U.S. Department of Education

Washington, D.C. 20202-5335

APPLICATION FOR GRANTS UNDER THE

MAGNET SCHOOLS ASSISTANCE PROGRAM-APPLICATION PACKAGE
CFDA # 84.165A
PR/Award # U165A100032

OMB No. 1855-0011, Expiration Date: 05/31/2010
Closing Date: MAY 03, 2010

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Application for Federal Assistance SF-424 Version 02

* 1. Type of Submission	* 2. Type of Application:	* If Revision, select appropriate letter(s):
[ ] Preapplication	[X] New	
[X] Application	[ ] Continuation	* Other (Specify)
[ ] Changed/Corrected Application	[ ] Revision	

* 3. Date Received:	4. Applicant Identifier:
4/30/2010	

5a. Federal Entity Identifier:	* 5b. Federal Award Identifier:
	na

State Use Only:

6. Date Received by State:	7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: New Haven Public Schools

* b. Employer/Taxpayer Identification Number (EIN/TIN):	* c. Organizational DUNS:
066001876	184982585

d. Address:

* Street1:	54 Meadow Street
Street2:	
* City:	New Haven
County:	USA
State:	CT
Province:	
* Country:	USA
* Zip / Postal Code:	06519

e. Organizational Unit:

Department Name:	Division Name:
Magnet/Choice Programs Office	

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:	Mr.	* First Name:	Robert
Middle Name:	J		

* Last Name:	Canelli
Suffix:	

Title: Supervisor Magnet School Programs

Organizational Affiliation:
New Haven Public Schools

* Telephone Number:	(203)946-5696	Fax Number:	(203)946-5697

* Email: ROBERT.CANELLI@NEW-HAVEN.K12.CT.US

Application for Federal Assistance SF-424	Version 02

9. Type of Applicant 1: Select Applicant Type:

G: Independent School District

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

10. Name of Federal Agency:

U.S. Department of Education

11. Catalog of Federal Domestic Assistance Number:

84.165A

CFDA Title:

Magnet Schools Assistance Program-Application Package

*** 12. Funding Opportunity Number:**

ED-GRANTS-030410-001

Title:

Office of Innovation and Improvement: Magnet Schools Assistance Program CFDA 84.165A

13. Competition Identification Number:

n/a

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

*** 15. Descriptive Title of Applicant's Project:**

New Haven Magnet Schools Project 2010-2013

Attach supporting documents as specified in agency instructions.

Attachment:
Title :
File :

Attachment:
Title :
File :

Attachment:
Title :
File :

Application for Federal Assistance SF-424 Version 02

16. Congressional Districts Of:
* a. Applicant: CT-003 * b. Program/Project: CT-003

Attach an additional list of Program/Project Congressional Districts if needed.
Attachment:
Title :
File :

17. Proposed Project:
* a. Start Date: 7/1/2010 * b. End Date: 6/30/2013

18. Estimated Funding ($):

a. Federal	**$ 3017801**
b. Applicant	**$ 0**
c. State	**$ 0**
d. Local	**$ 0**
e. Other	**$ 0**
f. Program Income	**$ 0**
g. TOTAL	**$ 3017801**

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

[ ] a. This application was made available to the State under the Executive Order 12372 Process for review on .
[ ] b. Program is subject to E.O. 12372 but has not been selected by the State for review.
[X] c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

[ ] Yes [X] No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

[X] ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:	Dr.	* First Name:	Reginald
Middle Name:			
* Last Name:	Mayo		
Suffix:			

Title:	Superintendent

* Telephone Number:	(203)946-8888	Fax Number:	(203)946-7300

* Email:	ROBERT.CANELLI@NEW-HAVEN.K12.CT.US

* Signature of Authorized Representative:	* Date Signed:

Application for Federal Assistance SF-424 Version 02

*** Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

U.S. DEPARTMENT OF EDUCATION

BUDGET INFORMATION

NON-CONSTRUCTION PROGRAMS

OMB Control Number: 1894-0008

Expiration Date: 02/28/2011

Name of Institution/Organization:
New Haven Public Schools

Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

SECTION A - BUDGET SUMMARY

U.S. DEPARTMENT OF EDUCATION FUNDS

Budget Categories	Project Year 1(a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel	$ 1,047,600	$ 1,197,516	$ 1,232,502	$ 0	$ 0	$ 3,477,618
2. Fringe Benefits	$ 398,832	$ 447,894	$ 462,929	$ 0	$ 0	$ 1,309,655
3. Travel	$ 60,000	$ 70,000	$ 70,000	$ 0	$ 0	$ 200,000
4. Equipment	$ 210,000	$ 272,500	$ 272,500	$ 0	$ 0	$ 755,000
5. Supplies	$ 175,000	$ 240,000	$ 240,000	$ 0	$ 0	$ 655,000
6. Contractual	$ 755,000	$ 775,900	$ 732,335	$ 0	$ 0	$ 2,263,235
7. Construction	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
8. Other	$ 168,000	$ 180,000	$ 180,000	$ 0	$ 0	$ 528,000
9. Total Direct Costs (lines 1-8)	$ 2,814,432	$ 3,183,810	$ 3,190,266	$ 0	$ 0	$ 9,188,508
10. Indirect Costs*	$ 173,369	$ 196,123	$ 196,520	$ 0	$ 0	$ 566,012
11. Training Stipends	$ 30,000	$ 24,000	$ 24,000	$ 0	$ 0	$ 78,000
12. Total Costs (lines 9-11)	$ 3,017,801	$ 3,403,933	$ 3,410,786	$ 0	$ 0	$ 9,832,520

Indirect Cost Information** ***(To Be Completed by Your Business Office)**:**

If you are requesting reimbursement for indirect costs on line 10, please answer the following questions:

(1) Do you have an Indirect Cost Rate Agreement approved by the Federal government? **[X]** Yes **[ ]** No
(2) If yes, please provide the following information:
Period Covered by the Indirect Cost Rate Agreement: From: 7/1/2009 To: 6/30/2010 (mm/dd/yyyy)
Approving Federal agency: **[ ]** ED **[X]** Other (please specify): State The Indirect Cost Rate is 6.16%
(3) For Restricted Rate Programs (check one) -- Are you using a restricted indirect cost rate that:
[ ] Is included in your approved Indirect Cost Rate Agreement? or, **[ ]** Complies with 34 CFR 76.564(c)(2)? The Restricted Indirect Cost Rate is 0%

ED Form No. 524

U.S. DEPARTMENT OF EDUCATION

BUDGET INFORMATION

NON-CONSTRUCTION PROGRAMS

OMB Control Number: 1894-0008

Expiration Date: 02/28/2011

Name of Institution/Organization:
New Haven Public Schools

Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

SECTION B - BUDGET SUMMARY
NON-FEDERAL FUNDS

Budget Categories	Project Year 1(a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
2. Fringe Benefits	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
3. Travel	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
4. Equipment	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
5. Supplies	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
6. Contractual	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
7. Construction	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
8. Other	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
9. Total Direct Costs (lines 1-8)	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
10. Indirect Costs	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
11. Training Stipends	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
12. Total Costs (lines 9-11)	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Standard Form 424B (Rev.7-97)

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. "4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. "1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. '794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. "276a to 276a-7), the Copeland Act (40 U.S.C. '276c and 18 U.S.C. "874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. " 327-333), regarding labor standards for federally assisted construction sub-agreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. "1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. "7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. "1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance

of 1975, as amended (42 U.S.C. " 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) " 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. " 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. ' 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. "1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. '470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. "469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. "2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. "4801 et seq.) which prohibits the use of lead- based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signature of Authorized Certifying Representative:
Name of Authorized Certifying Representative: Dr, Reginald Mayo
Title: Superintendent
Date Submitted: 04/05/2010

Approved by OMB 0348-0046 Exp.

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

1. Type of Federal Action:	**2. Status of Federal Action:**	**3. Report Type:**
[ ] Contract [X] Grant [ ] Cooperative Agreement [ ] Loan [ ] Loan Guarantee [ ] Loan Insurance	[ ] Bid/Offer/Application [X] Initial Award [ ] Post-Award	[X] Initial Filing [ ] Material Change **For Material Change only:** Year: 0Quarter: 0 Date of Last Report:

4. Name and Address of Reporting Entity:	**5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:**
[X] Prime [ ] Subawardee Tier, if known: 0 Name: New Haven Public Schools Address: 54 Meadow Street City: New Haven State: CT Zip Code + 4: 06519- **Congressional District, if known:**	Name: Address: City: State: Zip Code + 4: - **Congressional District,** if known:
6. Federal Department/Agency: US Department of Education	**7. Federal Program Name/Description:** Magnet Schools Assistance CFDA Number, if applicable: 84.165A
8. Federal Action Number, if known:	**9. Award Amount,** if known: $0
10. a. Name of Lobbying Registrant (if individual, last name, first name, MI): Address: City: State: Zip Code + 4: -	**b. Individuals Performing Services** (including address if different from No. 10a) (last name, first name, MI): Address: City: State: Zip Code + 4: -
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	Name: Dr. Reginald Mayo Title: Superintendent Applicant: New Haven Public Schools Date: 04/05/2010

Federal Use Only:	Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements.

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal Loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance.

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee or any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

APPLICANT'S ORGANIZATION	
New Haven Public Schools	
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Prefix: Dr. First Name: Reginald	Middle Name:
Last Name: Mayo	Suffix:
Title: Superintendent of Schools	
Signature: _____	Date: 04/05/2010

ED 80-0013 03/04

Section 427 of GEPA

NOTICE TO ALL APPLICANTS

The purpose of this enclosure is to inform you about a new provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Public Law (P. L.) 103-382).

To Whom Does This Provision Apply?

Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?

The following examples may help illustrate how an applicant may comply with Section 427.

(1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.

(2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.

(3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

Estimated Burden Statement for GEPA Requirements

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is **1894-0005**. The time required to complete this information collection is estimated to average 1.5 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4537.

Applicants should use this section to address the GEPA provision.

Attachment:
Title : Section 427 GEPA 2010.doc
File : C:\Documents and Settings\robert.canelli\Desktop\New Haven GEPA 2010.doc

New Haven Public Schools

GENERAL EDUCATION PROVISIONS ACT (GEPA) REQUIREMENT

The New Haven Public Schools is proposing a Magnet Schools Assistance Program for the Rogers-Brennan School, the Conte-West School, Hyde High School, and the Science and Engineering University Magnet School that will meet the requirement of Section 427 of GEPA to ensure that there will be no barriers that will impede equitable access to participation having to do with gender, race, national origin, color, disability, or age. The project is designed to ensure that all students will be taught the same content, will be held to the same high standards and have access to the same rigorous curricula. The following is a non-exhaustive list of specific activities that will ensure equitable access to all participants, regardless of gender, race, national origin, color, disability, or age:

- All materials developed as part of the project will be adapted for use with students with disabilities according to their individual IEPs.
- All instructional materials and training materials will be reviewed by the project director and magnet resource teachers to ensure that they are appropriate for inclusive instruction that is sensitive to gender, race, national origin, color, disability and age issues.
- Materials sent out to parents and other community members explaining the program and inviting them to participate will be translated into the major native languages of the schools.
- Students will not be placed into magnet schools based on ability, performance or any other measure of merit to ensure equal access to all programs.
- Professional development, curriculum development/alignment and other planning activities have been designed to include all teaching staff regardless of gender, race, national origin, color, disability, or age, in order to ensure that *all* students have equal access to high quality instruction.
- These and other project features and activities can be found throughout the application. The following section of the grant narrative is an example of where further details can be found:

Quality of Project Services (a) (2) The quality and sufficiency of strategies for ensuring equal access and treatment for eligible project participants who are members of groups that have been traditionally underrepresented based on race, color, national origin, gender, age, or disability.

SUPPLEMENTAL INFORMATION REQUIRED FOR DEPARTMENT OF EDUCATION GRANTS

1. Project Director:

Prefix:	* First Name:	Middle Name:	* Last Name:	Suffix:
Mr.	Robert	J	Canelli	

Address:

* Street1: 54 Meadow Street

Street2:

* City: New Haven

County: USA

* State: CT* Zip / Postal Code: 06519 * Country: **USA**

* Phone Number (give area code)	Fax Number (give area code)
(203)946-5696	(203)946-5697

Email Address:

ROBERT.CANELLI@NEW-HAVEN.K12.CT.US

2. Applicant Experience

Novice Applicant [ ] Yes [ ] No [X] Not applicable

3. Human Subjects Research

Are any research activities involving human subjects planned at any time during the proposed project period?

[ ] Yes [X] No

Are ALL the research activities proposed designated to be exempt from the regulations?

[ ] Yes Provide Exemption(s) #:

[ ] No Provide Assurance #, if available:

Please attach an explanation Narrative:

Attachment:
Title :
File :

Project Narrative

Project Narrative-Project Abstract

Attachment 1:
Title: **New Haven Project Abstract** Pages: **1** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\New Haven abstract 2010 rev1dak.doc**

Project Abstract – New Haven Public Schools

A brief description of major objectives/performance measures:

Objective 1: Minority group isolation will be reduced at 4 minority group isolated magnet schools; minority group isolation will be reduced by specific percentage points each year **(1.1 – 1.4);** Each year, applicant pool for each magnet school will reflect racial and ethnic compositions that in relation to the total school enrollments will reduce minority group isolation **(1.5);** Each year, each magnet school will receive at least 100 applications **(1.6)**; Each year, class minority:non-minority ratios will not deviate from grade ratios by more than 15% **(1.7).**

Objective 2: All students will receive instruction that includes their school's systemic reforms and magnet themes in units and courses aligned with State standards. Each year, magnet schools will complete school improvement plans with objectives and activities that support systemic reforms **(2.1)**; Each year, units reflecting systemic reforms will be developed, used with students for a specific number of minutes per week **(2.2)**.

Objective 3: All students in each magnet school program will receive magnet theme instruction. Each year, magnet theme related units will be developed, used with students for a specific number of minutes per week and published **(3.1, 3.2)**.

Objective 4: Each year, for each magnet school, the proportion of students in each NCLB subgroup will meet or exceed the adequate yearly progress standards for their grades. Magnet schools will show improvement in reading, mathematics and writing each year for all students and subgroups **(4.1 - 4.3)**; all magnet schools will attain NCLB Adequate Yearly Progress (AYP) for all students and subgroups each year **(4.4)**. By end of project period, magnet school students will develop mastery of the magnet curriculum **(4.5)**.

Objective 5: Provide professional development for magnet school teachers related to systemic reforms and magnet theme development and implementation. Each year, magnet school teachers will receive at least 30 hours of PD related to systemic reforms and 30 hours of PD related to magnet theme **(5.1, 5.2)**

Objective 6: There will be an increase in parent participation at each magnet school **(6.1).**

Names of magnet schools, special curricular programs, and number of students who will participate (2010-11): **Rogers-Brennan:** Communication and Media (350 Students); **Conte-West Hills:** Exploration and Innovation (658 Students); **Hyde High School:** Health Science and Sports Medicine (220 Students); **The Science and Engineering University Magnet School:** Science and Engineering (264 Students).

Project Narrative

Project-Narrative-Table of Contents

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Title: **New Haven MSAP 2010-2013 Table of Contents** Pages: **0** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\New Haven MSAP Table of Contents 2010.doc**

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Project Narrative

Project Narrative-Competitive Preference Priority 1-Need for Assistance

Attachment 1:
Title: **New Haven Competive Preference Priority 1- Need for Assistance** Pages: **0** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\New Haven 2010 MSAP 1--Need for Assistance.pdf**

Priority 1- ***Need for Assistance***. The Secretary evaluates the applicant's need for assistance under this part, by considering (a) The costs of fully implementing the magnet school project as proposed.

New Haven Connecticut is typical of many older urban areas. Once a thriving manufacturing center, it has lost jobs and white middle class residents to the suburbs. Its schools are predominantly black, Hispanic and poor. The surrounding suburban schools are mostly white and middle class.

New Haven has long been in the forefront of Connecticut's school desegregation movement. From 1963 to the present, it has field-tested and fine-tuned a variety of desegregation plans. It has paired and rezoned schools, encouraged voluntary transfers, and created magnet schools. With the exception of magnet schools, however, most of these efforts failed to mitigate the problem.

Magnet schools give both New Haven and suburban parents high quality alternatives to their neighborhood schools that offer programs that are not available elsewhere in the region.

New Haven is a highly minority group isolated district (87% minority) with low test scores that reflect the poverty and educational needs of its students. Forced by the Connecticut Supreme Court's *Sheff v. O'Neill* decision to take action to remedy the disparities between urban and suburban schools, laws were enacted that offer urban and suburban students the opportunity to attend schools in each other's districts in an effort to ameliorate the racial isolation of all students. Urban and suburban districts alike are encouraged to develop magnet schools. While the State, under these statutes, provides 100% funding for transportation, it provides few resources for initial magnet school theme and curriculum development. Because New Haven's schools have limited financial resources and are supported by a weak tax base, this legislative funding scheme makes it even more difficult for New Haven's magnets to attract students from the wealthier suburban districts.

However, with MSAP support, New Haven has developed 11 magnet schools since 2001: five schools in 2001, two in 2004 and four in 2007. Using the first year of operation as the baseline,

every school has reduced minority group isolation through the current school year. In addition, every school is currently operating as a magnet school. Six are higher performing schools. Three of these schools were persistently low performing Title I schools. Therefore, to remedy the segregation of its schools and improve achievement, the New Haven Public Schools propose four magnet schools to serve both New Haven and suburban students.

The New Haven Public Schools are requesting approximately $3million to implement its Magnet Schools Assistance Program (MSAP) at these four schools for each of the next three school years. This will fund a Project Director, 8 Magnet School Resource Teachers, 2 Recruiters and extensive professional development for classroom teachers. New Haven could operate these schools without MSAP funds. It could not, however: ► Create magnet schools with the power to attract suburban students; (Three are schools in need of improvement. One is persistently low performing.)

► Create an Engineering and Science magnet high school and restructure and revise a magnet high school that has not been able to attain its diversity or academic goals.

► Restructure the magnet schools for diversity by training teachers how to meet the needs of all students in heterogeneous classes through the use of strategies such as differentiated instruction.

► Rewrite the curricula to conform to the highest content standards established by the Connecticut Education Department, and infuse into these aligned curricula their magnet themes.

A key to the successful development of these schools are the Magnet School Resource Teachers. They will: ► Participate in the writing of the curriculum materials that will be prepared for this project; ► Implement the new magnet curricula by training and coaching school staff; ► Teach demonstration lessons, for classroom teachers, in magnet theme areas and demonstrate various strategies for meeting the needs of students in heterogeneous classes; ► Facilitate School Planning and Management Team meetings; ► Support and facilitate the Curriculum Alignment Process;

► Help development and implementation school recruitment plans.

Without the Magnet School Resource Teachers, the activities described in this proposal that make each magnet school unique and will improve instruction and achievement cannot take place.

Therefore, the total cost of the MSAP program described in this application is $3, 017,801 for project year one, $3,403,933 for project year two and $3,410,786 for project year three.

Priority 1- *Need for Assistance*. (b) The resources available to the applicant to carry out the project if funds under the program were not provided;

The New Haven public schools' financial resources come from the City of New Haven (local tax) revenues, the State of Connecticut, in the form of state education aid and grants, and from the Federal Government in the form of reimbursable program funds such as Title I. In the main, these are determined by funding formulas that allocate funds in proportion to student population and, as in the case of Title I, student need. **These funding sources do not supply supplemental funds for the activities that are described in this proposal.**

The New Haven Public Schools budget for the 2009-2010 school year is $173 million. This is the same amount as last year's budget even though costs such as salaries, fringe benefits including health insurance and pension have increased. Because New Haven is a priority school district (high poverty percentage and many Schools in Need of Improvement), it gets a special priority district grant from the State. For 2008-09 it was $6,333,924. For 2009-10 it was $6,298,095 a decrease. It is anticipated that next year's amount will be even less. Therefore, providing basic education services will be even more difficult during the next three years.

New Haven has many fewer resources to spend on its pupils than the affluent towns, and villages that surround it. As in many aging northeast cities, its tax base consists of poor and working class families. Whatever wealth and jobs New Haven once had are gone. In addition, much of the

property owned by Yale University, the largest employer and landlord in New Haven, is tax exempt making it that much harder to raise revenues. The New Haven Public Schools simply cannot compete with suburban districts on the basis of resources to offer students. Suburban and most private schools have more supplies, equipment and resources than New Haven schools.

With a meager tax base, and declining revenues, the New Haven Public Schools does not have the resources to fund the activities described in this proposal.

Finally, although the State of Connecticut provides funds for the building of some interdistrict magnet schools, for their basic education programs, and for student transportation, it does not supply funds for magnet program development, staff professional development, curriculum development and writing or supplies and equipment needed for the special magnet programs that these schools need to attract students from New Haven's suburbs. This has had a clear impact on magnet schools in New Haven. Every successful interdistrict magnet school in New Haven has had MSAP support when it was first being developed. Magnet schools without this support have failed to attract suburban students because their programs could not compete with suburban schools, suburban interdistrict magnet schools and the successful charter schools in the New Haven area.

In addition, because New Haven has 30 low performing schools, the district, as many urban districts with low performing schools, is spending a larger proportion of local funds, in addition to state aid and Title I, on the core curricula especially reading, writing and mathematics.

New Haven supports 17 magnet schools with local (city and state) funds this year and will continue to do so. By next year, 21 magnet schools will be supported totally with local and state funds. New Haven administrators understand that the most expensive period for a magnet is when it first develops. If the 4 magnet schools that are requesting funding can have MSAP support, they will be able to successfully compete with suburban schools, as do other New Haven magnets.

Without MSAP support, these schools will struggle with weakly developed magnet programs.

Priority 1- Need for assistance. (c) The extent to which the costs of the project exceed the applicant's resources;

The requested budget for the project is $3,017,801 for the first year, $3,403,933 for the second year, and $3,410,786 for the third year of the project. The project will reach 1,200 students in the first year and over 1,800 students by year 3. Therefore, the per-pupil cost of starting up these magnet schools is approximately $2,457 for the first year. Increases in student enrollment in subsequent years will cause the per-pupil cost will go down to $2,056 for project year 2 and $1,878 for project year 3. New Haven currently spends approximately $14,500 per student. Its budget has not increased since last year and will most likely decrease this year. Its priority district grant from the state has decreased and will decrease again next year. Therefore, the New Haven Public Schools do not have the resources to increase the per pupil expenditures at the four proposed magnet schools by 17% project year one, 14% project year two and 13% project year three.

Therefore, the New Haven Public Schools does not have the funds or resources to implement this project without Magnet Schools Assistance Program support. The cost of the project exceeds the resources of the New Haven Public Schools. If a greater proportion of the operating budget were used on magnet schools, nonmagnet schools would be inadequately staffed, and receive inadequate services, an unacceptable situation.

Priority 1- Need for assistance. (d) The difficulty of effectively carrying out the approved plan and the project

In Connecticut, a magnet school is a high quality educational environment with a more diverse student body than a student's home school. In other words, while federal law stresses

reducing minority group isolation in schools that have predominantly minority student bodies, the Connecticut law seeks to increase racial diversity both in schools that are predominantly minority **and** in schools that are predominantly white.

This means that magnet schools were build both in New Haven and in New Haven's suburbs. Both serve urban and suburban students. However, the racial composition of a suburban magnet school needs only to be *more diverse than the schools from which students come.* In other words, suburban magnet schools serve mainly suburban students and compete for the same students that New Haven is trying to recruit. Because suburban magnet schools are located closer to where these students live, they have an advantage. Suburban school districts surrounding New Haven have an average minority population of 24%.

One of the most important gaps in Connecticut's Interdistrict Magnet Program, one of the *Sheff* remedies, is that, virtually all state funds are used to fund the basic education program for out-of-district students. There are no funds for supplies and equipment, no support for resource or teaching staff, no money for professional development, no money for creating special theme curricula and aligning them with regular school curricula and with state standards. Affluent suburbs are better able to underwrite these activities than cash-starved cities.

New Haven proposes to implement 4 interdistrict magnet schools. These schools, designed to attract a diverse population including students from white suburban communities, will be difficult to develop because: ► Rogers/Brennan is a persistently low performing Title I school in need of improvement with a minority enrollment of 94%; ► Conte-West Hills is a Title I schools in need of improvement with a minority enrollment of 95%; ► Hyde Academy is a school in need of improvement with a minority enrollment of 95%; ► It is projected that the high school grades at the Engineering and Science University Magnet School will also be highly minority group isolated

(82%); ► All 4 magnet schools will be competing with suburban interdistrict magnet schools which have much lower proportions of minority students and much lower poverty percentages; ► All 4 magnet schools will be competing against Project Choice, a state sponsored program that makes seats in high performing suburban schools available to New Haven students; ► All 4 magnet schools will be competing against successful charter schools.

These conditions present a challenge for successful recruitment of a more diverse student body. Parents are aware of the academic rating of each school and, as required by the No Child Left Behind Act, are notified when schools are identified as In Need of Improvement.

To turn Rogers-Brennan around both in terms of diversity and student achievement during the three year grant period, it will undergo a complete restructuring as defined by Title I School Improvement Program regulations. A new principal has already been hired and is actively involved with the planning for this grant. The staff will be partially reconstituted—all teachers must reapply for positions and at least 50% of the staff will be new.

Conte-West Hills, and Hyde Academy are also Schools in Need of Improvement (but not persistently low performing). To recruit successfully, their programs must be unique and attractive to a diverse student group. To improve student achievement and better meet the needs of all students, the proposed magnet schools will add several features that will restructure their curricula and provide extensive professional development so that their teachers can improve instruction in all of the core academic areas and provide enrichment that will increase both academic rigor and student engagement. The programs that have been proposed for this project are exemplary and have proven effective in other magnet school districts; but they are complex and difficult to carry out unless there is ample staff development and have appropriate equipment and materials. These resources can only be provided if the district receives MSAP funding.

If approved, this grant would provide professional development for of all teachers in Conte-West Hills, Brennan-Rogers and Hyde so that they can implement Expeditionary Learning. In addition, professional development from the University of New Haven will enable Hyde and ESUMS teachers to implement Project Lead the Way Engineering (ESUMS) and Biomedical (Hyde). Other important professional development activities are included in the *Quality of Project Design* and the *Quality of Project Services* sections. Magnet resource teachers will also coach classroom teachers and present model lessons illustrating new instructional techniques and strategies as well as facilitate curriculum development.

Without the support of the Magnet Schools Assistance Program, the professional development from consultants and the magnet resource teachers will not be possible, and these themes will be only partially implemented, therefore having much less impact on student achievement or the reduction of minority group isolation.

Project Narrative

Project Narrative-Competitive Preference Priority 4-Expanding Capacity to Provide Choice

Attachment 1:
Title: **New Haven Competitive Preference Priority 4- Expanding Capacity to Provide Choice** Pages: **0** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\New Haven 2010 MSAP 2--Expanding Capacity.pdf**

Priority 4-Expanding capacity to provide choice.1) Help children attend low-performing schools …by (a) selecting schools identified for school improvement, … Title I as magnet schools … **or** (b) Maximizing the opportunity for students in low-performing schools to attend higher-performing magnet schools funded under the project and reduce minority group isolation in …sending schools;

This project meets the requirements of part (1) (a) by selecting 2 schools (Rogers-Brennan and Conte-West Hills) that have been identified for school improvement under Title I of the ESEA—as magnet school to be supported by MSAP funds if this proposal is approved.

This is the fourth consecutive year that Rogers-Brennan has not attained Adequate Yearly Progress (AYP) and, therefore, the third year that it is a School in Need of Improvement. In addition, it has been classified as a persistently low performing school because it is among the 5% lowest achieving schools in Connecticut. Conte-West Hills has not attained AYP for two consecutive years and therefore, is designated a School In Need Of Improvement for 2009-10. Both are Title I schools.

With MSAP support, these schools will be restructured, their curricula strengthened and their teachers trained to implement a rigorous curricula, completely aligned with the new Connecticut standards and New Haven curricula frameworks, using both Expeditionary Learning and their magnet themes to better meet their students' needs and interests. Because Rogers-Brennan is a persistently low performing School In Need Of Improvement, it will also undergo the turnaround model defined in the Title I School Improvement Program regulations.

A third school, Hyde High School, is a School In Need Of Improvement although not a Title I school. Its restructuring model will include extensive professional development for its administrators (Leadership Academy training) and teachers, the use of student test scores to evaluate teachers and school administrators, the effective use of data, the implementation of national standards and the implementation of the magnet theme and systemic reforms.

Therefore, this application qualifies for Competitive Priority 4(a).

Competitive Preference Priority B: One of the proposed magnet schools described in this application, Engineering and Science University Magnet School (ESUMS), is a higher performing school. It has attained AYP for this year (last spring's testing) and is expected to continue to do so. As a interdistrict magnet school with all of its seats dedicated to magnet applicants, ESUMS' enrollment consists of 65% New Haven students and 35% suburban students. This grant will establish a high school at ESUMS that does not currently exist.

This year, New Haven has thirty (30), low performing schools. Of these, nineteen (19) are Title I schools. Eighteen (18) of these low performing Title I schools have grades K-8 and therefore serve the middle grades that ESUMS also serves. There are 8 higher performing schools for the middle grades including ESUMS. Because 6 of these schools are magnets (and will have few students transferring from them), the vast majority of students who apply to ESUMS are students from Title I schools in need of improvement. Therefore, nearly all of the New Haven students served by this school will be from Title I schools in need of improvement. By project year 3, ESUMS will serve approximately 285 New Haven students from Title I Schools in Need of Improvement.

Therefore, expanding a higher performing magnet school to include the high school grades (essentially, opening a new high school to be led by a successful principal and that will serve both New Haven and suburban students) will increase the capacity for New Haven to serve students from Title I Schools in Need of Improvement. By attracting these students, nearly all of whom will be minority, minority group isolation at the lower performing sending schools will be reduced.

Therefore, this application also qualifies for Competitive Priority 4(b).

Expanding capacity to provide choice. (c) Effectively informing parents whose children attend low-performing schools about choices that are available to them in the magnet schools…funded ….

Parents of students in all Title I SINI and Corrective Action schools are effectively informed about their childrens' options to transfer to higher performing magnet and non-magnet schools.

As part of the provisions for the Federal No Child Left Behind (NCLB) Act, every parent with a child in Title I schools that are Schools In Need of Improvement (SINI) will receive notification by mail about their children's educational options, including the option to request a transfer to one of New Haven's magnet schools. Under NCLB, parents of students who are enrolled in a Title I SINI school are able to transfer their children to a higher performing school.

The notification letter explains NCLB academic achievement goals for Connecticut, explains the term Adequate Yearly Progress (AYP), explains why the particular school is a School In Need of Improvement and what it means for the school and to the family of students attending the school. All school choice transfer options are explained as well as all services available for students.

Parents of children who are in a Title I Corrective Action (CA) School are able to select free academic assistance/tutoring programs known as Supplemental Educational Services (SES), or transfer their children to a higher performing school.

New Haven has 21 magnet schools. These schools are open to all New Haven students and each year accept many students from SINI and CA schools. Recruiters spend time visiting SINI /CA schools, distributing magnet materials to parents and informing them of their school choice options. In addition, each SINI and CA school is paired with a non-magnet high performing school that is not far from the SINI or CA schools.

