluntary compliance and – most recently – litigating with companies. And it is all further complicated by the economic stress that both the State faces from the disruptions of coronavirus, or COVID-19 (and the need for every dollar available to address that disruption), and that companies also face with operations closed and revenues in decline.

As the state of formation for well over a million business entities, including a majority of the Fortune 500 companies, unclaimed property has become an important – though volatile – source of revenue for Delaware. According to the March 2020 update of Delaware’s Economic and Financial Advisory Council (DEFAC), unclaimed property continues to be the State’s third-largest source of revenue. Total gross unclaimed property for fiscal year 2020 is anticipated to be at least \$540 million – at least prior to the impact of the COVID-19 crisis. But it is an unpredictable revenue

source, subject to significant decline if courts invalidate or limit Delaware’s program or rights to collect or use this property. Delaware’s increased dependence on unclaimed property revenue in troubling economic times – post-9/11 and after the 2008/2009 economic crisis – has always been risky.

Every state has unclaimed property laws.<sup>2</sup> Some states, home for thousands of entities formed under their laws, similarly benefit from these federal rules and collect millions annually (e.g., California, New York). Given the number of Delaware incorporated companies, and the consequent significant amounts that could be owed to the State, Delaware has had a strong economic incentive in enforcing its escheat laws and has developed a robust audit and voluntary disclosure program in order to do so. But where is the line between the legitimate enforcement of Delaware’s right to audit and collect unclaimed property and pursuing policies prompting legal challenge? For Delaware, finding this balance has resulted in an unprecedented number of challenges being filed against the State in the last several years.

In a 2016 case, the U.S. District Court for the District of Delaware held that Delaware’s estimation methodology when applied to an audit whose scope included a look-back period of 22 years violated the company’s substantive due process rights.<sup>3</sup> In the *Temple-Inland* decision, the Court stated that the State’s behavior was “troubling” and that the State had engaged in a game of “gotcha” that “shocks the conscience.” This case was settled before it was finally resolved by the courts, but it was a tough criticism of the State’s administration of its unclaimed property audit program prior to 2016.

In part in response to the *Temple-Inland* decision, Senate Bill 13, signed into law on February 2, 2017, was a major overhaul of Delaware’s unclaimed property statute. The new legislation adopted significant portions of the 2016 Revised Uniform Unclaimed Property Act (RUUPA) developed by the Uniform Law Commission and addressed potential constitutional infirmities discussed in the *Temple-Inland* decision. However, notwithstanding this legislative attempt to defuse legal challenges, because Delaware has continued to employ estimation to quantify liability for periods where company records do not exist, it appears challenges will continue. This, the use of contract auditors, and other practices have prompted some companies to use Delaware’s Federal Courts as a venue to attempt to stop audits and to shut down the Delaware process. The ramification of these suits – now being vigorously defended by Delaware – is significant for both holders,

seeking relief from practices that have riled some companies – and for Delaware, facing its third biggest source of revenue being at risk.

And there have been more recent challenges to the Delaware program with the State and Federal Court suits including *Univar*<sup>4</sup> attacking the State's unclaimed property program on constitutional grounds (e.g., unreasonable search and seizure; violation of substantive and procedural due process; violation of the ex post facto clause; violation of the takings clause; and violation of equal protection of the laws) and reviving a set of claims that had previously been raised in other lawsuits filed post *Temple-Inland* but before Delaware had revised its unclaimed property statute.<sup>5</sup>

A second wave of litigation was initiated in December 2019 when AT&T, Eaton Corporation, Siemens and Fruit of the Loom each filed complaints in the U.S. District Court raising a series of constitutional challenges to Delaware's conduct of its unclaimed property audits in the context of "expedited audits," a limited class of reviews involving a short list of companies. Many of the claims in these suits track those raised by *Univar*.<sup>6</sup>

This new litigation is keeping the State busy. The timing of decisions by the courts is unclear. What is clear is that it has not had a chilling effect on Delaware pressing for compliance with the State's unclaimed property laws. Separate from audits, the State bolstered its voluntary disclosure compliance (VDA) program in the past decade to allow self-reviews and managed assessments overseen by the State. The VDA program is designed to be a kinder, gentler off-ramp to litigation—a less contentious vehicle for corporate compliance. For several years now, Delaware has "invited" companies that may have compliance deficiencies to enter its VDA program – but if a company does not, the State has made clear, it will be audited. "Invitations" to about a hundred companies are mailed almost quarterly. If a company enters into the VDA program, it is not a target for audit – and it will not be assessed interest and penalties on its liability.

Are VDAs working to tamp down litigation? Perhaps. The recent wave of lawsuits involves only audits – not VDAs – and about 50% of companies invited into the VDA program now enter it and virtually all, to date, negotiate settlements with the State. Regardless of pending litigation, on February 20, 2020 the State sent out invitations to enter into Delaware's VDA program to more than 100 companies identified as ones likely out of

compliance with Delaware's unclaimed property laws. Delaware appears to remain committed to maintaining a robust compliance and enforcement program. As many state administrators noted during the development of RUUPA, voluntary compliance relies on the threat of audit and holders can choose which route to follow – voluntary compliance or audit. Delaware's litigation with holders may force the courts to provide useful guidance to holders and the State on the rules for unclaimed property in Delaware. All would benefit from that – and perhaps Delaware can adjust the balance between being the "corporate capital of the world" and relying on unclaimed property for a troublingly high percentage of its revenue, something as concerning to current Delaware policymakers as it is to the holder community. ■



**Michael Houghton and Katherine Betterly** are partners in the Unclaimed Property Practice of the Commercial Group at Morris, Nichols, Arsht & Tunnell LLP in Wilmington,

Delaware and can be reached at [mhoughton@mnat.com](mailto:mhoughton@mnat.com) and [kbetterly@mnat.com](mailto:kbetterly@mnat.com).

1 2016 Revised Uniform Unclaimed Property Act, Prefatory Note, pp 1-4.



2 A version of the Uniform Unclaimed Property Act is the basis for these laws in over forty states. Delaware's new unclaimed property legislation borrows heavily from the 2016 Revised Uniform Unclaimed Property Act (RUUPA). Michael Houghton is Co-Chair of the ULC RUUPA Drafting Committee.

