

**STATE OF CONNECTICUT SUPREME COURT**

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S.C. 18032

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**CONNECTICUT COALITION FOR JUSTICE IN  
EDUCATION FUNDING, ET AL.**

**VS.**

**GOVERNOR M. JODI RELL, ET AL.**

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**BRIEF OF *AMICI CURIAE***

**THE CONNECTICUT CONFERENCE OF MUNICIPALITIES, THE BRIDGEPORT  
PUBLIC EDUCATION FUND, THE BRIDGEPORT DISTRICT PARENT ADVISORY  
COUNCIL, THE CONNECTICUT EARLY CHILDHOOD ALLIANCE, THE REGIONAL  
YOUTH/ADULT SUBSTANCE ABUSE PROJECT, AND THE URBAN LEAGUE OF  
SOUTHERN CONNECTICUT,**

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## INTERESTS OF AMICI CURIAE

*Amici* have a longstanding commitment to quality education in Connecticut. *Amici* understand that in order for schoolchildren to reach their potential they must be provided with educational opportunities that are appropriate for their educational background and socioeconomic circumstances. While *amici* believe that every student has the ability to attain high levels of academic performance, they understand that different students require different levels of educational inputs. Some students simply require more educational resources than others in order to achieve the same levels of academic success. *Amici* do not believe that the current state funding system for education is properly designed to ensure that all children are given the opportunity to develop the skills and knowledge they need to succeed in today's complex society. *Amici's* interest is in a public educational system that gives every student, regardless of where they are born, how wealthy their parents are, or what language they speak at home, the same opportunities for success in life. *Amici* believe it the proper and necessary role of the courts to ensure that the state fulfills its constitutional duty to provide students with educational opportunities that allow them to reach their potential.

More specifically, the Connecticut Conference of Municipalities (CCM) is Connecticut's statewide association of towns and cities, serving over 140 member municipalities that are home to over 90 percent of the state's population. CCM represents municipalities at the General Assembly, before the state Executive branch and regulatory agencies, and in the courts, and provides member municipalities a wide array of services, including technical assistance and training, policy development, research and analysis, publications and information programs. As the primary burden for operating the Connecticut public schools falls upon local government, where the school portion of

municipal expenditures can consume half to three-fourths of all revenues, CCM has great interest in the constitutional issue now before the Court and in the fair and expedient litigation of appellants' adequacy and equity claims.

The Bridgeport Public Education Fund (BPEF) develops programs and mobilizes the community for quality public education in Bridgeport. BPEF is charter member of the nationwide Public Education Network (PEN), whose vision is that every day, in every community, every child should benefit from a quality public education. For more than a quarter century, BPEF has engaged in district improvement initiatives and promoted countless education-related undertakings both in and outside the school community. Given the highly distressed nature of the Bridgeport schools and the long-standing failure of the state's education funding system to provide adequate and equitable funding for the city's approximately 23,000 students, BPEF and the distinguished Greater Bridgeport community leaders who make up its board of directors join this amicus brief.

The Bridgeport District Parent Advisory Council (PAC) represents more than three dozen parent advisory councils within Bridgeport Public Schools. PAC goals include recruiting parents and community members to become more involved in their children's schools, empowering parents to be a strong voice on school leadership teams and to help teachers help students to be all they can be, and ensuring that no child is left behind. Because so many Bridgeport children are being left behind, at least in great part owing to the state's failed education funding system, the Bridgeport District Parent Advisory Council joins this amicus brief.

The Connecticut Early Childhood Alliance brings together over 50 organizations from across the state to advocate for policies to improve the lives of children and their families. The Alliance counts among its members parent groups, childcare providers, and early care

and education advocates. Unified around the goal of getting all children ready to succeed in school, the Alliance advocates for the expansion of Connecticut school readiness preschool programs, expansion of children's healthcare coverage, and other initiatives to help families raise successful children.