New Haven has an extensive system of school choice that is open to all students. In January, all families are sent a letter, brochures and catalogues that specifically, and, in great detail, list all

school choices, both in New Haven and in its suburbs. Besides materials that are sent home with students, a mass mailing firm is retained to mail the material, not only to all families of students who attend New Haven schools, but also to parents of students enrolled in various pre-kindergarten programs, as well as suburban parents. In addition, two recruitment specialists visited schools, visited parents in their homes and communities, and spoke at various public forums to explain New Haven's choice programs to parents. Funds are requested to hire additional recruitment specialists to encourage even more identified school parents to consider alternatives to their current schools.

The New Haven Public Schools will continue to comply with all NCLB regulations regarding parent notification requirements for Title I, especially regarding parents' options to transfer their child to another public school as part of Public School Choice. Parents will continue to be provided with a reasonable amount of time to consider their options (the recruitment period is two months), be given concise but detailed information on the performance and overall quality of the receiving schools, and be provided an opportunity to visit schools of choice.

The New Haven Public Schools will continue to conduct activities to ensure that parents are informed about their choices under the proposed program and provided a clear explanation of how the program will operate, as required under section 5245(a)(2) of the ESEA. Parent information activities will be coordinated by the project director, the district's Title I director and the recruitment coordinator. Project activities will be supported by Title I staff, the district Title I Executive Board and district Title I Parent Advisory Committee, as well the district Supervisor of Special Education and the district Supervisor of Bilingual/ESL Programs. (All recruitment materials will be translated into the languages that are spoken by the parents in the district.)

Project Narrative

Project Narrative-Selection Criteria-Quality of project services (25 points)-Refer to Federal Notice for content.

Attachment 1:
Title: **New Haven Quality of Project services** Pages: **0** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\New Haven 2010 MSAP 3--Quality of Project Services.pdf**

(a) Quality of Project Services. **(2)**. . .the quality and sufficiency of strategies for ensuring equal access and treatment for eligible project participants who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age or disability.

In its landmark 1996 *Sheff v. O'Neill* decision, the Connecticut Supreme Court held that *de facto* school segregation violated the state's constitution. The extreme racial and ethnic isolation that existed in the Hartford schools (94% of the students were from minority groups) deprived the students of their constitutional right to "substantially equal educational opportunity" in violation of the state constitution, article eighth, § 1, and article first, § 20. As a consequence, the court ordered the state to undertake measures to remedy the unlawful segregation.

The State Constitution provides: "There shall always be free public elementary and secondary schools in the state. The general assembly shall implement this principle by appropriate legislation." The court held that this provision affirmatively obligated the state to provide "substantially equal educational opportunity," for all students. Article eighth, § 20: "No person shall be denied the equal protection of the law nor be subjected to segregation or discrimination in the exercise or enjoyment of his civil or political rights because of religion, race, color, ancestry or national origin." The court held that this directly prohibited segregation.

Justice David M. Borden of the Connecticut Supreme Court summarized the decision by saying that the Court has transformed a laudable educational philosophy into a constitutional mandate. He went on to say that virtually every school district in the state is now either unconstitutional or constitutionally suspect. Without explicitly saying so, the majority has effectively struck down, not just for the greater Hartford area, but for the entire state the municipality-based school system that has been in effect in this state since 1909. Both the governor and the Connecticut legislature have accepted the interpretation that the *Sheff* decision affects all

districts throughout the state, and have acted accordingly. (It should be noted that the Office for Civil Rights of the U.S. Department of Education has classified New Haven's desegregation plan as a mandatory court ordered plan for previous MSAP grant cycles.) This linking of urban and suburban schools stands apart from the remedies ordered in federal courts, which have refused to order desegregation plans across district lines in the absence of proof of intentional or *de jure* segregation.

The court stated: "We conclude that the existence of extreme racial and ethnic isolation in the public school system deprives schoolchildren of a substantially equal educational opportunity and requires the state to take further remedial measures." The focus of this project is to provide equal educational opportunity for minority students who have been denied access to a high quality education and to remedy the violation cited by the court.

New Haven employs several strategies for providing access to higher performing schools. ► by improving Schools in Need of Improvement (SINI); ► by offering students attending low performing schools the opportunity to attend higher performing schools. Higher performing schools include magnet schools, suburban schools (Project Choice), Charter Schools, Lighthouse Schools--New Haven schools that have increased capacity to assist students who transfer from SINI schools.

New Haven has one of the most robust public school choice programs in Connecticut. The federal register notice announcing the Voluntary Public School Choice grant competition in 2007 stated: "Only one percent of students eligible to change schools under the Title I provisions have done so." The State of Connecticut has identified 353 Title I schools as low performing and in need of improvement. Of those, 21 are in New Haven, one of Connecticut's poorest communities. New Haven's Title I Schools in Need of Improvement have 8,182 students, 41% of its school population.

Last year, New Haven placed 466 students attending Title I Schools in Need of Improvement

in higher performing schools. Since there were 7,686 students attending 19 Title I Schools in Need of Improvement last year, 6.1% transferred to higher performing schools. This year, New Haven has 41 schools. Twenty-one are Title I Schools in Need of Improvement. Of the remaining 20, only 13 attained AYP. Of those 13, 8 are magnet schools. One of these schools, ESUMS, will be expanded into the high school grades.

In addition to ESUMS, New Haven students eligible to transfer to a higher performing school will have 6 other higher performing New Haven magnet schools, 4 charter schools, and higher performing suburban Project Choice (a state sponsored urban-suburban transfer program) to choose from, in addition to some higher performing New Haven schools that are not magnet or charter schools. Therefore, offering many high quality school choices is one way New Haven offers equal access to higher performing schools. If this proposal is funded, this will be expanded.

This project has many strategies to ensure equal access and treatment for project participants who are members of groups that have traditionally underrepresented. New Haven magnet schools do not use academic criteria to select students. Once selected through a lottery, all students participate in the magnet program to the same extent and have equal access and receive equal treatment.

Equity and Excellence for all New Haven Schools and Students:

As will be seen from a description of the activities of this proposal, the New Haven Public Schools' commitment to equity for members of traditionally under represented groups emerges naturally out of its educational program. The New Haven Public Schools will actively recruit applicants for magnet schools who are members of racial or ethnic minorities, female, have limited English proficiency, and have disabilities. Females, students with disabilities, and minorities who are under represented in mathematics and science will be encouraged to participate in activities in all

magnet schools that emphasize these curricula, especially for enrichment. It is essential that these students be successful in mathematics and science from the beginning of their schooling, so that they will have confidence in their abilities, and enjoy them. It is also essential that girls and minorities be given all of the prerequisites, especially in elementary and middle school, so that they can enroll and be successful in advanced courses in these areas in high school.

All Magnet Schools Assistance Program recruitment materials will make clear to all parents of special education children the full range of choices that will be made available in New Haven's magnet schools. New Haven will actively recruit special education students and students with disabilities to ensure that every magnet school is serving the broadest population of these children as possible. Each magnet school is working with the Director of Student Services and Special Education, under the supervision of the Associate Superintendent to create a special education component that will maximize the possibilities for mainstreaming students, incorporating them as fully as possible into each school's magnet program. New Haven is committed to making all of its magnet schools accessible to students with physical disabilities. In each major renovation, or new construction project, the district makes accessibility a priority.

The magnet schools will include English Language Learners (ELLs) in all of its activities. Language instruction for ELLs will reflect the State Board of Education *Position Statement on the Education of Students Acquiring a Second Language*, which affirms that such students: "master the same content and meet the same academic performance standards expected of students whose first language is English." The Supervisor of Bilingual/ESL Programs, and his staff, will provide professional development to all teachers of ELLs and of students no longer designated as ELLs to ensure their full participation in magnet activities.

The district's recruitment component is designed to reach <u>all</u> parents, so that each can make

an informed choice about the right school for her/his child, and so that efforts to attract more non-minority students do not limit the options of its minority students. The magnet recruitment videotapes will make information about the district's choice plan available to parents who are not literate in their native language and who do not speak English. The availability of translators and of written recruitment materials in Spanish and other languages will give non-English-speaking parents access to information about the district's magnet schools.

New Haven magnet schools do not use academic criteria to select students. Student interest is the only criteria. Once they enter a magnet school, students from underrepresented groups receive equitable treatment. Multicultural curriculum, differentiated instruction, cooperative learning, heterogeneous ability groupings, and staff development activities: (1) prevent resegregation within the school; (2) counter stereotypes and other biases; and (3) facilitate more positive interactions among diverse groups of students and between staff and students, staff and parents. To insure these important strategies are fully implemented, this project has performance measures to insure that students will be taught in heterogeneous classes, will be exposed to the magnet program the same number of hours per week and will be instructed by teachers who receive the same amount of high quality professional development.

To respond better with cultural competence to the needs of students from different cultural and linguistic backgrounds, staff will draw on the personnel and written resources of the Educational Alliance at Brown University, which sponsors the New England Equity Assistance Center. Among these critical magnet resources will be two of its publications: *Leading with Diversity: Cultural Competencies for Teacher Preparation and Professional Development* (Trumbull & Pacheco, 2005) and *The Teacher's Guide to Diversity: Building a Knowledge Base* (Trumbull & Pacheco, 2005). *Leading with Diversity* provides a synthesis of the research and practical knowledge related to

cultural competency and is designed to help teachers work more effectively with diverse groups of students. It provides: (1) definitions and supporting research as part of its overview; (2) cultural competencies that shape curriculum, instruction, equitable assessment, and parent-staff interactions; (3) language-related cultural competencies that support both native English speakers and ELLs; and (4) cultural competencies related to dealing in the classroom and school environment with race and ethnicity, including having high expectations for students of all backgrounds. Dr. Maria Pacheco, the Director of the New England Equity Assistance Center will provide professional development for all project staff and for magnet school staff in this important area.

To better understand the role of equity in this project every magnet school staff member will receive training from the Director of Student Services and Special Education, the Director of Curriculum and Instruction, and their staffs, in cooperation with the Connecticut State Education Department, and/or the Equity Assistance Center at Brown University such as the following:

Eliminating Stereotypes in Instructional Materials is a workshop which uses rating sheets and guidelines which publishers and equity specialists have developed to analyze books and other materials. The goal is to train participants to: (l) define and identify stereotypes in different instructional materials; (2) review instructional materials and choose the correct rating instruments to document the review process; and (3) to develop methods for using materials in a non-biased way.

The Sex Equity Awareness in Career Education workshops. At the end of this activity, participants: (1) identify traditional and non-traditional female and male roles in the world of work; (2) identify factors which influence career development patterns; and (3) identify school policies and structures which can be used to reinforce sex equity awareness in career education.

The Winning Formula Workshop—Science and Math Equity. Viewers see a videotape which features finalists in the Intel Science Talent Search. At the end of the workshop, viewers will be able

to (1) discuss factors which limit female/minority pursuit of math/science interests; (2) list strategies for reversing this dynamic; and (3) identify resources for implementing these strategies.

(a) Quality of Project Services. (1) The Secretary considers... **(3i)** the extent to which the services... are appropriate to the needs of the intended recipients or beneficiaries of those services.

This project's services are appropriate to the needs of the students who will be served. The purpose of this project is to develop a curriculum in each magnet school that is capable of attracting a diverse group of students who will apply and transfer to the school. In addition, the project will focus on the turnaround of one persistently low performing Title I School in Need of Improvement, and the transformation of two SINI schools into higher performing schools. To achieve these goals, the following "services" will be provided:

New Haven's Magnet Schools Program is based on a comprehensive systemic approach that blends school reform and restructuring—including turnaround strategies where needed—and that focuses on equity and academic excellence and the highly effective thematic approach of traditional magnet schools. The reform strategies are: 1. **Reforms that Support Effective Teachers and School Leaders.** Since teacher effectiveness is difficult to predict based on qualifications alone, New Haven and its teachers union have renegotiated their contract to include the use of student test scores to evaluate teacher effectiveness. This was a major breakthrough reported nationally and highlighted in a New York Times Editorial (October 29, 2009) calling it the New Haven Model, the first important step in improving the effectiveness of an entire teaching staff.

The details needed to implement the reforms at the beginning of the 2010-2011 school year have been agreed to by the district and the teachers' union. Therefore, for the 2010-11 school year, student progress data will be used in teacher evaluations. In addition to the requirements of NCLB and the State of Connecticut, the district will use a growth model to help determine test score

progress at the district, school and class levels. Teacher's strengths and weaknesses will form the basis of a rating system with four categories. Teachers can be terminated if they are rated in the lowest categories, notified about significant deficiencies, and given assistance, but fail to accomplish an appropriate improvement plan. An extensive assistance program will be established for teachers with significant deficiencies that will provide professional development in areas of weakness. School bonuses recognizing substantial student progress will be given to successful teachers. Successful teachers will be given leadership positions (e.g., mentors and master teachers) and receive bonus pay. Over the three years of this grant, this new system of teacher evaluation and improvement will increase the proportion of effective teachers in the proposed magnet schools as well as other New Haven schools. The New Haven Model also includes leadership professional development for principals, using the New York City Leadership Academy model.

2. **Reforms that Complement the Implementation of High Standards.** New Haven is part of the movement to implement common, national standards that build toward college and career readiness. During the course of this grant, the new mathematics and English Language Arts standards will be implemented in the proposed magnet schools and used, together with existing standards in other academic subjects, as the foundation of the unique magnet program in each school. Magnet theme content will be integrated with units based on the new standards. Therefore, the magnet schools in this proposal will be among the first New Haven schools receiving the extensive professional development that will be part of the adoption and implementation of these new standards and revisiting existing ones. In addition, the magnet schools in this proposal will implement strategies that will increase the success of minority students in academically rigorous courses and programs (e.g., advanced placement courses), such as early college, and science, technology, engineering and mathematics courses that incorporate rigorous and relevant project-, inquiry- or design based

contextual learning opportunities. This proposal will also describe how the proposed magnet schools will translate the new standards into classroom practices that integrate the magnet theme and meet the needs of all students.

3. **Reforms that turn around persistently Low-Performing Schools.** One of the schools in this proposal (Rogers-Brennan) is persistently low performing. It will undergo complete turnaround, as defined by the Title I School Improvement Turnaround Model, with a new principal and a partially (50%) reconstituted teaching staff. The foundation for this transformation was negotiated with New Haven's teachers' union and included in the new teachers' contract.

A critical design element in this project is the implementation of a component called Restructuring for Diversity and Equity. This means that all magnet school classes will be heterogeneous regarding race, ethnic group, and achievement. In addition, teachers will learn how to meet the needs of a diverse group of students in heterogeneous classes using differentiated instruction, cooperative learning, and other strategies. The purpose of Restructuring for Diversity and Equity is to remove structures and change attitudes that categorize and separate students by race, gender, and socio-economic class. The Expeditionary Learning (EL) program to be implemented in 3 schools, Rogers-Brennan, Conte-West Hills and Hyde High School build on these strategies.

In the *Quality of Project Design* section, New Haven's curriculum and intervention strategies for students in need of academic assistance will be described. A brief overview is presented here.

New Haven curricula, in all subject areas, are aligned with Connecticut Standards. A realignment process will begin in the fall when new English Language Arts and mathematics standards will be adopted. All magnet units, lessons and courses will be aligned with the appropriate state standards. Magnet standards will be developed during project year 1. In addition, a peer review system will be implemented for the review of all newly created units that integrate the magnet theme

or courses that present the magnet theme. There will also be a minimum of 3 hours per month for collaborative planning time for grade teams (elementary grades) house teams (middle grades) and smaller learning community and subject area teams (high school grades), which will be used to develop units that integrated the magnet theme with core area subjects and used for professional learning communities (PLC). Collaborative planning and PLC time will help teachers adjust instruction and develop units and lessons that meet the needs of their individual groups of students.

Students who do not achieve proficiency on standardized tests will be given additional support. For example, for literacy, Response to Intervention (RTI) is used. New Haven's first step to intervention is to assure that all students receive a high-quality instructional program (Tier I of RTI) with curricula aligned with state standards, with clear benchmarks and grade level expectations.

Tier II includes intensive, small group targeted instruction. The level of support increases by reducing teacher to student ratios. The next level of intervention, Tier 3, involves groups of one to three students with instruction broken into more discrete instructional skills. Consistent and timely assessments help to differentiate instruction which includes guiding grouping decisions, determining instructional pacing and individualizing instruction. Groups are flexible with constant mobility depending on student needs and progress. An essential part of New Haven's approach is that all teachers understand each student's strengths and weaknesses and utilize the strengths to eliminate the weaknesses. Instruction is adjusted using data from assessments and student work. To support this, teachers have ongoing, relevant professional development.

Literacy needs of students are also met through the use of: Mondo Bookshop, Readers' and Writers' Workshop (Kg-5); Modified Reading Recovery Intervention Program (gr. 1-2); Intervention by Design (gr. 3-5); Plugged into Reading (grades 6-8); Read 180 (gr. 6-12); Wilson

Reading System (for gr. 6-12 students with decoding and spelling difficulties); double periods of English (and math) for the lowest performing students (gr. 9-12); small group tutoring (all grades).

For elementary school math, each teacher has a binder to keep track of all student assessment data throughout the year. Written assessments are given every five lessons. Oral assessments are administered every ten lessons. Fact assessments are given weekly. All three types of assessments are recorded with details to show how the student is progressing. This assessment information is used to create ad hoc groups of students to best serve their needs academically. Teachers create lesson plans that address individual and group needs based on previous assessments. The magnet schools will utilize a system of running records that will allow for the collection of student data.

Small group tutoring is offered in all grades for reading, writing and mathematics as is after school homework help and tutoring for English language learners. Literacy tutors, for example, including Modified Reading Recovery tutors who support RTI strategies, work under the supervision of literacy coaches. Most tutors work with K-5 students. Tutors: ► receive systematic professional development; ► meet regularly with their school coach to review student data and modify instruction as necessary; and ► meet bimonthly with the District Intervention facilitator. The progress of tutees is reviewed four times a year by the District Data Team.

High school students who show difficulty in meeting science objectives, such as inquiry and concepts, are often given the opportunity to attend supplemental afternoon or Saturday classes, which focus on practicing key inquiry skills and reviewing science vocabulary. At Hyde Leadership School, for example, students in need of literacy intervention based on the Scholastic Reading Inventory Assessment, receive 60 minutes of intensive intervention with a highly

qualified teacher, who tracks their progress on a regular basis. Hyde's Advisor/Mentoring format ensures that each student is regularly advised and monitored by an adult.

The magnet schools will use the College Board's CollegeEd, which is especially designed to benefit first generation, historically underserved and low-income students and is aligned with the College Board Standards for College Success and the Partnership for 21st-Century Skills Framework. Its instructional units introduce college and career planning concepts while developing essential skills that help students consider, apply to and succeed in college. It also includes self- and interest-based exploration lessons and online video content developed by RoadtripNation.org, an educational organization dedicated to empowering students to define their own road in life. The schools will use modular lessons designed for: ► grades 7-8 (e.g., interests, skills and passions; the transition to high school; making an academic plan); ► grade 9-10 (e.g., setting academic goals; enrolling in challenging courses like AP®; refine the skills necessary for an informed college search) and ► grades 11-12 (the college search and application process; admission tests, financial aid, and application timelines).

(a) Quality of Project Services. (1) The Secretary considers... **(3iii)** the extent to which the services… reflect up to date knowledge from research and effective practice.

This proposal supports the development of 4 magnet schools: ► Rogers-Brennan (PreK-8): The Art of Communications and Media; ►Conte-West Hills (PreK-8): Exploration and Innovation; ► Hyde (9-12): Health Sciences and Sports Medicine; ► The Engineering and Science University Magnet (6-12). Each theme was carefully planned and is based on research and effective practice.

Rogers-Brennan, Conte-West Hills and Hyde will use **Expeditionary Learning (EL)** as a systemic reform in addition to their content themes. EL emphasizes high achievement through

active learning, character growth and teamwork. It will be described in the *Quality of Project Design* section. According to a meta-analysis published by The National Clearinghouse for Comprehensive School Reform, Expeditionary Learning was one of four reform models that met the criteria for "highly promising evidence of effectiveness," based on "positive and statistically significant results from comparison or third-part comparison studies" (Borman et al., 2004, p. 89). A study of EL in four Colorado districts by the Center for Researching Educational Policy found EL students scored 11.9 percentage points higher in reading than the comparison group (Sterbinsky, 2002).

Research supporting magnet themes: **Rogers-Brennan's** theme focuses on the combining of communications and the arts. Ingram and Seashorne (2003) reported a significant relationship between arts integration and student achievement that was most powerful for students in the free and reduced price lunch program and English language learners. In a 2005 study of Arts Integration in middle school, participating students' scores on the Stanford Achievement Test, rose by 15% in reading and 18% in math compared to the previous year. An analysis of U.S. Department of Education data on 25,000 middle and high school students found that students who were highly involved in the arts earned better grades and did better on exams.

Project Lead the Way (PLTW) will be used at **Engineering and Science University Magnet** and **Hyde** (Biomedical Sciences). The 2005 study conducted by SREB of Project Lead The Way, researchers Bottoms and Anthony found when PLTW students are compared to similar students from comparable career/technical fields, PLTW students 1) have significantly higher achievement in mathematics; 2) complete significantly more high level math and science courses.

New Haven's model for magnet schools combines systemic reforms, high quality magnet themes, collaborative planning time for staff, extensive professional development, the core curricula

described in the *Quality of Project Design* section and interventions for students who need additional academic support. This combination has improved achievement. A five year study, 2002-03 to 2006-07, conducted by Dr. David Silver, a senior researcher at the CRESST Center at U.C.L.A. concluded that students who transferred from New Haven's Title I Schools in Need of Improvement to higher performing magnet schools had significantly higher test scores in reading, mathematics and writing than carefully matched groups of students who transferred to higher performing non-magnet schools or students who did not transfer. Students who transferred to school's that were not magnet schools (through NCLB choice) had scores that were no better than comparison students.

(a) Quality of Project Services. (1) The Secretary considers... **(3iv)** the likely impact of the services to be provided by the proposed project on the intended recipients of those services.

Project Outcomes **--** This proposal's outcomes (i.e., objectives and performance measures) are aligned with the six purposes of the Magnet Schools Assistance Program (MSAP). A set of objectives and performance measures follow the Program Purpose they address.

Program Purpose (1): The elimination, reduction, or prevention of minority group isolation in elementary and secondary schools with substantial portions of minority students.... All proposed magnet schools will reduce minority group isolation by decreasing the percentage of Black students and increasing the percentage of white students. Black students are isolated in all four schools. The percentage of Black students is greater than other minority groups in each of the schools and is significantly greater than the district average of 47.8% in three of the four schools. Each school can accommodate the numbers of students needed to achieve its desegregation goals.

Objective 1. Minority group isolation will be reduced at the proposed magnet schools.

Performance Measure 1.1-1.4: By October 1 of each project year, approved enrollment targets for each racial group (**see Table 3-Desegregation Plan Information Forms**) will be attained

by reducing the minority group isolation of Black students at each magnet school (using 2009-10 as the baseline) by at least 2 percentage points by year 1, 4 percentage points by year 2, and 5.5 percentage points by year 3. The schools and grades are: **1.1** Conte-West Hills (Prek-8); **1.2** Rogers-Brennan (Prek-8), **1.3** Engineering & Science Academy (6-12), **1.4** Hyde H.S. (9-12). **Their 2009-10 enrollments are listed below.** (*Total #* is the total number of students enrolled in each school.)

School	Amer. Indian	Asian/Pacif. Is.	Black	Hispanic	White	Total #
Conte-West Hills	0.3%	0.5%	53.8%	40.1%	5.3%	638
Rogers-Brennan	0.6%	0.3%	72.1%	21.2%	5.8%	326
Engineer. & Science	0%	7.6%	49.4%	17.7%	25.3%	158
Hyde High School	0%	0.5%	75.0%	19.8%	4.7%	192

Their 2012-13(project year 3) projections are listed below.

School	Amer. Indian	Asian/Pacif. Is.	Black	Hispanic	White	Total #
Conte-West Hills	0.9%	1.7%	48.2%	37.9%	11.3%	655
Rogers-Brennan	1.4%	2.1%	57.0%	25.2%	14.4%	437
Engineer. & Science	0.9%	9.8%	39.5%	18.6%	31.1%	440
Hyde High School	1.1%	1.1%	62.0%	19.0%	16.9%	284

University Science and Engineering Magnet HS will open in the fall of 2011 as part of the University Science and Engineering Magnet School which currently includes grades 6 and 7.

1.5 For each project year, the applicant pools for the proposed magnet schools will reflect racial and ethnic compositions that, in relation to the total enrollments of the schools, eliminate, reduce or prevent minority group isolation. (MSAP GPRA Performance Measure 1.)

1.6 For each project year, each magnet school will receive at least 100 applications.

1.7 By October 1 of each project year, for each magnet school, all class enrollments will reflect their grade's enrollment, for each racial group, within 15 percentage points.

Purpose 2: To develop and implement magnet school projects that will assist local education agencies achieve systemic reforms, and provide all students the opportunity to meet challenging State academic content standards and student academic achievement standards;

The implementation of systemic reforms and magnet themes as well as school planning will be facilitated and supported by the project and district office resource staff.

Objective 2: All students will receive instruction that includes their school's systemic reforms and magnet themes in units and courses aligned with State standards.

Performance Measures: **2.1** By October 15 of each project year, each magnet school's School Improvement Plan will be revised and include objectives and activities that support: ▸ the adoption of high standards for all students; and ▸ specific systemic reforms (e.g. Expeditionary Learning, curriculum alignment); and describe how they are coordinated with MSAP activities.

2.2 By the end of each project year, all magnet school students will receive instruction that includes their School Improvement Plan's systemic reforms for at least 5 (year 1), 10 (year 2) and 15 (year 3) hours per week. Success will be determined through unit plan analysis (both units that present the magnet theme and those that do not), surveys, interviews, and walkthroughs.

Purpose 3: The development and design of innovative educational methods and practices that promote diversity and increase choices in public elementary and secondary schools .... Magnet theme development and implementation facilitated by the magnet resource teachers will increase diversity and choice because the curricula are distinctive (not offered at other schools at the same grade levels) and innovative (combine systemic reforms and magnet themes).

Objective 3. All students, at each magnet school, will receive magnet theme instruction.

Performance Measures: **3.1** By the end of each project year, all students, at all magnet schools, will receive magnet theme instruction for at least 5 (year 1), 10 (year 2) and 15 (year 3) hours per week. Success will be determined through unit plan analysis, surveys, interviews, and walkthroughs and peer review of units and lessons produced as a result of this program.

3.2 By the end of each project year, each magnet school will submit to the district a magnet curriculum created as a result of this program.

Program Purpose 4: Courses of instruction within magnet schools that will substantially strengthen the knowledge of academic subjects and the attainment of tangible and marketable vocational, technological and professional skills of students attending such schools.

Connecticut has established the following AYP standards for 2009–10: **(1)** Proficient in Mathematics—82% grades 3-8 / 80% grade 10; **(2)** Proficient in Reading—79% grades 3-8 / 81% grade 10 **(3)** Participation in Testing—95%. **(4)** Other Academic Indicator: Elementary and middle schools—70% of students scoring at/or above basic in writing; high schools—graduation rate of 70% or growth in the graduation rate over the previous school year. The AYP standards in reading and mathematics will increase every year to reach 100% proficiency by 2014.

Objective 4. Each year, for each magnet school, the proportion of students in each NCLB subgroup will meet or exceed the adequate yearly progress standards for their grades.

Performance Measures 4: By the end of each project year, for each magnet school, the proportion of students scoring at or above the Proficient Level on the Connecticut Mastery Test (CMT-4) for elementary and middle school students and the Connecticut Academic Performance Test (CAPT-3) for high school students will increase by at least 10% for the total population and for each of the NCLB defined subgroups. **4.1:** in reading. **4.2:** in mathematics. **4.3:** in writing.

4.4 By the end of each project year**,** all magnet schools will have attained AYP for their total

population and for each NCLB defined subgroup. This objective addresses GPRA Performance Measure (b): *The Secretary has set an overall performance target that calls for the percentage of magnet schools whose students meet or exceed the adequate yearly progress standard to increase annually from a baseline established by participating schools' performance in the school year prior to the beginning of the project.*

4.5 By the end of the project period, as a result of the implementation of theme curricula, 75% of students at each magnet school will develop mastery of that curriculum, as determined by methods such as alternative performance measures including portfolios, teacher checklists, etc.

Purpose 5: Improvement of the capacity of LEAs, including through professional development, to continue operating magnet schools at a high performance levels after Federal funding...is terminated. **Objective 5.** Provide professional development for magnet school teachers related to systemic reforms and magnet theme development and implementation.

Performance Measures 5: By the end of each project year, magnet school teachers will receive at least 30 hours of professional development (e.g., workshops, courses, coaching) in each of the following areas: **5.1** the development and implementation of the systemic reforms listed in the school improvement plan; and **5.2** directly related to the implementation of the magnet theme.

Other performance measures related to capacity building include: 2.1, coordination of magnet and other activities to improve core academic instruction; (2.2, 3.1, 3,2) development and implementation of systemic reforms and magnet theme units and courses.

Purpose 6: Ensuring that all students enrolled in the magnet school programs have equitable access to high quality education that will enable the students to succeed academically and continue with postsecondary education or productive employment.

Performance measures 1.7, 2.2, 3.1 are related to providing all students the opportunity to

meet challenging State standards. Performance measures 2.2 and 3.3 ensure that all students receive high quality instruction that includes systemic reforms and the magnet theme.

Parent involvement also promotes equitable access to high quality education for all students.

Objective 6: There will be an increase in parent participation at each magnet school.

6.1 By the end each project year, for each school, there will be an increase (compared with the previous year) in the numbers of parents who participate in school activities.

This project, which uses a model that has been effective for interdistrict magnets in New Haven, will build on the district's outstanding record of success. Since 2001, New Haven has developed 11 magnet schools with MSAP support: five in 2001, two in 2004 and four in 2007. Using the first year of operation as the baseline, every school has reduced minority group isolation through the current school year. In addition, every school is currently operating as a magnet school. Six are higher performing schools. Three of these schools were persistently low performing Title I schools which turned around and are now higher performing. These schools have gained almost 500 white students, nearly all from the suburbs and have reduced minority group isolation from 92.9% to 85.5%. In addition, Dr. Silver's previously cited study found that students who transferred from New Haven's Title I Schools in Need of Improvement to higher performing magnet schools had significantly higher test scores in reading, mathematics and writing than carefully matched groups of students who transferred to higher performing non-magnet schools or students who did not transfer.

***(a) Quality of Project Services.*(3v)** the extent…professional development services…are of sufficient…Quality…and duration to lead to improvements in practice among the recipients.

As stated above: By the end of each project year, magnet school teachers will receive at least 30 hours of professional development related to the systemic reforms listed in their school improvement plans and 30 hours directly related to their magnet theme.

In addition to the project staff, outside consultants and networks, the State Department of Education will provide training in areas related to state standards and assessments, including the Connecticut Making Standards Work Initiative, which focuses on Power Standards. The Connecticut Accountability for Learning Initiative (CALI), the Connecticut State Department of Education's Reform Model created to provide professional development and coaching to accelerate the learning of all students and to close the achievement gap will provide workshops for K-8 schools focusing on data driven decision making, standards based instruction and effective teaching strategies.

In addition, the Equity Assistance Center at Brown University will provide training in multicultural education that is sensitive to issues of race and gender equity and other equity issues.

Training activities for classroom teachers will take place throughout the project year. Specific training activities, goals, and objectives will be developed for and included in the Comprehensive School Plans. The specific training, design of the training modalities, length of training, etc., will be determined by the teachers and administrators at each school through their School Planning and Management Teams. Magnet theme professional development, specific to each school, will be described in the *Quality of Project Design* section.