3 See *Temple-Inland, Inc. v. Cook*, 192 F. Supp.3d 527 at 541 (Del. D. June 2016).

4 See *Univar, Inc. v. Geisenberger*, C.A. No. 18-1909 (MN) (Del. D. Dec. 3, 2018).

5 See *State of Delaware, Department of Finance v. Univar, Inc.*, C.A. No. 2018-0884-JRS. (Del. Ch. Dec 7, 2018); *Univar, Inc. v. Geisenberger*, C.A. No. 18-1909 (MN) (Del. D. Dec. 3, 2018).

6 Several of these new complaints also challenge the State's position that foreign addressed property should be escheated to the state of incorporation.



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# COVID-19: The Legal Consequences of Significant Disruption on Your Contracts

BY WILLIAM R. DENNY

COVID-19 and other disruptions can create multiple business challenges, including service interruptions, financial hardship and workforce concerns. Vendor contracts are no exception. Vendors provide integral services and can be excellent partners in building the customer's brand and making the customer more profitable. However, in time of disruptions, businesses must evaluate their options under existing contracts and strengthen provisions in future contracts to minimize risk.

When negotiating contracts, it is easy to dismiss certain provisions as "boilerplate," thinking that these terms are standard within the industry, are non-negotiable, and can safely be ignored. However, such assumptions often are not true, and unwary businesses can find themselves in deep distress once the agreement has been signed and problems arise. One such term, especially relevant now, is *force majeure*.

## Force Majeure, or Acts of God

As contracts have been disrupted by COVID-19 and its related consequences, *force majeure* ("superior force") clauses have taken on greater importance. These clauses protect non-performing parties if a contract cannot be performed due to unanticipated causes beyond that party's reasonable control. Contracts may define *force majeure* specifically by listing events, such as earthquakes, floods, terrorism, governmental actions, war and hurricanes, as well as pandemics. Others may define the term generally as anything out of a party's reasonable control or may include both specific events as well as a general catch-all.

**Action item:** Businesses should examine their current contracts carefully today to identify any *force majeure* clauses and take note of their terms, especially any notice or mitigation requirements. In negotiating any new contracts, businesses should consider how the current disease and future epidemics could affect the agreement and prepare for a similar situation in the future.

One coronavirus-related question often arising today is whether a *force majeure* clause justifies the suspension of performance under a contract. The answer depends on the specific contract language, local law, and the causal connection between the pandemic and the parties' ability to perform their contractual obligations. As it pertains to COVID-19, if travel bans or other governmental restrictions prevent a party from meeting its contractual obligations, any broadly worded *force majeure* clause may well apply. The party seeking to invoke *force majeure* must show a causal connection between the event and its inability to perform. As in any contract matter, a party cannot invoke a *force majeure* clause unless it complies strictly with the technical requirements of the contract. Typically, this includes prompt notice of a claim of *force majeure* and regular updates of efforts to mitigate.

Other contractual remedies may also be available in the event of hardship.

## Frustration of a Contract's Purpose

If a contract lacks a *force majeure* clause, in many jurisdictions the doctrine of "contractual frustration" may provide relief for a party that finds itself unable to perform its obligations. Typically, the party will have to show that a truly unexpected event has made it physically or commercially impossible to fulfill the agreement. This defense may be difficult to prove, as its application often depends on the specific circumstances of the contract at issue.

## Insurance Coverage

Either party (most commonly the vendor) may be required to obtain and maintain specified levels of insurance during the term of the agreement. These provisions typically require the other party to be provided with a certificate of insurance and to be named as an additional insured. Losses arising out of a party's inability to fulfill its contractual obligations may give rise to an insurance claim. Coverage will depend on the policy's specific terms and conditions. Businesses should look at the policy provisions and provide notice of loss to the insurance companies promptly.

## Termination

Termination provisions may provide (1) a right of one or both parties to terminate for convenience, (2) an ability to terminate for cause, and (3) the option for nonrenewal. In the event a business opts to terminate early, it should review the contract carefully to understand what notice is required and the potential cure periods.

Now more than ever, contracts should be drafted carefully to protect the interests of the parties. Oft-overlooked sections, such as *force majeure*, insurance and termination, can dramatically impact potential liability in the event of non-performance. While not all problems can be avoided or anticipated, taking the time to review and negotiate the provisions in a contract on the front end can save considerable time, expense and headache later. At some point business will return to normal, and we all want to ensure that decisions we make today will not impact us negatively in the future. ■

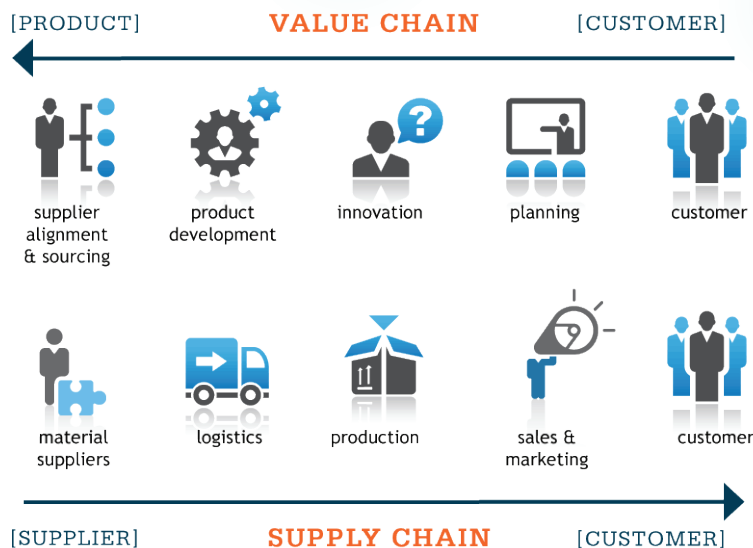


**William Denny** is a Partner and Head of Cybersecurity, Data Privacy and Information Governance Practice Group at Potter Anderson & Corroon LLP.

