



## *CCJEF v. Rell* Court Decision

### What Is CCJEF?

CCJEF, or the Connecticut Coalition for Justice in Education Funding, is a nonprofit organization whose members include municipalities, boards of education, professional education associations and unions, other Connecticut nonprofits, parents and grandparents, public school students age 18 and older, and other Connecticut taxpayers.

### Timeline of the Case

**2005** — CCJEF filed suit in Superior Court to challenge the constitutionality of the state's education funding system.

**2007** — Superior Court ruled against CCJEF, concluding there is no constitutional right to "suitable educational opportunities."

**2010** — Connecticut Supreme Court reversed, finding there is a constitutional right, and sent the case back down to the Superior Court to determine whether the state has met its responsibility to provide public school students with suitable educational opportunities.

**2016** — Superior Court Judge Thomas Moukawsher ruled that the state's chief educational policies failed to fulfill its constitutional duty.

### Court Decision in 2016

The Superior Court found that although the state exceeded the minimum public school funding level standard required by the constitution, it fell short of meeting its constitutional obligation in the following areas: (1) intervening in struggling school districts when local government falters; (2) distributing education aid; (3) defining elementary and secondary education; (4) setting standards for hiring, firing, evaluating, and paying teachers; and (5) funding special education, identifying eligible students, and delivering services. The court required the state to submit plans within 180 days that address each of these matters but did not specify the required content for these plans.

On September 15, 2016, the attorney general filed an appeal seeking the Connecticut Supreme Court's review of the trial court's judgment. The Supreme Court agreed to hear the case, and both sides have proposed a schedule that would likely lead to oral arguments in late spring 2017. This means a decision is not likely to be reached until after the 2017 legislative session ends. The 180-day compliance deadline is on hold pending the Supreme Court's decision.

## Main Findings of the Court

**School District Intervention** — The court found that the state’s duty under the state constitution to provide free public education is non-delegable. “The state is responsible for Connecticut public schools, not local school districts,” the court wrote. The court ordered the state to submit a plan that redefines the relationship between the state and local governments, with particular attention to state action regarding troubled school districts.

**Education Aid** — The court found beyond a reasonable doubt that Connecticut is failing in its “constitutional duty to provide adequate public education opportunities” because it has no rational plan to distribute money for education aid and school construction. The court said this does not mean it should set the amount of money the state should spend on education. But the court did order the state to draft a rational spending plan.

**Defining Elementary and Secondary Education** — The court found that the state has broken its promise to provide free secondary education for the state’s poorest students by making a high school degree meaningless, as it is not credibly tied to real educational achievement. As for elementary education, it found the state’s failure to define it rationally violates the constitutional duty to provide a meaningful opportunity to get an elementary education. It ordered the state to propose meaningful definitions and standards for elementary and secondary education.

**Teacher Standards** — The court found that the state has failed to meet its constitutional obligation to Connecticut public school students is in its educator evaluation and compensation systems. It held that “beyond a reasonable doubt. . . the state is using an irrational statewide system of evaluation and compensation for educational professionals . . .” The court ordered the state to submit replacement plans for both evaluation and compensation, along with proposed implementation schedules.

**Special Education** — The court found the state to be engaged in two practices regarding special education that raise constitutional concerns. First, it found that the state is spending money on severely disabled students who may be incapable of receiving any form of education. Second, it found the state’s system for identifying students for special education services to be mostly arbitrary and dependent upon the “irrational” criteria of where children live and the pressures placed on their respective school systems. The court ordered the state to submit new special education standards that rationally and verifiably link special education spending, identification, and services with elementary and secondary education.

**“There shall always be free public elementary and secondary schools in the state. The general assembly shall implement this principle by appropriate legislation.”**

— Connecticut Constitution, Article Eighth, Section 1



**Learn  
More**

“OLR Backgrounder: *CCJEF v. Reli*,” OLR Report [2016-R-0177](#)

Superior Court’s Opinion: [CCJEF v. Reli](#)

“Education Cost Sharing Grants,” OLR Report [2016-R-0167](#)



OFFICE OF LEGISLATIVE RESEARCH

Analysts: John Moran and Marybeth Sullivan  
Connecticut General Assembly  
860-240-8400 | [www.cga.ct.gov/olr](http://www.cga.ct.gov/olr)