Issues in Funding Public Education in Connecticut
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Background

Public education in Connecticut is funded through a partnership between the local, state, and federal governments. Towns and cities are responsible for funding the majority of these costs. That means that, given the current tax structure, Connecticut is one of the most reliant states on the local property tax to fund public education.

The cost for public education in our state is over $11.6 billion, and municipal property taxpayers:

- fund 52.8 percent of that amount (almost $6.2 billion). The State contributes an estimated 41.5 percent and the federal government 5.2 percent;
- pay for 62 percent of Connecticut’s $2.1 billion in special-education costs;
- and pick-up the bill for numerous other state-mandated education priorities that are not fully funded by the State.

Source: SDE (preliminary estimate)
Statewide, education expenditures account for about 60 percent of total municipal expenditures. However, that figure can be as high as 80 percent in some smaller towns.

State law limits municipalities primarily to the property tax for own-source revenue, and when municipalities do not receive adequate state education aid, they are forced to raise property taxes, cut other vital services, or both. Local property taxes cannot continue to shoulder the lion’s share of public education costs.

Because property tax bases and incomes differ enormously among towns, a critical function of state aid is to “equalize” the ability of towns to pay for public schools that provide students with equal opportunities for educational excellence.

More than three decades ago in Horton v. Meskill, the Connecticut Supreme Court ruled that the State must distribute education aid in a manner that would make up for disparities in local property tax bases.

Those disparities are significant. The adjusted equalized net grand list per capita (AENGLC) of the wealthiest town (Greenwich) is over 70 times greater than that of the poorest town (Hartford). The greater the disparity in property wealth becomes, the greater the need for additional state aid to try to balance the scales.

Connecticut has a long history of local control of public schools. At the same time, it is the State that has the constitutional responsibility to ensure that all children, regardless of where they live, receive equal access to quality public schools.

Please see Appendix A for information on education finance and related litigation.

In 1989-90, the State’s share of total education expenditures reached a high of 45.5 percent. For FY 17, the State’s share was 41.5 percent. In FY 15, Connecticut ranked 39th in the nation for state share of K-12 public education funding.

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**Municipal Revenue Sources, FY 16**

- **Property Tax**: 72.3%
- **Intergovernmental**: 23.4%
- **Charges, Fees, and Other Sources**: 4.3%

Source: OPM, *Municipal Fiscal Indicators, 2012-2016*
The Education Cost Sharing (ECS) Grant

The Education Cost Sharing (ECS) grant is the State’s largest education grant. Initially developed in 1988, the ECS formula was intended to equalize a municipality’s ability to pay for education. The most recent changes to the ECS formula occurred in 2017. The grant totals $2.0 billion in FY 19.

The basic formula is determined by multiplying the number of students in each town (adjusted for need) by the amount the state has determined a district should spend per pupil to provide an adequate education (the “foundation”) and by an aid percentage determined by the town’s wealth. The fully funded ECS grant is the result of that calculation with some adjustments.

**Need Students**

The formula calculates need students as follows:

- poverty is weighted at 30% and is measured by the number of students eligible for free or reduced price meals or free milk (FRPM), plus an additional 5% of any FRPM-eligible students above 75% of the total number of resident students; and
- the number of students who are English Language Learners (ELL) is weighted at 15%.

**Foundation**

The foundation is $11,525.

**Base Aid Ratio**

The base aid ratio is the percentage of the foundation amount that the state contributes. A town’s wealth determines what that percentage is.

Town wealth is measured using two components: equalized net grand list per capita (ENGLC); and median household income (MHI). Each town’s wealth measures are compared to the median statewide amounts to determine relative wealth, using an adjustment factor of 1.35 for the median, which was lowered from 1.5.

The lower the adjustment factor, the lower the state’s share of ECS.

The formula then uses a wealth adjustment factor (WAF), where ENGLC contributes 70 percent to the wealth calculation and MHI contributes the other 30 percent.

The formula adds a new “base aid ratio adjustment factor,” which is a bonus added to a base aid ratio if the town is ranked in the top 19 towns on the “eligibility index.”