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# Why Meals On Wheels Benefits All of Us

BY ANNE LOVE

WHEN YOU THINK of Meals On Wheels, you likely think of the elderly man or woman who is home alone waiting for their lunch to arrive. Their face brightens as the bell rings and a friendly voice lets them know it's time for the daily visit. This scene is repeated at more than 3,000 doors each day in our state.

At the time of this writing, we are beginning to understand the impacts from the COVID-19 health crisis. Deliveries have changed to protect this high-risk population, the volunteers who continue to deliver, and the dedicated staff. Social distancing is in place and meals are individually wrapped and placed at the door for the senior to pick up. It is not the same as it was, however, the meals are still arriving. The seniors continue to enjoy and benefit from a balanced meal, which is important for good health and resistance to infections. The volunteer is alert to any changes in the senior's well-being. There is an opportunity to catch up although at a distance.

## Seniors who receive meals benefit in so many ways

Among seniors who receive the nutritionally balanced meal, 9 out of 10 report that their health has improved. For seniors who have previously suffered a fall, it is proven that the home-delivered meal prevents future falls in 80% of cases. The daily visit and nutritious meal allow 90% of seniors the comfort level to live independently. For seniors on a fixed income, they no longer have the stress of where their next meal is coming from or balancing the costs of food and others of life's essentials. Moreover, social interaction reduces feelings of isolation.

## Benefits extend to family members

Family members have the peace of mind to go about their regular workday knowing that someone is checking in on their loved one.



## Benefits to the community at large

The Meals On Wheels program offers cost benefits compared to care in a nursing home or hospital stay. It is not a simple equation as many clients with medical conditions receive additional services in their homes. However, the cost of a year of home-delivered meals is equivalent to a 10-day stay in a nursing home or a one-year stay in the hospital ward. This is a significant cost saver to the community.

## Population demographics require innovative solutions

Delaware is a retirement destination for seniors. By 2030, Delaware is projected to have the 9th highest proportion of persons aged 65 and

over in the U.S.

Sussex County has the largest percentage of seniors in the state. Already today over one-third (35%) of the population in Sussex County is 60-plus, compared with the state average of 26%. More than 1 in 10 (12%) are 75 and over, and this is projected to grow to 1 in 5 (20%) by 2040.

Although most older adults are under the age of 85, the age 85-plus population is expected to increase the fastest, doubling nationally by 2040 and tripling by 2050. About 9% of this population live in assisted living/nursing homes, and 91% live at home in the community. As this particular population increases, the demand for services will increase.

An innovative pilot program, We Care, is underway in Sussex County. Meal delivery volunteers are trained to conduct a brief electronic wellness questionnaire as part of the meal delivery. A health care professional determines if a medical follow up is recommended and connects with the senior directly. It adds an enhanced wellness check to the informal check that the daily visit from a volunteer already provides.

The community nonprofit, CHEER, provides senior services including Meals On Wheels and has partnered with Educational Health Research Institute / Milford Wellness Village to introduce this new wellness pro-



gram. CEO Ken Bock shares, “The new We Care program is a logical extension of the CHEER Meals On Wheels mission of helping senior citizens maintain their health and wellbeing in their own private homes. We Care may soon become a standard complement to the Meals On Wheels program promoting health and independence.”

The value of a home-delivered meal is increasingly recognized as a key component to maintaining health. Medicare and Medicaid now include coverage for meals as they understand the benefits in improved health and decreased hospital readmissions.

### Volunteerism is key to continued success

The Meals On Wheels program relies on the daily commitment of a core group of extremely dedicated delivery volunteers that turn up every day no matter the weather. Without their regular commitment to keep meals coming, program costs would increase significantly.

They don’t show up for an afternoon, they show up again and again, and are enriched by the bonds they form with the men and women receiving deliveries.

Without the volunteer support of the program, Meals on Wheels would struggle to maintain the current cost structure. Delaware is a small state and each county has its own character. The same is true for the volunteers who turn out in each county.

Volunteers in New Castle County traditionally have come from the

businesses that make their home in Delaware and have community service in their makeup. As the workplace changes, and policies on volunteerism are put in place, it may not be as easy for individuals to take an extended lunch hour to deliver meals. Thanks to all in the business community who continue to commit to this service.

In Kent and Sussex Counties, retirees and civic groups make up the majority of the volunteers. However, as they themselves age, the next generation is needed to step up. We look forward to the evolution of the Meals On Wheels service as new partners step up as volunteers, bridge builders and innovators to sustain our healthy communities. ■



**Anne Love** is Executive Director of Meals On Wheels Delaware, which raises funds and awareness on behalf of 5 independent Meals On Wheels programs in the State. Programs work with the State of Delaware to deliver the Meals On Wheels program. We are proud to be partners with such dedicated organizations as City Fare Meals On Wheels, Newark Senior Center, Modern Maturity, CHEER and Meals On Wheels Lewes Rehoboth. For more information, visit [www.MealsOnWheelsDE.org](http://www.MealsOnWheelsDE.org).

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# It's More Than Just a Number

Understanding the true value of your workplace wellness program

BY MEG ALEXANDER, MPH

WHENEVER A PRUDENT COMPANY invests their time, energy and financial resources into something, decision-makers typically have some semblance of how the investment will affect their bottom line.

Return on investment (ROI) is the tried-and-true evaluation method for corporate wellness programs. However, traditional ROI analyses overlook many of the benefits, thereby underestimating the program's true value, which is why so many business leaders, benefits consultants and third-party wellness vendors are shifting to the more comprehensive value on investment (VOI) paradigm.

Return on investment (ROI) refers to the amount of money gained (or

lost) for every dollar invested. When a corporate wellness program is said to have a positive ROI, it signifies that the money saved exceeds the cost of the investment. These fiscal savings are namely due to a reduction in employee health care consumption as well as a decrease in workers' compensation and disability claim payouts. These data are preferred points of reference as they are objective and readily available.

However, ROI is an imperfect measure. For one, it is difficult to prove causation, tying wellness program dollars invested to specific outcomes like healthcare expenditure. Secondly, it can take years to reverse disease and eliminate certain health risks, which means a positive return may not be

readily apparent despite promising trends in population health.