A particular focus of district training will be the new teacher assessment process described in a previous section. Ratings will determine which teachers will: ► share their practice in support of others; ► receive intensive development opportunities to help them move into the effective category; or ► participate in targeted development with coaches or lead teachers as-needed.

A major vehicle for training will be grade, house and subject area team meetings. During these collaborative planning sessions, which will take place during common planning times, teachers will learn how to develop and align curricula, teach heterogeneous classes, infuse the magnet theme into units and lessons, and how to work collaboratively with colleagues. Trainers will include

Magnet Resource Teachers, New Haven Public School resource staff, outside consultants and teachers participating in the Power Standards magnet curriculum development process.

In addition to the topics that relate specifically to the magnet themes, staff development will address such topics as: ► literacy across the curriculum; ► differentiated instruction; ► cooperative learning; ► project-based learning; ► thematic interdisciplinary instruction; ► supporting students with IEPs and ELLs in the general education classroom; ► creating flexible groupings; ► enrichment activities in heterogeneous classes; · ► interventions for students needing additional assistance; ► monitoring student progress as part of ongoing assessment. ► schoolnet training to assist teachers in analyzing data for use in data teams and identifying individual students needing interventions; ►Positive Behavior Supports for for for teachers and.

Staff at the Engineering and Science University Magnet School and Hyde HS of Health Sciences and Sports Medicine will participate in professional development offered by **Project Lead The Way (PLTW)**, which has developed a four-year sequence of courses which, when combined with college preparatory mathematics and science courses in high school, introduces students to the scope, rigor and discipline of engineering and engineering technology or Biomedical sciences prior to entering college. The professional development process will include training through PLTW's network, including Summer Training Institutes, ongoing professional development, and graduate college credit opportunities for teachers. Rogers-Brennan, Conte-West Hills and Hyde will also receive extensive professional development from Expeditionary Learning which provides teachers with instructional strategies and practices to teach academic subjects through a challenging set of connected real-world projects called learning expeditions. The integration of literacy into learning expeditions is a special feature of this design. Each of the three Expeditionary Learning schools will have an on-site EL designer to support the work in developing interdisciplinary expeditions.

(a) Quality of Project Services. **(3vii)** the likelihood that the services. . . will lead to improvements in the achievement of students as measured against rigorous academic standards.

Because Rogers-Brennan, one of the proposed magnet schools, is a persistently low performing School In Need Of Improvement, it will undergo the turnaround model defined in the Title I School Improvement Program regulations. Combined with its magnet program, the goal is to attain AYP as soon as possible. New Haven has accomplished this before. Martin Luther King Elementary and Jackie Robinson Middle were persistently low performing schools that had never attained AYP under NCLB and had not attained state standards before NCLB. These schools were merged into King-Robinson K-8 School and converted into an interdistrict magnet school, with MSAP support. Even though state standards have increased significantly since 2004-05, King-Robinson's first year as a magnet, it is one of New Haven's higher performing schools. King-Robinson's principal was replaced, its staff underwent extensive professional development, and its curriculum was revised and completely aligned with state standards. Rogers-Brennan has a new principal this year who is committed to the turnaround strategies that are described in this proposal and include partially reconstituting her teaching staff, adopting the new national standards, using student test scores as a major factor in determining her effectiveness as a principal and her teachers effectiveness, using data more effectively and implementing a magnet theme and systemic reforms.

Mauro Elementary and Sheridan Middle were persistently low performing Title I schools that were restructured as interdistrict magnets (Math, Science, Technology themes) and became higher performing. They were merged this year. As a separate magnet school, Mauro started with a minority enrollment of 99%. Its minority enrollment last year was 85%. Sheridan started with a minority enrollment of 97%. Its minority enrollment last year was 76%. As a merged K-8 magnet school, Mauro-Sheridan is a higher performing school with a minority enrollment of 79%.

The five year study by a senior researcher at the CRESST cited earlier concluded that students who transferred from New Haven's Title I SINI schools to higher performing magnets had significantly higher test scores in reading, math and writing than those who transferred to higher performing non-magnet schools or those who did not transfer. Combining turnaround models with the implementation of interdistrict magnet schools has enabled four schools to turnaround from low performing to higher performing. When these strategies are combined with the new teacher evaluation system, the results will to be even better.

(a) Quality of Project Services. **(3ix)** the extent to which services…involve the collaboration of appropriate partners for maximizing the effectiveness of project services.

New Haven currently operates 14 interdistrict magnet schools that serve students from New Haven and from 25 suburban school district partners. The success of New Haven's interdistrict magnet schools is important because most of its higher performing schools are interdistrict magnets. (Of the 13 schools that made AYP last year, 8 were interdistrict magnets.) New Haven's interdistrict approach allows New Haven students to transfer to higher performing schools in suburban districts and attracts suburban students to New Haven magnets. Both strategies create more seats in high performing schools for New Haven students who attend Title I schools in Need of Improvement. To make both strategies work, New Haven partners with suburban school districts. This is the only way a district with a minority enrollment of 90% can reduce minority group isolation and offer its students seats in higher performing schools.

To creation of unique, high quality magnet themes, the proposed magnets will partner with:

Conte-West Hills: Exploration and Innovation - the **Peabody Museum** to provide student tours and artifacts as students study early American exploration; the **New Haven Historical Association**; **Amistad America** to provide tours of the schooner and documentation of forced exploration;

Rogers-Brennan: The Art of Communication and Media - the **Communications Department at Quinnipiac University** to co-develop curriculum in verbal and written communications through technology (TV, Pod casting, etc); **Yale University Journalism Department and their Daily News staff** provide a free summer workshop for 8th grade students; the **Long Wharf and Schubert Theaters** will enable student to meet with performers; **Peabody Museum, the Yale Art Museum and the Eli Whitney Museum** students will work with docents.

Hyde H.S. of Health Sciences and Sports Medicine - **Southern Connecticut State University's Department of Exercise Science** will assist in curriculum development, offer advanced course for college credit, give tours of Health and Sports Science departments, provide college students as mentors, help Hyde in facilities design, equipment and supplies selection; National College of Technical Instruction, EMS training and certification; Local doctors (orthopedic surgeon, sports medicine), NSCA strength coach and other health professionals for shadowing and internships.

The Engineering and Science University Magnet School - **The University of New Haven College of Engineering**: ► Provide an orientation and on-campus college day for the entering class; ► Provide interns through the UNH Education Department; ► Holf for ESUMS students; ► Provide tutors to work with students; ►Implement a 1-week UNH Summer STEM Institute for grades 9–11; ► Award college credits for approved Project Lead the Way (PLTW) courses; ► Provide 8 scholarships to attend the Tagliatela College of Engineering; ►Facilitate internships for juniors and seniors with the local engineering, manufacturing, and scientific community.

Project Narrative

Project Narrative-Selection Criteria-Quality of personnel (15 points)-Refer to Federal Notice for content.

Attachment 1:
Title: **New Haven Quality of personnel** Pages: **0** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\New Haven 2010 MSAP 4--Quality of Personnel.pdf**

(B)Quality of personnel. (2)(i) the extent to which the project director is qualified ....

The New Haven Public Schools have 30 years of experience in the planning, and operation of magnet schools. The district has 21 magnets. Five have been in operation for more than a dozen years; some for as long as 30 years. New Haven's Magnet Schools Program will be implemented by a team of individuals with experience and competence in implementing innovative education programs and designing effective Magnet Schools. The district manages the educational programs for 20,000 students in 41 schools, and has a resource staff of experienced specialists who will support the implementation of the activities that are described in this proposal. The Chief Operating Officer and his staff will be responsible for and assist in the fiscal management of this project.

Overall responsibility for the operation of the Magnet School program will be assigned to the Magnet Director. He will be in constant touch with the teachers and principals of the magnet schools to provide support and guidance and monitor all project activities. Reporting to the Project Director are the Magnet Resource Teachers who will facilitate, help develop and coordinate curriculum development and alignment activities and facilitate and coordinate systemic reforms.

Qualifications of the Project Director (100% FTE): New Haven's Magnet Schools Program will be administered by Mr. Robert Canelli, the current magnet director and an administrator with thirty years of experience in public education. Mr. Canelli is exceptionally well qualified for this position.

Mr. Canelli was a high school and middle school science teacher in New Haven, beginning in 1977. As Facilitator of the High School in the Community (1987), a teacher-run school, he was responsible for overseeing general operations including budgeting and hiring staff.

As principal of Sheridan Middle School (1992-2003), Mr. Canelli restructured a failing school into an exemplary Math, Science, and Technology magnet school. In the year prior to becoming a magnet, Sheridan was a persistently low performing school with a minority enrollment

of 97%. Today, it is a higher performing K-8 magnet school with a minority enrollment of 79%. (This year it merged with the Mauro Elementary School also a school that started out as in need of improvement with a high minority enrollment.) The foundation for this school's turnaround was established by the principal who developed Sheridan into a magnet school, Robert Canelli.

During his tenure at Sheridan, Mr. Canelli developed and implemented a middle school reform plan; implemented the Comer program; prepared budgets; analyzed CMT data in order to create appropriate instructional strategies and helped to design a state of the art technology program.

Prior to becoming the Magnet Supervisor, Mr. Canelli served as the Principal of Wilbur Cross High School (2003-2007). While serving as Principal of Cross, Mr. Canelli was given the Man of the Year Award and was nominated for Connecticut Principal of the Year.

Mr. Canelli's education degrees include a Masters in Counseling, a 6th Year Certification in Educational Leadership and a B.S. in Education from Southern Connecticut State University.

As New Haven Public Schools' Magnet Schools Supervisor, Mr. Canelli has and will continue to: ► manage all aspects of the project; supervise all project staff; ► assist magnet school principals implement their MSAP program; ► work closely with the District Curriculum Supervisors to coordinate their involvement with the school-based activities in each magnet school such as curriculum development and alignment, unit and lesson planning and alignment with state standards, magnet theme development and infusion with units and lessons; ► manage, in cooperation with the school district's chief of operations and his staff, all fiscal and budget aspects of the project; ► keep all project records with the assistance of the project's secretary and the district's clerical staff; ► file all necessary reports with the U.S. Department of Education; ► direct the district's student recruitment plan and oversee its implementation and coordination with school plans.

(B)Quality of personnel. (2) The Secretary determines the extent to which: **(ii)** Other key personnel are qualified to manage the project; **(3)** Experience and training of Key Personnel … including their knowledge of and experience in curriculum development and desegregation strategies.

As noted above, New Haven's Magnet Schools program will be housed at the New Haven District Office. The Project Director will become a member of the Superintendent's cabinet and come under the supervision of the Associate Superintendent for Portfolio and Performance Management.

Dr. Reginald R. Mayo, the Superintendent of Schools, has spearheaded the effort to desegregate the New Haven's public schools through the establishment of magnet schools. Under Dr. Mayo's leadership, 17 New Haven schools secured the status of Interdistrict Magnet Schools, a state designation that brings with it increased support in the form of capital funds, student transportation funds, and State aid for students who transfer to New Haven from its surrounding suburbs. Of New Haven's 41 schools, 21 are magnet schools. Eighteen of these magnet schools were developed during Dr. Mayo's tenure as a result of his vision and leadership.

Dr. Mayo has been an educator for four decades. He has held the posts of science teacher; mathematics and science department chair; Assistant Principal; Principal; Director of Schools, K-8; Executive Director for School Operations; as well as Superintendent.

Dr. Mayo holds a Masters degree from Southern Connecticut University, a Doctorate from the University of Connecticut, and has taken Post-Doctoral Studies at Yale University. Dr. Mayo is a Fellow at the Bush Center at Yale University, and a Research affiliate at Yale's Child Study Center.

As Superintendent, Executive Director of Operations, and Director of Schools, K-8, Dr. Mayo has been responsible for overseeing desegregation efforts and magnet school development in

New Haven schools for over twenty years. Through his leadership, New Haven's public schools have participated in some of the most innovative reform efforts in the nation. New Haven has more magnet schools than any other Connecticut district, has more students who transfer from Title I Schools in Need of Improvement to higher performing schools than any other Connecticut district and offers its students a great variety of school choices (neighborhood schools, New Haven magnets, suburban magnets, Project Choice, and charter schools). New Haven's outstanding magnet school and choice programs exist because of Dr. Mayo's vision and outstanding leadership. In addition, Dr. Mayo and New Haven's Mayor, John DeStephano, have negotiated one of the first contracts with an affiliate of the American Federation of Teachers that includes an evaluation system that uses student test scores and growth data as a significant factor in determining teacher effectiveness.

Assistant Superintendent for Portfolio and Performance Management: Garth Harries is responsible for designing and implementing the New Haven Public Schools' reform plan including the newly negotiated and developed teacher evaluation system. Mr. Harries came to his current position in 2009 after working six years for New York City's Department of Education. As a Project Manager in the Office of the Chief of Staff, Mr. Harries coordinated strategic planning for secondary school reform. While serving as the Chief Operating Officer and Chief Executive of the NYC DOE Office of New Schools, Mr. Harries led the creation of 333 new DOE schools including many magnets. Following this, Mr. Harries became the Chief Executive for Portfolio Development, where he developed portfolio planning for New York City schools; oversaw programs for new schools including magnet and charter schools, and facilitated the city's smaller learning communities program. In early 2009, Mr. Harries led the consolidation of central staffing and the realignment of the DOE's Senior Leadership Team. Mr. Harries earned a B.A. in Ethics, Politics, and Economics from Yale University and graduated from Stanford Law School with distinction. As the magnet

director's immediate supervisor, Mr. Harries will work closely with Mr. Canelli and the principals to monitor the progress of all MSAP objectives and activities. Mr. Harries reports directly to Dr. Mayo.

Immacolata Canelli, the Assistant Superintendent for Curriculum and Instruction, who works closely with the Project Director, is the supervisor directly in charge of district curriculum initiatives that develop and align new curricula, in all subject areas, to meet revised state content standards. As the key individual responsible for coordinating all educational programs in the New Haven Public Schools, she supervises all subject area curriculum resource specialists (the District Curriculum Supervisors) as well as the development and writing of all curricula. Ms. Canelli will ensure the coordination of the district resource staff with project activities through meetings with the Project Director at least twice each week, through weekly meetings with the District Curriculum Supervisors, and through frequent visits to magnet schools. She reports directly to Dr. Mayo.

Ms. Canelli will work closely with the Project Director to integrate the services provided by the district-wide instructional support that she supervises. She will: ► ensure the coordination of the district resource staff in the design and implementation of magnet school curricula, and in the integration of magnet themes with the standard curricula; ► ensure that appropriate district staff is assigned to assist with project implementation; ► together with the District Curriculum Supervisors, train all magnet resource teachers, to ensure that all new and modified curricula created as a result of this project are fully aligned with state standards.

Prior to becoming Assistant Superintendent for Curriculum and Instruction, Ms. Canelli served as New Haven's Director of Curriculum and Instruction. She has extensive experience as a curriculum writer, having developed the Reading and Language Arts Curriculum Frameworks for New Haven, as well as the curriculum for grades 4 and 5. She also has experience as a staff

developer and a classroom teacher. She received an M.S. in Reading and a B.S. in Intermediate and Upper Education, both from Southern Connecticut State University. She also received a Sixth Year Professional Diploma in Educational Leadership, also from Southern Connecticut State University.

Chief Operating Officer of New Haven Board of Education: William Clark is responsible for the supervision of the budget, food service, facilities, and operations of New Haven Public Schools. Currently, Mr. Clark oversees and manages an operating budget in excess of $170 million, a school construction program in excess of $1 billion, and a staff in excess of 2, 300 employees. Mr. Clark is a member of the Senior Leadership Team for New Haven Public Schools, where he helped to negotiate and produce a nationally-recognized School Reform Program with a groundbreaking contract for teachers. Prior to coming to New Haven Public Schools, Mr. Clark served as the Director of Labor Relations for the City of New Haven. Mr. Clark received his law degree from Quinnipiac University's School of Law and a B.A. from the University of Notre Dame.

District Curriculum Supervisors: Because New Haven has had successful magnet schools for many years, every Curriculum Supervisor (English Language Arts, Math, Science, Foreign Language, English Language Learner Services, Music and Art) has assisted in the design of magnet school curricula, and in the integration of magnet themes with the standard curricula of their discipline. They have developed magnet curricula and trained New Haven's magnet school teachers how to teach their disciplines to classes with children from different racial, ethnic, and socio-economic backgrounds. A summary of their qualifications and experiences appear in the appendix .

Magnet School Principals: Ms Dianne O. Spence, Conte West Hills Magnet School; Ms. Karen Lott, Rogers-Brennan; Mr. John Russell, Hyde; and Dr. Marjorie Edmonds-Lloyd, Engineering and Science University Magnet School.

As the educational leaders of their schools, principals will have overall responsibility for

meeting the project's desegregation, instructional, systemic reform, and student academic achievement objectives in their schools. They will work collaboratively with the schools' staff to integrate the magnet program, themes, and activities into their school improvement plans. They will oversee the school-based magnet activities and maintain open lines of communication with the central office, parents, and members of the community. Their varied skills will enrich the project.

Each magnet principal is an experienced professional with years of teaching and administrative experience. They are all licensed principals and hold numerous university credentials. Further, they all have: at least 10 years experience in curriculum development and/or experience as a staff developer/teacher trainer; extensive experience working with parents of different races, ethnic, social and economic backgrounds; extensive experience working with community organizations, cultural institutions and other groups in initiatives related to innovative educational methods and practices; and demonstrated leadership in the development of programs and courses that substantially strengthen students' knowledge of academic subjects and marketable vocational skills. Summaries of their experiences and qualifications can be found in the appendix of this proposal. The principals participating in the project will contribute their time at no cost to the project budget.

Magnet Recruitment Coordinator (1 at 100% FTE from MSAP funds): The ***Recruitment Coordinator*** will be required to: ► demonstrate knowledge of the local community; ►have good interpersonal skills; ► have experience working with parents and parent groups from different racial, ethnic, cultural, and economic backgrounds; ► be al college graduate.

Duties and Responsibilities: The Recruitment Coordinator will: ► work closely with the Project Director on all aspects of student recruitment; ► supervise the Magnet Recruitment Specialists; ► work directly with principals and district staff to ensure coordination of school- and district-level recruitment activities; ► assist in the development of recruitment literature;

American Educations Solutions (AES) will evaluate this project. For the past 15 years, AES has evaluated 41 Magnet Schools Assistance Program grants. In addition, the AES team was awarded 6 rigorous MSAP evaluations during the 2004-2007 grant cycle and partnered with the Education Alliance at Brown University and the SERVE Center at the University of North Carolina on 4 other rigorous evaluations for the 2007-10 cycle. The AES MSAP site visit team includes Dr. Gladys Pack, Dr. Donna Elam, Ms. Joanne Smith, and Dr. June Levy, Ms. Janice Sherrill, and Diane Creekmore. All have been teachers and administrators and have extensive evaluation experience. One was an assistant superintendent, 3 were magnet school principals, and 2 were magnet school directors. The duties and responsibilities of the evaluators are described in the evaluation section.

(B)Quality of personnel. (iii) Teachers who will provide instruction in participating magnet schools are qualified to implement the special curriculum of the magnet schools;

Qualifications of Magnet School Resource Teachers (7 100% FTE in Year 1; 8 in Years 2 and 3)

School-based Magnet School Resource Teachers will be hired to work in the 4 proposed magnet schools. In Year 1, when one school will be in the planning stage, there will be 7 Resource Teachers, one focusing on the new school's planning process and 6 (2 per school) at each of the 3 others; in Years 2 and 3, there will be 2 Resource teachers assigned to each of the magnet schools.

Minimum requirements for these Resource Teachers will include: ► A highly qualified (NCLB criteria) classroom teacher with proven ability in the subject area to be taught. ► Have extensive expertise with curriculum development in the magnet theme area, and have previously written curriculum materials, related to the magnet theme. ► Have had experience in desegregation related programs and/or magnet schools. ► Experience in the use of learning technology in the classroom. ► Able to handle staff training responsibilities. ► Be experienced in the evaluation of student academic performance. ► Have college level courses, including graduate level courses, in

curriculum development, and/or the magnet theme. ► A minimum of five years of successful teaching experience. ► Experience working with diverse student populations in an urban setting.

Duties and Responsibilities: These master teachers will support all of the school based activities that are described in this proposal. They will assist in and support the professional development of classroom teachers in the magnet theme areas. They will assist in the development, with teachers and administrators, of the magnet theme curricula. They will assist with the extensive curriculum writing, and alignment described in the quality of project design.

The specific role of each of the Resource Teachers will vary according to the curricular theme of each of the magnet schools. Each will have special training in the theme area that will complement the expertise of outside consultants. All of the Resource Teachers will be part of the school-based governance and management teams. They will also assist the Principal and Project Director in creating special, theme-based curriculum resources for each magnet school. All resource teachers to be hired for this project will be **highly qualified** as described in the Connecticut Plan for Implementing the Teacher and Paraprofessional Quality Provisions of the No Child Left Behind Act.

(B)Quality of personnel. (iv)... will ensure that its personnel are selected for employment without regard to race, religion, color, national origin, sex, age, or disability;

The New Haven Board of Education's employment policy prohibits discrimination on the basis of race, color, religion, sex, age, national origin or disability. The Board's Affirmative Action Plan recognizes the importance of taking aggressive action to seek qualified applicants for employment from under-represented groups. The district promotes its non-discriminatory employment policies by insuring that information regarding its Affirmative Action policy and Title IV compliance is included in all publications and advertisements for positions.

New Haven has also made linkages with local teacher training colleges and universities and

have encouraged them to place qualified minority student teachers in the school district. The district also monitors internal procedures to be certain that women are given access to administrative positions and policy-making bodies, and it has a self-policing policy on salary levels that assures that all levels are determined by experience and qualifications rather than on the basis of race or sex. The following specific steps will be taken to insure ensure that personnel are selected for employment without regard to race, religion, color, national origin, sex, age, or disability:

► All position announcements will be circulated internally in all New Haven schools. ► Advertisements of openings for magnet school professional personnel will be placed in newspapers which have broad regional or national distribution and which have the potential to reach candidates from a variety of racial and ethnic backgrounds. ► Recruiting trips to colleges with high percentages of minority graduates will be made by district administrators to disseminate information about available positions for minority group candidates in the magnet school program. ► Written materials in Spanish and languages other than English as appropriate.

New Haven currently employs staff who have disabling conditions, and does not discriminate on the basis of disability in the staff selection process.

Women have been and will continue to be involved in all Magnet Schools Program activities. The district annually reviews its Sex Equity Plans which contain strategies for insuring that women have access to positions in areas in which they have been traditionally under-represented (such as administration). The district is also conscious of the need to insure that women are represented on policy making bodies such as the Superintendent's cabinet.

Project Narrative

Project Narrative-Selection Criteria-Quality of project design (25 points)-Refer to Federal Notice for content.

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(C) Quality of project design. (1) ... the quality of the project design. **(2)** The Secretary determines the extent to which each magnet school for which funding is sought will-**(i)** Promote desegregation, including how each proposed magnet school program will increase interaction among students of different social, economic, ethnic, and racial backgrounds.

Promoting Desegregation in a Highly Minority Group Isolated Urban School District

The Sheff Case: On July 9, 1996 the Connecticut Supreme Court (*Sheff* v. *O'Neill*) declared that racial segregation (whether *de jure* or *de facto*) in Connecticut's public schools violated the state Constitution, and ordered the General Assembly to remedy the disparity between urban schools serving minority and poor students and suburban schools serving mainly white and affluent students. The *Sheff* case and the resulting legislation established the foundation for the extensive interdistrict transfer programs that have become important school reforms in Connecticut: the Interdistrict Magnet School Program and Project Choice, an urban-suburban transfer program that allows students from cities can transfer to suburban schools and students from suburban districts to attend city schools. These transfers reduce minority group isolation in urban schools and create more racially and economically diverse suburban schools. Project Choice differs from the Interdistrict Magnet School Program because the receiving schools do not have to be magnets.

New Haven has developed partnerships with 25 suburban school districts which send students to its schools for the purpose of reducing minority group isolation. Suburban students can transfer to New Haven magnet schools through either the Interdistrict Magnet School Program, or through Project Choice. (For students and their families, there is no distinction between the two programs. Students simply choose schools that have programs that they are interested in.)

This project will build on the district's outstanding record of success with magnets. Since 2001, New Haven has developed 11 magnet schools with MSAP support: five in 2001, two in 2004 and

four in 2007. Using the first year of operation as the baseline, every school has reduced minority group isolation through the current school year. In addition, every school is currently operating as a magnet school. Six are higher performing schools. Three of these schools were persistently low performing Title I schools. These schools have gained almost 500 white students, nearly all from the suburbs and have reduced minority group isolation from 92.9% to 85.5%. Since 2001, only one school that was developed without MSAP support has reduced minority group isolation.

New Haven recognizes that many families desire school choice, including those attending higher performing suburban schools. In 2005, 936 suburban students applied to New Haven magnets. In 2010, 2,489 suburban students applied. In 2005, 174 suburban white students were placed in New Haven magnet schools. In 2009, 370 suburban whites were placed. In 2010, 535 suburban white students were placed in New Haven magnet schools. New Haven's successes illustrates that urban districts can create alternatives to neighborhood schools that can be attractive to both urban and suburban families.

Therefore, New Haven is not attempting anything that it has not done before. It will establish four new magnet schools that will draw students from nearby suburban communities, just as it has done in the past. However, just as in the past, the support of the Magnet Schools Assistance Program is essential. To be competitive with suburban schools, new curricula must be developed and aligned with state standards, teachers must be trained, supplies and equipment must be purchased and integrated into the new curricula, and parents must be informed about the new programs. Without MSAP support none of these important tasks can be implemented effectively.

The success of New Haven's interdistrict magnet schools is also important because most of the higher performing schools in New Haven are interdistrict magnets. Of the 13 schools that made Adequate Yearly Progress (AYP) last year, 8 were interdistrict magnet schools.) The New Haven

magnet school model not only increases diversity, but also improves student achievement.

It is New Haven's success with creating magnet schools that can meet the needs of both urban and suburban students and the ability to attract suburban students to its magnet schools that will promote desegregation in this project. For urban districts like New Haven, the first step is to attract a more racially and ethnically diverse population to a school. The next steps are described below.

The four magnet schools described in this proposal will serve students from New Haven and from its surrounding suburban communities and reduce minority group isolation. These schools' programs will be described in a later section of this proposal.

Increasing Interaction among Students from Different Backgrounds

To insure that students from different backgrounds will interact during the course of the school day, New Haven will use the following strategies: (1) heterogeneous classes; (2) cooperative learning; and (3) inclusion and mainstreaming. Each is part of a philosophy that helps guide the New Haven Schools: that all children can learn and must be given the opportunity to learn the same things together. This can only be accomplished when children are in the same classes, when all students are taught the same curricula, and when their teachers have high expectations for all students.

Heterogeneous Grouping: Every Class, Every School

Performance Measure 1.7 By October 1 of each project year, for each magnet school, all class enrollments will reflect their grade's enrollment, for each racial group, within 15 percentage points.

The first step in insuring the interaction of students from different racial, social, and economic backgrounds is to put them in the same classes, avoiding the use of "ability" as the sole criteria for the organization of classes. Therefore, every magnet school class will have virtually the same racial composition, and nearly the same proportions of high and low achievers, as every other class in its

grade and school. In other words, every class in every magnet school will reflect the racial composition of its grade within a few percentage points.

Heterogeneous grouping will present challenges to teachers who may believe that having a narrower range of student abilities in classes is better. Therefore, the professional development and support that will be part of this project will be an important ingredient in the success of this policy. Teams of teachers and administrators working collaboratively with the support of the New Haven District Office resource staff will find the most appropriate methods and materials for the groups of students they work with. This will be discussed in the next two sections.

Assigning students of different racial, ethnic, social, and economic backgrounds to the same classes and making sure that they are in the same learning groups for most of the school day is only the beginning. Getting them to interact as they learn is the next step.

Cooperative Learning: Cooperative learning is a successful strategy to foster ongoing interactions among students of different racial, ethnic, and economic backgrounds and to improve student achievement. In cooperative learning, small teams, each consisting of students with different ability levels, engage in various learning activities designed to improve student understanding and skills.

Research findings from more than 70 studies have found that cooperative learning improved relations among different racial/ethnic groups, increased motivation and improved attitudes that contribute to greater student achievement (Kohn, 1999), and improved relationships between students with disabilities and other classmates. A recent comprehensive research review of effective middle and high school mathematics programs found a positive correlation between cooperative learning and increased math scores (Slavin, Lake, & Groff, June 2009), while another recent finding is that cooperative learning is particularly effective for black, as compared with white, students (Hurley, Allen, & Boykin, 2009).

Inclusion and Mainstreaming: The magnet program will provide an inclusive educational environment for students with disabilities that will enable them to interact with their magnet school classmates while fully developing their potential. By being included, to the fullest extent possible in all magnet activities and in general education classes and extended-day programs, students with disabilities will have the opportunity to interact with those without disabilities in a variety of formal and informal educational settings and all students will benefit. Descriptions of each school's magnet program will be presented in Quality of Project Design. (iii) later in this proposal.

C) Quality of Project Design. (ii) Improve academic achievement for all students…including the manner and extent to which each magnet school…will increase student academic achievement.

Any program that seeks to restructure schools must include a change process. For New Haven that process is the School Development Program (SDP), a research based program developed by Dr. James Comer and the Yale Child Study Center. The School Development Program is an organizational and management system based on knowledge of child development and relationship issues. It promotes school based management and shared decision making, extensive staff development, and periodic assessment and modification of all aspects of school operation, through the School Planning and Management Teams.

In a longitudinal study in Chicago schools, researchers found that Comer schools had higher gains than the comparison schools, a difference of about three NCE points in both reading and math (Cook et al, 2000). Millsap et al., (2000) found higher-implementing SDP schools in Detroit had a greater impact on reading scores relative to comparison schools than lower-implementing schools.

Differentiated Instruction: Empowering Teachers to Increase the Achievement of All Students

Differentiating instruction means creating multiple paths so that students of different abilities, interest or learning needs experience equally appropriate ways to absorb, use, develop and

present concepts as a part of the daily learning process (Tomlinson, 1999, 2001, 2003). It allows students to take greater responsibility and ownership for their own learning, and provides opportunities for peer teaching and cooperative learning. In preparation for differentiating, the teacher diagnoses the difference in readiness, interests and learning styles of all students in the class, using a variety of performance indicators. Differentiation begins by varying the content, processes or product for each group in the class. As the teacher becomes more proficient using these techniques, differentiation can occur at all 3 stages of the process for some students. The essential curricula concepts will be the same for all students but the complexity of the content, learning activities and/or products will vary so that all students are challenged and no students are frustrated.

Improving the Academic Achievement of Students in Need of Greater Assistance

Students who have not yet achieved proficiency on standardized tests will be given additional support. For example, for literacy, Response to Intervention (RTI) is used. The What Works Clearinghouse found evidence of RTI's ability to "screen all students for potential reading problems at the beginning of the year and again in the middle of the year" (What Works Clearinghouse, 2009, p. 6). RTI provides services and interventions to students who struggle with learning at increasing levels of intensity (Batsche et al, 2005; Fuchs et al, 2003).

