

Privatization has failed in Connecticut and public educational reform . . . is alive and well.

# STATE OF THE STATE: CONNECTICUT

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To truly understand the complex financial dilemma that faces the state of Connecticut, an understanding of the terms disparity and equity must be defined. Connecticut faces great financial challenges as the state races towards the new millennium. Issues that undergird the financial picture in Connecticut include state mandated integration, unfulfilled state mandates and unfulfilled legislative promises. That, combined with dramatic enrollment growth, places Connecticut in a unique and unenviable position in its fiscal management of the state's 169 school districts.

To understand Connecticut's dilemma is to understand the state's geographical make-up. From the wealthy gold coast of Fairfield County to the rural qualities of the northern part of the state, Connecticut represents a state in turmoil.

## Two Connecticut

Broderick (1997)<sup>1</sup> noted that "forty-two years ago, the landmark US Supreme Court decision, *Brown v. Board of Education* (1954) found that the doctrine of separate but equal had no place in this country. Yet, even today, the state of Connecticut is struggling to find remedies to the de facto segregation that finds 80 percent of the state's minority school children enrolled in only 18 of the state's 169 school districts."

In July of 1996, the state supreme court reversed a lower court ruling in a case called *Sheff v. O'Neil* (1996) and found in favor of the plaintiffs, 17 Hartford area school children. Back in 1989, Milo Sheff, a sixth grade student at Fox Middle School in the city of Hartford, filed suit along with 16 other African American and Latino students against then governor William O'Neil. The suit charged that the state of Connecticut violated its own state constitution, limiting the educational opportunities of inner city youths. In the suit, the plaintiffs alleged that inner city students do not receive the same educational opportunities as do the other students in suburban and rural communities. The suit contended, as Broderick noted, that inner city youths must receive "an equal and unsegregated education."

The court initially ruled in *Sheff* (1995) that there was no basis for the suit and that there was no state action which had created the educational disparity. A year later on appeal, in a 4-3 decision (known as *Sheff II*)<sup>2</sup>, the state supreme court ruled that Connecticut as a state had indeed violated the rights of inner city students, and found that district boundaries (which in most cases reflected town boundaries) have caused unconstitutional segregation, and that racial isolation has deprived

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students of a substantially equal educational opportunity. The court however, did not prescribe any remedy to the situation and order the state's legislative bodies to remedy the crisis. After the court ruling, much debate has focused on remedies to the state's racial isolationism.

## Background

The genesis of the *Sheff* case was forged in a report of then state Commissioner of Education Gerald Tirozzi. In this 1987 report entitled *Racial Ethnic Equity and Desegregation in Connecticut Schools*, Tirozzi outlined the challenges that the state faced. In the report Tirozzi noted that there were "Two Connecticut's" and contained data that reflected the economic and racial isolation in the state. The report noted that in 1987, minorities enrolled in Connecticut schools represented almost double of the racial population of the general population of the state; 25 percent of Connecticut's school children were minorities while only 13 percent of the general population were people of color. The report noted that 98 percent of the state's school districts had minority populations of less than five percent. The report went on to note the statistical crisis that urban living created. The state responded with a two tiered process for developing regional plans to improve and benefit all Connecticut public schools. In the six regions of the state, grass root forums were organized to seek out solutions to deal with this racial isolationism. However, while many regions sought creative remedies (charter schools, resource sharing and magnet schools), only one of six regions voted in favor of the plan. Funding and clear state direction continue to plague an already volatile crisis. It is clear that while racial isolationism plays a prominent role in the financial picture in Connecticut, special education and funding formulas continue to be of concern.

