



# A Decade and Then Some:

The First Ten Years of *Sheff v. O'Neill* Implementation

# 1996 Holding of the Supreme Court of Connecticut: Affirmative Obligations of the State

**Duty to Provide Education:** "Our Connecticut constitution... contains a *fundamental right to education* and a corresponding *affirmative state obligation* to implement and maintain that right."  
(238 Conn. 1 at 21)

**Duty to Provide an Effective Remedy to Segregation:** "[I]n the context of public education, in which the state has an affirmative obligation... to equalize educational opportunity, the *state's awareness of... severe racial and ethnic isolation* imposes upon the state the responsibility to remedy '*segregation ... because of race...*'" (238 Conn. 1 at 29)

Justice delayed is justice denied.



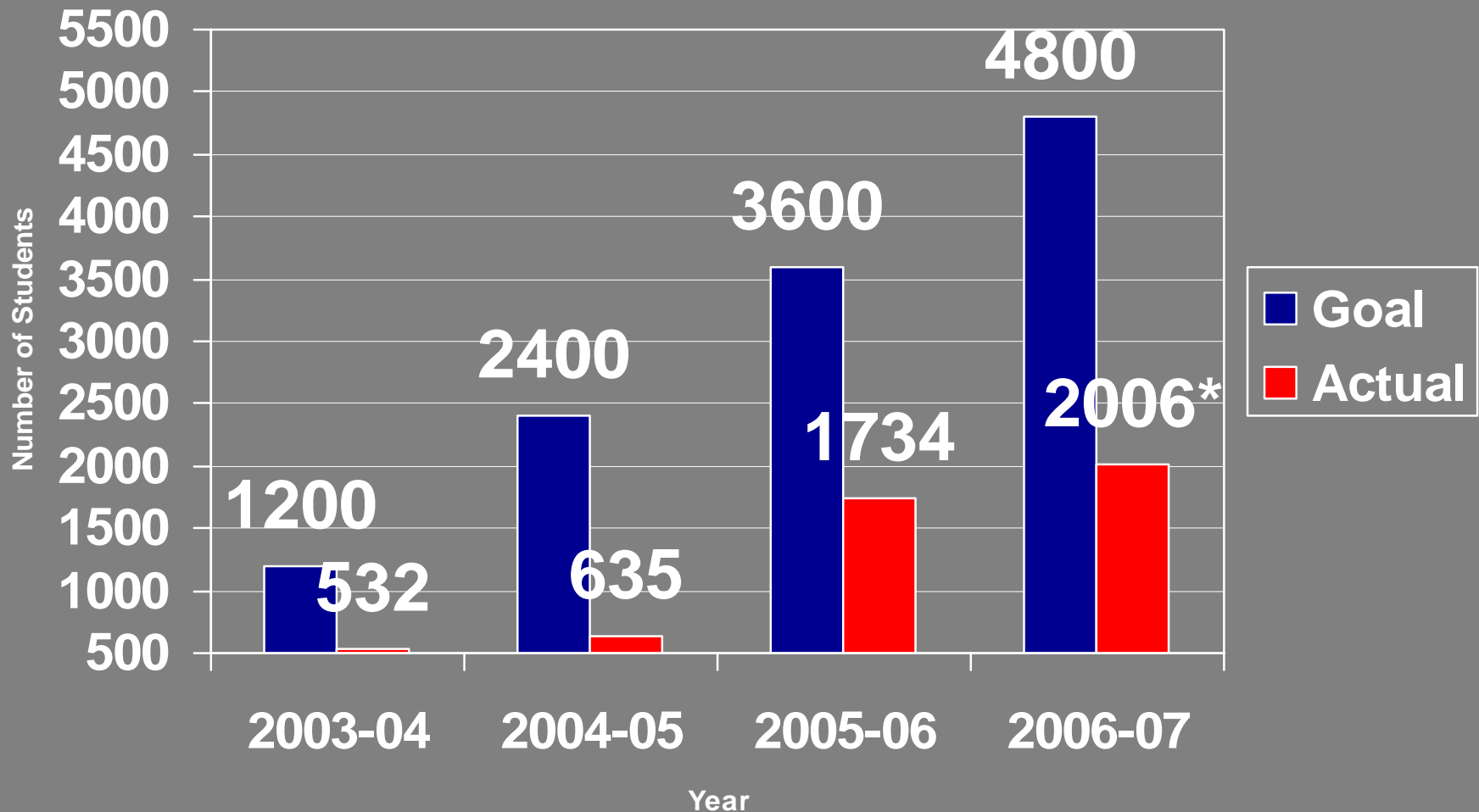
Plaintiff Milo Sheff, at the time of the original filing and in a recent photograph.