Without proof of return, businesses with tighter budgets may be tempted to preemptively throw in the towel. What's more, ROI gives company leadership zero insight into workplace environment and the employee experience, which undoubtedly affects business performance, albeit less overtly.

Value on investment (VOI) is a more comprehensive measure referring to the overall value obtained from a financial investment. It encapsulates both the "hard" numbers as well as the "soft," or intangible benefits.

For example, wellness program participation correlates with employee productivity because healthy employees not only tend to take fewer sick days, they are also thought to perform more optimally at work due to increased energy levels as well as improved cognitive and emotional functioning. Such programs also serve to improve employee engagement and morale because they provide a space for coworkers to connect with one another in a new way. In strengthening coworker relationships, wellness initiatives enhance team cohesion and effectiveness, which is especially important in collaborative work environments. Not to mention, employees naturally feel valued when their employers take an interest in their wellbeing, influencing factors such as job satisfaction, recruitment and retention, all of which are huge advantages in competitive industries with high turnover rates.

It should be mentioned that measuring VOI can be more time and resource-intensive because unlike ROI, the data are subjective. As people come together to participate in wellness initiatives, there is usually an

excited energy that circulates throughout the workplace. It can't necessarily be measured, but it can be seen and felt.

These intangible benefits are often overlooked but they exist and most certainly should be accounted for. Businesses typically employ the survey method to estimate employee engagement, job satisfaction and morale. If applicable, employee evaluations and customer satisfaction surveys may also be used to extrapolate insights on productivity.

The benefits of an employee wellness program extend far beyond health-care cost savings as measured by myopic ROI analyses. VOI, by contrast, encapsulates the financial return on employee wellbeing programs plus so much more, enabling those charged with the delicate task of evaluating these programs to do right by the process and recognize their true value. ■



**Meg Alexander** received her master's degree in Public Health (MPH) from the University of Pennsylvania. She is the founder of Our Company Culture (OCC), which specializes in helping small businesses throughout the State of Delaware build their wellness program from the ground up. OCC offers onsite health coaching, cooking demonstrations, guided meditation and chair yoga to engage employee populations and transform organizational culture.



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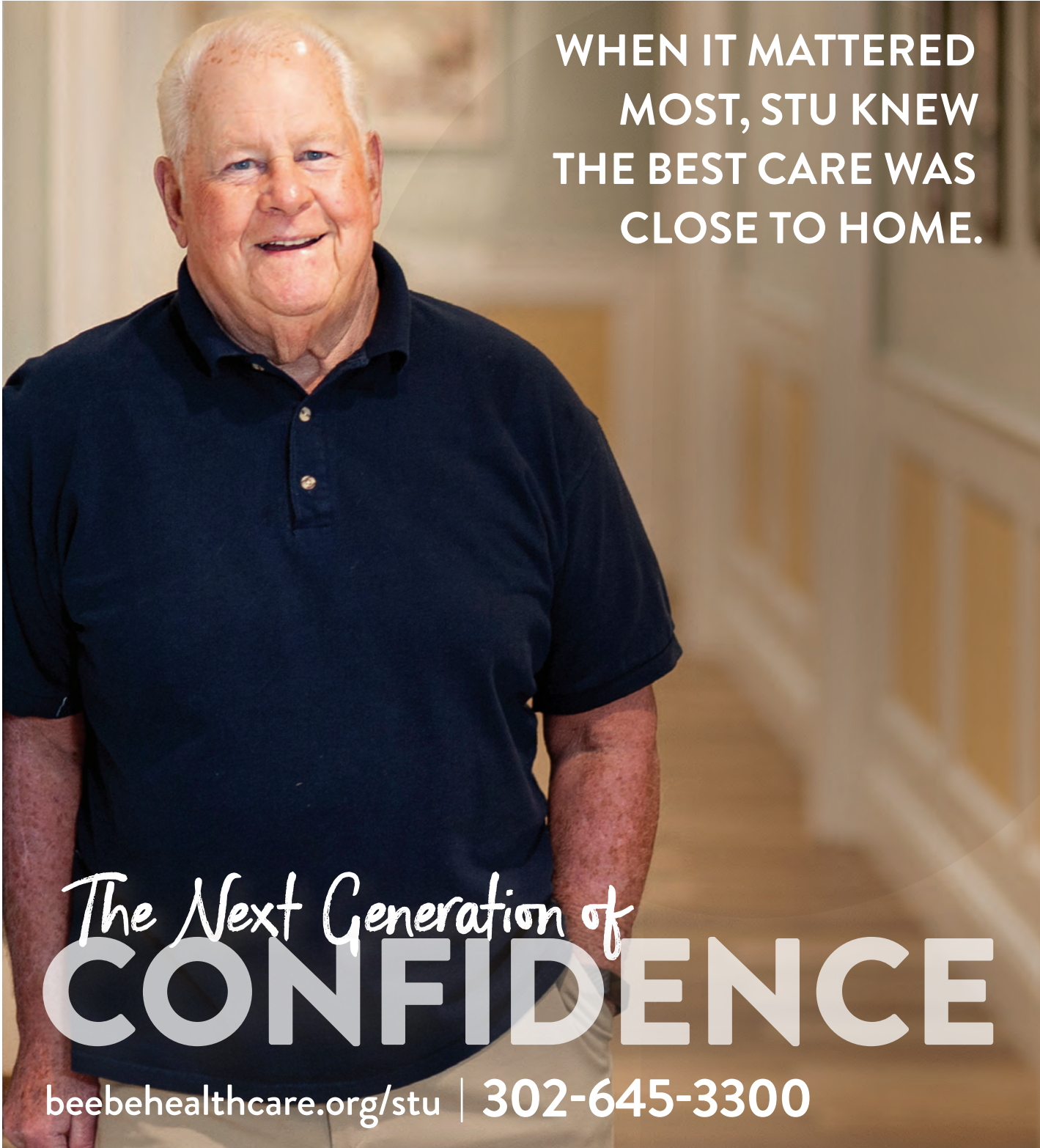
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# Built For Families

ChristianaCare's groundbreaking new Center for Women's & Children's Health is an investment in the health, well-being and future of our community **BY JANICE NEVIN, M.D., MPH**

IN RECENT MONTHS we've all felt the change to our daily lives. Many of you may be dealing with feelings of uncertainty as the coronavirus pandemic has affected us in ways we could not have imagined.