## Funding—State Aid or Not?

Connecticut has had a long history of financial reform and a debate on the issue of local and state control. To understand the present Connecticut Equalized Cost Sharing Formula, one must first revisit the court mandated Guaranteed Tax Base that was in effect until 1988<sup>3</sup>. Advocates of the GTB, according to Jones<sup>4</sup>, claim that this plan maximizes local control, taxpayer equity and local school efficiency. At the time of the implementation of the GTB in 1978, Connecticut was one six states at the time still giving aid in the form of a flat grant.<sup>5</sup>

However, the state's failure to fund the GTB formula, created greater disparities among the state's 169 districts. This, coupled with the failure of the military dependent economy in Connecticut, forced the legislature to disband the GTB and seek other remedies in funding the Connecticut funding formula. The legislature in 1988 developed the Equalized Cost Sharing Formula.

## Equalized Cost Sharing

According to the Connecticut Conference of Municipalities special report entitled *Connecticut's Equalized Cost Sharing (ECS) Formula: Changes since 1988* (1997)<sup>6</sup>, the basic mechanism of state aid for public elementary and secondary education in Connecticut has been severely cut since the program started in 1988. The report noted that as originally formatted in 1988, the ECS formula was a "dynamic" mechanism for equalization of educational funding. The original formula noted that at a certain uniform level of property wealth, every one of the 169 municipalities could afford the minimum per pupil expenditure foundation level to educate each child in its public schools. The original formula dictated that if a town fell short of that wealth level, a state grant would be made by the state to make up the difference.

The original formula relied heavily on a variety of demographic and financial indices of the town in setting up the

wealth level. These included property wealth of the town (Grand List), per capita income, enrollment, student performance based on statewide mastery testing programs, and student poverty levels based on AFDC and free and reduced lunch populations. Yet all data indicated that the revised formula has failed to decrease racial isolationism and has increased spending disparities among towns. The same Connecticut Conference of Municipalities reports notes that because of the ECS, school districts in the state have received \$868 million dollars less in 1996-97 than they would have received when the formula was first adopted in 1988. The state had not lived up to the expectations or the financial commitment of the ECS formula developed in 1988.

Headlines across the state noted that schools were being "cheated" by the state. *The Connecticut Post* on September 3, 1997 noted; *Schools Are Due \$68m*- The state has short-changed public education by 868 million dollars in 1996-97 and may end up back in court as a result. The paper noted that the "possibility of challenging the constitutionality of the funding level is certainly there".<sup>7</sup>

Similar to debate that eliminated the GTB, the state has failed to keep pace with leading economic indicators. The ECS is the largest of all state aid grants, expending 1.8 billion dollars in 1996-97, covering 39 percent of the towns 4.8 billion dollar educational expenditure. There was a massive retreat from the original goal in 1988 of funding 50 percent of the local expense. In fact the state has never funded the formula as prescribed (sound familiar?). The best the state has done is 45.5 percent in 1990, a gubernatorial election year. Why has the ECS failed? According to the same report, the principal reasons for this failure are:

1. Failure to increase the foundation level. The foundation level is defined in the statute as the minimum amount needed to educate a pupil. It has not been raised since 1988, remaining at \$5,711 per pupil. It was to be set in the original formula at the spending level of the 80th percentile town. The 80th percentile town's per pupil cost for 1996-97 was \$6,284, a shortfall of \$573 per pupil.

**Where the money did not go?**  
**Ranking Based on Top 25 Towns Who Have Lost Most Grant Aid and Representative Sampling After Top 25.**