The Regional Youth/Adult Substance Abuse Project (RYASAP) is an urban/suburban youth and community development coalition that serves Bridgeport, Easton, Redding, Fairfield, Monroe, Stratford, and Trumbull. Its mission is to create healthy communities free of the harm caused by substance abuse, crime, and violence. To mitigate the risk factors affecting youth, RYASAP employs a model of coalition-building and youth/citizen empowerment. RYASAP provides programs in juvenile justice reform and advocacy, young adult leadership, substance abuse prevention and treatment, community service, and youth and community development training and consultation. RYASAP recognizes that healthy communities require healthy schools, yet many of the schools in the RYASAP service region lack the resources necessary to ensure healthy schools or to effectively mitigate the risk factors wrought by concentrated poverty. For this reason, RYASAP joins in this amicus brief.

The mission of the Urban League of Southern Connecticut is to enable African Americans and other minority groups to secure and sustain economic self-reliance and parity. Since 1969, the Urban League of Southern Connecticut has helped residents of Southwestern Fairfield County improve their economic situations through education and self-empowerment. Each year the Urban League of Southern Connecticut serves over 2500 people who participate in our programs and services.

## Argument

Amici present this brief to demonstrate that Connecticut's current system of education funding is arbitrary and flawed, and perpetuates inadequate, unequal state aid for our public schools. Moreover, in the absence of judicial guidance as to the scope of and nature of the state's constitutional duty to Connecticut's schoolchildren, it is unlikely that the political branches will address these harmful deficiencies. Connecticut's funding formula is arbitrary because it is not designed to meet the actual costs of an adequate education. It is an approximation based upon mere speculation rather than a rational, evidence-based estimation of the cost of education. It is flawed, because as a result of legislative tinkering the current ECS formula fails to provide even equitable funding.

Amici believe that as a result of these deficiencies, Connecticut is failing to fulfill the basic promise of the right to education: that a child's educational destiny not be tied to his or her geography. The unfortunate reality today is that as a result of Connecticut's flawed education funding scheme, the town a child lives in, his or her race, and the socioeconomic status of the child's parents all too often determine whether that child will receive the kind of educational opportunities necessary for success in life.<sup>1</sup> In a state as prosperous as Connecticut,<sup>2</sup> where the right to education is fundamental, our children deserve better. Amici agree with Plaintiffs-Appellants that our constitution in fact demands better. Guidance from this Court that article eighth, §1 guarantees educational opportunities that

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<sup>1</sup> Connecticut ranks last – fiftieth out of fifty states – in its achievement gap between rich and poor, and between whites and minorities. Conn. State Dep. of Educ., *Achievement Gaps in Connecticut as Measured by NAEP 2007*, [http://www.csde.state.ct.us/public/cedar/assessment/national/resources/naep/Summary\\_of\\_NAEP\\_07\\_Gaps\\_in\\_CT.pdf](http://www.csde.state.ct.us/public/cedar/assessment/national/resources/naep/Summary_of_NAEP_07_Gaps_in_CT.pdf).

<sup>2</sup> Connecticut has among the highest median household incomes and lowest poverty rates in the nation, as of 2006. Press Release, U.S. Census Bureau, Household Income Rises, Poverty Rate Declines, Number of Uninsured Up (Aug. 28, 2007), [http://www.census.gov/Press-Release/www/releases/archives/income\\_wealth/010583.html](http://www.census.gov/Press-Release/www/releases/archives/income_wealth/010583.html)

are both equitable and adequate will provide the necessary catalyst to the political branches to expedite the development and implementation of a fully funded school aid formula that is evidence-based and fulfills the constitution's promise to Connecticut schoolchildren. Amici therefore believe that it is incumbent on this Court to declare that the fundamental guarantee to education is not solely concerned with equity, but with whether that education is itself adequate.