In times like this, we want to stay firmly connected to our community and continue to move forward with our commitment to providing the right care, in the right place, at the right time, for everyone we serve.

"For the Love of Health" is our mantra at ChristianaCare. We have transformed from a health system into a system that is impacting the health of all Delawareans.

Even today, as we provide care and help to protect our community from coronavirus, our caregivers are supporting new moms during the experience of childbirth and welcoming a new baby into the family.

We believe the first step to being a healthy adult is being a healthy child. That is why we believe in taking a life-course approach to health, starting right at birth.

It is for all of these reasons that I am so pleased and proud to share with the Chamber community that ChristianaCare will open its brand-new Center for Women's & Children's Health later this spring. The new Center is an eight-story, 400,000+ square-foot tower that will support and enhance the most up-to-date, evidence-based model of care, with improved integration of services and the space to offer innovative and transformative patient-centered care for mothers, babies and families.

The Center will feature:

- A state-of-the-art NICU—one of the most advanced in the nation—featuring private rooms with sleep-in space for families.
- New and expanded labor and delivery suites.
- Private rooms for mothers and families after delivery.
- Expanded triage area and new labor lounge.
- Separate admitting and discharge areas for the convenience of our patients.
- A continuing care nursery for babies with needs including newborn jaundice, feeding challenges and those born exposed to opioid drugs during pregnancy.

As an employer committed to high-value women's and children's health care, ChristianaCare represents the gold standard in mom-, baby-, and family-friendly policies, practices and programming. Our investment in the Center will enhance our ability to provide expert care to women and their families across the state and will be a beacon to attract and retain workers across the business spectrum.



A guiding philosophy during the five years that went into the design of the Center was to keep mothers and babies together and to support families as a whole. There was a deliberate focus on the changing needs of women across generations and how to engage women before, during and after they walk through the doors. That thinking is clearly echoed in both the architecture and the care that will be provided at the Center.

Currently, ChristianaCare delivers more than 6,000 babies each year—making us a leading provider of maternity care in the region. We have the only high-risk delivering hospital in Delaware offering Level III neonatal intensive care. The new Center will support ChristianaCare's focus on reducing infant mortality, neonatal abstinence syndrome, maternal mortality and post-partum depression.

The Center will support the health of the community by providing state-of-the-art, high-quality comprehensive specialty care for women and children across the lifespan and critical care to infants. With the opening of this new building, ChristianaCare will be the only health system in the region with couplet care in the NICU, keeping moms and babies together. The other parent or partner can even stay the night.

ChristianaCare recognized that the NICU is a very challenging environment during the first hours and days of starting a family. Letting a mother be right next to her child, even in the most difficult of circumstances, is a unique and meaningful opportunity to foster bonding. This is predicated on a European model that demonstrated that mothers are more likely to breastfeed in this environment, which is particularly important in the early development of children.

The building will also feature private rooms for mothers, babies and families after birth, an expanded continuing care nursery for babies with special needs; a tranquil family rooftop garden; vibrant, sibling play spaces with interactive displays and artwork; and open community spaces for health education and programs.

All of us want the very best for the newest members of our community and for their families. This new Center will bring the full range of

ChristianaCare's expertise to women, babies and children and is a life-long commitment to the healthy future of our community and our state. ■



**Janice Nevin, M.D., MPH** is President and CEO of ChristianaCare.



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# Saint Francis Healthcare: On the Leading Edge of Women's Healthcare Services

BY BRANDON HARVATH

NATIONAL WOMEN'S HEALTH WEEK begins on Mother's Day, May 10, and extends through May 16. The week serves as a reminder for all women to make their health a priority and build positive health habits for life.

In addition, Saint Francis received national recognition for the quality of our maternity services. We are the first hospital in the state to earn The Joint Commission's certification in Perinatal Care, for women and their babies before and just after delivery. Saint Francis has also been designated a Highmark Blue

Cross Blue Shield Blue Distinction Center + for Maternity Care.

Whether you are expecting or not, know that you can count on Saint Francis for women-focused care in key specialties such as cardiology. Often, with certain preexisting conditions (such as diabetes, depression, and menopause), heart conditions present and manifest differently in women than in men. Saint Francis is proud to have female cardiologists on our staff, who not only appreciate but also understand personally the nuances of women's health within their field of specialty.

We are proud to offer our community a personalized world-class experience that we like to call The Saint Francis Way. High-quality, compassionate, individualized care focused on mind, body and spirit is our specialty. Our bariatric surgery program is a Metabolic and Bariatric Surgery

Accreditation and Quality Improvement Program, certified by the American College of Surgeons, and is also recognized as a Center of Excellence by Highmark Blue Cross Blue Shield and Aetna. We also offer nutrition counseling and weight management services. And our breast health program helps women know their risks of breast cancer and other breast health issues, while focusing on prevention, management and comprehensive cancer care.

The next time you or a woman in your life has a health care need, consider Saint Francis Healthcare. Give us the opportunity to provide a world-class experience that will exceed your expectations. ■



**Brandon Harvath** is the Chief Operating Officer at Saint Francis Healthcare.



Saint Francis Healthcare, now more than ever before, is poised to be women's resource for better health, for several reasons. Here are just a few.

Our newly opened Saint Francis Women's Health Greenhill outpatient office offers 3D mammography, DEXA scan, and ultrasound services in one location. There, you also have access to convenient obstetric care as well as a full complement of gynecologic health services for women of all ages. We also have three other convenient locations in the region.

When it comes to maternity services, your local community hospital will surprise you with the breadth and quality of our capabilities. Our private birthing suites allow new mothers and their babies to bond under the care of expert nurses and physicians. And, in case your infant is premature or requires extra medical attention, our Special Care Nursery is staffed 24 hours a day, 7 days a week by world-class neonatologists from Nemours Children's Health System, one of the nation's most renowned institutions in specialized pediatric care. We partner with ChristianaCare Maternal Fetal Medicine to meet the needs of mothers over age 35 and those with high-risk pregnancies.