The public investment community (PIC) eligibility index measures town relative wealth and need, and awards points based on economic need and poverty. It ranks towns in descending order (i.e., neediest to wealthiest).
The new formula maintains a minimum aid ratio for all alliance districts at 10% and reduces the minimum aid ratio for all other districts from 2% to 1%.

**Regional Bonus**

Municipalities receive a bonus of $100 for each student enrolled in a regional district. The bonus is reduced proportionately if the number of grades served by the district is less than K-12.

**Phase-in of Formula**

Changes in funding due to the new formula will be phased-in beginning in FY 19.

For FY 19, amounts are determined as follows:

- if a town’s fully funded ECS grant under the new formula is greater than its base grant amount, it will receive the base amount plus 4.1% of the difference; and
- if a town’s fully funded ECS grant under the formula is less than its base grant amount, it will receive the base amount minus 25% of this difference; however, if the town is an Alliance District, it will receive its base grant amount with no reduction.

For FY 20 and beyond, amounts are determined as follows:

- in FY 20 through FY 27, if a town’s fully funded ECS grant is greater than the amount received during the prior fiscal year, the town will receive the prior year’s amount plus 10.66% of this difference;
- if a town’s fully funded ECS grant is less than the amount received during the prior fiscal year, the town will receive the prior year’s amount minus 8.33% of the difference; however, if the town is an Alliance District, it will receive the prior year’s amount with no reduction; and
- beginning in FY 28, each town will receive its fully funded ECS grant; however, if the town is an Alliance District whose fully funded amount is less than the amount it received during the prior fiscal year, it will receive the prior year’s amount.

**ECS Underfunding**

The ECS formula has been modified many times by the General Assembly in ways that have significantly limited its effectiveness and the cost to the State. The formula has never been fully funded and implemented as designed.

If fully funded in FY 18, the ECS grant would have totaled over $2.4 billion. The actual ECS grant for FY 18 was about $1.98 billion, more than $400 million short of the ECS promise. As described above, current law calls for a phase-in to full funding of ECS over the next decade. The State must maintain its commitment to fully funding the grant.

Another issue, which concerns Alliance Districts (the 33 lowest-performing districts, see Appendix B for list), is that ECS increases for those districts are conditional. This conditional funding goes against the principle of equalization and can magnify the problems associated with the current underfunding of the ECS grant in those lower-performing districts.

Since the increased funding for Alliance Districts must generally be used for new or expanded programing, it does little to address the lack of funding and increasing costs unrelated to these new programs in those districts. The net impact on Alliance Districts is that it can actually cost them more for programs than they receive in an ECS increase.

Lastly, more than 90 percent of the ECS increases in recent years have gone to Alliance Districts. This has left the other 133 school districts in Connecticut with little or, in some cases, no additional funding through the ECS grant. In recent years, some districts actually experienced a decrease in ECS funding versus the previous year.

**The Foundation Level is Arbitrary**

In the original formula, the foundation was to adjust to costs each year, starting in 1993-94. That way, as actual costs rose, the foundation – and each town’s ECS grant – would rise as well.

The foundation has remained significantly below actual costs. Between FY 94 and FY 07, the foundation was raised three times, going from $4,800 to $5,891. In FY 07, the foundation was increased to $9,687, and it remained there until 2013 when it was raised to $11,525. All the while, per-pupil expenditures continue to rise, reaching a statewide average of $17,609 in FY 17.

The failure of the foundation to keep pace with costs limits the effectiveness of the ECS formula. Even though needier towns have the highest aid ratios, the foundation gap erodes the equalizing power of ECS because towns of moderate or low fiscal capacity are least able to fund the gap with local property tax revenues. Their only options are to underfund schools and/or other critical local services and overburden local property taxpayers.
The foundation is not currently based on any sound analysis of what it costs to provide an adequate education consistent with the state standards, federal requirements, and all that is expected of schools in adequately preparing a highly competitive future workforce. It is also not tied to any cost index, which means that the foundation becomes less and less able to drive appropriate levels of ECS aid.

CCM has long advocated for using research-based cost estimates as the basis for setting the ECS foundation and student weights, rather than relying exclusively on past expenditures. An adequacy study needs to be completed to determine the proper level at which the foundation should be set. Cost measures based on a regional cost index, as resource costs can vary significantly by geographic region in Connecticut, should also be utilized.