**I. The ECS Formula is Arbitrary, Flawed and Results in a System of Funding That is Both Inadequate and Inequitable to Connecticut Schoolchildren**

**A. The ECS Formula Lacks a Rational, Evidence-Based Estimation of the Cost of Education**

The Education Cost Sharing grant (ECS) is a financial formula that directs state monies to local school districts to complement local revenues, most of which are generated by property taxes.<sup>3</sup> The ECS foundation formula was never based upon a rational assessment of the actual cost of education and, as a result, fails to generate sufficient resources to meet the needs of a substantial number of Connecticut schoolchildren. At its best, the ECS reflects a well-intentioned conjecture as to what the cost of education in Connecticut might be, and attempts to equalize spending power across districts at that level. At its worst, the ECS formula reflects an effort to minimize educational spending, setting the state aid contribution far below the actual needs of diverse districts, betraying a disregard for Connecticut's neediest districts and students.<sup>4</sup>

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<sup>3</sup> The details of the ECS formula are described in appendix A.

<sup>4</sup> While money is not, by itself, sufficient to meet student needs, there is a universal consensus that it is necessary. See, e.g., Kristen Harknett et al., *Do Public Expenditures Improve Child Outcomes in the U.S.? A Comparison Across Fifty States* 17 (Ctr. for Policy Research, Maxwell Sch., Syracuse Univ., Working Paper No. 53, March 2003), available at <http://www-cpr.maxwell.syr.edu/cprwps/pdf/wp53.pdf>. Even Eric Hanushek, the biggest proponent of the "money doesn't matter" school of thought, concluded his testimony in *Montoy v. State*, 99-C-1738, 2003 WL 22902963, at \*49 (Kan. Dist. Ct. Dec. 2, 2003), aff'd,

The ECS is based upon a flawed estimate of the cost of education, starting with the foundation amount, or base cost for an average student. That number is set, in principle, by the net current expenditures of the district enrolling the 80th percentile 'need student,' when district expenditures are ranked lowest to highest three years previously.<sup>5</sup> While this method may be salutary in its intent to equalize funding across districts, it fails to address two critical primary questions: How much does it cost to effectively educate the average schoolchild, and does spending in the 80th percentile district approximate this amount?

Concluding that the 80th percentile benchmark is a legitimate estimate of average need would be speculative even if it only purported to account for regular education students, as in fact it did at the formula's inception. Governor M. Jodi Rell's Commission on Education Finance, Final Report (2007) 7.<sup>6</sup> However, beginning in 1995-96 and continuing to the present day, the foundation amount is intended to suffice as an estimate of costs for both regular *and* special education students. *Id.* Because a special education student requires many more resources than a regular education student,<sup>7</sup> the hazards of such a model are manifest. Without separately factoring into the ECS formula a weighting that appropriately reflects the marginal costs to educate special education students, the formula cannot purport to represent the real costs school districts face in providing all their students with meaningful educational opportunities. Although the state offers a separate grant outside the ECS formula for reimbursing "excess" special education costs, the

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112 P.3d 923 (Kan. 2005), by "agreeing . . . 'Only a fool would say money doesn't matter.'"

<sup>5</sup> This is what the formula called for in its original design, and the current foundation is based upon a calculation of what that amount would have been in 2007 under the original formula. This amount will now remain static for the coming five years, even though education costs will not. The original formula would have required annual re-calculation.

<sup>6</sup> Available at: <http://www.hartfordinfo.org/issues/wsd/Education/EducationFinance.pdf>.

<sup>7</sup> The state acknowledges this fact, in that it provides "excess" special education funding when a district's costs for a special education student exceed 4.5 times that district's average per-pupil educational expenditures. Conn. Gen. Stat. § 10-76g(b) (2007).

threshold for receiving such aid is extraordinarily high.<sup>8</sup>

The basic inadequacy of the ECS formula is further exacerbated by how it adds weightings to adjust for the extra costs associated with educating students living in poverty and students with limited English proficiency (LEP). Despite recognizing the increased costs of education for such students, the state has never made a rational, evidence-based inquiry as to how substantial these costs actually are. In the case of students living in poverty, the current ECS weight represents little more than a guess. Governor Rell's Commission on Education Finance, which recently reviewed the ECS formula, declined to make a solid estimate of the cost of education for students in poverty, stating only that "while the subcommittee is not recommending a specific level, we do recommend that it be set at a level that ensures a funding impact that is greater than the current poverty and remedial weighting combined. We estimate that the weighting factor would still need to be close to 25 percent." Governor M. Jodi Rell's Commission on Education Finance, Final Report (2007) 8. Thus, the Commission expressed a desire to increase spending on students living in poverty, but employed no evidence-based assessment to determine that new benchmark.