## Greenworks Lending Closes First C-PACE Deal in Delaware

Greenworks Lending, the nation's leading provider of Commercial Property Assessed Clean Energy (C-PACE) financing, closed the first C-PACE deal in the state of Delaware. The state's first use of C-PACE financing will be to provide upfront capital for energy efficient upgrades to Wilmington's historical DuPont building. The C-PACE financing for the DuPont building is the first use of the Energize Delaware C-PACE program which is administered by the Delaware Sustainable Energy Utility, Inc.

The building, a hallmark of downtown Wilmington, was originally constructed in 1908 and had been the longtime corporate home to El DuPont du Nemours until 2015. Today, the building is the global headquarters for The Chemours Company (Chemours) (NYSE: CC), a global chemistry company. At approximately 1,000,000 square feet and taking up an entire city block, the building has been undergoing significant renovations since The Buccini/Pollin Group purchased it in 2017. When completed, the space will be a modern, mixed-use facility consisting of a hotel, luxury apartments, a theatre, retail space, and Class A office space.

The financing will be used to cover multiple energy efficiency measures including chiller plant replacement, boiler replacement, and cooling tower refurbishment. For this project, the contractor selected Trane® CenTraVac™ chillers with Opteon™ XP30 (R-514A) refrigerant developed and produced by Chemours. Opteon™ XP30 is a non-flammable refrigerant that enables excellent energy performance, with ultra-low (<10) global warming potential.

These upgrades will deliver estimated savings of \$14,217,721 over the equipment's lifespan while also delivering environmental benefits equivalent to reducing 2,670 metric tons of CO2 emissions annually.

"PACE financing closes a significant gap in the market for funding energy efficiency projects for commercial properties," said Doug Edwards of Seiberlich Trane Energy Services, the contractor on the project. "We have been working for years to bring PACE to Delaware and are so excited to finally make this new program a reality for the building owners and tenants of the historic DuPont Building. This project will create many local jobs and will significantly lower the property's carbon footprint. It's an exciting win-win for all parties involved."

Tony DePrima, Executive Director of Energize Delaware stated, "We are really excited about our first closing, this would not be possible without the strong support of Matt Meyer, New Castle County (DE) Executive and the whole County Council, we hope to expand the program in Sussex and Kent Counties this year."

## Karins and Associates Announces New Maryland Office Space to Support Rapid Growth

Karins and Associates, a leading engineering and surveying firm headquartered in Newark, DE, expanded and relocated its Maryland office.

"This is an exciting time for our team," said Dev Sitaram, president. "This move supports our business strategy for growth and our commitment to providing superior customer service and advanced technology solutions to our clients."

The Maryland office expanded to much needed larger space for growing staffing requirements at 109 E. Jarrettsville Road, Suite G, Forest Hill, Maryland.

Karins and Associates has been on an upward trajectory in recent years.

Karins acquired Momenee, Inc, a Pennsylvania surveying and engineering company, in 2016, and opened branch offices in Exton, PA, and Edgewood, MD, in 2018. This has prepared Karins

for additional expansion into the Mid-Atlantic region. With the relocation of the Maryland office in 2020, Karins is poised to serve its growing client base of local and national clients, with room for exponential growth.

Karins is also certified as a Minority Business Enterprise (MBE) with the State of Delaware, a Disadvantaged Business Enterprise (DBE) with the Delaware Department of Transportation, a DBE with the State of Pennsylvania, an MBE with the City of Philadelphia, a DBE with the State of Maryland, and a Small Minority-Owned firm with the federal government.





## Dr. Joseph Olekszyk inducted into Nanticoke Physician Hall of Fame

On Tuesday, January 21, 2020 Nanticoke Memorial Hospital along with many family, friends and colleagues gathered to pay tribute to Dr. Joseph P. Olekszyk by inducting him into the Nanticoke Memorial Hospital Physician Hall of Fame.

The Hall of Fame recognizes and honors physicians who have served their communities with dedication and distinction and who have made significant contributions to the provision and improvement of healthcare in Western Sussex County. Dr. Olekszyk has proudly provided Otolaryngology (Ear, Nose and Throat) services for over 30 years to the Western Sussex County community through his private practice and at Nanticoke Memorial Hospital.

The proceeds of this event totaled over \$5,000. These proceeds were donated in Dr. Olekszyk's name to the Philadelphia College of Osteopathic Medicine and the University of Pennsylvania for research in hepatology and organ transplantation.

Nanticoke is grateful to Dr. Olekszyk for his many years of dedicated service to our community. "The care Dr. Olekszyk has provided to his patients has been extraordinary," said Penny Short, MSM, BSN, RN, President of Nanticoke Memorial Hospital. "We are humbled that Dr. Olekszyk chose our community all those years ago. We are forever grateful for his dedication to his patients and to our hospital. We can never say thank you enough to Dr. Olekszyk and his wife Pat for all they have done for our hospital and for Seaford."

## Relaunch of DART Adopt-A-Shelter Program

Delaware Transit Corporation (DTC) relaunched its DART Adopt-A-Shelter

## Easterseals = A Lifetime of Services

Students at John M. Clayton Elementary school have come to expect Alex Layton's smiling face when they visit their school library. After all, Alex has been their library assistant for nine years. Twenty-eight-year-old Alex landed his dream job shortly after graduation thanks to Easterseals Supported Employment program.

"The library has been a perfect job. It is well respected and he has mastered his position," Alex's mom, Debbie who volunteers in the library, says. Debbie laughs as she shares what the kids have to say about the fact that Alex is the computer whiz, while she is in charge of putting books away. "All the kids like to say that Mr. Alex is the brains and Miss Debbie is the brawn."

Alex's experience with Easterseals Delaware & Maryland's Eastern Shore is not new, in fact it spans many decades as he started receiving services when he was under the age of one. He was born with Cerebral Palsy and when his mom realized he was not meeting his milestones like his peers; she knew she needed help so he could be the best he can be. The therapy he received with Easterseals

Children's Therapy Services set the foundation for the bright future he now lives today.