CCM also believes that the foundation should be tied to a measurable economic indicator, such as the Consumer Price Index (CPI) or the Personal Consumption Expenditures (PCE) Index. This would ensure that increasing costs and factors such as salaries, benefits, books, supplies, transportation, energy costs, facilities maintenance and construction, student enrollments, state and federal education standards, etc., are not simply added to the burden borne by local mill rates.

Minimum Budget Requirement (MBR)
The MBR and its predecessor, the Minimum Expenditure Requirement (MER), were originally intended to be companions to ECS that would require towns to spend at least the foundation amount for each student. However, with the foundation remaining virtually flat over the years, minimum spending evolved into a requirement for towns to commit all or most new ECS aid they receive to local education budgets. Eventually any connection to per pupil spending or the foundation ceased to exist.

The MER, which set a minimum amount of local funding for education, was in effect until 2007, until the MBR was put into place. The original purpose of the MBR was to explicitly prohibit a municipality from supplanting local education funding when it received an increase in ECS funding.

For FY 19, there will again be no MBR for school districts that have an “accountability index score” in the top 10 percent of all districts in the state. This allows those districts to reduce their education budget with no restrictions.

Member towns of a newly formed regional school district are also exempt during the first full fiscal year following its establishment.

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**ECS Grant**

<table>
<thead>
<tr>
<th></th>
<th>$ Increase from Previous Year</th>
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<tr>
<td>FY 12</td>
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<tr>
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<tr>
<td>FY 17</td>
<td>($45.8)</td>
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</tr>
<tr>
<td>FY 18 Est</td>
<td>($84.1)</td>
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</tr>
<tr>
<td>FY 19 Adopt</td>
<td>$88.5</td>
<td>6.0%</td>
</tr>
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Source: Adopted State Budgets; State Comptroller Reports
Note: Does not include funding for charter schools, which was added to the ECS account from FY 13 to FY 16.
The MBR for Alliance Districts, or those formally designated as such, equals the prior year’s budgeted appropriation.

The MBR for all other districts is the prior year’s budgeted appropriation plus any ECS increase. If a district is set to receive a reduction in ECS funding in FY 18, it can reduce its MBR by the amount of the reduction.

Additional reductions are allowed for non-Alliance Districts under the following conditions.

- Any district with 20 percent or more of its student population eligible for free or reduced price lunches (FRPL) and a student population as of the October 1 count two years prior that is less than the count for October 1 three years prior, may reduce its budgeted appropriation for education by an amount equal to the difference in the number of resident students for such years multiplied by 50 percent of the net current expenditures per resident student (NCEP) up to a one and one-half percent (1.5%) reduction in the district’s budgeted appropriation for education.

- Any district with less than 20 percent of its student population eligible for FRPL and a student population as of the October 1 count two years prior that is less than the count for October 1 three years prior, may reduce its budgeted appropriation for education by an amount equal to the difference multiplied by the amount of tuition paid per student.

- Any district that does not maintain a high school and pays tuition to another school district and a student population attending high school as of the October 1 count two years prior that is less than the count for October 1 three years prior, may reduce its budgeted appropriation by such difference multiplied by the amount of tuition paid per student.

- Any district that demonstrates new savings through increase district efficiencies or through regional collaboration may reduce its budgeted appropriation for education up to a one-half percent (0.5%).

The MBR is the State’s way of forcing towns and cities to make up for state underfunding education. In an era of frozen or reduced state aid and rising education costs, the MBR is unfair to residential and business property taxpayers. It also means every other local public service, every other local employee, and property taxpayers must pay the price for this mandate and the chronic state underfunding of K-12 public education.
Special Education

The cost of special-education services in Connecticut is over $2.0 billion. This spending accounts for about 24 percent of total current expenditures for education in Connecticut.

The state Excess Cost-Student Based grant provides a circuit breaker once the expenditures for a student exceed a certain level, currently 4.5 times the per pupil spending average of the district. The threshold varies from town to town because of spending differences, but the statewide average is about $79,000.