New Haven's first step to intervention is to assure that all students receive a high-quality instructional program (Tier I of RTI) with curricula aligned with state standards and clear benchmarks and grade level expectations. Staff closely monitors student progress at each stage of intervention and use this data to make decisions about the need for further instruction and/or intervention in general education, special education, or both. Information and data gathered through the RTI process can lead to earlier identification of disabilities.

Tier 2 includes more intensive, small group, targeted instruction. The level of support

increases by reducing the teacher-to-student ratios. As in Tier 1, the instruction is guided by assessment with additional progress monitoring centered on focused skills instruction. These groups are flexible with constant mobility. The next level of intervention, Tier 3, includes even smaller groups, generally one to three students, with the instruction broken into more discrete instructional skills. Consistent and timely assessments are necessary to differentiate instruction which includes guiding grouping decisions, determining instructional pacing, as well as individualizing instruction.

Rogers-Brennan and Conte/West Hills will use Positive Behavior Supports (PBS), a three-tiered decision-making framework that guides selection, integration, and implementation of the best evidence-based academic and behavioral practices for improving academic and behavior outcomes for all students. PBS is guided by the following principles: ► developing a continuum of scientifically based behavior and academic interventions and supports; ► using data to make decisions and solve problems; ► teaching and encouraging prosocial skills and behaviors; and ► monitoring student progress and performance. New Haven tracking documents indicate a decrease of 5-9% of infractions among the district's PBS schools. Administrators and teachers indicate a positive impact on the overall school climate.

New Haven teachers and principals have been trained in Data-Driven Decision Making. All schools have data teams for every grade and content area, and all teachers meet for a minimum of 2 hours per month to analyze data in relation to the school improvement plan priorities and individual student data. Each team looks at individual class data to identify goals for achievement and then determines which strategies will be most effective for individual students. After a few weeks of intervention, the students are given a formative assessments, and the teams review the date to determine if it working and modify, as needed, interventions for each student.

The magnet schools will use the following research-based programs to address specific

student literacy needs: (1) The Mondo Bookshop: Readers' and Writers' Workshop (Kg-5). This Reading Program forms the core literacy resource in all classrooms. (2) Modified Reading Recovery Intervention Program (gr. 1-2); (3) Intervention by Design (grades 3-5), an intensive intervention program featuring flexible instruction and differentiated planning that focuses on the needs of individual students and progress monitoring. (4) Plugged In to Reading (grades 6-8). These materials support small-group reading instruction; (5) READ 180 (grades 6-12), a computer supported program builds fluency and comprehension; (6) Wilson Reading System (for gr. 6-12 students with decoding and spelling difficulties); (7) double periods of English (and math) for the lowest performing students (gr. 9-12).

For elementary school math, each teacher has a binder to keep track of all student assessment data throughout the year. Written assessments are given every five lessons. Oral assessments are administered every ten lessons. Fact assessments are given weekly. All three types of assessments are recorded with details to show how the student is progressing. This assessment information is used to create ad hoc groups of students to best serve their needs academically. Teachers create lesson plans that address individual and group needs based on previous assessments. The magnet schools will utilize a system of running records that will allow for the collection of student data.

Small group tutoring is offered in all grades for reading, writing and mathematics as is after school homework help and tutoring for English language learners.

English Language Learners: The magnet schools will meet the needs of their English Language Learners (ELLs) by including them in all of their magnet activities and offering a strong ESL/ bilingual education program that reflects the State Department of Education's English Language Learner Framework's goals: (1) to use English to effectively communicate in social settings; (2) to use English to achieve in all academic settings, including language arts, math science, and social

studies; and (3) to use English in culturally appropriate ways. Each magnet school will integrate the ELL Framework goals' content standards and learning indicators into the magnet theme curriculum.

The magnet schools will meet the needs of English Language Learners, both while they are designated as ELL and after they reach exit criteria, but may still require additional support in meeting grade level norms. All language arts guides contain embedded ELL. In addition, the magnet schools will: (1) train all classroom teachers in how to support ELL and former ELL students in Cognitive Academic Language Proficiency (CALP) skills, which are necessary for students to master English-only content-area material; (2) coordinate instruction by bilingual, ESL and regular classroom teachers; and (3) train bilingual and ESL teachers to fully support all magnet activities, and use magnet theme enrichment activities as the content of ESL lessons.

General education, ESL, and bilingual education teachers at all magnet schools will participate in professional development activities that focus on research-based best practices for use with ELLs. These practices will, for example, include: (1) integrated curriculum, which provides opportunities for stimulating language input (Short, 2002; Kowal & Swain, 1997); (2) use of language across the curriculum (Doherty et al, 2003); (3) a content-based approach that builds on the Cognitive Academic Language Learning Approach (CALLA), which has been successful in improving student learning and academic competence at each ELL's grade level (Chamot & O'Malley, 1994); (4) accelerated instruction and enriched, rather than remedial, approaches (Cloud et al, 2000); and (5) scaffolding (Robb, 1996), sheltering (Short, 2002), and additional techniques that provide critical linguistic modifications and contextual clues.

Additionally, the ESL and/or bilingual personnel will implement and model the use of Specially Designed Academic Instruction in English (SDAIE). This methodology departs from traditional whole class lecturing as a means of transmitting information and incorporates the use of

cooperative learning, technology, audiovisual media, multicultural resources, multiple varying grouping strategies within and across grade levels, and other instructional techniques that help motivate ELLs to learn English as they learn academic content.

Collaborative Team Meetings: Experience has shown that when teachers work collaboratively to develop and implement units and lessons, the amount of magnet theme integration and alignment with state standards increases and individual student needs are better served.

Therefore, the teaching schedules in every magnet school will be organized to enable teachers, and others who deal with a group of children, to meet once per week for joint planning and problem solving. Strategies for individual students will be discussed, as well as materials, methods, lessons and anything else that relates to the improvement of practice for that group of students. A Magnet Resource Teacher will facilitate each session and use it for curriculum development and alignment, and the infusion of the magnet theme into lessons and units. These sessions will also be used for professional development. The emphasis will be on coordination of instruction, and planning.

Meetings will be attended by classroom teachers, a magnet resource teacher, a teacher with a specialty such as a special education, or English as a second language teacher, and a principal or assistant principal. In the elementary school grades, there will be grade teams where teachers share curriculum concerns and plan units and lessons. For middle and high school grades, the teams will be determined by grade, but also by the groups of students taught. In other words, secondary school teams will be composed of English, social studies, mathematics, and science teachers who teach many of the same students. For the secondary school grades, teachers will plan interdisciplinary lessons that break down the sometimes artificial walls between curricula areas and help students see the interrelatedness of various disciplines. These teams will: (1) Review assessment and test results on a regular basis and modify methods and materials for students based on this data. (2) Write and

modify units, lessons, materials, and methods that best meet the needs of different groups of students. (3) Consult with specialists such as the magnet resource teachers, literacy mentors, English as a second language teachers. (4) Receive professional development. (5) Meet with parents.

Improving the Academic Achievement of the "Average" Student: New Haven's magnet schools will benefit all students, including the large middle group who have tremendous potential but are often overlooked when resources are focused on students at either end of the achievement spectrum. Their use of differentiated instruction will enable them to provide both "enrichment" and "remediation" in the same class. This approach will enable teachers to identify each student's strengths and weaknesses, so that a student who is "average" in science might need additional assistance in reading, but be able to do advanced enrichment in math. As a result, teachers will provide a heterogeneous group of students with the best learning activities to meet particular student needs. Teachers will thereby be able to focus on the whole student, while they work with the student's other teachers to develop activities that complement each other and better enable that student—and all students—to improve their achievement.

C) Quality of project design. (2) (iii) Implement high-quality activities that are directly related to improving student academic achievement based on the State's … standards or directly related to improving student reading skills or knowledge of mathematics, science, history, geography….

Connecticut Standards, Power Standards, and Curriculum Development

As part the Making Standards Work initiative spearheaded by the State Department of Education, New Haven is in the midst of an extensive curriculum revision process. The new national literacy and math standards will become part of this process beginning in 2010-11.

At the core of this State approach is the concept of "Power Standards," prioritized standards that are aligned to State standards and are essential for student success. They enable teachers, who

have limited time, to focus on what is essential. Beginning with Power Standards, New Haven staff has been developing vertically-articulated curriculum that includes designed and required learning experiences supported by scientific research-based instructional strategies and assessment (e.g., the use of Significant Tasks that define for teachers the most important students outcomes of each unit). In this process, they have identified connections between the selected Power Standards and State and assessments. For each curriculum area, a scope and sequence pacing guide tied to regularly administered (every 6 to 9 weeks) district-wide assessments has been developed. Each curriculum guide highlights areas of integration with literacy and math.

Teams at each school will identify Power Standards related to magnet themes and then "unwrap" the standards and indicators to identify critical concepts and skills which they can use to plan lessons, focus instruction, and drive assessment. From these unwrapped concepts and skills, they will identify "Big Ideas," or lasting understandings; they will then formulate "Essential Questions" that they will both share with students at the beginning of each instructional unit and use to select lessons and activities designed to enhance student understanding of the concepts and skills.

Once the magnet theme curricula are developed during grade team and secondary school team meetings (and during before and after school and summer curricula development sessions), the Magnet Resource Teachers will support teachers as they integrate these lessons with the regular curricula and hone techniques for teaching the curriculum to a diverse group of students. All magnet curricula will be fully aligned with state standards and the New Haven curriculum frameworks.

Magnet Standards: Magnet school staff will develop specific magnet standards that indicate what students will know and accomplish as a result of the school's magnet theme. As a result, when parents and/or students select a magnet school they will have a strong sense of what will be expected and what they will accomplish in the magnet program that goes beyond the basic district or state

standards. The development of specific Magnet standards will be tied directly to the design and implementation of magnet curriculum and will help parents and students to know what is unique about each magnet school. Magnet standards will also be aligned with and integrated into the required state and local content and student achievement standards.

To create magnet standards, teachers will begin by developing performance standards for the exiting grades that reflect the knowledge and skills that are important for students to attain and that are unique to the magnet program, while also supporting the state academic content standards and student academic achievement standards. The magnet standards will reflect the knowledge/content to be learned, the skills the student will need to know and use to create products, the performance or product and how good is good (the rubric that will be used to judge whether the student has attained the standard). The magnet standards will become part of the magnet themes, units and lessons throughout the year. The schools supported by this grant will develop exit criteria based on their magnet standards. Students will complete projects, display their portfolios or have exhibitions.

New Haven's Core Curriculum

Language Arts: The New Haven K-8 Literacy standards are based on national and Connecticut standards and are aligned to the Connecticut Mastery Test, grades 3-8 and shaped by the Connecticut Department of Education's grade level expectations. New Haven's literacy curriculum includes explicit instruction in phonemic awareness, phonics, comprehension, oral language, vocabulary, fluency and writing. All K-5 students have three hours of literacy instruction with at least 90 minutes of uninterrupted time. Grades 6-8 have a minimum of 90 minutes devoted to literacy, and the content area teachers are instructed to support reading for information, writing and vocabulary.

Vocabulary, fluency and comprehension are emphasized. The powerful relationship between comprehension and vocabulary knowledge is one of the most consistent findings in reading research.

In addition, high quality non-fiction texts are used in every grade, including kindergarten.

The magnet schools will have literacy coaches who will work with all Pre-K-8 teachers and paraprofessionals. In addition, literacy mentors set up literacy competency groups for teachers and paraprofessionals to focus on students who are at-risk.

Magnet teachers across grades and disciplines will use Marzano's systematic approach to teaching academic vocabulary across the curriculum (Marzano, 2004). This six-step approach includes three steps that introduce new terms (e.g., student restatement of the description) and three that review the terms in ways that give students greater insight into their use (e.g., discussions and games that allow students to ponder and discuss the terms). While these strategies are designed particularly for students who do not come from academically advantaged backgrounds, they are valuable to all students who need to develop a store of academic background knowledge that will help them achieve academically. Stahl & Fairbanks (1986) found that direct vocabulary instruction on words related to content significantly improved reading comprehension scores. For graduation, high school students must complete at least 4 credits in English (English I, English II, Literature and Composition, and American, World, or British Literature).

Mathematics: The Mathematics Program in the magnet schools focuses on the National and State Mathematics Standards, developing the skills students need to succeed in the upper grades where the content expands, but is dependent upon the skills learned in the lower grades. The magnet schools will focus on ten major areas: Number Sense, Operations, Estimation and Approximation, Measurement, Spatial Relationships and Geometry, Probability, Statistics, Patterns, Classification and Logical Reasoning, and Mathematical Applications

The Saxon Mathematics Program will be used to support math learning in the grades K-4. This research-based program provides a mathematical structure for teachers to follow and is

designed to present information to students in a spiral that consistently reviews and expands upon concepts learned. The math instruction is rooted in three basic tenets: incremental development, continual practice and review, and frequent, cumulative assessment. Incremental development means that concepts are taught in small, easily understandable pieces that are presented over the course of the academic year. Once an increment has been taught, it is reviewed daily through a process called continual practice and review.

Quasi-experimental studies conducted by Calvery, Bell, and Wheeler (1993) and Nguyen and Weeter (1994) and Agodini (2009) showed that elementary students who use the Saxon math program significantly outscored those who used other math programs. Saxon's ability to close the achievement gap among elementary students is supported by Hansen and Greene (2000).

The purpose of the grades 5-8 mathematics program is to build higher level mathematics skills to prepare students to study algebra, geometry, and pre-calculus at the high school level. Significant tasks in the curriculum allow students to work in groups to solve authentic problems over a longer time span. The magnet schools will focus on extending Algebra I to students at the eighth grade level. These students will begin their accelerated journey in grades 5 and 6. The Algebra I program in the middle school is exactly the same as the program taught in the high school. It is very hands-on and challenging. Students who are successful in Algebra go on to study geometry –and more advanced mathematics—at the high school level. For graduation, high school students must complete at least 4 credits in math (Algebra I, Geometry, Algebra II or Statistics & Probability, other math), as well as a STEM elective.

The Mathematics Department assesses all students at the end of each curriculum unit. In all, students are assessed six times per school year. These assessments allow teachers to address the individual needs of students through differentiated instruction by putting plans in place to support

students at all levels. Administrators, staff developers, and teachers all look at the assessment data carefully to identify areas of success and areas in need of instructional improvement.

Science: Two of the four proposed magnet schools have a science theme. PreK-8 Science for the magnet schools is based on an *Interdisciplinary, Inquiry-Based Approach*. Each grade has a curriculum that is constructed from National, State and District Frameworks and Standards.

Science and Technology For Children (STC) is a complete science program for children in grade K-6. With STC, students engage in investigation and discovery activities using everyday materials along with basic science equipment. Filled with innovative hands-on activities designed to motivate young students, STC is the result of a joint effort by some of the leaders in the fields of education and science. STC was developed by the National Science Resource Center (NSRC), operated by the Smithsonian Institution and the National Academy of Sciences.

The magnet school themes align with New Haven's STEM initiative, designed to integrate science, technology, mathematics and engineering programs, both internal programs, and with external partners, to provide students with the STEM skills they need for their future. Students in the New Haven magnet schools will be expected to master (on the appropriate developmental level) each of the five major strands of science each year, four content strands and a science inquiry strand, which includes science and society issues and integration. All students will be expected to work on a Science Fair Project, either as a class project (grades PreK to 3), in a team of 2-4 students (grades 4-8), or as individual projects (grades 7-12). The Science Fair Project is an example of interdisciplinary integration, as it encompasses literacy, mathematics and technology. The use in PreK-8 schools of a science non-fiction guided reading series also integrates science with literacy, and the use of regular hands on science supports the measurement and data analysis skills of mathematics instruction.

The high school science courses emphasize higher order thinking skills, experimentation, collaboration and multiple methods of teaching and assessing. The science sequence requires all students to take at least three years of lab science: Biology, Chemistry, and Phy/Chem, which integrates concepts of chemistry, physics and environmental science and their applications to technology and society. All students have the opportunity to take Physics, or elective courses as AP Biology, AP Chemistry, Environmental Science, Anatomy and Physiology, and Forensics.

Social Studies: The Social Studies/History program focuses on preparing students to be valid contributors to a democratic society. A major goal of the program is to instill an understanding, appreciation of, and sensitivity to global diversity. The district's revised standards-based curriculum accomplishes this goal as it is soundly anchored in professional development in research-proven instructional methodology and in authentic up-to-date materials.

The Social Studies/History program addresses student needs to internalize a continuum of skills and knowledge in six content strands: **Diversity, Civics, Geography, Economics, History, and Current Events** with a comprehensive, interdisciplinary, multicultural perspective aligned with State and Local standards. A spiraling approach and prescribed learning outcomes are designed to encourage in-depth study from multiple perspectives and to lead students to think critically and make reasoned judgments. Curriculum "units of study" are developed to help students make logical connections between: historical and contemporary events and issues (past, present and future); regions, environments and cultures around the world (global); the curriculum and students' personal interests, concerns and career aspirations (personal) and various content areas (interdisciplinary). This aligned instructional program better prepares students and staff to meet the challenges of district content and writing assessments given every 9 weeks during Social Studies classes. For graduation, high school students must complete at least 3 credits in social studies (American History,

International/World Studies, ½ credit Civics, ½ credit social studies elective).

Expeditionary Learning: Rogers-Brennan, Conte-West Hills and Hyde will use **Expeditionary Learning (EL)** as a systemic reform in addition to their content themes. EL emphasizes high achievement through active learning, character growth and teamwork.

The Principles of Expeditionary Learning--Expeditionary Learning (EL) is a model for comprehensive school reform that emphasizes high achievement through active learning, character growth, and teamwork. The educational values and beliefs of Expeditionary Learning include: The **Primacy of Self-Discovery**: In Expeditionary learning schools, students undertake tasks that require perseverance, fitness, craftsmanship, imagination, self-discipline, and significant achievement. **The Responsibility for Learning**: Every aspect of an EL school encourages both children and adults to become increasingly responsible for directing their own personal and collective learning. **Collaboration and Competition**: Individual development and group development are integrated so that the value of friendship, trust and group action is clear. **Diversity and Inclusion**: Both diversity and inclusion increase the richness of ideas, problem-solving ability, and respect for others. Schools and learning groups are heterogeneous. **Service and Compassion**: One of an EL school's primary goals is to prepare students with the attitudes and skills to learn from and be of service to others.

The EL design is comprised of five core practices that build on one another to support high expectations and achievement in every domain. **Learning Expeditions:** planning and teaching rigorous and purposeful learning expeditions--in-depth, sustained theme-based units aligned with standards and comprising a series of related projects--are the cornerstone of curriculum and instruction. **Reflection and Critique:** collaborative assessment, critique, and reflection by teachers on their own work and that of their students and by students on their own and each other's work drive continuous improvement in teaching and learning. **School Culture:** Expeditionary Learning

schools promote a strong culture of best effort, high expectation, high quality work and the value of diversity. **School Structures:** Expeditionary learning requires the reorganization of time, student grouping, and resources to support high quality learning expeditions. School schedules provide longer and more flexible blocks of time for project-based learning and fieldwork, common planning by teams of teachers and community-building activities. Heterogeneous Grouping allows all students to share in the richness that diversity brings to learning. Teachers work in teams to design their own learning expeditions that align with district and state standards. Block scheduling and common planning time make it possible for students to go into the community for field work and service.

The unique programs of the magnet schools are presented below:

Rogers-Brennan K-8 School: The Art of Communication and Media (Grades Prek-8)

Magnet Theme Description: Students at Rogers-Brennan will study communications and its impact on the history of man. Staff will provide students with a specialized curriculum focused on communications through the spoken and written word, through the arts, and through media.

Literacy: The theme of Communications will be integrated into all curriculum areas building on the New Haven literacy curriculum, Connecticut and national literacy, arts and media standards. Through the study of Communications all students will read fiction, non-fiction, diaries, biographies, Newspaper articles, and TV scripts and experience man's greatest literary works through Junior Great Books. Reading in Content Areas will take place in all core subjects. Both creative and expository writing will be strengthened and all students will learn how to critique their work through multiple drafts through Expeditionary Learning experiences and through working with the Teachers College Reading and Writing Project. Communications through the Arts will be another focus. Every historical period can be viewed through visual arts, music, dance and drama. The arts cut through individual differences, educational background, and

ability. Teachers will approach the arts as forms of communication and use them to illuminate other academic subjects. Art and classroom teachers will work together to develop and implement an arts integrated, project-based curriculum.

Structure of Delivery: The magnet theme will be integrated into all classes. Students will use communication tools and 21st century emerging technology tools and the arts to support content learning and develop skills required for mastery of the New Haven curriculum, Connecticut and national standards. In **Social Studies** students will learn about the history of communications how history is communicated through a study of **Talking Walls** throughout the world. They will learn the language of **Math,** different math systems, and analyze graphs to communicate mathematical ideas. They will learn the **Science** of sound and the science behind the technology of GPS and the Internet. ELA will be further supported through a strong Broadcast Journalism program in which student will research relevant stories, write scripts and deliver the news via TV and through podcasting. **Visual and Performing arts** will be studied as a means of communication and will be integrated into all subjects as teachers are **t**rained in Discipline-Based Arts. The Magnet theme will also be delivered through discrete classes that meet twice a week for 45 minutes. These cross-graded classes will provide students with a choice of communications electives such as journalism, TV, photography, drama, choir, design, creative writing leading to a school newspaper, TV broadcasts, film, live performances and published works. All teachers will instruct and/or team-teach Communications electives.

Instructional Methods:_ Rogers-Brennan will work with **Expeditionary Learning** (EL) and will have an on-site EL designer to support the work in developing interdisciplinary expeditions.

Thematic Instruction: Thematic instruction organizes a curriculum around themes that connect standards-based materials to authentic learning contexts. The Communications theme will be

divided into four school wide themes which will be taught using grade level standards in core subjects. At the end of each quarterly expedition there will be an exhibition of student work.

Professional Development: Teachers will receive professional development from **Expeditionary Learning** through on-site support. Teachers will attend the Teacher College Reading and Writing Project conferences and institutes on reading, writing, content-area literacy, data-based assessments and phonics. Professional Development will be provided by Junior Great Books to support this initiative. They will receive training in arts integration through Discipline-Based Arts through the Lincoln Center Institute.

Conte-West Hills Magnet School of Exploration and Innovation (Grades Prek-8)

Magnet Theme Description: Through the study of Exploration and Innovation, primary students will explore their communities, while intermediate students will explore the USA through a unique exploratory program (Social Studies Alive), and will follow routes of explorers using curriculum developed at the Smithsonian Museum and Library of Congress. Elementary and middle school students will study how immigrants explored a new world and continue to do so through the oral history Story Corps experience. They will explore original documents through the National Archive Repository (NARA). The school will use The Inventive Thinking Curriculum Project of the U.S. Patent and Trademark Office, robotics through the Tufts University LEGO Symposium and the Boston Museum of Science's Engineering is Elementary and will engage in the Connecticut Invention Convention. The **Expeditionary Learning** reform model is well suited to the theme of Exploration and Innovation.

Invention and exploration will be integrated in all curriculum areas and specialized classes. Students will seek out man's greatest inventions and explorations through the literature they read, the science they experience, math and the arts. The school will utilize curriculum on exploration

developed by the Smithsonian Museum and The Library of Congress. Students will read fiction, diaries and nonfiction works about explorers and their expeditions. They will work with NASA to learn about modern day explorers and students will experience the Moon Landing and Mars Expedition via telecommunications, YouTube and other media. For the study of Innovation, the school will utilize specific invention curriculum designed by the U.S. Patent and Trademark Office. Project XL, a national partnership designed to encourage critical and creative thinking and problem-solving skills for children and will study innovation through engineering and robotics.

Professional Development: To support the innovations theme, teachers will attend the Tufts University LEGO Symposium and attend workshops on Engineering is Elementary from staff at the Boston Science Museum. For their exploration theme they will attend workshops and on-line professional development from the Smithsonian and will receive professional development from TCI, which is the professional development arm of Social Studies Alive.

Structure of Delivery and Instructional Methods: The Exploration and Innovation theme will be integrated with all core subjects through expeditions developed through curriculum mapping. Conte West Hills will develop an Innovation/Invention Exploratorium as a separate class that will integrate science and math to enable students to create and innovate. This class will utilize the Inventive Thinking Curriculum, Tufts LEGO robotics and Engineering is Elementary materials. There will be a lab for the elementary students and one for the middle grade students.

Conte-West Hills will work with **Expeditionary Learning** to support work in developing interdisciplinary expeditions. The staff will develop four school wide Exploration and Innovation themes. Through a curriculum mapping process, each grade will identify social studies and science standards and will integrate them with the school wide theme. Each quarter will end with an exhibition for parents and the community.

Hyde High School of Health Sciences and Sports Medicine (Grades 9-12)

Magnet Theme Description: The goal of **Hyde High School of Health Sciences and Sports Medicine** is to effectively prepare graduates for postsecondary education and to develop skills necessary to be competitive in health sciences and sports medicine careers. This will be accomplished through a rigorous core program in the sciences and math and through participation in a comprehensive Health Sciences and Sports Medicine curriculum beginning with the ninth grade Introduction the Health Sciences, based on the Foundation Standards of the National Consortium on Health Science Education (NCHSE) and through specific courses, developed by **Project Lead The Way's Biomedical Sciences** program. Hyde students will be exposed to a variety of educational and career opportunities through job shadowing and internships provided by Hyde's health sciences partners. Hyde students will exceed the graduation requirements of the State Department of Education and the New Haven Public Schools. Students will be encouraged to take the school's new Advanced Placement science courses. To provide students with the most current and comprehensive work in health sciences, the school library will house a medical and health sciences research and media. All Hyde students will develop a Personal Portfolio, which will include a multifaceted academic and physical assessment to follow the student through graduation.

Structure of Delivery and Instructional Methods: The magnet theme will be delivered through discrete Health Science and Sports Medicine classes beginning in the Freshman Year and will be integrated into all core subjects through the development of in-depth interdisciplinary learning expeditions accomplished through curriculum mapping with the support of **Expeditionary Learning (EL)**. Following the comprehensive **Project Lead The Way Biomedical Science** curriculum, all students will take Health Sciences and Sports Medicine courses beginning with a

four part Career Exploration Health Sciences course based on standards of the National Healthcare Foundation covering: 1) Employability Skills and Communications; 2) Information Technology, Legal Responsibilities, and Ethics; 3) Healthcare Delivery Systems, Teamwork and Health Maintenance Practices; and 4) First Aid, CPR, Community Emergency Response Team Training and Emergency Sports Medicine. All students will meet criteria set by the National Health Care Foundation Skills Standards Assessment/Certification Program. Students will take courses in Human Body Systems and Informatics in the 10th grade and Sports Medicine courses including Introduction to Sports Medicine, Emergency Procedures, Athletic Injuries and Rehabilitation and Research in the 11th and 12th grades. Students will take rigorous new academic science and math courses including Chemistry in the 10th grade and Anatomy and Physiology, Physics, and AP Biology, Pre-calculus and Calculus in the junior and senior years. Students will be encouraged to take AP courses in the sciences and teachers will be trained to teach AP courses. To accomplish this, Hyde will move to bloc scheduling in year two of the program. The magnet theme will be integrated into all core subjects. Integration in English will focus on reading current health sciences papers and journals, and expository writing as students conduct their own research, and through communicating their findings through advanced media. In Social Studies students will study the impact of health sciences on our society and on emerging countries in the past, today and in the future. In math they will learn to analyze a wealth of scientific health and sports data in real world situations.

Professional Development: Teachers will receive extensive on-site professional development for curriculum integration through an **EL Designer** and they will attend **EL conferences** designed to support interdisciplinary expeditions. Health Science and Sports Medicine and Science teachers will attend the **PLTW Professional Development** during the summer at

Stevenson College in Maryland and the **National Health Care Foundation Conference.**

The Engineering and Science University Magnet School (Grades 6-12)

The focus of the **Engineering and Science University Magnet School (ESUMS)** is to effectively prepare graduates to further their education and careers in a range of scientific, engineering, and technological fields. ESUMS already provides middle school students (grades 6-7) with a rigorous math/science curriculum designed to prepare them for a demanding high school program. With MSAP support, it will add the high school grades. With the completion of a new building, the school will be located on the University of New Haven campus.

The Program : Students at ESUMS will be required to think like engineers. They will use technology to solve problems presented in math, science and engineering curriculum. More importantly they will collaborate as engineers to address problems in their school and city.

ESUMS High School will: ►Develop and implement three distinct pathways into engineering, focusing on the biological, materials, and structural aspects of engineering; ► Provide opportunities for nationally recognized industry certifications, such as the Architectural Design Association; ► Provide mentorships for all students grades 10 & 11; ► Have students create an engineering portfolio that will highlight readiness to enter STEM careers and higher education in STEM disciplines; ► Career Ed. In Engineering in Grade 9. ► Robust early college for students in grades 11 & 12. Senior project for credit; ► Internships; ► Design of new school building to incorporate contemporary engineering; ► Scholarship program with UNH.

Its students will follow a rigorous engineering, math, and science curriculum, taking science, mathematics, and engineering courses every year. The main focus of the curriculum will be on continual interdisciplinary learning, with engineering as the catalyst for bringing together real world

applications of science, math, technology and social studies. To provide the expertise in engineering curriculum development, ESUMS will adopt the Project Lead the Way (PLTW) high school program which will be coordinated with students' academic courses and is designed to prepare students for post-secondary engineering studies.

All ESUMS high school students will take at least four years of lab based science: ► PhyChem, which focuses on matter and energy, and applications in chemicals in the environment, electricity, and energy sources. ► Biology, which has a biotechnology focus, emphasizing genetics, cellular chemistry, and evolution and populations. ► Chemistry, which has a focus on physical and organic chemistry and their applications. ► Physics, focusing on forces and motion, energy, light and sound.

Beyond these four courses, students will have the opportunity to take advanced electives such as biotechnology and science issues. These courses will align with required engineering courses, which use the principles found in the six Project Lead the Way modules: Principles of Engineering, Introduction to Engineering Design, Digital Electronics, Computer Integrated Manufacturing, Civil Engineering and Architecture, and Engineering Design and Development.

All students will be expected to complete at least four years of mathematics, such as Algebra, Geometry, Trigonometry, Statistics, and Pre-Calculus, with most students reaching Calculus by senior year. Advanced courses such as AP Physics, AP Calculus, AP Computer Science will allow students to receive college credit. Students will also have opportunities to take college-level mathematics and science courses on the University of New Haven campus.

Each year, the students will be expected to combine their skills in mathematics, science inquiry skills, and the principles of engineering to produce an interdisciplinary project. By senior year, students will be developing year long research projects, using resources from the

University of New Haven and the surrounding area manufacturing, engineering, and scientific community. These projects may also include summer internships, job shadowing, and field experience in order to apply their mathematics, science, and engineering skills.

The Partnership with the University of New Haven College of Engineering

To provide a continuum of academic support, the Engineering and Science University Magnet School has partnered with the University of New Haven's (UNH) Tagliatela College of Engineering, giving students an opportunity to participate in the Early College Program. This program will expose students to college-level coursework, teachers, and administrators prior to their enrollment in post-secondary programs. The following is proposed:

To Support ESUMS Students UNH-Tagliatela College of Engineering will: ► Facilitate an orientation session for the entering class each year; ► Host an on-campus college-day per year for the entering class; ► Recruit six interns per year through the UNH Department of Education; ► Schedule regular small group presentation and information sessions for ESUMS students; ► Recruit UNH STEM tutors to work with students at ESUMS ; ► Design and implement a 1-week UNH Summer STEM Institute for grades 9–11; ► Award college credits for approved Project Lead the Way (PLTW) courses; ► Provide three Presidential scholarships to attend the Tagliatela College of Engineering; ► Provide the equivalent of two fully funded (need-based) scholarships, each year to the Engineering and Science Summer Institute for Young Women; ► Provide internships for juniors and seniors with engineering, manufacturing, and scientific firms.