# Agreed-Upon Goals of the 2003 Stipulation and Order

- Magnet Schools: “open and operate two new host magnet schools of approximately 600 students each, for approximately **1200 students per year, each year**”
- Open Choice: enrollment “**will be expanded annually to reach a capacity equal to the annual demand for seats;**” *at least* 200 additional seats per year

**OVERALL GOAL:** a minimum of 30% of Hartford-resident minority students in desegregated school settings by the end of the 4-year period

# The state consistently failed to meet goals for new magnet school enrollment.



Sources: June 15, 2005 Fact Stipulation (2003-2005 data); "Hartford Area Interdistrict Magnet Schools," provided to Plaintiffs by the Connecticut State Department of Education, November 16, 2005, via facsimile (2005-06 data); and "Missing the Goal: A Visual Guide to *Sheff vs. O'Neill* School Desegregation," by J. Dougherty et al., Trinity College, June 2007 (\*2006-07 figure only).

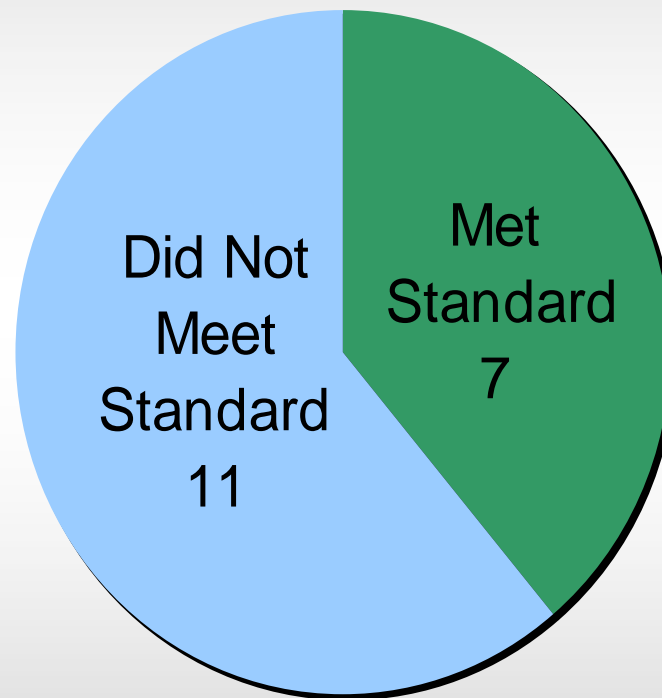
# The failure to enroll more Hartford students in magnet schools does not reflect a lack of demand.

As of November 2005, nearly **seven thousand** students were on waitlists for CREC magnet schools. The waiting list for the University of Hartford Magnet school alone numbered 3,168.

(Source: "CREC Magnet School Waiting List," provided to Plaintiffs by the Connecticut State Department of Education, November 23, 2005, via facsimile.)