So, for example, if a municipality spends an average of $16,000 per pupil, it must spend at least $72,000 for a special-education student before being eligible for any state reimbursement. The state grant is supposed to pay for all costs in excess of that figure. Unfortunately, the state appropriation for the Excess Cost grant has remained flat for a decade, even as costs and the incidence of students requiring services have both risen.

Reducing the threshold factor from 4.5 to a lower level would allow the state grant to pick up more of these high costs, relieving some of the local burden. Also the reliance on individual town per pupil spending to set the thresholds results in a wide disparity in the amount of out-of-pocket costs for towns. Higher spending towns end up with the highest contribution rates before state aid is triggered. A single threshold-per-pupil dollar amount, perhaps equivalent to the foundation level, would address this and increase the state share of these costs.

There is also a growing belief that the State should reimburse every town for 100 percent of special-education costs (less federal reimbursement). Under this scenario, the State would also monitor or outsource identification of special-education students and related administrative

![Share of Special Education Expenditures, FY 17](chart.png)

Source: SDE LEA Special Education Expenditures
costs. Such a step would (a) ensure access to necessary resources for all special-needs students, regardless of community wealth and without draining off vital resources from regular-education budgets, and (b) provide significant property tax relief. In addition, services for severe-needs students could be provided regionally, for more efficiency and effectiveness.

Third, and often overlooked, is the failure of the federal government to fund its fair share of special-education costs. Despite some increases in federal special education funding around the beginning of the decade, and some recent stimulus funding, the federal share in Connecticut has been below 10 percent. This falls far short of 40 percent commitment that came with the federal mandate to provide such services some decades ago.

Debate still continues over the decision to fold state special education funding into the ECS grant in 1996. Special education was about 22 percent of the combined grant, and that figure has generally been used to estimate the current portion of ECS that is for special education (about $448 million in FY 18). This is problematic. Since there is no special-education component in the ECS formula, that proxy does not reflect the actual costs associated with special-education students.

Complicating matters, unforeseen demands for the most expensive special-education services too often result in local mid-year budget shuffling, supplementary appropriations, and other extraordinary measures. This is particularly true in smaller towns where the arrival of a single new high-cost special education student during the school year can create a budget crisis.

It is important to point out that Connecticut’s special-education mandates exceed those of federal Individuals with Disabilities Education Act (IDEA) and it is time to reevaluate whether all those additional costly mandates are necessary and affordable.

In addition to direct funding issues, municipalities are also looking for relief from the burden of proof for special-education services. A parent may request a due process hearing if he or she disagrees with the child’s evaluation, placement, or program. School districts may also request hearings when a parent refuses to agree to a child’s placement or program. State Board of Education regulations place the burden of proof on the school district regardless of who initiates the hearing request, resulting in a costly mandate on municipalities. Connecticut policy is contrary to most other states’ policies.

The burden of proof in these hearings should be placed on the initiator of the request. This change would provide needed fiscal relief to municipalities since most requests come from parents.

The State must take primary responsibility for students with special needs. Such students are the collective responsibility of all who live and work in Connecticut, not just their town of residence. Because the costs of special education programs are so high and growing, the State cannot expect individual communities to fund them without significant assistance. When both the state and federal governments underfund mandated programs, regular education programs, other local services and property taxpayers suffer.

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Excess Cost-Student Based Grant

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<tr>
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<tr>
<td>FY-18</td>
<td>$140.6 millions</td>
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Source: Adopted State Budgets; Comptroller’s Annual Reports
The State administers and funds the Teachers' Retirement System (TRS), which provides pensions for teachers. In FY 19, the cost of the TRS contribution is over $1.2 billion. The Center for Retirement Research at Boston College projected in 2015 that the contribution would exceed $6.2 billion by 2032.

There have been recent proposals that called for towns and cities to contribute to teachers’ pension costs. These proposals, however, do not address the problem in TRS.

First, municipalities should not be forced to pay for the underfunding of the TRS in past years. The problem of underfunding goes back decades, and simply passing those costs on to towns and cities is not the solution.