To Support ESUMS Teachers UNH- Tagliatela College of Engineering will: ► Schedule regular small group presentation and information sessions for teachers (both on and off campus); ► Provide opportunities for teachers to attend STEM classes at UNH on specified topics;

►Require teachers to attend at least of 5 of the Alvine Engineering Professional Effectiveness

and Enrichment Program Lecture Series and other UNH professional development opportunities.

C) Quality of project design. (2) The Secretary determines the extent to which each magnet school for which funding is sought will: **(iv)** Encourage greater parental decisionmaking and involvement

The meaningful involvement of parents in the education of their children has come to be regarded as not only desirable but necessary. A research synthesis on parent involvement, for example, found a clear correlation between the involvement of parents, regardless of income or background, and higher grades, test scores, and promotion rates, and better attendance, social skills, and the likelihood of students enrolling in more challenging programs, graduating, and enrolling in postsecondary education (Henderson & Mapp, 2002).

However, all too often, cultural, social and economic barriers can hold low-income and minority parents back from playing an active role in the education process. They may feel unqualified to help their children learn, unwelcome in the middle-class school culture, and unable to make their voices heard by teachers and administrators. Staff at magnet schools will address these issues and support real family engagement through, for example: (1) assuming that all parents want their children to do well in school (Goldenberg & Gallimore,1995); (2) drawing on staff knowledge of each family's culture as a foundation for successful home-school communication (Trumbull & Pacheco, 2005); (3) learning from parents about their child's needs and previous educational experience and their own goals for their child's education (Gonzalez et al, 2001); and (4) offering flexible mechanisms for parent participation that respond to parent needs, such as informal, not just formal, opportunities for home-school communication (Trumbull et al, 2001). The meaningful involvement of parents across racial, ethnic and class lines makes a strong statement consistent with the magnet schools' inclusionary purpose and rationale.

Magnet Schools Parents' Program

Every magnet school is required to develop a Parent Involvement Plan, as part of its Comprehensive School Plan, in which each must describe objectives and activities to address the following five areas: **The basic obligations of parents** refers to the responsibilities of families to ensure children's health and safety; to the parenting and child rearing skills needed to prepare children for school; to the continual need to supervise, discipline, and guide children at each level; and to the need to build positive home conditions that support school learning and behavior appropriate for each grade level.

The basic obligations of schools refers to the communications from school to home about school programs and children's progress. Schools vary the form and frequency of communications such as memos, notices, report cards, email, and conferences, and greatly affect whether the information about school programs and children's progress can be understood by all parents.

Parent involvement at school refers to parent volunteers who assist teachers, administrators, and children in classrooms or in other areas of the school. It also refers to parents who come to school to support student performances, sports, or other events, or to attend workshops or other programs for their own education or training.

Parent involvement in learning activities at home refers to parent-initiated activities or child-initiated requests for help, and ideas or instructions from teachers for parents to monitor or assist their own children at home on learning activities that are coordinated with the children's class work.

Parent involvement in governance and advocacy refers to parents' taking decision-making roles in the PTA/PTO, advisory councils, or other committees or groups at the school, district, or state level. It also refers to parent and community activists in independent advocacy groups that monitor the schools and work for school improvement.

The Parent Involvement Plan for each magnet school will address each of the five areas described above with activities in each of the categories. In addition, there must be both staff training and parent training for each of the five categories listed above. The plan must clearly explain how all aspects of the specific school program will be communicated to parents. Finally, the plan must include components to make it easier for parents who do not live near the magnet school to become fully involved in the life of the school.

Staff training will be facilitated and coordinated by the magnet resource teachers, and the New Haven resource staff who will also train school staff. In addition, the magnet resource teachers will identify and bring trainers from collaborating institutions, such as the Yale University Comer School Development Program, and the Equity Assistance Center at Brown University.

The Parents Program at each magnet school will also incorporate the following: (1) parents will be part of each school's School Planning and Management Team; (2) parents will be part of each school's Personnel Selection Committee; (3) parents will be active members of each school's Parent-Teacher Organization (PTO); (4) parents will be members of the district Magnet School Advisory Committee; (5) parents will be involved in broad-based activities including parent workshops, orientations, joint learning sessions with their children, adult education, parenting training, and other activities that meet the needs of parents at any specific school site; and (6) parents will work in the school as classroom assistants, tutors or aides.

By **empowering parents**, the magnet schools will provide continuity in the socio-educational lives of children. The following are some of the initiatives that will be part of the Parents' Program at each magnet school to get things started. Each magnet school will create other opportunities for their parents, including**: parent leadership training** provided by the magnet resource teachers; **parent workshops** conducted by magnet staff to explain the objectives and

activities of the magnet program; a **parent volunteer program** where parent volunteers will be used as tutors of academic subjects, role models for career awareness education, to help bolster school security by being posted at school entrances and patrolling the school with school staff, assisting in the school office, working in the school library, and assisting with school trips.

The following are examples of the expanded parent programs that will be implemented: ***Rogers-Brennan***: The school will offer bi-monthly Literacy and Communications Workshops for parents. Parents will be offered the Junior Great Books program to support their children. Family take-home activities will be developed that will be part of the students' expeditions. The school will create a Parent Magnet Advisory Panel to help plan activities and support home-school learning connections. ***Conte-West Hills:*** A Parent Coordinator will organize and schedule all parent activities including identifying resources that parents bring to the school. Staff will organize "parent Nights for each thematic study where students will showcase their learning. They will also organize "Lab nights" during which parents and students will build projects. ***Engineering and Science University Magnet School***: Monthly parent town meetings during which parents discuss school issues, raise questions, meet the teachers, and meet each other. Parent workshops such as: What to expect from an adolescent. ***Hyde High School of Health Sciences and Sports Medicine*:** Monthly newsletter for parents written by parents, teachers and principal describing the magnet program and special events. Workshops explaining Project Lead the Ways Biomedical Science Program and Expeditionary Learning for High School students.

Project Narrative

Project Narrative-Selection Criteria-Budget and resources-Refer to Federal Notice for content.

Attachment 1:
Title: **New Haven Budget and Resources** Pages: **0** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\New Haven 2010 MSAP 6--Budget and Resources.pdf**

(d) Budget and resources. **(1)** The adequacy of the facilities that the applicant plans to use.

School Buildings: All the magnet school facilities are more than adequate to accommodate the students enrolled in the buildings, as well as the proposed specialized magnet instructional programs. Each building has sufficient capacity to accept the numbers of students needed to achieve its desegregation goals. A brief discussion of the facilities of each proposed magnet school follows.

Conte-West Hills: was originally built in the late 1950's and completely renovated in 2001. During this renovation, the old structure was completely gutted and rebuilt. The remodeled school of 100,000 square feet is designed for students in Kindergarten through grade 8. Its 39 classrooms, 3 science labs, 2 art rooms and 250 seat auditorium is well suited for a magnet school that will serve 655 students by the third year of the grant.

Conte-West Hills has a main office and 14 smaller offices, as well as a cafeteria, a gymnasium, a library and media center, music room, a swimming pool with boys and girls lockers, a medical room, a parent room and a computer/technology room. There is open space and a garden for outdoor classroom activities on the school site, while a field and separate playground areas for elementary and middle grade students provide room for athletic and recreational activities. Its location in the Wooster Square section of New Haven is easily accessible.

Hyde Academy is housed in a school building in Hamden a suburb of New Haven. This location, on the boarder of New Haven and Hamden, make it easily accessible for both urban and suburban students. Its 14 classrooms, science lab, computer lab, offices, multi-purpose room (capacity 250) make it suitable for the program described in this proposal. A new building designed for the new program and funded through the Connecticut Interdistrict Magnet Program will planned this year. It is hoped that construction will be begin next year.

Rogers-Brennan consists of two school buildings across the street from each other in the

easily accessible West Hills district of New Haven. Particularly valuable as teachers implement the magnet Communications and Media theme will be the two libraries, two gymnasiums with stages, and common areas, including a multi-media center, a multi-purpose music room, and a large arts room. Together the two schools have staff offices, two cafeterias, 4 tutoring rooms, a family resource center, a science lab, and a math lab. There is outdoor space, including playgrounds and garden areas. The 2001 Brennan renovation resulted in a 57,216 square foot building that allowed for more classroom space and a medical suite (exam rooms staffed by a part-time nurse; a dental office) for use by parents and students. In 2000, Rogers' was gutted and reconfigured into a 35,000 square foot facility that provided early learning programs, handicapped accessibility, and fourteen classrooms clustered by age group and color coordinated.

Engineering and Science University Magnet School (ESUMS) is housed in temporary facilities, a former parochial school, near Yale University, in the center of New Haven. A new building, supported with Connecticut Interdistrict Magnet School construction funds, on the campus of the University of New Haven, will open for the 2012-13 school year. Because its current space is a school building, it functions well for the current middle school program. It has 20 classrooms, a library, a gym, a cafeteria, a multi-purpose room, a science lab, and adequate office space.

As part of a year-long planning process, staff, district level supervisors, architect, students and consultants from the University of New Haven will be involved with designing the new ESUMS building to better meet the needs of the curriculum and program. The physical plant will model all components of engineering, and will also involve students in the design process as part of their current engineering, science, and math curriculum. The building will include state of the art engineering labs and facilities, and will model engineering workplaces.

***(d) Budget and resources*. (2)** The adequacy of equipment and supplies that applicant plans to use

The MSAP proposal and budget for equipment and supplies for start-up costs to fully develop and implement four (three K-8, one 9-12) magnet schools is adequate and is cost efficient and will enable the District and each of the schools to successfully implement the plan and carry out all objectives. The requested funds will not supplant any local funds supporting the magnet program. New Haven will purchase all supplies and equipment needed to implement the required curricula for all students. The grant proposal requests only those supplies and equipment specifically needed to implement the magnet theme discussed in this proposal. New Haven will not decrease the funds normally spent on supplies, equipment, computers, software, textbooks, library books, etc. Per capita local allocations for these items will be the same in magnet and non-magnet schools.

This proposal concentrates on start-up equipment, supplies and materials to establish the new magnet programs. The equipment and supplies requested, will establish these as unique magnet programs that will attract a more diverse student body. Some examples are:

Conte-West Hills School of Exploration and Innovation - Supplies and materials needed for the Social Studies Alive, Engineering is Elementary and Expeditionary Learning programs including text and trade books to support them, primary source documents, Lego Robotics Construction Sets and Activity Packages Science/Engineering Exploratorium Lab sets, Knex Mindstorms.

Rogers-Brennan: The Art of Communication and Media - Supplies, materials needed for Great Junior Books program and Expeditionary Learning, library resources focused on communications and media, theater/tv scripts, computers and laptop cart, book binding machine to help publish student work, Writers' Workshop supplemental texts, video and sound equipment for TV studio.

Hyde H.S. of Health Sciences and Sports Medicine - Supplies and materials needed to support the theme and Expeditionary Learning including measuring and monitoring equipment, blood pressure

monitors, spirometers, oximeters, oxygen uptake monitors, a bone densitometer, body composition calipers, anatomy manikins, skeletal models, CPR practice dummy, and other resources needed to study the human body and physiological process in relationship to the themes.

The Engineering and Science University Magnet School (ESUMS) - Supplies and materials needed for a STEM curriculum such as advanced laboratory equipment, PCSEdventures Principals of Engineering, STC, SEPTP, Foss kits/supplies (Engergy Phaes, Changes, Polymers and Materials Science, document camera, movable white boards. This school will not be implemented until project year 2. During the first project year, the principal and staff, with assistance from the faculty of the University of New Haven College College of Engineering and the New Haven Schools' coordinators of science and mathematics will continue planning for the high school STEM program including the purchase of necessary supplies and equipment.

Although three of the proposed magnet schools currently have technology, the schools' equipment cannot adequately handle the software that is needed for students to produce the advanced work promoted by the magnet program. The computer equipment requested from the Magnet Schools Assistance Program funds is more sophisticated and will be used in ways specifically aligned with the magnet theme. For example, equipment requested ESUMS and Hyde needs to be state-of-the-art such that it can handle high school science and engineering.

***(d) Budget and resources*. (3)** The adequacy and reasonableness of the budget for the project…

This project represents a comprehensive Magnet Schools Assistance Plan for the start-up of three new magnet schools and the significant revision of one. The budget is reasonable and adequate to achieve the objectives of the project. Three of these schools will have a strong level of implementation in year 1 of the grant while the fourth, ESUMS, will use year 1 as a planning year and will implement fully in grant year 2. The requested budget for the project is $3,017,801 for the

first year, $3,403,933 for the second year, and $3,410,786 for the third year of the project. The project will reach 1,200 students in the first year and over 1,800 students by year 3 by which time the Engineering and Science University Magnet School will have been added. Therefore, the per-pupil cost of starting up these magnet schools is approximately $2,457 for the first year. Increases in student enrollment in subsequent years will cause the per-pupil cost will go down to $2,056 for project year 2 and $1,878 for project year 3. The following is an explanation of specific budget items. **Personnel Costs:** The District is requesting salaries and benefits for a Project Director, two Recruitment Specialists, and 8 (7 during the first year since ESUMS will be in planning) Magnet Resource Teachers. All positions are full-time (100% of their time will be spent on MSAP activities) positions. These positions were described in the *Quality of Personnel* section of this proposal.

The **Project Director** will oversee the entire Magnet School Project, coordinating all project activities, monitoring full implementation, and reporting on the progress of the project to the Superintendent, the Board of Education and the community.

The **Student Recruitment Specialists** assist in the production of marketing materials, work with principals and district staff to ensure coordination of school- and district-level recruitment activities, work with parents and organize and manage district-level magnet recruiting activities.

The **Magnet Resource Teachers** will work on site with classroom teachers to align the district's curriculum with their school's specific magnet theme; to develop and deliver an integrated curriculum; to plan and participate in professional development, program implementation and parental involvement activities. The District is also requesting funds to pay teachers hourly **stipends for professional development, and curriculum development and alignment**. These activities will take place after regular school hours. Teachers need professional development to carry out the new, innovative magnet themes and the curriculum that will be developed.

Each of the magnet schools will provide extended day programming for students to enrich the magnet theme, provide additional academic services, and lead parent activities. Funding is requested to cover the **personnel costs for these extended day programs**, specifically to pay for tutors and staff to work directly with students. **Fringe Benefits:** Fringe benefits are a contractual obligation

Equipment: The District is requesting funds for equipment necessary to carry out the magnet program in four magnet schools. Examples were listed in a previous section. **Supplies:** A range of instructional supplies and materials will be purchased to support each school's specific magnet theme. Examples were listed in a previous section.

Contractual: Each magnet school will contract with external professional development providers, listed in the *Quality of Project Services* section to work with teachers in the areas of magnet theme development and systemic reform. A significant portion of the staff development will be provided by Magnet Resource Teachers and district personnel in the areas of curriculum and instruction.

Funds will also be allocated for the District to **contract** for the services of an **outside evaluator** to provide an independent evaluation of the magnet project and to provide the District with both formative and summative evaluation. The contractor has many years of experience evaluating Magnet Schools Assistance Programs, as well as other educational programs.

Thus, the budget for this project is reasonable as it covers all areas related to the objectives of the project. It includes only personnel, equipment, supplies, travel and contractual costs related to the start-up costs of the five magnet schools. After the three years of funding the District will assume the costs of maintaining the project.

Project Narrative

Project Narrative-Selection Criteria-Evaluation plan (10 points)-Refer to Federal Notice for content.

Attachment 1:
Title: **New Haven Evaluation plan** Pages: **0** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\New Haven 2010 MSAP 7--Evaluation Plan.pdf**

(e) Evaluation Plan...the evaluation plan for the project – (1) Includes methods that are appropriate to the project; (2) Will determine how successful the project is in meeting its intended outcomes, including its goals for desegregating its students and increasing student achievement; and (3) Includes methods that are objective and that will produce data that are quantifiable.

This evaluation, spanning the 3 years of this project, will assist school staffs and district personnel to modify and improve project performance and produce information needed by the United States Department of Education to properly evaluate project effectiveness.

Data Collection: This evaluation will draw on a wide variety of data to provide substance and context for both formative and summative reports. Quantitative, extant data (e.g. enrollment information, standardized test results) will be used in conjunction with questionnaire, interview and observation data, as well with qualitative data (e.g. school improvement plans, curriculum materials, professional development records) to ensure a thorough and balanced evaluation.

The contractor will develop a complete set of data collection instruments (including surveys, document requests, and walkthrough, observation and interview protocols) designed to provide sufficient information to address objectives and performance measures and supplement extant data. However, **extant data will be used whenever possible** to lessen the burden on school based and project staff. The data to be collected will include: **Student achievement, demographic, enrollment and other data:** The contractor will collect standardized test score data (e.g., school and grade level reading, mathematics and writing data) needed to address performance measures related to student academic achievement. Enrollment data disaggregated by race/ethnicity collected by the district will indicate the extent to which each school and the project succeeds in meeting desegregation related performance measures including reducing minority group isolation. Applicant pool, student selection and student transfer data will indicate

the extent to which the GPRA applicant pool performance measure was attained and help determine how performance in these areas can be improved.

Document requests: The contractor will request documentation from magnet school teachers and MSAP staff to help determine the quality and extent of MSAP implementation. Examples include: ► **descriptions of and dosage** (amount of program delivered) **for** units and courses that present the magnet theme to students; and student recruitment, teacher professional development, parent involvement and planning activities; ► **schedules** of school based magnet staff; ► **School improvement plans** that include activities related to the implementation of this grant.

Observation and interview data will be collected, during three annual visits to each magnet school, by trained evaluators who have extensive experience as magnet school practitioners. During each visit, the site visitor will conduct a walkthrough, observe lessons and lesson planning, and interview teachers, administrators, students and parents.

Surveys will be administered annually to all magnet school teachers, a sample of magnet school students and a sample of teachers and students at comparison schools. Drawing on its fifteen year history of MSAP and regular rigorous evaluations, American Education Solutions has developed survey items and scales specific to MSAP implementation under the guidance of its survey consultant, Dr. David Silver, a senior researcher at U.C.L.A.'s CRESST Center. *These survey items are directly related to the purposes of the MSAP and the objectives and performance measures of this proposal.* Validated survey items and scales that measure school climate will also be used.

Formative Evaluation and Reporting: The evaluation contractor will aid in the continual improvement of the project through formative evaluation, an examination of implementation that

returns information to project, school and district staff to help them improve program performance. Formative evaluation includes the study of program fidelity (the degree to which a program is implemented as designed) and reach (the proportion of the target group that participates). Components of fidelity include: ► adherence – the degree to which the program adheres to its goals, plans, activities, timeline; ► dosage – the amount of program delivered; ► quality – the quality of program activities and services; ► responsiveness of participants to program activities; ► program differentiation – unique features when compared to non-magnets.

Formative Evaluation Reporting: Data will be collected, as available, and analyzed and recommendations discussed with the project director and school staff throughout the year.

Six formative evaluation reports will be written by evaluators each school year:

Reduction of Minority Group Isolation (MGI) Report: Demographic and enrollment data will be compared with applicant pool, student selection and other data from the previous school year and with performance measures. By November, discussions related to the attainment or partial attainment of performance measures related to the reduction of MGI will help the district and magnet schools modify recruitment strategies and activities to attain better results.

GPRA Applicant Pool Report: Within 3 weeks of the student selection lottery, applicant pool, student selection and recruitment data will be analyzed and compared with school enrollment data to determine the success of these activities and create remedial plans of action to improve results, if necessary. This report updates and expands the *Reduction of MGI Report*. Measures of fidelity, for both reports, include adherence to the implementation plan, recruitment plans and student selection criteria and procedures; and dosage, the "amount" of recruitment. Quality and responsiveness will be determined by changes in school enrollments, especially for entry grades, and the size and diversity of applicant pools. Differentiation will examine if unique program

features were implemented and adequately described to the target audience.

Midyear Formative Update: The midyear report (mid January) will summarize descriptive and quantitative data related to magnet curricula, systemic reforms, parent activities and professional development and report on: adherence (e.g., activities implemented on schedule), dosage (e.g., the amount of time students, teachers and parents are exposed to grant activities such as the magnet curricula and courses, professional development and parent activities), quality (e.g., results of peer review of magnet related units and courses).

Site Visit Reports: Site visits, described above, are opportunities to feed back data related to the development and implementation of the magnet theme. After each of three annual site visits, a report will be written by the site visitor and submitted within ten days. It will summarize the findings of the visit and include recommendations for improvement. Site visitors will discuss recommendations with school and MSAP staff during each site visit.

Summative Evaluation and Reporting: The evaluation contractor will determine the extent to which annual objectives and performance measures are attained. The primary data sources for this evaluation were described above. The evaluation contractor will collect and analyze the data, prepare two annual performance reports and one final report summarizing findings, and discuss the results with district and magnet school staffs. The following section summarizes the project objectives and the means through which evaluators will assess their attainment. (Performance measures are found in the *Quality of Project Services* section of this application.)

Objective (1): Reduction of minority group isolation (MGI) at magnet schools.

Assessment: Class and school enrollment data, disaggregated by race/ethnicity will be used to determine the degree of attainment. This will be supplemented by recruitment, applicant pool, and student selection/transfer data to determine the extent to which the GPRA applicant pool

performance measure was attained and help determine how performance can be improved.

Objective 2: Magnet school projects will achieve systemic reforms and provide all students the opportunity to meet challenging State standards.

Assessment: School Improvement Plans will be collected and examined by the evaluators. Observations, walkthroughs, interviews, surveys and analysis of unit plans will determine program fidelity (e.g., adherence to implementation plan and dosage) and reach.

Objective 3: All students, at each magnet school, will receive magnet theme instruction.

Assessment: Teacher and student surveys and interviews, school walkthrough and class observation data, an analysis of planners teachers use for magnet theme units and enrollments in magnet courses will determine the frequency the magnet theme was used in classrooms (dosage), how many students and teachers were involved in these activities (reach), adherence to the implementation plan, and which curricula and materials were created, published and used by teachers. The quality of lessons will be determined by a peer review process and observations by an experienced evaluator using a protocol developed for each magnet school by the evaluator, the principal and the project director. Responsiveness will be determined by improvements in school climate and student test scores. Differentiation, based on walkthrough, interview and classroom observation data will determine if instruction differs from comparison schools.

Objective 4: At each magnet school, AYP proficiency standards will be met for all subgroups.

Assessment: All students are tested in April of each school year. Data is analyzed by the State Education Department, sent to the district and posted on the Web. This data will be presented in the Annual Performance Reports in tabular form, highlighting the AYP targets and how each magnet school – both in aggregate and by subgroups – performed in relation to these targets.

Every school will create magnet standards which will be the foundation for the

development of units and lessons, observation protocols used by the evaluators, and rubrics used in the peer review of lessons. Teachers, principals and magnet staff will develop, by the end of the first project year, the methods that will be used to assess student mastery of magnet curricula based on the each school's standards and will be approved by the project director and evaluator.

Objective 5: Magnet school teachers will receive 30 hours of professional development related to systemic reforms and 30 hours related to magnet theme development and implementation.

Assessment: **(5.1, 5.2)** Magnet staff will collect professional development data including the type of training, the number of hours provided and the number and names of teachers involved. The percentage of teachers applying the training in their classrooms will be determined through survey item analysis, follow-up interviews, walkthroughs and observations.

Objective 6: There will be an increase in parent participation at each magnet school each year.

Assessment: Workshop materials, attendance records and parent interviews will be used to determine parent participation and satisfaction.

Annual Evaluation Schedule: ► Initial meeting with project and district staff (Week 1); ► Refine data collection instruments and plan; refine analysis plan; (Weeks 1-3); Collect data (Throughout year): Enrollment data (Week 5); Site visits including interviews and observations (Weeks 10, 22, 34); applicant pool data (Week 28); Dosage data (ongoing); Surveys administered (Week 34); Survey results reported (Week 38); Documents collected (e.g. units integrated with magnet theme - Week 34); ► Formative evaluation including discussion of recommendations (Weeks 3-40); MGI Report (Week 10); Midyear Formative Update (Week 22); GPRA Formative Report (Week 30); Site Visit Reports (Weeks 12, 24, 36); ► Analyze and process summative data (Weeks 34-36); ► Prepare Annual Performance Report (Weeks 36-37); ► Submit report to school District (Week 38). Week 1 is the week the project begins each year.

The rigorous evaluation design proposed below will be carried out by researchers at UCLA's Center for Research on Evaluation, Standards, and Student Testing (CRESST), with Dr. David Silver acting as Principal Investigator. The goal of this design is to measure MSAP impact on student achievement with the statistical rigor of a high-quality quasi-experimental design, but to do so with keen attention to limitations of available data and sample sizes, and to do it on a scale that is reasonable within the current funding structure.

This evaluation strives to bolster the current body of research with instrumentation and analytic methodology aligned directly with the priorities and selection criteria of the Magnet Schools Assistance Program, and it is intended to be replicable in Districts across the country. Using existing and newly-collected data, we measure features of magnet schools for which there is important theoretical or empirical evidence to support a connection to improved student outcomes. Researchers at CRESSST, in cooperation AES and District personnel, will use statewide, student-level achievement test data and standardized, validated survey measures to conduct in-depth analyses of academic outcomes for both magnet school and comparison students at traditional schools.

Many considerations go into a family's choice of schools: curriculum and teacher quality, school size, location, academic culture and school climate are the priorities most frequently reported by parents. The aim in this evaluation is to provide detailed insight into some of the *most important goals* of magnet schools: ► Do teachers participating in MSAP professional development exhibit increases in knowledge, skills, and educational commitment to the magnet theme? ► Do students in MSAP schools demonstrate increased engagement and performance on state tests? ► Do student academic expectations improve? ► Do racial attitudes grow more

tolerant? ► Do gaps between traditionally higher- and lower- performing students decrease? ►What are the impacts of magnet schools for different student subgroups?

To test these hypotheses, the evaluation will rely on multiple measures of both teacher development and learning, and student attitudes and academic achievement. A qualitative study of participants, including site visits and teacher interviews, in combination with teacher and students surveys, will be used to validate and explain quantitative achievement findings and to identify factors that influence the success of the MSAP model. See appendix for logic model.

The treatment group will include all students and teachers at MSAP-funded schools. Comparison schools will be matched using a multilevel propensity-score model that accounts for both school composition and student baseline test scores and all available demographic characteristics. The evaluation is designed with sufficient power to detect small student effects (ES=0.3) and moderate teacher effects (ES=0.5).

Data management and analysis will be done primarily with SPSS and proprietary software for propensity score matching developed by Dr. Silver in SPSS programming language. A complete data collection table and technical details of the statistical modeling are included in the Appendix.

The principal investigator for the rigorous evaluation, Dr. David Silver, is a senior researcher at CRESST. Dr. Silver has done three studies that have demonstrated the effectiveness of magnet schools, including *The Impact of High Schools on Student Achievement within the Los Angeles Unified School District* which found that attending a Los Angeles magnet school more than doubles a student's odds of graduating on time.

Project Narrative

Project Narrative-Selection Criteria-Commitment and capacity (15 points)-Refer to Federal Notice for content.

Attachment 1:
Title: **New Haven Commitment and Capacity** Pages: **0** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\New Haven 2010 MSAP 8--Commitment and Capacity.pdf**

(f) Commitment and capacity. **(1)** … applicant is likely to continue the magnet school activities after assistance…is no longer available **(2) (i)** Is committed to the magnet schools project

New Haven is not a newcomer to magnet schools. Connecticut's first was established here thirty years ago. The proposed project will build on the district's outstanding record of success with the magnet schools model. New Haven has 19 magnet schools. Since 2003-2004, 12 of those schools reduced minority group isolation.

New Haven has been in the forefront of Connecticut's school desegregation movement. Beginning in 1963, it has implemented a variety of desegregation plans to both decrease minority group isolation and increase racial diversity for all students by pairing schools, rezoning, encouraging voluntary transfers, and creating magnet schools. Until the mid-1990's, each move had been met with white flight. This cycle of the implementation of a desegregation strategy followed by white enrollment declines has been ameliorated through the use of magnet schools.

There are two themes running through New Haven's desegregation history: ► New Haven has a thirty year commitment to desegregation that has transcended both School Board changes and district administrations. ►There has been substantial white resistance to every desegregation strategy attempted by the New Haven Public Schools, with the exception of magnet schools.

New Haven's Commitment to Desegregation

The New Haven Board of Education has a long history of desegregating its schools. In spite of widespread white resistance to virtually every initiative that has been attempted since 1963, the New Haven schools are more integrated than those of any other large Connecticut city. This is a direct result of successful magnet schools and a commitment to desegregation that has transcended school board and school administration changes over the years. Magnet schools attract white and minority youngsters and successfully educate all students regardless of their racial, ethnic, or

economic background. New Haven was the first Connecticut city to establish magnet schools, and has succeeded, in many ways, where others have failed.

New Haven's Commitment Of Resources After Federal Funds Are No Longer Available

Of New Haven's 21 magnet schools, 18 received support from the Magnet Schools Assistance Program for initial development or expansion. Of those, 14 are currently being supported totally by local funds. For next year, all 18 will be supported by local funds.

New Haven's magnet schools have been operating from between 1 and 31 years. **Throughout most of that time, they have been totally supported by local funds.** There has never been a period of time that any one of them has not operated as a magnet.

New Haven is requesting Magnet Schools Assistance Program funds to develop four magnet schools that will serve both New Haven and suburban students. **After federal funds are no longer available, these programs will be continued with local (city and state) funds just as all other New Haven magnet schools have been.**

The activities described in this application will build the capacity of the New Haven Public Schools to continue its magnet schools after federal funds are no longer available just as New Haven has done with previously established magnet schools for thirty years. Supplies and equipment will be bought, staff will be trained, curricula aligned, magnet themes redeveloped and aligned with state standards and the schools will be restructured.

(f) Commitment and capacity. (2) The Secretary determines the extent to which the applicant –

(ii) Has identified other resources to continue support for the magnet school activities when assistance under this program is no longer available.

New Haven is requesting funds to increase its capacity to carry on project activities after federal funds are no longer available. Using MSAP funds, the New Haven Public Schools will: ► Create two interdistrict pre-kindergarten through grade eight magnets that will have the power to attract suburban students; ► Open a new, district-wide Engineering and Science University Magnet High School that will open in the fall of 2011, project year 2, and serve grades 9 and 10 by project year 3. ► Create Hyde H.S. of Health Sciences and Sports Medicine. ► Create much more rigorous and engaging curricula at the three existing schools and develop a rigorous and engaging curriculum at the fourth school. ► Restructure the magnet schools for diversity by training teachers how to meet the needs of all students in heterogeneous classes through the use of strategies such as differentiated instruction. ► Rewrite the curricula of the magnet schools so that they conform to the highest content standards established by the State Education Department, and infuse into these aligned curricula their magnet themes. Some of the more important capacity building activities include professional development of all teachers in Conte-West Hills, Brennan-Rogers and Hyde so that they can implement Expeditionary Learning. In addition, professional development from the University of New Haven will enable Hyde and ESUMS teachers to implement Project Lead the Way Engineering (ESUMS) and Biomedical (Hyde). Other important professional development activities are included in the *Quality of Project Design* and the *Quality of Project Services* sections.