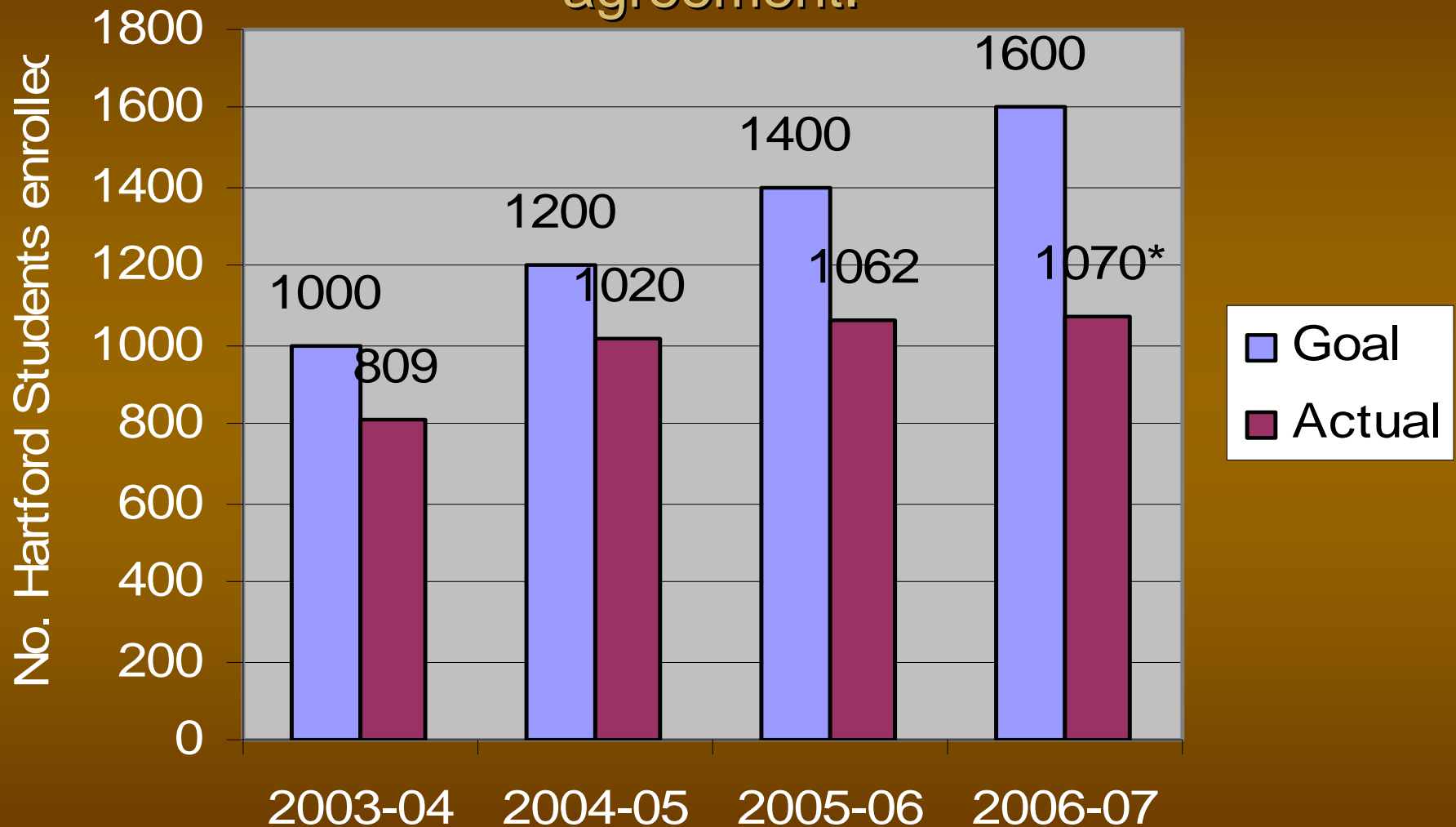
The state has also failed to meet the desegregation standard\* within magnet schools.

**2005-2006**



Data from The Connecticut State Department of Education, as analyzed by Dr. Leonard Stevens.  
\**Desegregation Standard*: Percentage of minority students in any school exceeds the *Sheff* region percentage of minority students by no more than 30 percentage points.

The state also failed to secure the number of seats for the Open Choice program required by the 2003 agreement.