The Legislature exceeded the Commission's recommendation, setting the added weight at 33 percent of the foundation amount. Conn. Gen. Stat. § 10-262f(25)(F) (2007). However, no evidence was offered to support the Commission's initial estimate of 25 percent, nor to support the Legislature's ultimate determination of 33 percent. Without an evidence-based inquiry as to the true cost of educating a Connecticut student in poverty, there is no reason to believe that the current weighting is sufficient. In fact, there is strong

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<sup>8</sup> See statute cited *supra* note 7. State aid for special education is available only for expenditures in excess of 4.5 times a district's average per-pupil expenditures. *Id.*

evidence that it is not. Many other analyses, including that used by the federal government for Title I funds, employ a 40 percent weight for educating students in poverty. The Education Trust, *The Funding Gap 2005: Low-Income and Minority Students Shortchanged by Most States*, 2-4.<sup>9</sup> Whether this or another measure is correct for Connecticut is unknown, since the State has declined to study the matter with any specificity or rigor. Additionally, regardless of weight, it is likely that the current ECS drastically undercounts the students who are eligible to receive it. For 2006-07, the current ECS counting method would have identified 55,000 public school students as living in poverty,<sup>10</sup> while the total number of students receiving free and reduced lunch – a commonly accepted poverty measure – topped 156,000.<sup>11</sup>

As for students with limited English proficiency, the rationale for the current weight is similarly elusive. The Commission on Education Finance expressed “concerns” with the previous weighting of 10 percent, and recommended that the weight be increased to 20 percent. Governor M. Jodi Rell’s Commission on Education Finance, Final Report (2007) 8. The Legislature took this apparently baseless, though well-intentioned, recommendation and split the difference, arriving at the current weight of 15 percent. Conn. Gen. Stat. § 10-262f(25)(E). However, since the Legislature made no effort to determine that its estimate was at all related to the actual cost of educating an LEP student in Connecticut, the current

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<sup>9</sup> Available at: <http://www2.edtrust.org/NR/rdonlyres/31D276EF-72E1-458A-8C71-E3D262A4C91E/0/FundingGap2005.pdf>

<sup>10</sup> The ECS currently uses the Title I count for estimating the number of students living in poverty. The count for 2006-2007 was 55,972. See Governor Rell’s Commission on Education Finance, Comparison of the 2006-07 Education Cost Sharing (ECS) Grant Poverty Components, Aug. 15, 2006.

<sup>11</sup> As of 2006-2007. See Conn. State Dept. of Educ., *Percent of Free and Reduced Lunch 2006-07 District*, [http://www.csde.state.ct.us/public/cedar/cedar/fr\\_lunch/index.htm](http://www.csde.state.ct.us/public/cedar/cedar/fr_lunch/index.htm) (providing tables of free and reduced lunch numbers by district, which when aggregated show 156,237 students receiving free or reduced lunch).

spending calculation for nearly 30,000 Connecticut school children remains one based on conjecture, and is most probably inadequate.<sup>12</sup>

**B. Legislative Tinkering with ECS Formula Has Not Fixed Its Fundamental Flaws and Has Eroded Its Goal of Equalizing Funding.**

The ECS has undergone a number of modifications since its inception, with reforms originating from both the Legislature and the executive branch. None of these changes, however, have addressed its fundamental flaw — that no evidence-based method was used to determine and incorporate the cost of effective education. Moreover, most changes have eroded even its limited equalization goals.