Second, this proposed cost shift is not accompanied by any structural changes to the TRS. The system is unsustainable, and any changes to funding must be done in conjunction with structural changes.

Teachers’ Retirement System (TRS)

- TRS projection based on ADEC being calculated based on current 8.0% assumed rate of return, with actual future market returns of 7.0%.

Source: Secretary Ben Barnes, Office of Policy & Management, Presentation to the Pension Sustainability Commission.
“The problem of underfunding goes back decades, and simply passing those costs on to towns and cities is not the solution.”
There are a number of policy actions that the State can undertake to improve our education finance system.

- Increase the ECS foundation level to reflect the real cost of adequately educating students tied to a statutorily identified cost index.
- Commit to fully funding the ECS grant.
- Eliminate the Minimum Budget requirement (MBR) mandate.
- In lieu of a complete State takeover of special-education delivery, decrease the Excess Cost grant threshold to at most 2.5 times the district’s average per-pupil expenditure and fully fund the grant.
- Pay 100 percent of marginal costs for severe-needs students, statewide without equalization.
- Shift the burden of proof to the petitioner in special-education due process hearings.
- Make modest reforms to the Teachers’ Retirement System (TRS).

State underfunding of local public education over time has shifted a huge unfair tax burden onto the backs of residential and business property taxpayers.

The State must meet its funding obligations to Connecticut’s schoolchildren and school districts even in the face of budget challenges. To continue to transfer state budget problems to towns and cities and their property taxpayers is unfair, and it shortchanges Connecticut’s future. Whether in ECS, special education reimbursements, categorical grants or school construction, it is critical that the State accept and meet its constitutional responsibility, identify the necessary revenues, and provide municipalities, school districts, and our more than 500,000 public school children with the resources they need in good times and bad to ensure the quality of our public schools, now and in the future.

The State must reduce costly mandates on local boards of education, including relief from the MBR.

The quality of Connecticut’s educated workforce is one of the key assets in attracting and retaining businesses. A first-rate education system – and education finance system – is vital for Connecticut’s prosperity and quality of life.

The education needs of Connecticut’s schoolchildren don’t disappear because of a bad economy. The choice is whether to provide adequate resources or to surrender the futures of today’s school-age children. Connecticut can and should do better.
Endnotes

1. State Department of Education (SDE), FY 17 data. The remaining 0.5 percent comes from private donations and other contributions.
2. Ibid.
3. SDE LEA Special Education Expenditures
4. CT Office of Policy and Management (OPM), Municipal Fiscal Indicators, 2012-2016
5. SDE, 2017-18 school year.
6. Includes all state revenues on behalf of public elementary and secondary education, including state grants, bond funds, and department expenditures - including the Connecticut Technical High School System, magnet schools, charter schools, vo-ag programs, unified school district expenditures, and teachers’ retirement costs.
7. US Census Bureau, Public Education Finances:2015
8. Adopted FY 19 state budget adjustments.
9. SDE data.
10. Adopted FY 19 state budget adjustments.
11. CCM calculation based on adopted state budgets and data from the Office of Fiscal Analysis (OFA).
12. SDE. Per-pupil expenditures refer to “net current expenditures per pupil” (NCEP) as defined by SDE. NCEP is commonly referred to as districts’ operating budget minus pupil transportation costs.
14. CCM estimate based on SDE data for the 2016-17 school year.
15. Governor’s proposed FY 18 state budget.
Appendix A
A Brief History of Education Finance and Related Litigation in Connecticut

1973: Canton parents, led by parent and lawyer Wesley Horton, file suit against then-Gov. Thomas J. Meskill and other state officials charging the system of financing public education violates the state constitution.

1977: The State Supreme Court, in Horton v. Meskill, rules that the system for paying for education is unconstitutional because it relies too heavily on the local property tax.

1985: The State Supreme Court, in response to a challenge by the Horton plaintiffs, orders the State to come up with a school financing plan providing more aid to needy towns.


1990: In the first of a series of amendments, the legislature creates the “Equalized Cost Sharing Formula,” (ECS) a far-reaching remedy providing more money to communities for schools, based on a sliding scale. The formula considers a town’s property wealth, income, number of students, student performance, and poverty when figuring how much additional state aid a school district is eligible for. A minimum “foundation” for an adequate education is also established and set at $4,800 per pupil.