Partnerships with the University of New Haven (ESUMS), Southern Connecticut State University (Hyde), the Peabody Museum and Yale Planetarium (Conte-West Hills), Quinnipiac University's Communications Department (Rogers-Brennan) will insure that these magnet schools

will thrive after grant funds are no longer available.

Magnet Schools Assistance Program funds will be used for these capacity building features which will enable the district to continue all of the magnet schools that are described in this proposal after federal funds are no longer available just as New Haven has done with previously established magnet schools for thirty years. The best assurance that this will occur is to look at New Haven's history. Every magnet school that has been established has been supported with local tax levy funds, most for more than a decade. Some have been supported by tax levy funds for more than 30 years.

The New Haven Public Schools will pay for the costs of continuing the magnet schools and their themes, the School Development Program, Restructuring for Equity (heterogeneous classes, differentiated instruction, cooperative learning, and multicultural education), curricula revisions and rewriting, and the staff training necessary to support these initiatives with local tax levy and state funds. It will do this because these are the elements that its School Board believes all schools need to be successful for a diverse population of students, and belongs in all schools. **That has been its commitment to magnet schools for the last thirty years.** Besides using local funds to carry on magnet school activities described above after federal funds are no longer available, the New Haven Public Schools will use State Funds.

The State of Connecticut is making a strong financial commitment to the operation of interdistrict magnet schools. Legislation entered into on a yearly basis provides funding for up to 100% of the reasonable costs for transportation of students to interdistrict schools and 95% of the costs for the construction or renovation of facilities to house interdistrict magnet schools.

Connecticut currently provides an award of $6,730 for each student from a town/city other than the one operating the school. For each student who lives in the town/city which operates the school, the state grant is $3,000. All towns/cities also receive the regular per student aid for students

residing in their town/city even if the student attends a magnet school in another town. When a child enrolls in a magnet school, the state ensures that the cost of educating the student is covered by a subsidy and that the sending town is not financially hurt by the transfer. In other words, a school district will not lose its education cost sharing (ECS) funds if a student leaves a district to attend an interdistrict magnet school; all sending school districts retain their per pupil ECS.

New Haven Will Continue its Magnet Schools after Federal Funds Are No Longer Available

New Haven will receive state funds for the capital improvements of its interdistrict schools and for new schools, and for the busing of suburban students to New Haven magnet schools. In addition, it is also receiving some additional per capita state aid for suburban students who attend New Haven magnet schools. It will not lose school aid for students who attend suburban schools. These state funds, while not sufficient for urban areas such as New Haven to start or strengthen existing magnets to compete with their suburban counterparts, are sufficient to maintain programs once they are on solid footing. The need at this time for New Haven is for seed money to strengthen its new or revised magnet schools. Once this is accomplished, state and local funds are sufficient to continue the programs. That is the great value of the Connecticut state law.

In addition to state magnet funds, and per capita state aid for students discussed above, New Haven receives over $6 million in Connecticut State Priority School Aid. These funds are targeted for poor urban districts to support programs for students with low reading and mathematics scores. Because New Haven has chosen only highly minority isolated schools as magnet schools for this application, part of the priority schools money can and will be used to carry-on the magnet programs in these schools after federal funds are no longer available.

Federal and Foundation Grants, and Competitive Grants

The New Haven Public Schools are confident that they will be able to offer a high level of continued support to the magnet schools described in this proposal because of their outstanding record in pursuing competitive federal, and foundation grants. The district is currently administering over $4 million in competitive grant programs that support directly, or indirectly existing magnet school programs. The success of the district's outside fund raising makes it possible to plan for the gradual assumption of project costs, after the district's capacity to continue its magnet schools project has been adequately strengthened by Magnet Schools Assistance Program support.

In addition, the State of Connecticut will support regional magnet schools with transportation funds, and capital expense funds, necessary expenses that the Magnet Schools Assistance Program does not cover. New Haven will also apply for the following federal grants: Smaller Learning Communities Program, School Dropout Prevention Program, Improving Literacy Through School Libraries, Teaching American History and the Voluntary Public School Choice Program.

Project Narrative

Project Narrative-Desegregation Plan Information Form-Download form from the program's website and upload form here.

Attachment 1:
Title: **New Haven Desagragation Plan** Pages: **0** Uploaded File: **C:\Documents and Settings\jubiel\Desktop\New Haven Deseg Plan Documents COMBINED rev1.pdf**

IV. DESEGREGATION PLAN INFORMATION FORMS

Type of Desegregation Plan ***(Check One & Attach the Appropriate Documents)***	
☑ A Required Plan: A plan that is (1) implemented pursuant to a final order of a court of the United States, or a court of any State, or any other state agency or official of competent jurisdiction and (2) the order requires the desegregation of minority group segregated children or faculty in the elementary and secondary schools of that agency or those agencies. Attach the Following Documents • A copy of the court or agency order that demonstrated that the magnet school(s) for which assistance is sought under the grant are a part of the approved plan. • Note: If the applicant is implementing a previously approved plan that does not include the magnet school(s) for which assistance is requested, the plan must be modified to include the new magnet school(s). The applicant must obtain approval of the new magnet schools, or any other modification to its desegregation plan, from the court, agency or official that originally approved the plan. The date by which proof of approval of any desegregation plan modification must be submitted to the US Department of Education is identified in the closing date notice. Any desegregation plan modification should be mailed to: Anna Hinton US Department of Education Office of Innovation & Improvement 400 Maryland Avenue SW, Rm 4W229 Washington, DC 20202-5970	☐ A Voluntary Plan: A plan to reduce, eliminate or prevent minority group isolation that is being implemented (or would be implemented if assistance under the Magnet Schools Assistance Program is made available) on either a voluntary basis or as required under Title VI of the Civil Rights Act of 1964. Attach the Following Documents • A copy of the plan • A copy of the school board resolution adopting and implementing the plan, or agreeing to adopt and implement the plan upon the award of assistance.

MILO SHEFF ET AL.

v.

WILLIAM A. O'NEILL ET AL.

Connecticut Supreme Court Decision

July 9, 1996

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The "officially released" date that appears near the beginning of each opinion is the date the opinion will be published in the Connecticut Law Journal or the date it was released as a slip opinion. The operative date for the beginning of all time periods for filing postopinion motions and petitions for certification is the "officially released" date appearing in the opinion. In no event will any such motions be accepted before the "officially released" date.
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MILO SHEFF ET AL. *v.* WILLIAM A. O'NEILL ET AL.
(15255)

Peters, C. J., and Callahan, Borden, Berdon, Norcott, Katz and Palmer, Js.

{HEADNOTE}

The plaintiffs, eighteen schoolchildren residing in the city of Hartford and two neighboring suburban towns, sought declaratory and injunctive relief from the defendants alleging, inter alia, that the defendants the governor, the state board of education and various other state officials, had an obligation under article eighth, § 1, and article first, §§ 1 and 20, of the Connecticut constitution, to remedy alleged educational inequities in the Hartford public schools resulting from racial and ethnic isolation. The trial court determined that the plaintiffs had failed to prove that state action was the "direct and sufficient" cause of the conditions alleged in their complaint and rendered judgment for the defendants. On the plaintiffs' appeal, *held*:

1. The plaintiffs' complaint was justiciable; the text of article eighth, § 1, which assigns to the legislature the affirmative obligation of enacting "appropriate legislation" to ensure that "[t]here shall always be free public elementary and secondary schools in this state," does not deprive the courts of the authority to determine whether that obligation has been fulfilled.

2. The state action doctrine was not a defense to the plaintiffs' claims of constitutional deprivation; if the legislature, which has an affirmative obligation to provide schoolchildren throughout this state with a substantially equal educational opportunity, fails to remedy substantial inequalities in the educational opportunities being afforded to those children, its actions and omissions constitute state action.

3. The school districting and attendance statutes (§§ 10-240 and 10-184) as enforced with respect to the plaintiffs are unconstitutional; the scope of the state's obligation to provide schoolchildren with a substantially equal educational opportunity, as imposed by article eighth, § 1, is informed by the constitutional prohibition against segregation contained in article first, § 20, to the effect that the existence of severe racial and ethnic isolation in the public school system, regardless of whether it has occurred de jure or de facto, deprives schoolchildren of a substantially equal educational opportunity and requires the state to take further remedial action.

(*One justice concurring separately, three justices dissenting*)
Argued September 28, 1995 -- officially released July 9, 1996*

Action for a declaratory judgment to determine whether the defendants have failed to provide the plaintiffs with a substantially equal educational opportunity as a result of the alleged segregation by race and ethnicity of students in public schools in the greater Hartford metropolitan area, and for other relief, brought to the Superior Court in the judicial district of Hartford-New Britain at Hartford, and tried to the court, *Hammer, J.*; judgment for the defendants, from which the plaintiffs appealed to the Appellate Court; thereafter, the appeal was transferred to this court, which ordered the parties to stipulate to all undisputed facts and to prepare and submit to the trial court proposed findings of facts that are disputed, and further ordered the trial court to issue findings on each of the disputed facts. *Reversed; judgment directed.*

Wesley W. Horton, with whom were *John Brittain*, *Martha Stone*, *Philip D. Tegeler*, *Dennis D. Parker*, pro hac vice, and, on the brief, *Sandra DelValle*, pro hac vice, *Kenneth Kimerling*, pro hac vice, *Wilfred Rodriguez*, *Christopher A. Hansen*, pro hac vice, *Theodore M. Shaw*, pro hac vice, and *Marianne L. Engelman Lid*, pro hac vice, for the appellants (plaintiffs).

Richard Blumenthal, attorney general, with whom were *Gregory T. D'Auria*, *Carolyn K. Querijero*, *Bernard F. McGovern, Jr.*, and *Martha Watts Prestley*, assistant attorneys general, for the appellees (defendants).

Maurice T. FitzMaurice and *Carolyn A. Magnan* filed a brief for the city of Hartford et al. as amici curiae.

Kathryn Emmett, *Jane W. Glander* and *Elise Mayers Bouchner* filed a brief for the Capitol Region Conference of Churches et al. as amici curiae.

David S. Golub and *Jonathan M. Levine* filed a brief for the Connecticut Legislative Black and Puerto Rican Caucus et al. as amici curiae.

Martin Margulies filed a brief for the Society of American Law Teachers as amicus curiae.

Stephen C. Willey, pro hac vice, and *Michael P. Koskoff* filed a brief for the Connecticut Federation of School Administrators et al. as amici curiae.

{OPINION}
PETERS, C. J. The public elementary and high school students in Hartford suffer daily from the devastating effects that racial and ethnic isolation, as well as poverty, have had on their education. Federal constitutional law provides no remedy for their plight. The principal issue in this appeal is whether,

under the unique provisions of our state constitution, the state, which already plays an active role in managing public schools, must take further measures to relieve the severe handicaps that burden these children's education. The issue is as controversial as the stakes are high. We hold today that the needy schoolchildren of Hartford have waited long enough. The constitutional imperatives contained in article eighth, § 1, and article first, §§ 1 and 20, of our state constitution entitle the plaintiffs to relief. At the same time, the constitutional imperative of separation of powers persuades us to afford the legislature, with the assistance of the executive branch, the opportunity, in the first instance, to fashion the remedy that will most appropriately respond to the constitutional violations that we have identified. The judgment of the trial court must, accordingly, be reversed.

I

THE HISTORY AND FACTUAL BACKGROUND OF THIS LITIGATION

In their action seeking a declaratory judgment and injunctive relief, the eighteen plaintiffs filed a four count complaint in which they claimed that the defendants had a constitutional obligation, under article eighth, § 1, and article first, §§ 1 and 20, to remedy alleged educational inequities in the Hartford public schools. The trial court denied the defendants' motions to strike the complaint and for summary judgment. After an evidentiary hearing, the court concluded, however, that the plaintiffs had failed to prove that "state action exists under the facts and circumstances of this case," and rendered judgment in favor of the defendants.

A

The plaintiffs' revised four count complaint alleges that students in the Hartford public schools are burdened by severe educational disadvantages arising out of their racial and ethnic isolation and their socioeconomic deprivation. Seeking declaratory and injunctive relief, each count of their complaint is grounded on the proposition that the defendants have failed to fulfill their state constitutional responsibility to remedy these severe educational disadvantages. Count one alleges that the defendants bear responsibility for the de facto racial and ethnic segregation between Hartford and the surrounding suburban public school districts and thus have deprived the plaintiffs of an equal opportunity to a free public education as required by article first, §§ 1 and 20, and article eighth, § 1. Count two alleges that the defendants have perpetuated the racial and ethnic segregation that exists between Hartford and the surrounding suburban public school districts, and thus have discriminated against the plaintiffs and have failed to provide them with an equal opportunity to a free public education as required by article first, §§ 1 and 20, and article eighth, § 1. Count three alleges that the defendants have failed to provide the plaintiffs with an equal opportunity to a free public education as required by article first, §§ 1 and 20, and article eighth, § 1, because the defendants have maintained in Hartford a public school district that, by comparison with surrounding suburban public school districts: (1) is severely educationally disadvantaged;

(2) fails to provide equal educational opportunities for Hartford schoolchildren; and (3) fails to provide a minimally adequate education for Hartford schoolchildren. Count four alleges that the defendants have failed to provide the plaintiffs with a substantially equal educational opportunity as required by Connecticut law, including General Statutes § 10-4a, in violation of the plaintiffs' rights to due process under article first, §§ 8 and 10.

The defendants not only denied the underlying factual and legal premises of the plaintiffs' complaint, but also raised seven special defenses. These defenses alleged that the defendants were not liable because of: (1) sovereign immunity; (2) stare decisis; (3) separation of powers; (4) the lack of a justiciable controversy; (5) the plaintiffs' failure to join necessary parties, including the city of Hartford; (6) the absence of state action; and (7) the unavailability of court-ordered remedies.

The trial court initially denied the defendants' motions to strike and for summary judgment that were premised on these special defenses. After an evidentiary hearing, however, the court ruled in favor of the defendants on their sixth special defense. Relying heavily on principles drawn from federal constitutional law, the court determined that the plaintiffs could not prevail without establishing that state action was the "direct and sufficient cause of the conditions" alleged in their complaint, and concluded that they had failed to prove such causation. Finding no such state action, the court rendered judgment for the defendants without addressing the merits of the constitutional claims asserted by the plaintiffs.

B

Because of the importance of the novel and controversial questions of constitutional law raised in this litigation, pursuant to Practice Book § 4023 and General Statutes § 51-199 (c), we transferred to this court the plaintiffs' appeal from the judgment of the trial court. Noting that the plaintiffs' complaint had been pending since 1989, we held a special hearing, shortly after the appeal had been filed, to order supplementation of the trial record. We directed the parties to prepare a joint stipulation of all relevant undisputed facts and to assist the trial court in making findings of fact on matters upon which the parties could not agree. Our resolution of this appeal has proceeded on the basis of this supplemented record, which the parties and the court promptly prepared in accordance with our order.

C

The stipulation of the parties and the trial court's findings establish the following relevant facts. Statewide, in the 1991–92 school year, children from minority groups constituted 25.7 percent of the public school population. In the Hartford public school system in that same period, 92.4 percent of the students were members of minority groups, including, predominantly, students who were either African-American or Latino. Fourteen of Hartford's twenty-five elementary schools had a white student enrollment of less than 2 percent. The Hartford public school system currently enrolls the highest percentage of minority

students in the state. In the future, if current conditions continue, the percentage of minority students in the Hartford public school system is likely to increase rather than decrease. Since 1980, the percentage of African-Americans in the Hartford student population has decreased, while the percentage of Latinos has increased. Although enrollment of African-American students in the twenty-one surrounding suburban towns has increased by more than 60 percent from 1980 to 1992, only seven of these school districts had a minority student enrollment in excess of 10 percent in 1992. Because of the negative consequences of racial and ethnic isolation, a more integrated public school system would likely be beneficial to all schoolchildren.

A majority of the children who constitute the public school population in Hartford come from homes that are economically disadvantaged, that are headed by a single parent and in which a language other than English is spoken. The percentage of Hartford schoolchildren at the elementary level who return to the same school that they attended the previous year is the lowest such percentage in the state. Such socioeconomic factors impair a child's orientation toward and skill in learning and adversely affect a child's performance on standardized tests. The gap in the socioeconomic status between Hartford schoolchildren and schoolchildren from the surrounding twenty-one suburban towns has been increasing. The performance of Hartford schoolchildren on standardized tests falls significantly below that of schoolchildren from the twenty-one surrounding suburban towns.

Directly or indirectly, the state has always controlled public elementary and secondary education in Connecticut. The legislature directs many aspects of local school programs, including courses of study and curricula, standardized testing, bilingual education, graduation requirements and school attendance. Since 1941, as a result of a state statute; see General Statutes § 10-240; the public school district boundaries in Hartford have been coterminous with the boundaries of the city of Hartford. Since at least 1909, as a result of another state statute; see General Statutes § 10-184; schoolchildren have been assigned to the public school district in which they reside.

The legislature provides substantial support to communities throughout the state to finance public school operations. State financial aid is distributed so that the neediest school districts receive the most aid. Accordingly, in the 1990-91 and 1991-92 school years, overall per pupil state expenditures in Hartford exceeded the average amount spent per pupil in the twenty-one surrounding suburban towns. The state reimburses Hartford for its school renovation projects at a rate that is considerably higher than the reimbursement rate for the twenty-one surrounding suburban towns.

The state has not intentionally segregated racial and ethnic minorities in the Hartford public school system. Except for a brief period in 1868, no students in Connecticut have intentionally been assigned to a public school or to a public school district on the basis of race or ethnicity. There has never been any other manifestation of de jure segregation either at the state or the local level. In addition to various civil

rights initiatives undertaken by the legislature from 1905 to 1961 to combat racial discrimination, the state board of education was reorganized, during the 1980s, to concentrate on the needs of urban schoolchildren and to promote diversity in the public schools. Since 1970, the state has supported and encouraged voluntary plans for increasing interdistrict diversity.

The state has nonetheless played a significant role in the present concentration of racial and ethnic minorities in the Hartford public school system. Although intended to improve the quality of education and not racially or ethnically motivated, the districting statute that the legislature enacted in 1909, now codified at § 10-240, is the *single most important factor* contributing to the present concentration of racial and ethnic minorities in the Hartford public school system. The districting statute and the resultant school district boundaries have remained virtually unchanged since 1909. The districting statute is of critical importance because it establishes town boundaries as the dividing line between all school districts in the state.

Nonetheless, according to the findings of the trial court, poverty, and not race or ethnicity, is the principal causal factor in the lower educational achievement of Hartford students. The court also found that the Hartford public school system provides its students with a minimally adequate education under article first, §§ 1 and 20, and article eighth, § 1, because, regardless of the comparative levels of achievement between Hartford students and students from the twenty-one suburban towns, the education provided to Hartford students gives them a chance to lead successful lives. It further found that the Hartford public school system provides its students with an equal educational opportunity because they receive resources, educational programs and curricula similar to those received by students in other communities in the state. It then found that school district lines would have to be redrawn in order to remedy effectively the severe racial, ethnic and socioeconomic isolation that exists in the Hartford public school system. In addition to these findings addressed to the plaintiffs' specific legal claims, the court also found that any form of mandatory intervention would have to rely on coercive measures that would not assure educationally desirable outcomes.

D

The plaintiffs' appeal challenges the validity of many of the trial court's findings of fact and all of its conclusions of law. The defendants ask us to affirm the judgment of the trial court, by reversing its conclusion that the plaintiffs' complaint is justiciable or by upholding its conclusion that the complaint is barred by an absence of the requisite state action. If we reject these affirmative defenses, the defendants argue that the plaintiffs have failed to establish their claims of law in light of the findings of the trial court. We are unpersuaded by the defendants' affirmative defenses and, on the merits, we reverse the judgment of the trial court.

II

THE AFFIRMATIVE DEFENSES

The defendants renew two affirmative defenses that they raised

at trial. They argue that the text of article eighth, § 1, deprives the trial court of jurisdiction to consider whether the plaintiffs are entitled to relief by way of an order to the legislature to provide a remedy for their impaired educational opportunities. They also argue that, even if the trial court had jurisdiction, the plaintiffs cannot recover because they have not alleged that their educational impairment results from intentional state misconduct. We are not persuaded by either of these affirmative defenses.

A

The defendants maintain that the trial court should have dismissed the plaintiffs' complaint because the plaintiffs' claims are nonjusticiable. Granting the plaintiffs the relief they seek would, according to the defendants, require this court to respond to a political question that our constitution has expressly and exclusively entrusted to the legislature. We disagree.

Existing precedents describe the uneasy line that distinguishes between cases that are justiciable and cases that are not. Because of the doctrine of separation of powers, courts do not have jurisdiction to decide cases that involve matters that textually have been reserved to the legislature, such as the implementation of a constitutional spending cap; *Nielsen* v. *State*, 236 Conn. 1, 9–10, 670 A.2d 1288 (1996); or the appointment of additional judges. *Pellegrino* v. *O'Neill*, 193 Conn. 670, 683, 480 A.2d 476, cert. denied, 469 U.S. 875, 105 S. Ct. 236, 83 L. Ed. 2d 176 (1984); see also *Nielsen* v. *Kezer*, 232 Conn. 65, 74, 652 A.2d 1013 (1995). In the absence of such a textual reservation, however, it is the role and the duty of the judiciary to determine whether the legislature has fulfilled its affirmative obligations within constitutional principles. *Marbury* v. *Madison*, 5 U.S. (1 Cranch) 137, 177, 2 L. Ed. 60 (1803); *Pratt* v. *Allen*, 13 Conn. 119, 132 (1839); see *Caldor, Inc.* v. *Thornton*, 191 Conn. 336, 344, 464 A.2d 785 (1983), aff'd, 472 U.S. 703, 105 S. Ct. 2914, 86 L. Ed. 2d 2557 (1985); *Horton* v. *Meskill*, 172 Conn. 615, 625, 649–50, 376 A.2d 359 (1977) (*Horton I*); *Preveslin* v. *Derby & Ansonia Developing Co.*, 112 Conn. 129, 145, 151 A. 518 (1930). "Deciding whether a matter has in any measure been committed by the Constitution to another branch of government, or whether the action of that branch exceeds whatever authority has been committed, is itself a delicate exercise in constitutional interpretation, and is a responsibility of this Court as ultimate interpreter of the Constitution." *Baker* v. *Carr*, 369 U.S. 186, 211, 82 S. Ct. 691, 7 L. Ed. 2d 663 (1962); see *Massameno* v. *Statewide Grievance Committee*, 234 Conn. 539, 552, 663 A.2d 317 (1995); *Nielsen* v. *Kezer*, supra, 74–75; see also L. Henkin, "Is There a `Political Question' Doctrine?," 85 Yale L.J. 597, 599–600 (1976); M. Redish, "Judicial Review and the `Political Question,'" 79 Nw. U.L. Rev. 1031, 1051–60 (1984–1985).

In the context of judicial enforcement of the right to a substantially equal educational opportunity arising under article eighth, § 1, and article first, §§ 1 and 20, justiciability is not a matter of first impression for this court. In *Horton I*, supra, 172 Conn. 615, and *Horton* v. *Meskill*, 195 Conn. 24, 486 A.2d 1099 (1985) (*Horton III*), we reviewed, in plenary fashion, the actions

taken by the legislature to fulfill its constitutional obligation to public elementary and secondary schoolchildren. Judicial authority to render these decisions was expressly reaffirmed in *Nielsen* v. *State*, supra, 236 Conn. 9–10, and in *Pellegrino* v. *O'Neill*, supra, 193 Conn. 683.

The defendants do not challenge the continued validity of *Horton I* and *Horton III*, but argue that their claim of nonjusticiability differs. That argument is unavailing. The plaintiff schoolchildren in the present case invoke the same constitutional provisions to challenge the constitutionality of state action that the plaintiff schoolchildren invoked in *Horton I* and *Horton III*. The text of article eighth, § 1, has not changed. Furthermore, although prudential cautions may shed light on the proper definition of constitutional rights and remedies; see *Fonfara* v. *Reapportionment Commission*, 222 Conn. 166, 184–85, 610 A.2d 153 (1992); such cautions do not deprive a court of jurisdiction.

In light of these precedents, we are persuaded that the phrase "appropriate legislation" in article eighth, § 1, does not deprive the courts of the authority to determine what is "appropriate." Just as the legislature has a constitutional duty to fulfill its affirmative obligation to the children who attend the state's public elementary and secondary schools, so the judiciary has a constitutional duty to review whether the legislature has fulfilled its obligation. Considerations of justiciability must be balanced against the principle that every presumption is to be indulged in favor of subject matter jurisdiction. See, e.g., *Federal Deposit Ins. Corp.* v. *Hillcrest Associates*, 233 Conn. 153, 163, 659 A.2d 138 (1995); *Simms* v. *Warden*, 230 Conn. 608, 614, 646 A.2d 126 (1994); *State* v. *Metz*, 230 Conn. 400, 410, 645 A.2d 965 (1994); *Tolly* v. *Dept. of Human Resources*, 225 Conn. 13, 29, 621 A.2d 719 (1993); see also *United States Dept. of Commerce* v. *Montana*, 503 U.S. 442, 459, 112 S. Ct. 1415, 118 L. Ed. 2d 87 (1992). In this case, our precedents compel the conclusion that the balance must be struck in favor of the justiciability of the plaintiffs' complaint.

B

The defendants maintain that even if the plaintiffs' claims are justiciable, the plaintiffs are not entitled to judicial relief because the educational disparities of which they complain do not result from the requisite state action. The plaintiffs claim that the state bears responsibility to correct the constitutional violations alleged in their complaint because of the state's failure to "take corrective measures to [e]nsure that its Hartford public schoolchildren receive an equal educational opportunity." That failure is actionable, according to the plaintiffs, because of the state's knowledge of the racial and ethnic isolation in the Hartford schools, combined with the state's extensive involvement in the operations of Connecticut's public schools and the impact of state statutes mandating school attendance within statutorily defined school districts. General Statutes §§ 10-184 and 10-240. The defendants maintain, to the contrary, that the state's constitutional duty to provide for the elementary and secondary education of Connecticut schoolchildren

is triggered only by state action that is alleged to be intentional state misconduct. The trial court relied on the absence of such intentional state action in denying relief to the plaintiffs. We disagree with the trial court's decision.

The defendants' argument, derived largely from principles of federal constitutional law, founders on the fact that article eighth, § 1, and article first, §§ 1 and 20, impose on the legislature an *affirmative* constitutional obligation to provide schoolchildren throughout the state with a substantially equal educational opportunity. *Horton I*, supra, 172 Conn. 648–49. It follows that, if the legislature fails, for whatever reason, to take action to remedy substantial inequalities in the educational opportunities that such children are being afforded, its actions and its omissions constitute state action.

The affirmative constitutional obligation that we recognized in *Horton I* and *Horton III*, and reaffirmed recently in *Moore* v. *Ganim*, 233 Conn. 557, 595–96, 660 A.2d 742 (1995), was not premised on a showing that the legislature had played an active role in *creating* the inequalities that the constitution requires it to redress. In *Horton I*, we determined that the state's educational financing scheme was unconstitutional even though it was facially nondiscriminatory and even though the disparities resulting therefrom had not been created intentionally by the legislature. These constitutionally unacceptable disparities developed, instead, "from the circumstance that over the years there [had] arisen a great disparity in the ability of local communities to finance local education," and from the legislature's failure to consider "the financial capability of [each] municipality . . . ." *Horton I*, supra, 172 Conn. 648. In declaring this statutory scheme unconstitutional in *Horton I*, and in requiring further remedial action in *Horton III*, supra, 195 Conn. 38, 43–44, we necessarily determined that the state's failure adequately to address school funding inequalities constituted the state action that is the constitutional prerequisite for affording judicial relief.

The claims now before us likewise implicate the legislature's affirmative constitutional obligation to provide a substantially equal educational opportunity to all of the state's schoolchildren. The plaintiffs document the existence of an extensive statutory system developed in response to the legislature's plenary authority over state public elementary and secondary schools. As a general matter, the plaintiffs challenge the failure of the legislature to address continuing unconstitutional inequities resulting, de facto, from that scheme. In addition, and more specifically, they point to two statutes that directly impact on their claims of constitutional deprivation. State law sets the borders of school districts to coincide with town boundaries; General Statutes § 10-240; and requires all children to attend public school within the district in which they reside. General Statutes § 10-184. The trial court expressly found that the enforcement of these statutes constitutes the "single most important factor" creating the present racial and ethnic imbalance in the Hartford public school system. The failure adequately to address the racial and ethnic disparities

that exist among the state's public school districts is not different in kind from the legislature's failure adequately to address the "great disparity in the ability of local communities to finance local education" that made the statutory scheme at issue in *Horton I*, supra, 172 Conn. 648, unconstitutional in its application.

The defendants maintain, however, that the logic of this inference is undermined by certain other precedents of this court. The defendants rely particularly on *Savage* v. *Aronson*, 214 Conn. 256, 571 A.2d 696 (1990), in which we concluded that the state's failure to provide emergency housing to recipients of federal welfare benefits did not constitute state action. Although we recognized that the absence of emergency housing might have a deleterious impact on the opportunity of children to attend school, we held that this secondary effect was not a sufficient basis for imposing constitutional liability upon the state. See id., 286–87. *Savage*, however, sheds no light on the state action requirement in this case because, as we explained in *Savage*; see id., 284–86; the state has no affirmative constitutional obligation to provide emergency housing, while it does have an affirmative constitutional obligation with respect to public elementary and secondary education.

The defendants also invoke two cases in which this court declined to find state action because the pertinent actors were *private parties* rather than the *state itself*. In *Lockwood* v. *Killian*, 172 Conn. 496, 504–505, 375 A.2d 998 (1977), we concluded that private discrimination by the testator of a scholarship fund who had restricted its beneficiaries on the basis of religion did not constitute state action. In *Cologne* v. *Westfarms Associates*, 192 Conn. 48, 64–66, 469 A.2d 1201 (1984), we concluded that the governmental regulation and public use of a private shopping mall did not transform the mall owners' refusal to allow political speech within the mall into state action. Although this aspect of the state action doctrine arguably is related to the question before us; see *Lebron* v. *National R.R. Passenger Corp.*, ___ U.S. ___, 115 S. Ct. 961, 964–65, 130 L. Ed. 2d 902 (1995); it cannot be controlling in a case in which action or inaction by the state is directly implicated.

In addition to these state cases, the defendants urge us to follow federal precedents that concededly require, as a matter of federal constitutional law, that claimants seeking judicial relief for educational disparities pursuant to the equal protection clause of the fourteenth amendment to the United States constitution must prove intentional governmental discrimination against a suspect class. See, e.g., *Freeman* v. *Pitts*, 503 U.S. 467, 494, 112 S. Ct. 1430, 118 L. Ed. 2d 108 (1992) ("[o]nce the racial imbalance due to the de jure violation has been remedied, the school district is under no duty to remedy imbalance that is caused by demographic factors"); *Pasadena City Board of Education* v. *Spangler*, 427 U.S. 424, 434, 96 S. Ct. 2697, 49 L. Ed. 2d 599 (1976) (United States constitution is not violated in absence of segregative efforts by state); *Milliken* v. *Bradley*, 418 U.S. 717, 746–47, 747 n.22, 94 S. Ct. 3112, 41 L. Ed. 2d 1069 (1974) ("[t]he suggestion . . . that schools which have a majority of

[African-American] students are not `desegregated' . . . however neutrally the district lines have been drawn and administered, finds no support in our prior cases"); cf. *Arlington Heights* v. *Metropolitan Housing Development Corp.*, 429 U.S. 252, 264–65, 97 S. Ct. 555, 50 L. Ed. 2d 450 (1977); *Washington* v. *Davis*, 426 U.S. 229, 242, 96 S. Ct. 2040, 48 L. Ed. 2d 597 (1976). According to the defendants, because the plaintiffs raise claims of unconstitutional disparities in educational opportunities on the basis of severe racial and ethnic imbalances among school districts, the plaintiffs, too, must prove intentional state action.