"Easterseals has always met Alex's needs from the time he was an infant to this time in his life. From assis-

tive technology to physical therapy to help him be more independent, they have always been there and I know they will always be there," Debbie says. "Alex is a 28-year-old guy like everyone else. He likes the same things like sports and cars. He just does some things a little differently."

Alex adds, "I just want to try to live a normal life."



program. The primary focus of the program is to enlist schools, community organizations and business partners to assist in providing attractive and inviting bus shelters for our customers.

John Sisson, DTC CEO stated, "We are excited to relaunch our Adopt-A-Shelter Program. While we continue

to welcome community-based organizations and businesses, we would also like to attract schools, both public and private, to showcase their school spirit on our shelters through art. Artistic creation and adopting a shelter are a winning combination, bringing recognition to the essential role public



transit plays in improving Delaware's quality of life."

All adopted shelters can display artwork defining the school, group or individual supporting the location. The Adopt-A-Shelter agreement allows the shelter adopter to determine the maintenance schedule or agree on a schedule set by DART. DART believes that these partnerships will result in more attractive and appealing shelter environments for riders while also reducing the number of incidents and associated costs of vandalism. It is also an opportunity for schools, individuals and/or groups to be publicly recognized for their contribution to the community.

To learn more about the Adopt-A-Shelter Program, visit [DartFirstState.com](http://DartFirstState.com), or contact Lerrissa Boardley, Marketing, and Communications & Outreach Specialist at 302-576-6016 or [DOT\\_Marketing@delaware.gov](mailto:DOT_Marketing@delaware.gov).

## The Buccini/Pollin Group Welcomes Marlette Funding as New Anchor Tenant to The Concord

Wilmington-based developer, owner, and manager, The Buccini/Pollin Group, Inc. (BPG) is pleased to welcome Marlette Funding, LLC to The Concord at 3419 Silverside Road. Marlette, developer and operator of the Best Egg consumer-lending platform has signed a long-term lease for 60,000 square feet of built-to-suit (BTS) Class A office space in the redeveloped mixed-use community formerly known as Concord Plaza.

The new office space will be leased entirely to Marlette, making the fintech company the newest anchor tenant in the office park. BPGS Construction will manage the construction of the 3-story building, which is expected to be completed in the 2nd quarter of 2021. Since BPG

purchased the development in late 2003, over \$100 million in renovations have been completed.

"Marlette Funding has called Wilmington home since 2013 when our company started with just two employees and roughly 100 square feet. With this new space, we will have room for more than 400 employees," shared Jeffrey Meiler, CEO of Marlette Funding. "As our company grows, we remain dedicated to bringing new employment opportunities to the Wilmington community and investing in the area as a growing fintech hub."

"Marlette Funding is just the kind of company that we want to stay in Delaware," said Governor John Carney. "They are innovative, growing, and adding jobs. Delaware has a world-class workforce, a central location, and a quality of life that is second to none. The fact remains that Delaware is a great place for Marlette and businesses of all sizes to put down roots, grow, and create good-paying jobs."

## Brandywine Valley SPCA Opens New Location in Dover

The Brandywine Valley SPCA (BVSPCA) held a Grand Opening celebration to mark the first day opened for its new location in Dover to serve Kent County. The new facility includes an adoption center, stray dog holding, a low-cost veterinary clinic, and opportunities for families to get involved through volunteering, fostering and humane education. The Dover Campus completes the BVSPCA's strategic plan to open a full-service facility in each county.

"We're proud to have achieved this milestone for the pets and pet families of Delaware," said Adam Lamb, BVSPCA CEO. "We can now provide comprehensive, high quality, consistent resources

across the state, and Kent County will finally have access to many services currently lacking in this area."

The Dover Campus addresses several unmet needs in the Kent County community. They include low-cost veterinary services; intake intervention programs, such as a pet food pantry and behavior counseling for owned pets; and humane education initiatives, such birthday parties and service projects that help the animals. The facility also houses stray dogs in their hold period as part of the BVSPCA contract with the Delaware Office of Animal Welfare (OAW) to provide state-wide animal services.

The Dover Campus is located at 1757 Horsepond Road. Previously an animal shelter that sat unused for many years, the BVSPCA renovated and upgraded the site to include the latest in progressive animal sheltering and modern veterinary technology. The Dover Campus is the fifth BVSPCA location.

## Delaware Zoological Society Launches New Capital Campaign: Our Zoo Re-imagined

For nearly 115 years, the Brandywine Zoo has been an iconic regional landmark and a beloved destination for generations of Delawareans. Now, this treasured jewel is undergoing significant changes as part of the Zoo's Master Plan. This Plan re-imagines the Zoo with a balanced approach between infrastructure, guest services and modern animal habitats. As the Plan unfolds, there will be both public and behind-the-scenes changes. To help accomplish this transformation, the Delaware Zoological Society, the Brandywine Zoo's nonprofit partner organization, has launched a capital fundraising campaign: Our Zoo Re-imagined.

This \$5 million capital campaign will fund Phase Three of the Master Plan, resulting in a dramatic new entryway—expanding the Zoo’s footprint, and a new South American Wetlands Habitat that will include several animal species, such as, flamingos, sloths, and the world’s smallest deer, the Southern Pudu. “The face of our Zoo is about to change,” states Megan McGlinchey, honorary campaign co-chair, “and, change is good. Our re-imagined Zoo will enhance animal welfare, improve visitor experiences and strengthen our conservation education and outreach programs.” McGlinchey adds, “It will also contribute to the growth and energy of our community.”

The Brandywine Zoo is a true public-private partnership; the care and management of the Zoo’s land and animals is managed by The Delaware Department of Natural Resources & Environmental Control (DNREC) and fundraising and business operations are managed by the Delaware Zoological Society.

DNREC has already committed \$5 million to finish the first two phases of the plan. The multi-level Madagascar Habitat is under construction and expected to open later this year. Work will start on the animal wellness building in late 2020/early 2021. This modern care and quarantine building is necessary for acclimating new animals and for providing on-going veterinary care. To date, DNREC has completed upgrades to the Andean Condor viewing area, an improved farmyard interaction space, and several interactive play-and-learn areas, including the Honeybee Station.