1995: State legislators increase foundation for education spending to $5,711, but place a cap on increases in education aid from the State to no more than 2 percent. The increase in the foundation is attributed to combining the special education reimbursement grant with the ECS grant. No municipality can receive a cut that is more than 9 percent over the previous year. Aid to selected poorly performing districts, particularly Hartford, increases.

1996: In the Sheff v. O'Neill case, the state Supreme Court rules that the racial segregation in Hartford violates the state constitution.

1997: State legislators continue to dramatically increase funds for Hartford schools, but a cap on increases in aid to other municipalities continues. The Connecticut Conference of Municipalities estimates that the State has shortchanged schools by nearly $1 billion through changes in the ECS formula.

1998: Seven children file suit – Johnson v. Rowland – against the State claiming that the State Supreme Court’s order in the Horton v. Meskill case is not being implemented. Among the dozen municipalities funding the lawsuit are Bridgeport, Coventry, East Hartford, Manchester, Meriden, New Britain, and New Haven.

1999: In response to the Governor’s Task Force to Study the Education Cost Sharing Grant, state legislators raise the ECS cap from 0-5% to 0-6% for three years and make plans to eliminate the cap in 2003-04. It is anticipated that the total removal of the cap will result in a $100-$120 million balloon payment by the State. Legislators also implement (1) a hold-harmless provision which guarantees municipalities no less funding than they received in the previous year; (2) a minimum aid level of funding equal to 6% of the foundation ($350 per need student), subject to the provisions of the cap; and (3) increasing the foundation by 2%, to $5,891.

2001: State legislators provide each town whose ECS grant is capped a proportional share of $25 million for 2001-02 and $50 million for 2002-03. Each town’s share is based on the difference between its capped grant and the amount its grant would be without the cap (excluding any density supplements). Also implement a minimum grant increase of 1.68% for all towns in 2001-02 and a minimum increase of 1.2% in 2003-03. The foundation of $5,891 is unchanged.

2002: The state budget maintains the prior year commitments to provide $50 million in cap relief and a minimum increase of 1.2%, but cuts overall municipal aid by 0.8% and caps funding for special education, adult education, and school transportation.

2003: Funding for the ECS grant increased by 4.2% in FY 03, and by 0.5% for FY 04. Johnson v. Rowland is withdrawn due to a lack of funding for legal costs. Efforts immediately begin to organize a new, broader-based statewide coalition to continue the struggle for school finance reform.

2004: The Connecticut Coalition for Justice in Education Funding (CCJEF) is incorporated and Yale Law School undertakes to provide pro bono representation. CCJEF commissions an education adequacy cost study to be performed by a nationally prominent consulting firm.

2005: CCJEF files education adequacy and equity lawsuit. CCJEF v. Rell challenges the constitutionality of Connecticut’s entire education system, alleging that the State is failing to prepare its schoolchildren to pursue higher education, secure meaningful
employment, and participate in the political lives of their communities. The complaint cites deficiencies and disparities in educational resources as the cause of this constitutional violation and Connecticut’s persistent failures in educational outcomes as evidence that the State is failing to meet its constitutional obligations.

Plaintiffs ask the court, among other things, to (1) declare the State’s system of funding public education unconstitutional, (2) bar the state from continuing to use it, and (3) if necessary due to inaction by the General Assembly, appoint a special master to evaluate and make recommendations to the court concerning possible reforms.

2006: Governor Rell forms a Commission on Education Finance. The bipartisan commission meets for several months and hears testimony from a variety of experts.

2007: The Superior Court concludes in CCJEF v. Rell that there is no “constitutional right to ‘suitable’ educational opportunities.” The plaintiffs appeal the ruling to the Connecticut Supreme Court.

2007: Governor Rell proposes significant changes to education finance laws, based on the recommendations of the Commission. Her proposals would, among other things, increase the ECS grant $1.1 billion over the next five years to $2.7 billion by FY 12.

