

TESTIMONY OF THE
CONNECTICUT COALITION
FOR **JUSTICE**
IN EDUCATION FUNDING
TO THE
ECS TASK FORCE
Bridgeport, July 12, 2012

My name is Dianne Kaplan deVries, and I serve as Project Director for the Connecticut Coalition for Justice in Education Funding.

I'm here this evening to remind Task Force members that this state faces a serious school funding lawsuit, *CCJEF v. Rell*, a constitutional challenge brought because of the state's systemic and long-term failure to adequately and equitably fund the public schools.

Year after year the state has ignored its constitutional duty to ensure quality schooling and equal educational opportunity for all children, in every community of the state. And year after year the state has pushed more and more of the school funding burden onto municipalities and the property tax. The result: the same gross disparities of taxation that we see translated into unconscionable disparities in school quality and student outcomes. Connecticut is definitely a state where geography is destiny for most schoolchildren.

Bridgeport has long been a poster child for all that ails the state's school finance system. That's why for the past 14.5 years, Bridgeport parents, schoolchildren, the City, Board of Education, nonprofits like BCAC, and others have had to turn to the courts to seek enforcement of the constitutional rights of schoolchildren.

To refresh everyone's recollections, the *CCJEF v. Rell* lawsuit is all about making certain that every student and every school and district has an equal opportunity to meet the same high educational standards and expectations that the state itself has established. In legal terms, *CCJEF v. Rell* is all about ensuring educational adequacy and equity for every Connecticut public school child.

Just in case the terms "adequacy" or "equity" still perplex anyone, attached to this testimony is a 2-page explanation of those important terms, along with concrete examples of the kinds of resources required for an adequate education. Look at that sheet and ponder the indisputable fact that Bridgeport is at the very lowest end of all Connecticut school districts in being able to afford meaningful access for its schoolchildren to the kinds of adequate resources listed in that document.

Indeed, it should come as no surprise that CCJEF's fiscal experts have found the greatest deficit of equal educational opportunity in Connecticut is right here in Bridgeport, followed closely by New Britain.¹

In simple language, with per pupil spending for school operating costs (Net Current Expenditures per Pupil) that in 2010-11 ranked only 93rd out of 166 districts despite serving students who are arguably the state's poorest and neediest, just how can we expect miracles in Bridgeport's schools? With crowded classrooms, a lack of sufficient academic intervention personnel and pupil support staff, inadequate textbooks and other instructional materials, and many buildings in unsuitable condition (to name just a few of the district's resource deficits), this appalling disregard for poor, minority, immigrant, and disabled students has simply got to end.

The state may well argue that it has no more money to invest in Bridgeport or the schools, but that argument doesn't cut the mustard. In state after state, judges are deaf to such arguments and are adamant that it's the constitutional rights of schoolchildren that must trump all. Either the state will have to find new revenues or seriously rethink its prioritization of how it spends taxpayers' money.

Finally, a personal aside related to how Bridgeport schoolchildren are being deprived of equal educational opportunity: I find it appalling that the City and Board of Education had to approach the state on bended knee for a loan of a mere \$3.5 million and in turn be asked to sacrifice local control over the choice of the next superintendent, fiscal officer, or other high-ranking district leader. As I see it, the State of Connecticut owes Bridgeport schoolchildren an arrearage of some \$125 million for having withheld ECS funding that should have been paid the district under the formula between FY96 and FY05. These were 10 of the 12 years that the ECS cap was in play and produced devastating effects on this district and many others. In four of those years, more than \$20 million was withheld in a single year; in FY98, nearly \$27 million was withheld. These aren't abstract or trivial cuts — they were bread-and-butter cuts that got at the very heart and soul of this school district, more or less sealing its fate as a district of perpetual fiscal despair and academic failure. This "loan" of \$3.5 million, in my view, is thus totally insulting to the tens of thousands of children whose education was yanked from under their feet by the state.

Tragically, today's new generation of Bridgeport students continues to be grossly underfunded and undervalued by the state of Connecticut. The state, it seems would rather fight schoolchildren in the courts than to adequately and equitably fund a quality education that affords every child equal opportunity. This is a huge moral, socioeconomic, and legal misstep by the state.

I thank you for these few minutes to barely scratch the surface of all that needs to be said about the plight of Bridgeport — and for that matter, there are dozens of other CCJEF municipalities and school districts whose funding inequities and inadequacies deserve no less concern and focus. We remain willing and eager to work with you to fix the state's broken school funding system. This Task Force has a unique opportunity to serve as a prime mover in resolving the *CCJEF v. Rell* lawsuit out of court for the most urgent sake of all our children.

¹ This is based on a measure of equal educational opportunity using CMT and CAPT z-scores and the need-adjusted spending gap between district NCEP and the state mean. More highlights from the study will be publicly released early this fall.