For example, the “capping” of ECS allocations increased the gap between the actual cost of education and available state funding, leaving local taxpayers to cover the shortfall through increased mill rates. Though the ECS has always used an arbitrary reference for its foundation amount, the original formula at least recognized that educational costs rise annually and included an automatic mechanism to allow the foundation to rise accordingly. However, the Legislature capped these built-in increases, so that between fiscal years 1995 and 1999, no town could receive a yearly increase in ECS larger than 5 percent, irrelevant of actual rising costs. Between 2000 and 2004 no town could receive an increase larger than 6 percent, regardless of what real costs or the formula itself would otherwise dictate. Conn. Gen. Stat. § 10-262h(a)(6)(A)-(B). For 2006 and 2007, the Legislature seemingly abandoned the pretense of an equalization formula altogether, reverting to a flat grant approach wherein every town would receive the same specified percentage increase over its 2005 allocation. Conn. Gen. Stat. § 10-262h(a)(6)(C). And

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<sup>12</sup> As of 2005. Conn. State Dept. of Educ., *Connecticut's English Language Learners 2000-2005*, [http://www.csde.state.ct.us/public/cedar/cedar/ell/state\\_ells\\_2000-05.htm](http://www.csde.state.ct.us/public/cedar/cedar/ell/state_ells_2000-05.htm) (showing 29,609 English Language Learners in 2005).

inasmuch as the original ECS formula, first introduced in 1989, was only gradually phased in through 1994, the formula has never borne any relation to either real increases in spending needs or to the true cost of successfully delivering education. See Judith Lohman, Office of Legislative Research, *ECS Changes Since 1991*, OLR Research Report 2004-R-0499, June 22, 2004.

Thus, even if the base formula had been anywhere near accurate in estimating what adequate spending levels might be, the Legislature's actions between 1995 and 2007 guaranteed that towns received inadequate and unequal funding. Between 1996 and 2004 alone, the ECS cap resulted in a net loss of over \$864.9 million in state aid for 109 Connecticut towns. Connecticut Conference of Municipalities, *Education Policy & Advocacy Brief No. 1*, April 2004, at 4.<sup>13</sup> Further exacerbating inequities were provisions passed by the Legislature which protected towns from losing funding under the formula. Conn. Gen. Stat. § 10-262h(a)(6)(D)-(F).<sup>14</sup> These provisions distorted the equalization capabilities of the ECS, and had particularly dire consequences for the neediest communities, which had little recourse but to increase property taxes, despite already high mill rates and irrespective of the low median household income of residents, to make up for the state's failure to fully fund its obligations under the formula.

Most recently, the ECS was revised following an inquiry by Governor Rell's Commission on Education Finance. This Commission looked into how the Legislature might "provide additional resources to cash-strapped communities for important education programming" and how it "could, over time, increase the state's share of funding the

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<sup>13</sup> Available at: <http://www.ccm-ct.org/advocacy/2003-2004/ecs-cap.pdf>

<sup>14</sup> Reductions in ECS funding were limited to 3 percent in 1996, 5 percent in 1997-1999, and absolutely zero reductions were permitted from 2000 until the present. Conn. Gen. Stat. § 10-262h(a)(6)(D)-(F).

education system to 50%.” Governor M. Jodi Rell's Commission on Education Finance, Final Report (2007) 1. Notably, the Commission did not claim to investigate the real cost of educating Connecticut schoolchildren to the state's own standards, or to any standards at all. *Id.* In examining the ECS, the Commission on Education Finance stated that

An integral part of [the] examination was comparing the original ECS formula, developed in the late 1980s, to the current iteration. In general, the subcommittee found that a number of elements in the original formula have been eroded or completely eliminated over time. During that same time, new requirements were also added to the formula. Many of the subcommittee's recommendations center around restoring some of those lost components.