MUNICIPALITY	ENROLLMENT October, 1996	1988 FORMULA AID IN 1997 DOLLARS	1996-7 ACTUAL	+/-
BRIDGEPORT	22,442	167,363,891	109,635,778	-57,728,112
HARTFORD	24,148	203,434,736	151,366,789	-52,067,947
NEW HAVEN	19,459	152,621,654	102,276,061	-50,345,593
WATERBURY	14,618	105,548,988	66,749,986	-38,799,001
NEW BRITAIN	9,563	69,217,358	41,652,633	-27,564,725
EAST HARTFORD	7,289	36,348,386	14,616,713	-21,731,673
MERIDEN	8,597	53,700,191	32,333,387	-21,366,804
MANCHESTER	7,843	37,823,062	20,495,918	-17,327,145
WEST HAVEN	7,511	45,248,563	28,797,415	-16,451,150
BRISTOL	8,485	42,866,041	26,798,620	-16,067,420
STRATFORD	7,014	25,071,905	9,204,902	-15,867,003
HAMDEN	6,497	26,336,140	11,559,896	-14,776,244
DANBURY	8,742	27,189,692	13,017,694	-14,171,998
MILFORD	7,250	23,039,099	8,916,877	-14,122,222
WALLINGFORD	6,925	28,882,660	16,306,676	-12,575,984
NAUGATUCK	5,708	33,315,441	21,722,532	-11,592,909
ENFIELD	6,847	33,205,635	21,697,925	-11,507,711
WEST HARTFORD	8,615	14,963,456	3,863,434	-11,100,022
EAST HAVEN	4,094	22,028,565	11,870,496	-10,158,066
SOUTHINGTON	6,523	24,592,382	14,725,596	-9,866,806
TORRINGTON	4,966	25,444,415	15,588,316	-9,856,099
NORWICH	5,633	34,398,950	24,755,878	-9,643,072
GROTON	6,221	32,344,526	22,707,442	-9,637,084
GLASTONBURY	5,397	11,584,013	2,787,000	-8,797,013
NEW LONDON	3,320	24,706,587	16,207,155	-8,499,431
WINDSOR	4,381	14,931,771	7,102,247	-7,829,524
NORWALK	10,649	14,843,726	8,334,290	-6,509,437
STAMFORD	14,387	10,724,029	4,238,778	-6,485,251
EAST LYME	2,806	10,909,236	5,074,113	-5,835,123
BETHEL	3,243	11,846,578	7,704,716	-4,141,862
TRUMBULL	5,470	5,963,784	2,071,216	-3,861,569
GREENWICH	7,686	4,247,738	519,146	-3,728,592
WESTPORT	3,993	2,653,594	474,156	-2,179,438
WATERFORD	2,830	1,774,157	416,180	-1,357,977
DARIEN	3,275	1,393,324	499,162	-894,162
WARREN	1,243	214,684	52,558	-162,126

Data Provided by the Connecticut Council of Municipalities, 1997

2. In the original formula a Guaranteed Wealth Level was established. This by definition is the property wealth at which a municipality has enough property tax base to support the per pupil foundation level. The states Adjusted Equalized Grand List is based on the ratio of this adjusted grand list. The state has reduced the Guaranteed Wealth Level on three different occasions, resulting in lower grant amounts.

3. While local municipal expenditures have increased due to enrollment increase or negotiated increases, the state has capped the growth on the grant, freezing the grant in 1992 and 1995. This has had a particularly detrimental effect on those towns whose property values have not recovered from the recession during the late 80's and early nineties. While Connecticut's economy has shown growth and recovery over the last two years, the residual effect is still being felt.

The failure of this grant formula may force the state to revisit *Horton v. Meskill* which caused the original GTB to be implemented in 1977 and *Horton v. Meskill II* which promoted the ECS formula.

It is clear that some municipalities have suffered far greater financial hardship than others. Some might say; Connecticut's per pupil expense is exorbitant—look at California. One must first examine cost of living factors and salary issues. Many towns in Connecticut which border affluent Westchester County compete with per pupil expenses two and three times the Connecticut example.

#### Special Education—Too Much or Not Enough?

In a special study conducted by the Connecticut State Department of Education, painted an alarming picture of booming special education programs. According to this report the *Hartford Courant* noted on September 4, 1997<sup>9</sup>, nearly 14 percent of Connecticut public school children are identified needing special education services. Special education population according to the study, has increase 2.5 times faster than the growth of the total population in Connecticut schools. What is causing this exorbitant growth in the special education population? The study finds:

1. Poor early intervention programs
2. Legal advocacy resulting in decisions made by lawyers instead of educators
3. Ignorance of placement by uncertified administrators making special education placements
4. Not enough programs to deal with children with minor learning disabilities.