ADEQUACY & EQUITY DEFINED

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*An “adequate and equitable” education ...
is the effective provision of curriculum and instruction,
pupil support services, related programs and materials,
and a learning environment that is reasonably sufficient
for ensuring equal educational opportunity for all children
at a level consistent with state and national standards and
which successfully prepares PK-12 students for advanced
training and study, work, and citizenship in the 21st century.*



Adequacy

- ◆ **Education adequacy** means that all PK-12 public school children receive a quality education, and that every child graduates high school prepared for gainful employment or military service, postsecondary education or advanced training, responsible citizenship, and full participation in our democratic institutions.
- ◆ An **adequate education** affords all school children a reasonable and meaningful opportunity to meet Connecticut’s learning standards.
- ◆ **Adequate funding** means that there are sufficient resources for providing every student with ample opportunity to succeed in meeting the state’s quality education standards.

Connecticut Supreme Court:

*The
adequacy
standard is
dynamic,
dependent on
“demands of
an evolving
world.”*

*CCJEF V. RELL (2010)
PLURALITY OPINION*

Equity

- ◆ **Equitable opportunities to learn** means that students in every community are afforded approximately the same quality of education regardless of wealth, language, race, disabilities, or other happenstances of birth or geography.
- ◆ **Equitable funding** means that every school and district receives a fair share of available resources to support the unique learning needs of the students it serves.
- ◆ **Equitable funding** also means that the burden placed by the state on communities to support their local schools must result in **fair and reasonable education tax rates.**

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Adequacy & Equity Principles

Schools must be resourced commensurate with the learning needs of all students they serve — and state education aid must have a direct, rational relationship to the actual cost of providing those resources consistent with municipal ability to pay.

Resources Essential for Adequacy & Equity

- ◆ **Competent, qualified professionals in every classroom and in every school and district leadership role**, as well as librarians, technology specialists, nurses, counselors, and social workers — all supported with sustained high-quality professional development and an effective performance evaluation system
- ◆ **Standards-based state-of-the-art curriculum** that's comprehensive, rigorous, and aligned with assessments
- ◆ Curricular offerings that include **world languages, visual and performing arts, gifted and talented and STEM programs, and vocational training**
- ◆ **Alternative learning programs** for middle and high school students, including online courses, work-study programs, and other dropout prevention approaches that accommodate students' unique learning styles
- ◆ **Appropriate class sizes**, typically 15-18 students in PK-3 classrooms and no more than 22-25 in higher grades, with extra assistance/support in classrooms that serve especially challenged learners
- ◆ **Textbooks, materials, supplies, library holdings, computers, and other classroom and instructional management technologies** that are ample, up-to-date, and well-maintained
- ◆ **Universal preschool** in high-needs districts, with full-day/year-round availability and quality consistent with that of the state's School Readiness Program — together with **all-day kindergarten** statewide
- ◆ **An array of extracurricular offerings**, including team sports, art/music/drama/dance programs, and special-interest clubs to help motivate students to stay in school, develop talents, and build social skills
- ◆ **Programs targeted to at-risk students** for purposes of accelerated remediation, enrichment, motivation, and social interaction, as well as **intensive services for English-language acquisition and quality programming for all special education students**, with effective management of inclusion practices
- ◆ **Wraparound services** for children and families in high-needs districts (including health and dental care, mental health services and counseling, dispute resolution, and other social services)
- ◆ **Longer school day or extended-day offerings** to afford more time for learning, enrichment, and safe, productive use of students' after-school hours — plus a **longer school year or summer programs** to afford more time for learning, foster credit recovery or acceleration, and reduce summer learning loss
- ◆ **Safe, well-maintained, energy-efficient school facilities** that meet 21st-century schooling needs
- ◆ **Appropriate pupil transportation services** that meet late-bus and interdistrict magnet enrollment needs



All the above examples impact student learning — and they all cost money. These examples of resources essential to adequacy and equity reflect "best practices" across the nation and are consistent with the aims of Governor Malloy's proposed education reform agenda. Yet few Connecticut communities are able to afford these resources — despite students' constitutional right to a quality education!

How do we know whether adequacy and equity goals are being met? Primarily by analyzing a wide variety of student outcome measures (more than just test scores) and that of subgroup populations (disaggregations by race, gender, wealth, ELL, SPED) to ascertain whether all are meeting state learning standards. An adequacy cost study, conducted periodically, also helps monitor the adequacy of a state's school funding system and estimates the real cost of resourcing each district to achieve adequacy and equity.

State funding should be sufficient so that no municipality falls short and is unable to provide the necessary learning resources for its students. Adequate and equitable state funding is essential for closing the achievement gap and securing Connecticut's future.