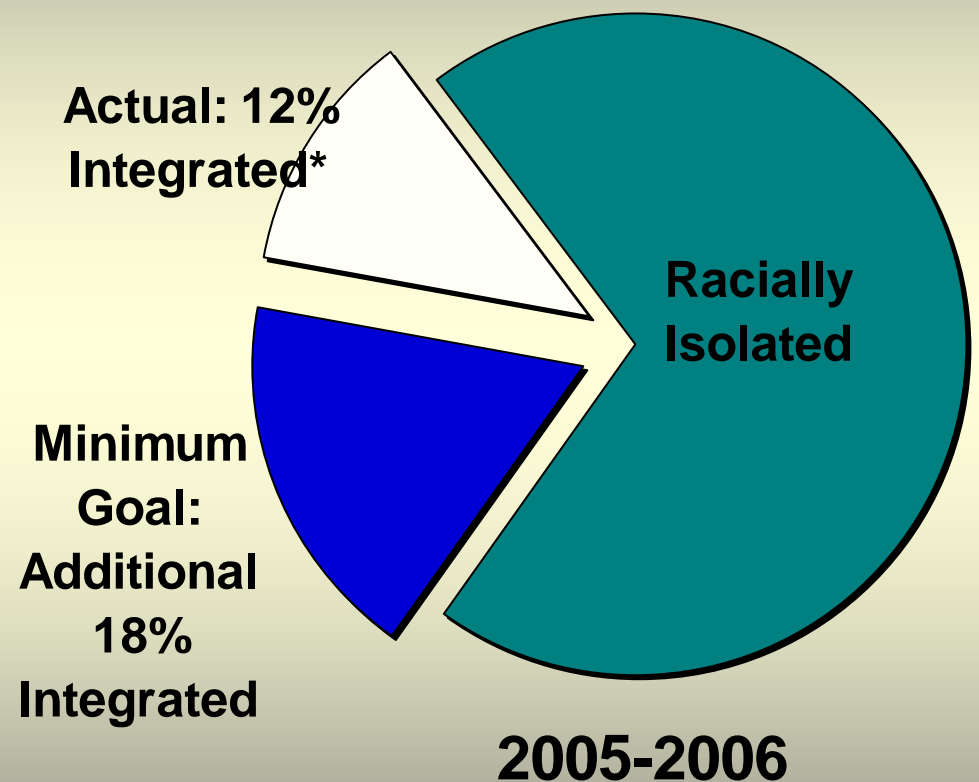
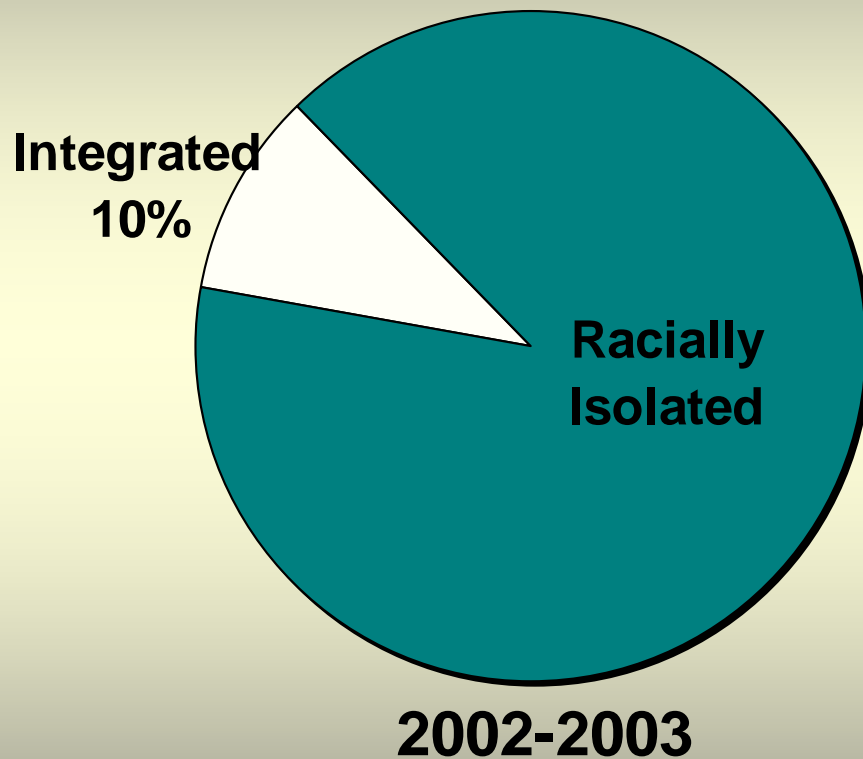
“Actual” data from The Connecticut State Department of Education, as analyzed by Dr. Leonard Stevens; June 15, 2005 Fact Stipulation; and “Missing the Goal: A Visual Guide to *Sheff vs. O’Neill* School Desegregation,” by J. Dougherty et al., Trinity College, June 2007 (\*2006-07 figure only). “Goal” figures from 2003 Stipulation and Order.