She proposed significant changes to the grant to (1) increase the foundation to $9,867 from the current $5,891, (2) increase the State Guaranteed Wealth Level (SGWL) to 1.75, (3) raise the minimum aid ratio to 10 percent from six percent, (4) calculate the “need students” using 33 percent of a district’s Title I poverty count and 15 percent of students with Limited English Proficiency, and (5) eliminate grant caps. She also proposed increases in other areas, such as reimbursement for special education costs.

When finally agreed to by the General Assembly and Governor, the adopted budget included several significant changes, including a $237 million increase in overall education funding, including $182 million for the ECS grant. The budget increased the foundation to $9,687, increased the minimum aid ratio to 9% of the foundation and to 13% for the 20 school districts with the highest concentration of low income students, increased the SGWL to 1.75, and other changes.

2008: Oral arguments before the Connecticut Supreme Court are heard in CCJEF v. Rell.

2010: The Connecticut Supreme Court ruled 4-3 in CCJEF v. Rell that all school children in the state are guaranteed not just a free public education, but a “suitable” one that prepares them for a career or college. The Court’s opinion included the following.

- “The fundamental right to education is not an empty linguistic shell.”
- A suitable education is one that prepares school children to...
  - “participate fully in democratic institutions, such as jury service and voting,”
  - “progress to institutions of higher education,”
  - “attain productive employment,” and
  - “contribute to the state’s economy.”

The Supreme Court returned the case to the lower court to determine whether the state has met its obligations and, if not, what remedies it must undertake.

2011: Legislation creates the Education Cost Sharing (ECS) Task Force for purposes of reviewing the effectiveness of the ECS grant and how it relates to state constitutional requirements.

2012: The New York City-based law firm of Debevoise & Plimpton assumes the reins as chief legal counsel for CCJEF plaintiffs, with continued assistance from the Yale Law School Education Adequacy Clinic. Both entities pursue the case on a pro bono basis, given the huge civil rights and equity implications of its claims.

2013: In response to recommendations from the ECS Task Force, changes are made to the ECS formula. The foundation is increased to $11,525 and wealth and need-student calculations are adjusted.

2016: The CCJEF v. Rell trial begins in Hartford Superior Court.

After several months of testimony, Superior Court Judge Thomas Moukawsher issues a decision. He concludes that the State’s method for distributing education aid is irrational and unconstitutional. He gives the State 180 days to develop a new formula for distributing education aid.

In addition, Judge Moukawsher gives the State 180 days to propose reforms regarding the following aspects of the elementary and secondary education system:

- the relationship between state and local government in education;
- a definition of elementary and secondary education;
- the teacher evaluation system; and
- the funding and delivery of special-education services.

The State Attorney General appeals the ruling, and the Connecticut State Supreme Court agrees to hear the appeal.

2017: Oral arguments before the Connecticut Supreme Court are heard in the appeal of Judge Moukawsher’s decision in CCJEF v. Rell.

2018: By a vote of 4-3, the Connecticut Supreme Court overturns Judge Moukawsher’s decision in CCJEF v. Rell.
Appendix B

Alliance Districts

Ansonia
Bloomfield
Bridgeport
Bristol
Danbury
Derby
East Hartford
East Haven
East Windsor
Groton
Hamden
Hartford
Killingly
Manchester
Meriden
Middletown
Naugatuck
New Britain
New Haven
New London
Norwalk
Norwich
Putnam
Stamford
Thompson
Torrington
Vernon
Waterbury
West Haven
Winchester
Windham
Windsor
Windsor Locks
CCM is the state’s largest, nonpartisan organization of municipal leaders, representing towns and cities of all sizes from all corners of the state, with 162 member municipalities. We come together for one common mission - to improve everyday life for every resident of Connecticut. We share best practices and objective research to help our local leaders govern wisely. We advocate at the state level for issues affecting local taxpayers. And we pool our buying power to negotiate more cost effective services for our communities.

CCM is governed by a board of directors that is elected by the member municipalities. Our board represents municipalities of all sizes, leaders of different political parties, and towns/cities across the state. Our board members also serve on a variety of committees that participate in the development of CCM policy and programs. Federal representation is provided by CCM in conjunction with the National League of Cities. CCM was founded in 1966.