## ChristianaCare Selects Town of Whitehall for New Primary Care Practice

The Town of Whitehall, the first town to be created in Delaware in over a century, is pleased to announce that ChristianaCare is the lead occupant of the Whitehall Wellness and Professional Center.

EDiS Company, one of the two partners at Whitehall, is developing the Wellness and Professional Center. Strategically positioned across from the new 800-student Lorewood Grove Elementary School, the 20,000-square-foot center designed by Architectural Alliance will serve as a pillar of health for Whitehall and the greater community. In the planning phase for more than a decade, this facility speaks to the philosophy of Whitehall to build a better community through health. Wellness will now literally sit at the intersection of community and education as this facility will take center stage in the town center.

“Along with my partners at EDiS and at Eastern States Development, we have been incrementally weaving together the fabric of a town that will last into the next century. We are honored that ChristianaCare supports our vision,” said Brian DiSabatino, Town Founder.

ChristianaCare will offer primary care at this new location, plus additional health care services that are still being planned.

“We are on a mission to deliver the right care, at the right place for everyone, in all the communities we serve,” said Mike Eppheimer, MHSA, FACHE, president of the ChristianaCare Medical Group. “Being situated in the center of Delaware’s newest walkable and bikeable community enables us to serve our neighbors in the most literal sense. We look forward to being expert, caring partners in health to the families of Whitehall and the surrounding neighborhoods.”

The new facility is expected to open in 2021.

ChristianaCare, which currently has 17 primary care practices throughout the region, will occupy 10,000 square feet on the ground level of the Whitehall Wellness and Professional Center. Additional tenants are expected to be announced soon. EDiS Company, the developer and design-builder, is currently vetting proposals from other interested tenants.



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**#MemberNews:**  
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**Delaware Tech Workforce Development and Community Education:** Need a job? Short-term training might be the answer. Flip to page 62 of the most recent **Delaware State Chamber DE Business Magazine** to learn how our division is helping students build career paths in a wide variety of industries. View the story: <http://bit.ly/33c8077> **#DTCCpride** **#netDE**

**#NEWS:** 2020 Superstars in Education winners are revealed <https://bit.ly/2TGjJXn>  
**Talley Middle School, Las Américas ASPIRA Academy, and Sussex Technical High School** **#netde** **#SuperstarsinEDU** **#education**



**Wohlsen Construction Company** promotes Delaware Valley teammate, Suzanne Murphy from estimator to project manager <https://bit.ly/327vV7h>  
**#MemberNews**



**#MemberNews:** Delaware Memorial Bridge (@demembridge) continues to break **#traffic** records in 2020 <https://bit.ly/2ICUXm3>



Congratulations to DSCC member, **The Chemours Company**, on their grand opening of the Discovery Hub in Newark!



**Delaware Business Times**  
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The Discovery Hub will also connect **The Chemours Company** staff with the University of Delaware, performing experiments alongside professors and students to develop new applications for its products.



Chemours officially opens \$150M Discovery Hub  
[delawarebusinesstimes.com](http://delawarebusinesstimes.com)

77 • 3 Comments





"We know the best way to help these students prepare for the workforce is to engage them at the middle and high school levels" - @DrMarkBrainard, @delawaretech. We are also proud supporters of Delaware Pathways! #workforcedevelopment



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By Dr. Mark T. Brainard At Delaware Technical Community College, we lead students to a career path by providing them with skills they need t...  
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### Kammerer named among Most Influential Restaurant CEOs in nation

Scott Kammerer, president of Rehoboth Beach-based SoDel Concepts, was recently named to the Nation's Restaurant News 2020 list of the most...

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18

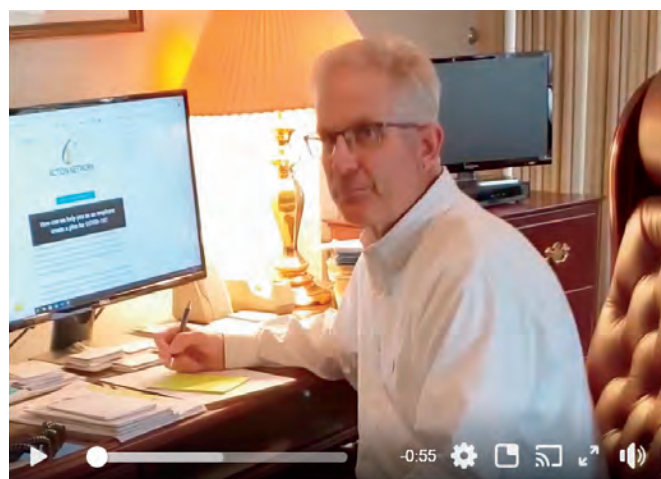
The #WeeklyReport is out! Features include #coronavirus resources for employers, #WorkforceDevelopment with @YearUpWILM & DSCC receives #communications honors. Read it here: <https://conta.cc/2QaltG8> #netde #debiz



#MemberNews: Former Delaware U.S. Bankruptcy Court Judge Kevin Gross Joins Richards, Layton & Finger <https://bit.ly/2U8bUtN> #netde #debiz #law



We had a great time today helping students prepare to enter the #workforce at the University of Delaware Career Center's Career Prep Pop-Up #ResumeWriting #CareerReady



With #COVID-19 affecting local #restaurants, #breweries, #retailers & #theatres across the state, we want to do our part to help support Delaware's #SmallBusiness & #nonprofit community. Join us in the #GiftCardChallenge: buy a gift card from your favorite #local spot #netDE

23

5 Comments 18 Shares



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# CALL THE CHAMBER

The State Chamber of Commerce staff works for you, serving our member companies and organizations statewide. This State Chamber staff directory lists phone numbers and email addresses, as well as individual areas of responsibility. If you need business assistance or information, please don't hesitate to call.



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The mission of the Delaware State Chamber of Commerce is to promote an economic climate that strengthens the competitiveness of Delaware businesses and benefits citizens of the state. The Chamber will provide services members want; it will serve and be recognized as the primary resource on matters affecting companies of all sizes; and it will be the leading advocate for business with government in Delaware.





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