***The failure to enroll the required number of Hartford students in the Open Choice program does not reflect a lack of demand.***

Even without aggressive marketing to inform families about Open Choice, hundreds of students were placed on a waitlist for Open Choice each of the 4 years of the 2003 Agreement.

# Percentage of Hartford-Resident Minority Students Enrolled in Schools by Level of School Integration



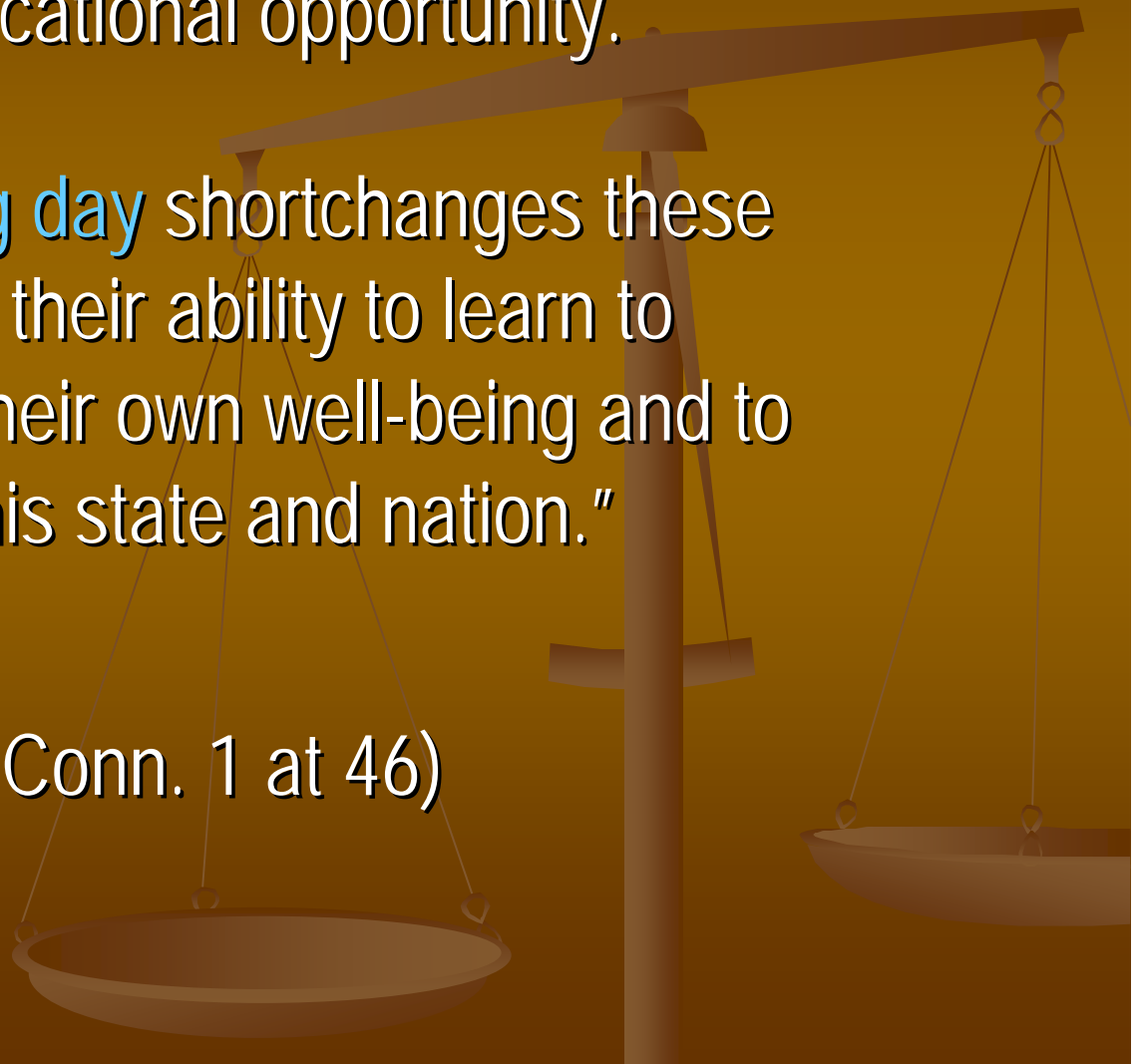
Data from The Connecticut State Department of Education, as analyzed by Dr. Leonard Stevens, and the 2003 Stipulation and Order, paragraph 3 (2002-2003 data).