For two reasons, we are not persuaded that we should adopt these precedents as a matter of state constitutional law. First and foremost, the federal cases start from the premise that there is no right to education under the United States constitution. *San Antonio Independent School District* v. *Rodriguez*, 411 U.S. 1, 35, 93 S. Ct. 1278, 36 L. Ed. 2d 16 (1973). Our Connecticut constitution, by contrast, contains a fundamental right to education and a corresponding affirmative state obligation to implement and maintain that right. See *Moore* v. *Ganim*, supra, 233 Conn. 595–96; *Broadley* v. *Board of Education*, 229 Conn. 1, 6, 639 A.2d 502 (1994); *Horton I*, supra, 172 Conn. 645. Second, the federal cases are guided by principles of federalism as "a foremost consideration in interpreting any of the pertinent constitutional provisions under which [a court] examines state action." (Internal quotation marks omitted.) *San Antonio Independent School District* v. *Rodriguez*, supra, 44; see generally L. Tribe, American Constitutional Law (2d Ed. 1988) § 18-2, p. 1691. As the United States Supreme Court noted, "it would be difficult to imagine a case having a greater potential impact on our federal system than the one now before us, in which we are urged to abrogate systems of financing public education presently in existence in virtually every State." *San Antonio Independent School District* v. *Rodriguez*, supra, 44. Principles of federalism, however, do not restrict *our* constitutional authority to enforce the constitutional mandates contained in article eighth, § 1, and article first, §§ 1 and 20.

Federal constitutional law, furthermore, has not invariably required intentional state action as a requisite foundation for constitutional remedies. In cases involving the fundamental right to vote, the United States Supreme Court has held state action to be implicated by the legislature's failure to take the proper steps to implement its affirmative constitutional duty. See *Reynolds* v. *Sims*, 377 U.S. 533, 561–63, 568, 84 S. Ct. 1362, 12 L. Ed. 2d 506 (1964); see also *Board of Estimate* v. *Morris*, 489 U.S. 688, 692–93, 109 S. Ct. 1433, 103 L. Ed. 2d 717 (1989); *Tashjian* v. *Republican Party of Connecticut*, 479 U.S. 208, 227, 107 S. Ct. 544, 93 L. Ed. 2d 514 (1986); *Abate* v. *Mundt*, 403 U.S. 182, 185–86, 91 S. Ct. 1904, 29 L. Ed. 2d 399 (1971); *Moore* v. *Ogilvie*, 394 U.S. 814, 818, 89 S. Ct. 1493, 23 L. Ed. 2d 1 (1969); *United States* v. *Classic*, 313 U.S. 299, 318–19, 61 S. Ct. 1031, 85 L. Ed. 1368 (1941). We can perceive no principled distinction between judicial intervention to require legislative action to protect the fundamental right to vote and judicial intervention to require

legislative action to protect the fundamental right to a substantially equal educational opportunity.

In summary, under our law, which imposes an affirmative constitutional obligation on the legislature to provide a substantially equal educational opportunity for all public schoolchildren, the state action doctrine is not a defense to the plaintiffs' claims of constitutional deprivation. The state had ample notice of ongoing trends toward racial and ethnic isolation in its public schools, and indeed undertook a number of laudable remedial efforts that unfortunately have not achieved their desired end. The fact that the legislature did not affirmatively create or intend to create the conditions that have led to the racial and ethnic isolation in the Hartford public school system does not, in and of itself, relieve the defendants of their affirmative obligation to provide the plaintiffs with a more effective remedy for their constitutional grievances.

III

THE PLAINTIFFS' CONSTITUTIONAL CLAIMS

We turn now to the merits of the plaintiffs' claims. No statute, no common law precedent, no federal constitutional principle provides this state's schoolchildren with a right to a public education that is not burdened by de facto racial and ethnic segregation. The plaintiffs make no such claim. The issue that they raise is whether they have stated a case for relief under our state constitution, which was amended in 1965 to provide both a right to a free public elementary and secondary education; Conn. Const., art. VIII, § 1; and a right to protection from segregation. Conn. Const., art. I, § 20. This issue raises questions that are difficult; the answers that we give are controversial. We are, however, persuaded that a fair reading of the text and the history of these amendments demonstrates a deep and abiding constitutional commitment to a public school system that, in fact and in law, provides Connecticut schoolchildren with a substantially equal educational opportunity. A significant component of that substantially equal educational opportunity is access to a public school education that is not substantially impaired by racial and ethnic isolation.

Our analysis of this issue has three parts. First, what are the constituent elements of the affirmative constitutional mandate to provide all public schoolchildren with a substantially equal educational opportunity in the context of alleged racial, ethnic and socioeconomic disparities? Second, does the plaintiffs' complaint encompass these elements? Third, have the plaintiffs proven their claim?

A

Since *Horton I*, it is common ground that the state has an affirmative constitutional obligation to provide all public schoolchildren with a substantially equal educational opportunity. *Horton I*, supra, 172 Conn. 648–49; see also *Benjamin* v. *Bailey*, 234 Conn. 455, 461–62, 662 A.2d 1226 (1995); *New Haven* v. *State Board of Education*, 228 Conn. 699, 707–708, 638 A.2d 589 (1994); *Horton III*, supra, 195 Conn. 34–35. Any infringement of that right must be strictly scrutinized. *Horton I*, supra, 646.

The issue presented by this case is whether the state has

fully satisfied its affirmative constitutional obligation to provide a substantially equal educational opportunity if the state demonstrates that it has substantially equalized school funding and resources. The defendants urge us to adopt such a limited construction of our constitution. The plaintiffs, to the contrary, urge us to adopt a broader formulation. They argue that the combination of "racial segregation, the concentration of poor children in the schools, and disparities in educational resources . . . deprive [Hartford schoolchildren] of substantially equal educational opportunities." We agree with the plaintiffs in part. We need not decide, in this case, the extent to which substantial socioeconomic disparities or disparities in educational resources would themselves be sufficient to require the state to intervene in order to equalize educational opportunities. For the purposes of the present litigation, we decide only that the scope of the constitutional obligation expressly imposed on the state by article eighth, § 1, is informed by the constitutional prohibition against segregation contained in article first, § 20. Reading these constitutional provisions conjointly, we conclude that the existence of extreme racial and ethnic isolation in the public school system deprives schoolchildren of a substantially equal educational opportunity and requires the state to take further remedial measures.

Two factors persuade us that it is appropriate to undertake a conjoint reading of these provisions of our state constitution. One is the special nature of the affirmative constitutional right embodied in article eighth, § 1. The other is the explicit prohibition of segregation contained in article first, § 20.

The affirmative constitutional obligation of the state to provide a substantially equal educational opportunity, which is embodied in article eighth, § 1, differs in kind from most constitutional obligations. Organic documents only rarely contain provisions that explicitly require the state to act rather than to refrain from acting. See *Moore v. Ganim*, supra, 233 Conn. 557. As we observed, however, in *Horton I*, supra, 172 Conn. 645, "educational equalization cases are 'in significant aspects sui generis' and not subject to analysis by accepted conventional tests or the application of mechanical standards. The wealth discrimination found among school districts differs materially from the usual equal protection case where a fairly defined indigent class suffers discrimination to its peculiar disadvantage. The discrimination is relative rather than absolute." See also *Horton III*, supra, 195 Conn. 35. Nothing in the description of the relevant legal landscape in any of our cases suggests that the constitutional right that we articulated in *Horton I* was limited to school financing.

For Connecticut schoolchildren, the scope of the state's constitutional obligation to provide a substantially equal educational opportunity is informed and amplified by the highly unusual provision in article first, § 20, that prohibits segregation not only indirectly, by forbidding discrimination, but directly, by the use of the term "segregation." The section provides in relevant part: "No person shall be denied the equal protection of the law *nor be subjected to segregation* or

discrimination . . . because of . . . race [or] . . . ancestry . . . ." (Emphasis added.)

The express inclusion of the term "segregation" in article first, § 20, has independent constitutional significance. The addition of this term to the text of our equal protection clause distinguishes this case from others in which we have found a substantial equivalence between our equal protection clause and that contained in the United States constitution. *Broadley* v. *Board of Education*, supra, 229 Conn. 8 n.15; *Franklin* v. *Berger*, 211 Conn. 591, 594 n.5, 560 A.2d 444 (1989); *Keogh* v. *Bridgeport*, 187 Conn. 53, 66, 444 A.2d 225 (1982). Fundamental principles of constitutional interpretation require that "[e]ffect must be given to every part of and each word in our constitution . . . ." *Cahill* v. *Leopold*, 141 Conn. 1, 21, 103 A.2d 818 (1954); *State* v. *Gethers*, 197 Conn. 369, 386, 497 A.2d 408 (1985); *Stolberg* v. *Caldwell*, 175 Conn. 586, 597–98, 402 A.2d 763 (1978), appeal dismissed sub nom. *Stolberg* v. *Davidson*, 454 U.S. 958, 102 S. Ct. 496, 70 L. Ed. 2d 374 (1981). In other cases, we have held that, insofar as article first, § 20, differs textually from its federal counterpart, its judicial construction must reflect such a textual distinction. See *AFSCME, Council 4, Local 681, AFL-CIO* v. *West Haven*, 234 Conn. 217, 221 n.6, 661 A.2d 587 (1995) (per curiam); *Daly* v. *DelPonte*, 225 Conn. 499, 513, 624 A.2d 876 (1993).

The issue before us, therefore, is what specific meaning to attach to the protection against segregation contained in article first, § 20, in a case in which that protection is invoked as part of the plaintiff schoolchildren's fundamental affirmative right to a substantially equal educational opportunity under article eighth, § 1. In concrete terms, this issue devolves into the question of whether the state has a constitutional duty to remedy the educational impairment that results from segregation in the Hartford public schools, even though the conditions of segregation that contribute to such impairment neither were caused nor are perpetuated by invidious intentional conduct on the part of the state.

Linguistically, the term "segregation" in article first, § 20, which denotes "separation," is neutral about segregative intent. The section prohibits segregation that occurs "*because of* religion, race, color, ancestry, national origin, sex or physical or mental disability"; (emphasis added); without specifying the manner in which such a causal relationship must be established.

Whatever this language may portend in other contexts, we are persuaded that, in the context of public education, in which the state has an affirmative obligation to monitor and to equalize educational opportunity, the state's awareness of existing and increasing severe racial and ethnic isolation imposes upon the state the responsibility to remedy "segregation . . . because of race [or] . . . ancestry . . . ." We therefore hold that, textually, article eighth, § 1, as informed by article first, § 20, requires the legislature to take affirmative responsibility to remedy segregation in our public schools, regardless of whether that segregation has occurred de jure or de facto.

The history of the promulgation of article eighth, § 1, and article first, § 20, supports our conclusion that these

constitutional provisions include protection from de facto segregation, at least in public schools. That history includes not only the contemporaneous addition, in 1965, of these two provisions to our constitution, but also the strong commitment to ending discrimination and segregation that is evident in the remarks of the delegates to the 1965 constitutional convention.

First, it is undisputed that the duty to provide a public education contained in article eighth, § 1, and the prohibition against segregation contained in article first, § 20, were proposed to and adopted by the voters of this state in response to the constitutional convention of 1965. When the convention delegates debated the desirability of both amendments to our state constitution, they recognized and endorsed the landmark decision in *Brown* v. *Board of Education*, 347 U.S. 483, 495, 74 S. Ct. 686, 98 L. Ed. 873 (1954), declaring the unconstitutionality of "separate but equal" public school education. See 2 Proceedings of the Connecticut Constitutional Convention of 1965, p. 691, remarks of Chase G. Woodhouse. The primary motivation for the addition of article eighth, § 1, to the constitution in 1965 appears to have been the realization that Connecticut was the only state in the nation that did not provide any express right to public elementary and secondary education in its constitution. See 3 Proceedings, supra, pp. 1039—40, remarks of Simon J. Bernstein. The delegates' expectation that the proposed amendments to the constitution would secure interrelated constitutional rights was underscored by Bernstein's remark that article first, § 20, was intended to be applied in the context of the "rights of freedom in education." 2 Proceedings, supra, p. 694.

Second, it is significant that the debate over the amendment of article first, § 20, manifested the intention of the convention delegates to extend broad protection to all persons from all forms of racial and ethnic discrimination and segregation. The debate over the express inclusion of the term "segregation" focused not on whether including such a term might reach too far, but rather on whether it might invite too narrow a construction of the prohibition against discrimination. It was for this reason that the rules committee felt that language regarding segregation was unnecessary. 2 Proceedings, supra, p. 692, remarks of Chief Justice Raymond E. Baldwin. The convention delegates' decision nonetheless to retain the term "segregation" was premised on the acknowledged importance of unequivocal opposition to all that is encompassed by this invidious philosophy and practice. See 2 Proceedings, supra, pp. 690—92, remarks of Chase G. Woodhouse and James J. Kennelly. In effect, the convention delegates inserted into article first, § 20, constitutional language that was intended to prohibit not only discrimination, but also segregation on the basis of race or ethnicity.

Finally, the convention delegates' manifest intent that article first, § 20, by prohibiting segregation, should provide "total protection against discrimination"; 2 Proceedings, supra, p. 692, remarks of James J. Kennelly; supports our conclusion that they intended to encompass de facto segregation in the circumstances presented by the present case. If significant

racial and ethnic isolation continues to occur within the public schools, for which the legislature has an affirmative constitutional obligation to provide a substantially equal educational opportunity, no special showing of an invidious segregative intent is required.

It would be illogical not to prohibit all such segregation in light of the legislature's otherwise comprehensive assumption of responsibility for the education of Connecticut schoolchildren. The legislature has created the current school districts, has required students to attend school and has determined which students will attend a particular school district. General Statutes §§ 10-184 and 10-240. The state cannot now avoid its responsibilities by invoking constitutional restraints articulated for different purposes under different constitutional provisions.

Sound principles of public policy support our conclusion that the legislature's affirmative constitutional responsibility for the education of all public schoolchildren encompasses responsibility for segregation to which the legislature has contributed, even unintentionally. The parties agree, as the trial court expressly found, that racial and ethnic segregation is harmful, and that integration would likely have positive benefits for all children and for society as a whole. Further, as the trial court also expressly found, the racial and ethnic isolation of children in the Hartford schools is likely to worsen in the future.

Racial and ethnic segregation has a pervasive and invidious impact on schools, whether the segregation results from intentional conduct or from unorchestrated demographic factors. "[S]chools are an important socializing institution, imparting those shared values through which social order and stability are maintained." *Plyler* v. *Doe*, 457 U.S. 202, 222 n.20, 102 S. Ct. 2382, 72 L. Ed. 2d 786 (1982). Schools bear central responsibility for "inculcating [the] fundamental values necessary to the maintenance of a democratic political system . . . ." *Ambach* v. *Norwick*, 441 U.S. 68, 77, 99 S. Ct. 1589, 60 L. Ed. 2d 49 (1979). When children attend racially and ethnically isolated schools, these "shared values" are jeopardized: "If children of different races and economic and social groups have no opportunity to know each other and to live together in school, they cannot be expected to gain the understanding and mutual respect necessary for the cohesion of our society." (Internal quotation marks omitted.) *Jenkins* v. *Township of Morris School District*, 58 N.J. 483, 498, 279 A.2d 619 (1971). "[T]he elimination of racial isolation in the schools promotes the attainment of equal educational opportunity and is beneficial to all students, both black and white." *Lee* v. *Nyquist*, 318 F. Sup. 710, 714 (W.D.N.Y. 1970), aff'd without opinion, 402 U.S. 935, 91 S. Ct. 1618, 29 L. Ed. 2d 105 (1971). Our state constitution, as amended in 1965, imposes on the state an affirmative obligation to respond to such segregation.

B

Having concluded that the provisions of article eighth, § 1, as informed by article first, § 20, permit a state constitutional challenge to substantial disparities in educational opportunities

resulting from racially and ethnically segregated public schools, we turn now to an examination of the plaintiffs' pleadings to determine whether they fairly can be read to encompass such a challenge. Because the remedies sought by the plaintiffs in their complaint are not differentially tied to the various substantive claims that they have alleged, the plaintiffs can succeed if any of their claims falls within the constitutional right as we have defined it. We are persuaded that the plaintiffs' pleadings cross this threshold.

In the first count of their complaint, the plaintiffs relied on article first, §§ 1 and 20, and article eighth, § 1, for what they have characterized as a per se claim that they have suffered from unconstitutional segregation. In the second count, the plaintiffs alleged that disparities in the racial and ethnic composition of Hartford public schools as compared with schools in the surrounding school districts violated their constitutional rights under the same constitutional provisions. These two counts can reasonably be construed to state a constitutional claim of school segregation as we have defined it. Both counts allege a deprivation of the plaintiffs' right to a substantially equal educational opportunity expressly predicated upon the severe racial and ethnic isolation that exists in the Hartford public school system. The constitutional implications raised by these allegations were fully argued before the trial court, and were fully briefed by the parties before this court. Under these circumstances, we conclude that the plaintiffs' pleadings, with respect to counts one and two, state a claim for the deprivation of a substantially equal educational opportunity. We would be remiss in the exercise of our constitutional obligation to provide "remedy by due course of law . . . without . . . delay"; Conn. Const., art. I, § 10; if we were to deprive the plaintiffs of a remedy solely because, as a pleading matter, their claims were stated in two counts rather than combined in one.

In the third count of the plaintiffs' complaint, they invoked article first, §§ 1 and 20, and article eighth, § 1, for a different purpose. They alleged that the defendants have failed to provide schoolchildren in the Hartford public school system with the educational resources necessary to obtain a minimally adequate education. As pleaded in their complaint and as argued before the trial court, this claim was not expressly predicated upon the severe racial and ethnic isolation that exists in the Hartford public school system. Moreover, at oral argument, the plaintiffs conceded that they had never claimed, either at trial or in their appellate brief, that the opportunity to participate in a racially and ethnically diverse education is a constitutionally required component of a minimally adequate education. Accordingly, we conclude that the third count of the plaintiffs' complaint does not implicate the constitutional right to a substantially equal educational opportunity as defined in part III A. Because, however, the plaintiffs' remedial claims do not depend upon the validity of the third count of their complaint, we need not reach the merits of this claim.

C

The final issue before us is whether, in light of the findings

of the trial court, some of which the plaintiffs deem erroneous, the plaintiffs have proven a violation of their fundamental right, under the state constitution, to a substantially equal educational opportunity that is free from substantial racial and ethnic isolation. We conclude that they have done so.

"[I]n Connecticut the right to education is so basic and fundamental that any infringement of that right must be strictly scrutinized." *Horton I*, supra, 172 Conn. 646; *Horton III*, supra, 195 Conn. 35. Proper evaluation of the plaintiffs' claims is best pursued in accordance with the methodology that we adopted and applied in *Horton III*, supra, 38–39. This methodology requires us to balance the legislature's affirmative constitutional obligation to provide all of the state's schoolchildren with a substantially equal educational opportunity against the legislature's recognized significant discretion in matters of public elementary and secondary education.

The analysis that we adopted in *Horton III* to scrutinize legislation that allegedly infringes upon the fundamental right to education requires a three-step process: "First, the plaintiffs must make a prima facie showing that the disparities . . . are more than de minimis in that the disparities continue to jeopardize the plaintiffs' fundamental right to education. If they make that showing, the burden then shifts to the state to justify these disparities as incident to the advancement of a legitimate state policy. If the state's justification is acceptable, the state must further demonstrate that the continuing disparities are nevertheless not so great as to be unconstitutional." Id., 38; see also id., 45, 45 n.25. Applying the parties' stipulated facts and the trial court's factual findings to this analytical framework, we are persuaded that the current school assignment scheme, principally embodied in §§ 10-184 and 10-240, violates the plaintiffs' fundamental right to a substantially equal educational opportunity.

The plaintiffs have shown, and the defendants do not contest, that the disparities in the racial and ethnic composition of public schools in Hartford and the surrounding communities are more than de minimis. While children from minority groups constituted 25.7 percent of the statewide public school population in the 1991–92 school year, 92.4 percent of the children in the Hartford public school system were members of minority groups, including, predominantly, students who were either African-American or Latino. The percentage of minority students enrolled in Hartford's public schools has since increased. In the 1994–95 school year, 94.5 percent of the children in the Hartford public school system were members of minority groups. Moreover, the Hartford public school system currently enrolls the highest percentage of minority students in the state, and this percentage is likely to become even higher in the future, if current conditions continue. These disparities jeopardize the plaintiffs' fundamental right to education.

The defendants stress that the trial court also made extensive findings about the significant role that adverse socioeconomic conditions play in the difficulties encountered by Hartford schoolchildren. Although the findings of the trial court are

supported by credible evidence, they do not undermine the plaintiffs' claim. It is well established, under prevailing principles governing the law of equal protection, that poverty is not a suspect classification. *Moscone* v. *Manson*, 185 Conn. 124, 130, 440 A.2d 848 (1981); see *Harris* v. *McRae*, 448 U.S. 297, 323, 100 S. Ct. 2671, 65 L. Ed. 2d 784 (1980). The plaintiffs have not brought an equal protection claim challenging these principles.

The trial court's findings simply demonstrate that Hartford's schoolchildren labor under a dual burden: their poverty *and* their racial and ethnic isolation. These findings regarding the causal relationship between the poverty suffered by Hartford schoolchildren and their poor academic performance cannot be read in isolation. They do not diminish the significance of the stipulations and undisputed findings that the Hartford public school system suffers from severe and increasing racial and ethnic isolation, that such isolation is harmful to students of all races, and that the districting statute codified at § 10-240 is the single most important factor contributing to the concentration of racial and ethnic minorities in the Hartford public school system. The fact that, as pleaded, the plaintiffs' complaint does not provide them a constitutional remedy for one of their afflictions, namely, their poverty, is not a ground for depriving them of a remedy for the other.

The uncontested evidence of the severe racial and ethnic isolation of Hartford's schoolchildren demonstrates that the state has failed to fulfill its affirmative constitutional obligation to provide all of the state's schoolchildren with a substantially equal educational opportunity. Much like the substantially unequal access to fiscal resources that we found constitutionally unacceptable in *Horton I*, the disparity in access to an unsegregated educational environment in this case arises out of state action and inaction that, prima facie, violates the plaintiffs' constitutional rights, although that segregation has occurred de facto rather than de jure. Thus, because the plaintiffs have made the requisite prima facie showing that their fundamental right to a substantially equal educational opportunity has been jeopardized, the burden of justification shifts to the state.

We next consider whether the defendants have met their burden of demonstrating that the disparities in the plaintiffs' educational opportunities are "incident to the advancement of a legitimate state policy." *Horton III*, supra, 195 Conn. 38. The defendants emphasize the uncontested fact that, although the state has created and maintained the public elementary and secondary school system, including the districting and the attendance statutes; General Statutes §§ 10-184 and 10-240; the state bears no de jure responsibility for the racial and ethnic isolation that the plaintiffs have encountered.

The statutes enacted by the legislature and the educational strategies adopted by the state demonstrate that the state has acted to further policies that are both legitimate and facially neutral with respect to racial and ethnic isolation. The General Assembly has enacted no legislation that was intended to cause either de jure or de facto segregation. It enacted the

districting statute, not to impose or to foster racial or ethnic isolation, but to improve educational quality for all Connecticut schoolchildren by increasing state involvement in all aspects of public elementary and secondary education. Moreover, the districting scheme presently furthers the legitimate nonracial interests of permitting considerable local control and accountability in educational matters. Furthermore, in recognition of its moral obligation to address the adverse consequences of racial and ethnic discrimination, the state reorganized the board of education, during the 1980s, to concentrate on the needs of urban schoolchildren and to promote diversity in the public schools. Under § 10-226a et seq., which the legislature enacted to remedy racial imbalances *within* public school districts, all schools within a district must maintain, within specified tolerances, a student population that reflects the student population in the district as a whole. In addition, the state has supported and encouraged voluntary plans for increasing interdistrict diversity. It has provided financial support to interdistrict magnet programs and has enacted legislation to promote *voluntary* interdistrict solutions to racial and ethnic isolation. See General Statutes § 10-264a et seq. In all these respects, the state has furthered agendas that are legitimate. Accordingly, the defendants have sustained their initial burden of justifying the legitimacy of the state's actions.

In light of the defendants' affirmative showing, we now consider the third part of the *Horton III* test. Once the state's justification for its official actions has been shown to be acceptable, "the state must further demonstrate that the continuing disparities are nevertheless not so great as to be unconstitutional." *Horton III*, supra, 195 Conn. 38. In the context of the present claims, the state must demonstrate that, in light of its recognized discretion in matters of public elementary and secondary education, and taking into account the measures that it has taken to remedy racial and ethnic disparities in the public schools, the disparities are not so significant as to rise to the level of a constitutional deprivation. In our assessment of whether the state has met its burden, we again emphasize that, much like the substantially unequal fiscal resources that we found constitutionally unacceptable in *Horton I* and *Horton III*, the disparity in access to an unsegregated educational environment in this case arises out of discrimination that is de facto rather than de jure.

We conclude that the defendants have failed to satisfy their difficult burden. Despite the initiatives undertaken by the defendants to alleviate the severe racial and ethnic disparities among school districts, and despite the fact that the defendants did not intend to create or maintain these disparities, the disparities that continue to burden the education of the plaintiffs infringe upon their fundamental state constitutional right to a substantially equal educational opportunity.

Our conclusion finds uncontested factual support in the stipulations of the parties, which provide dramatic documentation of the wide disparities in the racial and ethnic composition of

the student populations in the public schools in Hartford and those in the twenty-one surrounding communities. Although we have discussed these statistics previously in this opinion, they bear repeating. The percentage of minorities who attend Hartford public schools is significantly higher than the percentage of minorities who attend schools in the surrounding school districts. In the 1991–92 school year, over 92 percent of the students in the Hartford public school system were members of minority groups. In stark contrast, in that same period, only seven of the twenty-one surrounding suburban towns had a student minority enrollment above 10 percent. We rely also on the findings made by the trial court, which have not been contested by any of the parties, that despite efforts by the state to alleviate the severe racial and ethnic isolation that exists in the Hartford public school system, "[s]tudents in the Hartford schools are racially isolated *and are likely to become more isolated in the future*" and that "*[t]he single most important factor that contribute[s] to the present concentration of racial and ethnic minorities in Hartford [is] the town-school district system* [codified at § 10-240] which has existed since 1909, when the legislature consolidated most of the school districts in the state so that thereafter town boundaries became the dividing lines between all school districts in the state." (Emphasis added.) This record compels the conclusion that the present state regulation of public elementary and secondary education "emasculate[s] the goal of substantial equality." (Internal quotation marks omitted.) *Horton III*, supra, 195 Conn. 38. We conclude, therefore, that the school districting scheme, as codified at §§ 10-184 and 10-240 and as enforced with regard to these plaintiffs, is unconstitutional.

It is crucial for a democratic society to provide all of its schoolchildren with fair access to an unsegregated education. As the United States Supreme Court has eloquently observed, a sound education "is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms." *Brown* v. *Board of Education*, supra, 347 U.S. 493. "The American people have always regarded education and [the] acquisition of knowledge as matters of supreme importance. . . . We have recognized the public schools as a most vital civic institution for the preservation of a democratic system of government . . . and as the primary vehicle for transmitting the values on which our society rests. . . . And these historic perceptions of the public schools as inculcating fundamental values necessary to the maintenance of a democratic political system have been confirmed by the observations of social scientists. . . . [E]ducation provides the basic tools by which individuals might lead economically productive lives to the benefit of us all. In sum, education has a fundamental role in maintaining the fabric of our society. We cannot ignore the significant social costs borne by

our Nation when select groups are denied the means to absorb the values and skills upon which our social order rests." (Citations omitted; internal quotation marks omitted.) *Plyler* v. *Doe*, supra, 457 U.S. 221.

Although the constitutional basis for the plaintiffs' claims is the deprivation that they themselves are suffering, that deprivation potentially has an impact on "the entire state and its economy -- not only on its social and cultural fabric, but on its material well-being, on its jobs, industry, and business. Economists and business leaders say that our state's economic well-being is dependent on more skilled workers, technically proficient workers, literate and well-educated citizens. And they point to the urban poor as an integral part of our future economic strength. . . . So it is not just that their future depends on the State, the state's future depends on them." *Abbott* v. *Burke*, 119 N.J. 287, 392, 575 A.2d 359 (1990). Finding a way to cross the racial and ethnic divide has never been more important than it is today.

IV

REMEDIES

Our decision to reverse the judgment of the trial court, and to direct that judgment be rendered on behalf of the plaintiffs on the merits of their constitutional claims in the first and second counts of their complaint, requires us to consider what relief may properly be afforded to the plaintiffs. We recognize that the fashioning of appropriate declaratory or injunctive relief requires careful consideration in order to weigh the benefits and costs of various remedial measures.

In their appeal to this court, the plaintiffs have not focused their attention on the remedial consequences of a substantive decision in their behalf. Their prayer for relief asks us to reverse the judgment of the trial court and to remand the case with direction to render a declaratory judgment and "for further equitable relief not inconsistent with [our] decision." The defendants urge this court not to assume direct control of the educational system in Connecticut and to eschew "acting as a super-legislature and glorified [b]oard of [e]ducation."

Because the parties have not had the opportunity to present evidence directed to the remedial consequences that follow from our decision on the merits of the plaintiffs' complaint, we could remand this case to the trial court for further proceedings to address remedies. Alternatively, if no further evidentiary inquiries would be required, we could invite further briefing in this court and attempt to resolve the issues ourselves.

We have decided not to follow either of these avenues but to employ the methodology used in *Horton I*. In that case, the trial court, after having found for the plaintiffs, limited its judgment by granting only declaratory relief but retained jurisdiction to grant consequential relief, if needed, at some future time. *Horton I*, supra, 172 Conn. 650. In light of the complexities of developing a legislative program that would respond to the constitutional deprivation that the plaintiffs had established, we concluded, in *Horton I*, that further judicial intervention should be stayed "to afford the General Assembly an opportunity to take

appropriate legislative action." Id., 653. Prudence and sensitivity to the constitutional authority of coordinate branches of government counsel the same caution in this case.

In staying our hand, we do not wish to be misunderstood about the urgency of finding an appropriate remedy for the plight of Hartford's public schoolchildren. 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. 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.

The defendants counsel us, however, to stay our hand entirely. They claim that no judicial mandate can properly take into account the daunting, if not intractable, difficulties of crafting a remedial solution to the problem of de facto racial and ethnic segregation in the public schools of Hartford. When a similar question was raised about judicial authority to mandate the reform of state electoral systems, the claim was given short shrift by the United States Supreme Court. The court stated, in *Reynolds* v. *Sims*, supra, 377 U.S. 566: "We are told that the matter of apportioning representation in a state legislature is a complex and many-faceted one. We are advised that States can rationally consider factors other than population in apportioning legislative representation. We are admonished not to restrict the power of the States to impose differing views as to political philosophy on their citizens. We are cautioned about the dangers of entering into political thickets and mathematical quagmires. *Our answer is this: a denial of constitutionally protected rights demands judicial protection; our oath and our office require no less of us.*" (Emphasis added.) Our oath, our office and the constitutional rights of the schoolchildren of Hartford, require no less of us in this case.