Governor M. Jodi Rell's Commission on Education Finance, Final Report (2007) 7. The Commission clarified that its “goal was to ensure that equalization remained the cornerstone of the formula, while providing for fair and equitable increases.” *Id.* Yet despite the Commission's very modest goal to restore the ECS to something approximating its original form, the Legislature was unwilling even to complete that task.

The Legislature declined to adopt the Commission's recommendation to use a cost-indexed foundation amount that would automatically rise over time, *id.*, and instead elected to take the amount that the original formula would have designated for 2007 (\$9,687) and over the next five years, incrementally increase ECS to reach that 2007 level. Conn. Gen. Stat. § 10-262f(9)(H) and § 10-262h(a)(6)(S). The ECS “fix” was simply to promise that by 2012, the state's investment in school operating costs would reach the level that it ought to have been at by 2007, ensuring that funding levels remain out of date. Unfortunately, Connecticut's experience with statutorily fixed foundation amounts shows that, without fundamental change, this number will likely remain outdated for many years to come.<sup>15</sup>

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<sup>15</sup> For example, after the foundation was initially frozen in 1993, it never caught up to what the formula would have required, despite several adjustments by the Legislature. See Lohman, *supra*. Though the formula would have allotted \$6,138 for fiscal year 1995, *id.*,

**II. Recognizing That the Fundamental Right to Education Guarantees both Equity and Adequacy Will Provide the State the Catalyst it Needs to Fix the ECS.**

For two decades, the state has been unwilling to craft an education funding system that is evidence-based and anchored to the actual cost of education. Instead, the ECS has been repeatedly modified so as to arbitrarily limit state aid, shifting the bulk of the responsibility for raising public school funds to already overburdened municipalities. Ultimately, the highest costs of such actions are borne by Connecticut's schoolchildren.

Therefore, it is the necessary and proper role of this Court to vindicate the constitutional rights of Connecticut schoolchildren. Indeed, as the Wyoming Supreme Court stated in *State v. Campbell County School District*, "When insufficient action in the legislative process . . . . lead[s] to continued constitutional violations, judicial action is entirely consistent with separation of powers principles and the judicial role." 32 P.3d 325, 331-33 (Wyo. 2001). Moreover, this Court can provide a catalyst for effective change without overstepping its judicial role. The experience of sister state jurisprudence offers numerous cases where courts have been able to guide legislatures in remedying constitutional violations in their funding systems without intruding upon the legislative function. In the New York adequacy litigation, the New York Court of Appeals intervened on behalf of New York City school children to protect them from a "political process [which] allocate[d] to City schools a share of state aid that [did] not bear a perceptible relation to the needs of City students." *Campaign for Fiscal Equity, Inc. v. State*, 100 N.Y.2d 893, 925, 930 (N.Y. 2003). Balancing its duty to act against its duty not to usurp the legislature, the court issued broad but clear guidelines for its remedy, mandating that the state "ascertain the actual cost of providing a sound basic education in New York City," ensure that "every

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the foundation amount remained below that level for the next twelve years, through fiscal year 2007. Conn .Gen. Stat. § 10-262f(9)(D)-(G).

school in New York City would have the resources necessary for providing the opportunity for a sound basic education,” and “ensure a system of accountability to measure whether the reforms actually provide the opportunity for a sound basic education.” *Id.* at 930.

Similarly, in *Montoy v. State*, 112 P.3d 923 (Kan. 2005), the court was able to remedy violations of Kansas’s constitution without infringing on the legislative function. Declaring that “a determination of the reasonable and actual costs of providing a constitutionally adequate education is critical,” *id.* at 937, and that that whatever method the legislature might choose, “its focus must be on *needs* and the appropriate costs thereof,” *id.* at 939, the court left the legislature more or less free to determine a method of cost analysis as it saw fit. The court maintained accountability by warning the legislature that if the state’s analysis was “not completed or timely submitted for the legislature to consider and act upon it during the 2006 session,” if it was “judicially or legislatively determined not to be a valid cost study,” or if legislation was not enacted “based upon actual and necessary costs of providing a suitable system of finance and which equitably distributes the funding,” that the court would order the state to fund its schools according to a study that had already been conducted. *Id.* at 941. The state readily responded by “commissioning . . . an extensive cost study, creating the 2010 Commission to conduct extensive . . . oversight of the school finance system, and creating the School District Audit Team . . . to conduct annual performance audits and monitor school district funding as directed by the 2010 Commission.” *Montoy v. State*, 138 P.3d 755, 764 (Kan. 2006).

