

TESTIMONY OF THE
CONNECTICUT COALITION
FOR *JUSTICE*
IN EDUCATION FUNDING
TO THE
APPROPRIATIONS COMMITTEE

February 15, 2008

The Connecticut Coalition for Justice in Education Funding appreciates this opportunity to submit comments pertinent to the spending priorities of the 2008 General Assembly's Appropriations Committee and HB 5021, An Act Making Adjustments to the Budget for the Biennium Ending June 30, 2009.

As all members of the General Assembly have been informed, the education adequacy and equity lawsuit filed by CCJEF and other plaintiffs in November 2005 is now before the Connecticut Supreme Court, which has granted a rare expedited appeal of an adverse pre-trial ruling that schoolchildren have no right to a "suitable" education under the Connecticut constitution. That trial court ruling, we believe, flies in the face of legal precedent and state statute, and it significantly narrows the constitution's education clause — which we argue guarantees to all children the right to a substantive, quality education that prepares them for meaningful employment, the academic rigors of higher education, and responsible and active participation in our democratic institutions.

By the summer, the Supreme Court will hand down its decision, and preparations for trial will proceed — either on both the adequacy and equity claims of our original complaint, assuming the Court rules in our favor, or on the equity claim alone, should the Court fail to reverse the lower court's decision to strike the adequacy claims. The Court's decision and the results of the subsequent trial will impact every schoolchild, school district, and municipality in Connecticut and portend the kind of society, workforce, and economy this state is willing to nurture.

The significance of the Supreme Court's decision and the trial that will follow cannot be overstated. Neither can the role that the 2008 General Assembly might play in signaling to CCJEF and the Court that judicial involvement may not be necessary to vindicate the rights of our children.

However, equal and meaningful educational opportunity in a state known for its unconscionable achievement gap will not come without substantially greater investment. Nor can (or should) municipalities continue to carry such a high share of the financial burden for the funding of their local schools. Rather, effective school finance reform that equitably distributes adequate funding for all will most assuredly require a rebalancing of the state's revenue structures, including placing a greater reliance on progressive tax measures and less reliance on property taxes, and creating mechanisms that ensure stable and ample funding of schools during periods of economic downturn and as education costs continued to rise due to inflation, enrollment change, and other such factors.

CCJEF recognizes that under the current tax structure and the state spending cap, and given the anticipated downturn in state revenues, significant changes to the FY09 budget will be difficult, and that therefore most of the urgently needed school finance improvements cannot be achieved at this particular time. Nevertheless, it would seem prudent that at least some special effort be made while the Supreme Court is considering the necessary degree of its involvement. Accordingly, we respectfully suggest that the Appropriations Committee give particular consideration to the following as it reviews HB 5021:

- Make every effort to increase the 2008-09 ECS allocation above the currently budgeted 4.4% increase over last year, lest it be impossible to meet the promised 5-year phase-in that should result in an additional \$1.1 billion in annual ECS funding (otherwise, the projected 2-year increase amounts to less than one-quarter of the total to be phased-in);
- Restore the Governor's proposed \$1.8 million decrease in Priority District funding;
- Lower the Special Education Excess Cost reimbursement threshold from 4.5 to 2.5 times a district's regular program per pupil expenditure;
- Fully funding the pupil transportation and adult education grants, removing their caps;
- Add no new high school testing or graduation requirements unless the local costs of implementing the new mandates are fully paid for by the state, including the added cost of dropout prevention, remediation, and other curricular and pupil support services necessary to ensure that every student has equal opportunity to meet those higher standards;
- Reject proposals for property tax caps, which inevitably impinge upon the ability of municipalities to raise local funds for their schools, unless and until state aid to the public schools is adequate and equitable for all communities; and
- Reject any legislative proposals that place additional financial burdens on cities and towns and their boards of education.

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The Connecticut Coalition for Justice in Education Funding (CCJEF) is a broad-based coalition of municipalities, local boards of education, statewide professional education associations, unions, and other pro-education advocacy organizations, parents and Connecticut schoolchildren aged 18 or older, and other taxpayers. Member school districts serve more than 220,000 students, including some two-thirds of Connecticut's minority students, those from low-income homes, and students from homes where English is not the primary language. The coalition's growing membership includes communities that are home to approximately 40 percent of the state's population.