The financial fall-out on all of this is local educational agencies footing the bill for most of these special education placements since the state moved to a block grant in 1995. Prior to 1995, categorical grants in special education, adult education and transportation were provided. Districts could predict receivable and acknowledge funds earmarked for special education. Block grants have greatly diminished the return on special education expenditures and have placed far greater burden on the municipality. All reimbursements are provided in the following year, except for catastrophic aid. Cases that exceed five times the districts per pupil cost are reimbursed to the town during the same fiscal year as the expense. Unfunded special education mandates and interpretations of Section 504 and P.L. 94-142 have placed great strain on district budgets. Practitioners believe that most new discretionary funds are being eaten up by special education staff, assessments and programs of inclusion. This, coupled with a decrease in state funding for these programs, places added stress to local budgets.

Data developed by the Connecticut Council of Municipalities in 1997<sup>10</sup> indicate that not only has special education population increased, but special education aid has resulted in a 336 million dollar loss in aid to towns. In the original ECS, special education aid, 19% of all ECS costs were for special education. Because the special education reimbursement was incorporated into the ECS block grant in 1995, it is hard to measure actual loss of aid other than the catastrophic/excess cost reimbursement.

#### State Response to Alternative Delivery of Programs

The state of Connecticut has aggressively encouraged cooperating districts to develop magnet school programs, charter schools and resourceful inter-district programs. The state has provided seed moneys and increased aid to districts in the form of construction grants and planning funds. Those districts which involve themselves in inter-district programs through the regional service centers are provided with 100 percent construction funding if the program "encourages inter-district programs that diminish racial isolation". Broderick (1997) noted that a Racial and Ethnic Equity Task Force was developed by the state to explore approaches that can be used to improve quality programs and to "provide experiences to children of different racial, ethnic and economic backgrounds. The task force ultimately defined 52 approaches that could be used to improve access to these quality programs. The state in turn has funded a variety of inter-district initiatives that decrease racial isolation. Magnet schools, charter schools and a host of regional initiatives have developed across the state and will continue to play a significant role in the state's focus on racial integration.

#### Connecticut's Future?

It is apparent that much reform will be required to satisfy the needs of the non-urban towns. Much credit must be given to the state for its sensitivity and financial commitment to the racial integration issue. Yet, many of the local rural and suburban communities resent to some degree the amount of time, energy and resources being funneled into the urban centers. Connecticut's recovery from the recession of the eighties has been slow and this property tax dependent state is still feeling the residue of decreased property tax revenues. This, coupled with an antiquated binding arbitration law and a variety of aforementioned special education mandates, plays havoc on local budgets. This in concert with a dramatic increase in enrollment will place Connecticut at the forefront of service provided or mandate "robber." The legislature is currently revisiting the ECS formula issue, and with an upcoming gubernatorial election, municipalities will place pressure of the state to provide adequate funding for all initiatives.

Privatization has failed in Connecticut (see EAI in Hartford) and public educational reform in Connecticut is alive and well. It must be inclusive and equal across the state.

#### Endnotes

1. Broderick's article in the April, 1997 issue of *School Business Affairs* deals with the issues surrounding Connecticut's racial integration initiative.
2. The *Sheff* cases provided the judicial framework to eliminate racial isolation in Connecticut.
3. The guaranteed tax base was implemented based on the judicial decision in *Horton v. Meskill* and eliminated the flat grant program.
4. In Jones' text, *Introduction to School Finance*, an eloquent discussion of the GTB is provided.
5. Flat grants were provided regardless of need.
6. The Equalized Cost sharing formula was implemented in response to the failure of the GTB.

7. Current funding of the ECS is inadequate and is ripe for judicial reform.
8. *Horton v. Meskill* was contested in 1977, and is one of many judicial decisions that has impacted Connecticut financial reform.
9. The special report was critical of what the state perceives as larger than necessary special education placements.
10. The Connecticut Conference of Municipalities is an organization supported by municipalities and is a lobbying arm of all the Connecticut municipal governments.
11. Broderick notes that grass root support across the state has failed to bring about a clear and decisive agenda to the racial issue in Connecticut.

#### References

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