\*This figure excludes those Hartford-resident minority students currently enrolled in magnet schools that fail to meet the *Sheff* desegregation standard.

"Every passing day denies these children their constitutional right to a substantially equal educational opportunity.

Every passing day shortchanges these children in their ability to learn to contribute to their own well-being and to that of this state and nation."

(238 Conn. 1 at 46)



# New 2008 Sheff Agreement

- Demand-driven system
- Requires the state to plan more effectively to make sure solutions will work
- Concrete improvements to make it easier for families to participate in *Sheff* schools
- Aims to improve quality of *Sheff* and all Hartford-area schools, even non-magnets
- Schools can be a maximum of 75% minority
- OVERALL GOAL: to meet 80% of demand for integration by 2013

# System Driven by Demand of Hartford Minority Students for Integrated Education.

- Supreme Court's ruling in *Sheff* established that all students in the Hartford region have a right to an integrated education.
- Settlement moves toward a system in which every student who wishes to exercise this right can do so.
- There are still benchmarks to make sure that the opportunities for integrated education increase steadily over time. The state must meet these numerical goals, but the aim is to make the availability of integrated education proportionate to the demand for it.

# Effective planning to make sure that *Sheff* solutions work.

- Detailed Comprehensive Management Plan will outline goals and how the State will meet and measure them.
  - *This is the first time the state has ever implemented a comprehensive plan to coordinate all Sheff remedies.*
- SDE Sheff Office will oversee the implementation of the Plan and serve as the central authority responsible for the planning, development, and implementation of all *Sheff* programs.
- Agreement makes the state accountable for taking certain clearly defined steps and meeting goals for integrated education.

# Effective planning to make sure that *Sheff* solutions work.

- New Regional School Choice Office will support collaborations between the State and stakeholders, who will implement *Sheff* programming, including CREC and the City of Hartford,.
  - Office will also include a representative of the *Sheff* plaintiffs.
- Settlement increases the plaintiffs' ability to have input into and enforcement of the terms of the agreement, and provides plaintiffs with meaningful opportunities to go back to court if the state isn't complying.

# Required steps to increase the success of Sheff schools.

## *State must:*

- Conduct outreach to Hartford and suburban parents to help determine which types of programs will be most popular
- Establish methods to determine capacity in suburban districts for Open Choice, and to increase participation by suburban districts
- Establish clear processes for choosing the location and design of new magnet schools
- Help magnet schools improve educational performance and become more integrated



# Steps to make it easier for families to participate in *Sheff* schools.

Improvements include:

- A single application process for Hartford-resident minority students who wish to apply to any *Sheff* program
- A new information service center for families seeking information and advice on options for integrated education
- Review and improvement of transportation services for students in *Sheff* schools

# Steps to make it easier for families to participate in *Sheff* schools.

Improvements include:

- General marketing and targeted recruiting in historically underrepresented communities to let families know about *Sheff* options
- Academic and social support services for students participating in interdistrict schools, particularly to support out-of-district students
- Expanded options for racially integrated pre-schools

# Aim of improving educational quality of all Hartford-area schools, whether or not they are *Sheff* schools.

- The settlement requires that all Hartford regular, non-magnet schools with *Sheff* magnet schools, to make sure that all HPS students benefit from *Sheff*.
- High-performing magnet schools will serve as training centers for teachers and administrators throughout the *Sheff* region.

“Finding a way to cross the racial and ethnic divide has never been more important than it is today.”

“We direct the legislature and the executive branch to put the search for appropriate remedial measures at the top of their respective agendas. We are confident that with energy and good will, appropriate remedies can be found and implemented in time to make a difference before another generation of children suffers the consequences of a segregated public school education.”

(1996 Holding of the Supreme Court of CT in *Sheff*)