Thus, this Court can intervene to ensure adoption of a rational, evidence-based method for determining adequate and equitable funding, without prescribing either the precise manner in which the state is to distribute its funds or the exact formula for distributing the aid.

Respectfully Submitted,

*Amici Curiae*

By:

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## **Appendix A**

## Appendix A: Table of Contents

Base ECS Formula.....	A1
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## Appendix A: Base ECS Formula<sup>1</sup>

$$\text{Base ECS Formula} = \boxed{\text{Foundation}} \times \boxed{\text{Base Aid Ratio}} \times \boxed{\text{Need Students}}$$

### 1. Foundation:

The foundation establishes the amount that it costs to educate one need student. This number has been statutorily set at \$9,687, Conn. Gen. Stat. § 10-262f(9)(H), but towns currently receive only a fraction of this amount, since towns do not currently receive their “fully funded grant.” See Conn. Gen. Stat. § 10-262h(a)(6)(S).

### 2. Base Aid Ratio:

The base aid ratio establishes the portion of the foundation that the state pays to each town for each need student, using a sliding scale based on that town’s wealth level. See Conn. Gen. Stat. § 10-262f(2). Conversely, it also determines the amount of the foundation that each town must raise on its own for each need student. The formula for the base aid ratio has changed several times. Below are the original and current formulas.<sup>2</sup>

$$\text{Base Aid Ratio (ORIGINAL)} = 1 - \left[ \frac{(\text{Town Wealth Level})}{(2.00) \times (\text{Median Town Wealth Level})} \right]$$

$$\text{Base Aid Ratio (TODAY)} = \text{The greater of } \left[ 1 - \left[ \frac{(\text{Town Wealth Level})}{(1.75) \times (\text{Median Town Wealth Level})} \right] \right] \text{ or } \boxed{.09}$$

<sup>1</sup> A “fully funded grant,” as per Conn. Gen. Stat. § 10-262f(33), also includes a town’s regional bonus. We discuss only the main portion of the grant, which we label here the “Base ECS Formula.”

<sup>2</sup> For simplicity, the calculation for town wealth was omitted. That calculation can be found in Conn. Gen. Stat. § 10-262f(26).

**3. Need Students:**

The need student count represents the number of hypothetical “average” students in a town, for purposes of distributing funding. See Conn. Gen. Stat. § 10-262f(25)(E)-(F). This count may be higher than a town’s actual enrollment, because the number is weighted so that students in poverty and students with limited English proficiency count for more than one student, since they cost more to educate than an average student.<sup>3</sup>

$$\text{Need Students} = \left[ \begin{array}{c} \text{Enrollment} \\ \text{(resident students)} \end{array} \right] + \left[ (0.33) \times \text{Poverty Students} \right] + \left[ (0.15) \times \text{LEP Students} \right]$$

Example: Town A has 1000 resident students. 100 of these students live in poverty, and 50 of them have limited English proficiency. Town A’s need student count will be  $1000 + (100 \times .33) + (50 \times .15)$ , or  $1000 + 33 + 7.5$ , which equals 1040.5. This will be the student count that will be used to calculate aid.

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<sup>3</sup> This is a slightly simplified account of the need student calculation. The statute also calls for the number of resident students to be reduced by 25% of the resident students who are enrolled in an approved interdistrict magnet school program, before calculating the weights. Conn. Gen. Stat. § 10-262f(25)(A). Since this element does not affect our discussion, we have omitted it.