The judgment is reversed and the case is remanded with direction to render a declaratory judgment for the plaintiffs; the Superior Court is directed to retain jurisdiction in accordance with this opinion.

In this opinion BERDON, NORCOTT and KATZ, Js., concurred.

{Sheff v. O'Neill -- CONCURRENCE}

BERDON, J., concurring. I join the Chief Justice in her well reasoned majority opinion that concludes that the racial and ethnic segregation that exists in our public school system deprives schoolchildren of their state constitutional right to a "substantially equal educational opportunity." More specifically, I agree "that, textually, article eighth, § 1, [of the Connecticut constitution] as informed by article first, § 20, requires the legislature to take affirmative responsibility to remedy segregation in our public schools, regardless of whether that segregation has occurred de jure or de facto." I write separately because, in my view and as the record reflects, a racially and ethnically segregated educational environment also deprives schoolchildren of an adequate education as required by the state constitution.

In *Brown* v. *Board of Education*, 347 U.S. 483, 493, 74 S. Ct. 686, 98 L. Ed. 873 (1954), the Supreme Court of the United States noted that "education is perhaps the most important function of state and local governments. . . . It is the very foundation of *good citizenship. Today it is a principal instrument in awakening* the child to cultural values, in preparing him [or her] for later professional training, and in helping him [or her] to adjust normally to his [or her] environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he [or she] is denied [an equal educational opportunity]." Twenty-three years later, Justice Bogdanski, in his concurrence in *Horton* v. *Meskill*, 172 Conn. 615, 654–55, 376 A.2d 359 (1977), reaffirmed that thought: "[T]he right of our children to an education is a matter of right not only because our state constitution declares it as such, but because education is the very essence and foundation of a civilized culture: it is the cohesive element that binds the fabric of society together. In a real sense, it is as necessary to a civilized society as food and shelter are to an individual. It is our fundamental legacy to the youth of our state to enable them to acquire knowledge and possess the ability to reason: for it is the ability to reason that separates [men and women] from all other forms of life."

Unlike the federal constitution, the constitution of Connecticut, article eighth, § 1, provides that *education is a fundamental right* of every child regardless of his or her race or ethnicity. Id., 648–49 ("in Connecticut, elementary and secondary education is a fundamental right, [and] pupils in the public schools are entitled to the equal enjoyment of that right"). Accordingly, it logically follows that the education guaranteed in the state constitution must be, at the very least, within the context of its contemporary meaning, an adequate education. Even Justice Loiselle, in his dissent in *Horton* v. *Meskill*, supra, 172 Conn. 658–59, conceded that the provision of an adequate education was constitutionally required and, in discussing the need to interpret that requirement in a reasonable manner, stated "[a] town may not herd children in an open field to hear lectures by illiterates." Indeed, long before the *formal* incorporation of this right into our present constitution, this court recognized the state's "duty to provide for the *proper* education of the

young." (Emphasis added.) *State ex rel. Huntington* v. *Huntington School District*, 82 Conn. 563, 566, 74 A. 882 (1909); see also *Bissell* v. *Davison*, 65 Conn. 183, 191, 32 A. 348 (1894).

The state has established the boundaries of school districts coextensively with town lines, thereby placing in certain school districts, such as Hartford, overwhelming percentages of minority students. Indeed, the trial court found that "[s]tudents in the Hartford schools are racially isolated and are likely to become more isolated in the future." In the 1987–88 academic year, 90.5 percent of Hartford's schoolchildren were of minority races or ethnicities. Yet, Hartford, like many of Connecticut's urban centers, is encircled by school districts whose student populations include only a small percentage of minority children. The trial court's forecast that racial and ethnic isolation would increase has unfortunately proven to be accurate. Figures recently released for the 1994–95 academic year, reveal that 93.4 percent of Hartford's students are from minority racial or ethnic groups.

This segregation can have a devastating impact on a minority student's education. The United States Supreme Court recognized that segregation "generates a feeling of inferiority [within the students] as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone. . . . Segregation of white and [African-American] children in public schools has a detrimental effect upon [the African-American] children. The impact is greater when it has the sanction of the law; for the policy of separating the races is usually interpreted as denoting the inferiority of the [African-American]. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to [retard] the educational and mental development of [African-American] children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system." (Internal quotation marks omitted.) *Brown* v. *Board of Education*, supra, 347 U.S. 494.

In order to provide an adequate or "proper" education, our children must be educated in a nonsegregated environment. The trial court found, "[e]ducation in its fullest sense for both white and minority school children involves interracial and multiethnic exposure to each other and interaction between them, because racial and ethnic isolation [have] negative effects on both groups." Indeed, a study commissioned by the state department of education in 1989, concluded that "desegregation has had some positive effect on the reading skills of black youngsters. . . . [T]here is some evidence that desegregation may help to break what can be thought of as a generational cycle of segregation and racial isolation." J. Schofield, "Review of Research on School Desegregation's Impact on Elementary and Secondary School Students," Commissioned by the Connecticut Department of Education (1989) p. 35. The study further concluded that "there are indications that desegregated schooling can provide students with valuable behavioral experience which prepares them to function in a pluralistic society. . . . [T]here is some evidence that school desegregation may have long-term

positive consequences on adult social relationships, housing patterns, and the like." Id., p. 36.

The poor academic achievement of Hartford's students is insightful into the devastating effects of racial isolation on the students' education. For example, in 1991–92, 94 percent of the sixth graders in Hartford's public schools failed to meet the state's goal for mathematics; 80 percent failed to achieve the state's goal for reading; and 97 percent failed to obtain the state's goal for writing. Equally disturbing is the knowledge that, in that same year, 62 percent of Hartford's sixth graders failed to achieve even the state's remedial standards for reading.

Scholastic achievement scores, are but one effect of segregation on education. Children of every race and ethnic background suffer when an educational system is administered on a segregated basis. Education entails not only the teaching of reading, writing and arithmetic, but today, in our multicultural world, it also includes the development of social understanding and racial tolerance. If the mission of education is to prepare our children to survive and succeed in today's world, then they must be taught how to live together as one people. Anything less will surely result in a segregated society with one racial and ethnic community pitted against another. Instead of fostering social division, we must build an integrated society, commencing with educating our children in a nonsegregated environment.

Accordingly, I conclude that, in addition to the state's failure to provide Hartford schoolchildren with a "substantially equal educational opportunity," these children are also being deprived of an adequate education because of their racial and ethnic isolation. It matters little with respect to the quality of the education that the segregation was unintentional. The fact that segregation exists as a result of the school districting statute requires the state to take remedial action to eliminate the constitutional violation of not providing these schoolchildren with an adequate education.

Time is precious, especially when confronted with a constitutional violation that impacts the lives of our children and the future of our society. Every day that goes by is one more day that the schoolchildren who reside in Hartford and other urban centers in Connecticut are deprived of an adequate education. The plaintiff Milo Sheff was ten years old and in fourth grade when this litigation commenced more than seven years ago. We cannot recover what has been lost for him and others, but for those children who are presently enrolled in our public schools and for those who will enter in the future, we must eliminate the current segregation that exists.

I agree, however, with the Chief Justice that the executive and legislative branches of the state government should be given an opportunity to remedy what is now a terrible wrong. *Nielsen* v. *State*, 236 Conn. 1, 17, 670 A.2d 1288 (1996) (*Berdon, J.*, concurring). Nevertheless, in the words of United States Supreme Court Chief Justice Warren, the state must act "with all deliberate speed." *Brown* v. *Board of Education*, 349 U.S. 294, 301, 75 S. Ct. 753, 99 L. Ed. 1083 (1955).

I join in the majority opinion.

{Sheff v. O'Neill -- DISSENT}

BORDEN, J., with whom CALLAHAN and PALMER, Js., join, dissenting. The majority has reached a result driven conclusion based on a theory of constitutional liability that was never presented to the trial court or to this court, is ungrounded in the text and history of Connecticut's constitutional provisions regarding the rights to public education and equal protection of the laws and is wholly at odds with the factual record in this case. The majority's conclusion, moreover, is contrary to the teaching of *Horton* v. *Meskill*, 172 Conn. 615, 376 A.2d 359 (1977) (*Horton I*), this court's principal precedent interpreting those provisions. In its zeal to reach a result that, it envisions, will eliminate racial and ethnic concentration in the public school districts of this state, the majority has "[renounced] this Court's historical commitment to a conception of the judiciary as a source of impersonal and reasoned judgments . . . ." (Internal quotation marks omitted.) *Payne* v. *Tennessee*, 501 U.S. 808, 844, 111 S. Ct. 2597, 115 L. Ed. 2d 720 (1991) (Marshall and Blackmun, Js., dissenting). In essence, "[p]ower, not reason, is the new currency of this Court's [state constitutional] decisionmaking." Id. I therefore dissent.

More specifically, in reaching a result that is unprecedented in American jurisprudence the majority has created a constitutional theory of equal educational opportunity that: (1) in the long history of this case, has never been presented to the trial court or to this court, and is, therefore, a theory to which the defendants have never had an opportunity to respond; (2) misapplies our precedent on the meaning of an equal educational opportunity as expressed in *Horton I*, and is contrary to the voluminous factual findings of the trial court; (3) distorts the meaning of the term "segregation" in our state constitution; and (4) misrepresents the record regarding the question of a remedy for the constitutional violation that the majority has found.

In addition, the majority sends to the legislature and the executive branch a mandate to fashion a remedy for de facto racial and ethnic concentration in our public schools, a task that those branches of government will inevitably find to be extraordinarily difficult or perhaps even impossible, because the majority articulates no principle upon which to structure such a remedy. The necessary implication of the majority's reasoning is that virtually every school district in the state is now either unconstitutional or constitutionally suspect. Without explicitly saying so, the majority has effectively struck down, not just for the greater Hartford area but for the entire state, the municipality based school system that has been in effect in this state since 1909.

It is significant, moreover, that the majority does not respond to the major substantive flaws in its analysis that this dissent identifies. Nor does it take issue with what I identify as the necessary implications of its decision.

I

INTRODUCTION

Before analyzing the majority's reasoning and the constitutional claims that the plaintiffs did present in this

case, I state the extent of my agreement with the majority. First, I agree that the case is justiciable, and that there is state action. Moreover, and most importantly, I agree with the majority on the desirability -- as a matter of public and educational policy -- of eliminating from our public schools the type of racial and ethnic concentration demonstrated by this record.

I also agree that racial and ethnic isolation in our public schools is harmful -- both to those races and ethnic groups that are so isolated and to the other races and ethnic groups from whom they are isolated. I also agree with the majority's statement, based upon the trial court's finding, that the racial and ethnic isolation of Hartford's schoolchildren is likely to worsen in the future. I agree, furthermore, that racial and ethnic integration of our public schools would be beneficial for all children and society in general. These points of agreement rest on the notions that, as the majority recognizes, schools are important socializing institutions that bear a central responsibility for imparting our shared democratic values to our children, and that the opportunity for children of different races, ethnic backgrounds, economic levels and social groups to get to know each other in school is important if they are to understand and respect each other. Finally, I agree with the majority that the health of the economy of our state requires an educated workforce, which includes "the urban poor as an integral part of our future economic strength." *Abbott* v. *Burke*, 119 N.J. 287, 392, 575 A.2d 359 (1990). Thus, I agree with the majority on the importance in our state -- indeed, in our nation -- of finding a way to cross the racial divide.

The majority, however, has transformed a laudable educational philosophy into a constitutional mandate. That philosophy is that racially and ethnically integrated schools are socially and educationally preferable to racially and ethnically concentrated schools, because they confer certain significant social benefits on their students that such concentrated schools cannot, and they avoid certain significant social burdens that such concentrated schools are likely to impose. That belief, however, is utterly without basis as a constitutional claim of deprivation of an equal educational opportunity. Neither the record in this case, the text or history of the Connecticut constitution, nor our case law supports such a claim. A similar example of judicial overreaching comes to mind. Ninety-one years ago the United States Supreme Court, in *Lochner* v. *New York*, 198 U.S. 45, 25 S. Ct. 539, 49 L. Ed. 937 (1905), declared unconstitutional, as violative of the liberty of contract perceived to be implicit in the due process clause of the fourteenth amendment to the United States constitution, New York's labor law imposing a daily limit of ten hours of work in the bakery industry. Justice Holmes dissented, stating that "[t]he Fourteenth Amendment does not enact Mr. Herbert Spencer's Social Statics," and that "a constitution is not intended to embody a particular economic theory, whether of paternalism and the organic relation of the citizen to the State or of laissez faire." Id., 75. This decision ushered into our constitutional jurisprudence what came to be known as the "*Lochner*

era," during which the Supreme Court undertook to strike down legislation that did not comport with the particular economic theories held by a majority of the justices. See *Dolan* v. *Tigard*, 512 U.S. ___, 114 S. Ct. 2309, 2329, 129 L. Ed. 2d 304 (1994) (Stevens, J., dissenting) (identifying the "superlegislative power the Court exercised during the *Lochner* era"); 2 R. Rotunda & J. Nowak, Treatise on Constitutional Law (2d Ed. 1992) § 15.4, pp. 403–404 ("independent review of legislation during [*Lochner*] era resulted in unprincipled control of social and economic legislation"); L. Tribe, American Constitutional Law (2d Ed. 1988) § 8-2.

The majority opinion in this case does much the same. Just as the justices of the United States Supreme Court "*Lochnerized*" the federal due process clause by reading laissez faire economic theory into it, the majority of this court has "*Lochnerized*" our education and equal protection clauses by reading into them an educational theory that mandates racially and ethnically integrated schools. There is no more basis today in our constitution for judicial intervention to impose such a mandatory educational theory than there was in the *Lochner* era for the judiciary to impose laissez faire economics.

Thus, the majority has used this court's power to interpret the constitution in order to mandate a vast and unprecedented social experiment, using the state's schools and schoolchildren as test data, and thereby to construct what the majority perceives to be the necessary bridge over the racial divide. The majority has done so, however, without the bricks and mortar necessary to that construction -- the facts, and sound constitutional principles. Indeed, had the factual findings by the trial court been those unsuccessfully sought by the plaintiffs, this case would have been very different on appeal. For example, had the trial court found, as the plaintiffs claimed, that racial and ethnic concentration, rather than poverty, results in different educational outcomes and achievements, and that the measurements of those outcomes and achievements are valid for interdistrict purposes, the plaintiffs' constitutional claim of a deprivation of an equal educational opportunity, as they presented it, would have been powerful and might have legitimately prevailed.

As this record overwhelmingly demonstrates, however, the trial court found the facts, not in accordance with the plaintiffs' version of the evidence on that claim, but in accordance with the defendants' version of the evidence. The trial court found that it is poverty, not racial or ethnic concentration, that accounts for the differences in educational outcomes and achievements between the children of the Hartford schools and those of the surrounding districts. The trial court also found, contrary to the plaintiffs' factual claims but in accordance with the defendants' factual claims, that the measurements regarding those differences, although valid for certain intradistrict purposes, are not valid for measuring educational differences between different school districts.

Thus, there are no facts in the record to support what the majority asserts, in an opinion long on rhetoric and short on reasoning, are the "devastating effects that racial and ethnic

isolation . . . have had on [the plaintiffs'] education." Indeed, the facts found by the trial court contradict that assertion. Under the facts found by the trial court, all of the adverse effects on the education of the plaintiffs result, not from their racial or ethnic isolation -- either in whole or in part -- but from their poverty. The majority, nonetheless, compensates for these factual shortcomings and for the trial court's factual *findings that are squarely contrary to the result the majority* seeks to achieve, by ignoring those discomforting facts, and constructing a hitherto unknown constitutional theory -- hitherto unknown in the long history of this litigation, and hitherto unknown in our even longer state constitutional history -- that disregards all facts but those that are undisputed.

Thus, the majority opinion is, like the characters in Pirandello's play, a result in search of a rationale. This case was litigated in the trial court for six years. The trial court heard evidence for eleven weeks. After a remand by this court to the trial court for the purpose of supplementing the factual record, the parties stipulated to 256 facts that are undisputed. Moreover, pursuant to our remand, the parties presented to the trial court for resolution a total of 676 disputed issues of fact -- 551 by the plaintiffs and 125 by the defendants. With respect to these disputed issues of fact, the parties had presented extensive and conflicting evidence during the eleven weeks of trial. As a result, the trial court made 161 factual findings, in addition to the 256 stipulated facts. Those 417 factual findings constitute the factual basis for the constitutional claims advanced by the plaintiffs in the trial court and renewed on appeal.

Those findings, however, particularly the 161 facts found by the trial court that had been disputed, are critically and fundamentally adverse to the plaintiffs' constitutional claims, as those claims were presented both to the trial court and to this court. Precisely because of that critical and fundamental factual adversity, however, the majority has, in an exercise of judicial revisionism, recast the plaintiffs' constitutional claims so that the trial court's critical factual findings have become irrelevant. Moreover, the assertion of the majority to the contrary notwithstanding, it cannot be tenably maintained that the constitutional theory created by the majority was ever presented to the trial court or to this court. The defendants, therefore, have never had the opportunity to respond to that theory.

There is no question, therefore, that everyone involved in this case shares the same goal: the elimination of racial and ethnic isolation in the public schools of this state. Every desirable or wise policy, even every noble goal, however, is not necessarily embodied in the constitution. The debate, therefore, is over whether that goal is constitutionally mandated under the facts of this case. The majority, by an act of judicial will, without fidelity to the facts of the case or the claims of the parties, has imposed a constitutional mandate and has usurped a policy function that legitimately belongs to the legislature.

II

THE PLAINTIFFS' CLAIMS AS DISCLOSED BY THE RECORD IN THIS CASE

The majority opinion conceals the constitutional claims presented by the plaintiffs and responded to by the defendants in the trial court, and on appeal in this court. In addition, the majority has cobbled together, from disparate parts of the plaintiffs' claims, a constitutional theory that is wholly without support in the text, history and purpose of the constitutional provisions at issue in this case, or in the facts as found by the trial court. In order to appreciate these criticisms of the majority opinion, it is necessary to summarize the plaintiffs' claims regarding a deprivation of an equal educational opportunity, as disclosed by this record rather than as expounded by the majority, and then to compare the majority's analysis to the record. Only then is it possible to subject the facts found by the trial court and the constitutional provisions at issue to a reasoned and dispassionate analysis.

The plaintiffs presented three constitutional claims to the trial court: (1) the plaintiffs have been denied their constitutional right to an equal educational opportunity by virtue of their racial and ethnic concentration, and by the concentration of poverty in the Hartford school district, *coupled with certain disparities in educational resources and outcomes as compared to the suburban districts*; (2) the racial and ethnic concentration of the plaintiffs in the Hartford school district constitutes a per se violation of the education and equal protection clauses of the constitution, based solely on the undisputed demographic facts of that concentration; and (3) the inadequacy of certain educational resources in the Hartford school system constitute a denial to the plaintiffs of their constitutional right to a minimally adequate education.

It is the plaintiffs' first claim -- that of a deprivation of an equal educational opportunity -- that concerns us here, because *that is the claim that* the majority sustains on the basis of the undisputed demographic facts. It is indisputable, however, that the plaintiffs' claim of a deprivation of an equal educational opportunity was based, not solely on the demographic facts of racial and ethnic isolation and concentration of poverty, but on those facts *coupled with* other facts claimed by the plaintiffs to demonstrate disparities, in terms of educational resources and outcomes, between the Hartford and suburban districts. The plaintiffs' claim of the deprivation of an equal educational opportunity was premised on a factual showing that, *because of -- in a cause and effect sense -- their racial and ethnic isolation, the concentration of poverty in which they live, and the disparities between the educational resources available in the Hartford schools and those available in the suburban schools, the quality of their education, as measured by educational outcomes, is significantly less than that of their suburban neighbors.* Put another way, the plaintiffs undertook to persuade the trial court that, as a factual matter, all three of these factors -- racial and ethnic isolation, concentration of poverty, and disparities in educational resources -- *have caused* the quality of their education, as measured by the standards articulated by this court in *Horton I*, to be inferior to that of the surrounding suburban districts.

Thus, it was critical to the plaintiffs' equal educational opportunity claim that they prove the following facts: (1) they are racially and ethnically concentrated -- an undisputed fact; (2) they suffer from the effects of a concentration of poverty -- also undisputed; (3) the educational resources of the Hartford district are less than those of the surrounding districts -- a disputed fact; and (4) the combination of the first three cause lesser educational outcomes in Hartford when compared to the suburban districts -- also a disputed fact. One cannot read this record -- both the trial court record and the appellate record -- any other way.

Thus, at a minimum, proof of lesser educational outcomes as a result of racial and ethnic isolation was essential to the plaintiffs' case, because their constitutional theory of deprivation of an equal educational opportunity is based on the provisions of article first, § 20, of the state constitution, regarding race and ethnicity. In other words, without either race or ethnicity, or both, as a causative factor in lesser educational outcomes, the plaintiffs' case under article first, § 20, would fall, because those are the two protected categories under that article that the plaintiffs invoke as the basis of their constitutional theory. Thus, it was essential for the plaintiffs to establish in the trial court that their racial and ethnic isolation, either alone or in combination with the concentration of poverty, caused diminished educational outcomes relative to those of the surrounding communities.

It is also clear that the plaintiffs, the defendants and the trial court considered these issues as questions of fact to be established by evidence -- both documentary and by way of experts' opinions -- and not questions of law. It is equally clear that these *are* questions of fact and not of law. Moreover, the plaintiffs, the defendants and the trial court all understood that the plaintiffs were required to prove the existence of a diminished educational opportunity caused by the plaintiffs' racial and ethnic isolation, in addition to the more generalized benefits of an integrated educational system and burdens imposed by a racially and ethnically isolated system.

In other words, the plaintiffs never claimed that the general social benefits of racial and ethnic integration and the burdens of racial and ethnic concentration were sufficient to establish the factual foundation of their equal educational opportunity claim. The plaintiffs, the defendants and the trial court all understood that the plaintiffs were required, in order to come within the reasoning of *Horton I*, to establish the specific facts of diminished educational outcomes, relative to the suburban districts, as a result of their racial and ethnic and concentration. To corroborate this summary of the plaintiffs' claims, I now turn to a discussion of the factual background of this appeal.

A

The Plaintiffs' Claims as Presented to the Trial Court

The plaintiffs had presented their claims in a tripartite structure. Before presenting their evidence, the plaintiffs made an opening oral argument to the court explaining their claims and

relating those claims to the specific counts of their complaint. The plaintiffs specifically drew a sharp distinction between the first and second counts of their complaint. As they explained their case to the trial court, the first count depended solely on the legal claim that the term "segregation" in article first, § 20, of the state constitution encompassed de facto as well as de jure segregation, and that no evidence or facts regarding the effects of that segregation was necessary to prove the allegations of that count. They explained that the second count was, unlike the first count, based on a combination of facts: racial isolation; concentration of poverty; and inadequate educational resources; all combining to cause a quality of education inferior to that of the surrounding suburban districts.

In the posttrial proceedings -- both by way of their briefs and their oral arguments -- the plaintiffs reiterated that their claim of a deprivation of an equal educational opportunity was premised on a factual inquiry into the actual quality of the education provided to them, relative to that provided to the students of the suburban districts. They repeatedly emphasized that they had proven that their racial and ethnic isolation, coupled with their inadequate educational resources and their concentration of poverty, caused the quality of their education to be inferior to that provided to their suburban counterparts. In those proceedings, moreover, they repeatedly contrasted their equal educational opportunity claim with their claim that de facto segregation was per se unconstitutional, making clear that the per se segregation claim was not an equal educational opportunity claim.

B

The Remand Proceedings in the Trial Court

Upon our remand, the parties entered into a stipulation of 256 facts. Each side also presented to the trial court those disputed facts that it claimed to have proven. From the plaintiffs' proposed factual findings, it is clear that they sought to persuade the court to find facts that supported their claim that the quality of the education provided the Hartford schoolchildren was inferior to that of the suburban districts, and that this inferiority was caused by their racial and ethnic isolation combined with the concentration of poverty in the district. The defendants' proposed findings, by contrast, reflected their view that the evidence proved that it was the plaintiffs' poverty, and not their racial and ethnic concentration, that caused the educational deficiencies of which the plaintiffs complained.

C

The Findings of Fact Regarding Equal Educational Opportunity

Thereafter, the trial court issued its "Finding," which constituted its factual determinations "on the disputed facts disclosed in the proposed findings of fact submitted by the parties . . . ." These findings indicate that the trial court was persuaded by the defendants' factual claims, and not by the those of the plaintiffs.

Many of the trial court's findings of fact are directly pertinent to the plaintiffs' claim of a deprivation of an equal educational opportunity. The trial court found as follows.

Historically, racial or ethnic minority group membership has been associated with being educationally disadvantaged because members of those groups have failed to succeed in schools at the same levels as most members of the majority group. The generally poorer academic performance of black and Hispanic youngsters is explained for the most part by the social and economic conditions under which they and their families live.

The court found further as follows: "It is poverty and not race that is a principal causal factor in lower educational achievement." The problems of the Hartford schools are compounded by the fact that minorities in the inner cities are disproportionately poor, and the "real correlation with academic achievement is socioeconomic class rather than race . . . ." The fact that the students come from poor families "in and of itself is a significant problem in the schools. . . . The reason that children who live in poverty do not do well in statewide academic testing is because they are poor and disadvantaged and not because they are an ethnic or racial minority, because poor minority children exhibit the same patterns as those of their poor white counterparts, and poverty is the strongest predictor of poor academic achievement." Moreover, the concentration of poverty may adversely affect academic achievement over and above the effect of family poverty. The socioeconomic status of schoolchildren dictates their academic performance. Thus, the improvement in the socioeconomic status of blacks explains the reduction by almost one half of the achievement gap between black and white students nationally between 1970 and 1990. The trial court also specifically found that "[v]irtually all of the differences in performance between Hartford students and those in other towns, as well as differences in college attendance, can be explained by differences in socioeconomic status and the background factors that socioeconomic status represents."

The trial court also found that a higher concentration of students "at risk" may affect the achievement level of students in a particular school district. Thus, given two groups of students equal in all respects except the incidence of students with "at risk" factors such as low birth weight and mothers on drugs at birth, the group with the higher incidence of those "at risk" factors will perform more poorly in school than the other group.

The trial court further found that the level of achievement that should be attained by the students in a particular district cannot be assessed without considering the conditions that exist in the district that hinder academic achievement. Examples of those conditions are: the "mobility" of the students, namely, the frequency of their moving from school to school during a school year or from one year to the next; limited English proficiency of certain students; and the students' socioeconomic status. The court found that, in order to understand the quality or effectiveness of a particular educational program, it is necessary to separate the disadvantages that students bring to school with them from the effects of the program itself. Moreover, it is necessary to separate the effects of poverty from the effects of racial isolation. Based on expert testimony, the court found that there are ways in which the separate effects of racial isolation

and poverty can be measured statistically. The plaintiffs' experts did not employ these statistical techniques.

The trial court also made certain findings regarding the state mastery test scores. The court found that the scores serve two purposes: (1) to inform districts so that they can improve their programs, correct deficiencies and plan for the future; and (2) to provide a basis for funding to districts that perform below remedial standards. This testing program was not designed for interdistrict comparison, but to provide information about individual students and programs within particular districts, and to trigger remedial services to students in need of them. Moreover, the trial court found, it would be an abuse of the purposes of the testing program to use the scores as the basis for comparing the quality of the education between schools or school systems. The test results should not be seen as primarily caused by racial isolation in the schools because the results could be related to many other factors. Thus, it is inappropriate to use the mastery test data as a basis for drawing conclusions about the quality of education in Hartford without taking into account the effects of other important variables, such as socioeconomic status, early environmental deprivations, and diminished motivation to succeed academically. Other variables that contribute to depressed test scores of Hartford schoolchildren that must be considered are the number of students with limited English proficiency and the extraordinary mobility of the student population.

The trial court also found that Hartford students and those in the surrounding towns are scoring at the level to be expected if the dramatic differences between them in poverty levels are taken into account. The disparity in test scores does not indicate that Hartford is doing an inadequate job of educating its students or that its schools are failing, because the test scores, based on the relevant socioeconomic factors, are at the approximate projected level when adjustments are made for those factors. Teachers and administrators have no control over where their students live or the conditions under which they live. They are not in a position to remedy the disadvantages that their students bring with them when they enter the educational system. Thus, the court found that there are no educational strategies or initiatives that can fully deal with the complex social issues that produce inequality of performance and undermine education, because hunger, parental neglect, crowded and substandard housing, and inadequate employment opportunities disproportionately attack minority children in our state and divert them from educational opportunity.

This, then, is the factual record upon which this case was presented to and decided by the trial court, and upon which the appeal came to this court. I turn, next, to this appeal as presented to us by the plaintiffs.

D

The Plaintiffs' Case as Presented to This Court on Appeal

In their initial and reply briefs in this court, the plaintiffs made crystal clear that the three constitutional claims that they were presenting to us for our adjudication coincided

perfectly with the three claims that they had presented to the trial court. For ease of reference, and more importantly for fidelity to the plaintiffs' own understanding and characterization of their claims, I refer to the three claims as: (1) an equal educational opportunity; (2) per se segregation; and (3) a minimally adequate education. The plaintiffs' briefs make equally clear that the first and third of these claims, namely, an equal *educational opportunity* and *a minimally adequate education*, are based on *factual* claims regarding, not only the undisputed facts of the degree of racial and ethnic concentration in the Hartford schools but, critically and essentially, the plaintiffs' version of the disputed facts regarding the differences in educational outcomes and achievements in the Hartford schools relative to the surrounding suburban school districts, and the causes of those differences. Thus, the plaintiffs' equal educational opportunity claim is squarely based on a *combination* of factual matrixes: the facts that demonstrate the racial and ethnic isolation of the Hartford schools, *combined with* what the plaintiffs claim to have established in the trial court as the *educational deficiencies* that are *caused by that isolation.*

The plaintiffs set out the nature of their claims definitively at the very beginning of their appellate brief: "Hartford children attend schools that are the most racially, ethnically, and economically isolated in the state. *These schools have the least educational resources and suffer from the worst academic performance. The cumulative effects of these inequities deprive Hartford's children of the preparation necessary to join the mainstream of society.*" (Emphasis added.)

With this introduction in mind, I turn now to the plaintiffs' own more detailed explication of their claim of a deprivation of an equal educational opportunity as presented in their two briefs in this court. This explication is derived directly from, and is identical to, that claim as ultimately presented to the trial court for adjudication. The plaintiffs correctly point out that the right to an equal educational opportunity was recognized by this court in *Horton I*. The plaintiffs then accurately pose the question under this claim: "As a legal matter, this case falls squarely under [*Horton I*], and the question before this Court is whether the undisputed condition of racial and economic isolation of the public schools, *coupled with the undisputed and extreme disparities in educational resources afforded Hartford's schoolchildren*, violate plaintiffs' constitutional right to an equal educational opportunity." (Emphasis added.)

The plaintiffs then explain precisely why they maintain that their right to such an opportunity has been violated. Under the heading, "The Segregated, Economically Isolated *and Unequal Conditions in Hartford Metropolitan Area Public Schools* Violate Plaintiffs' Right to an Equal Educational Opportunity"; (emphasis added); the plaintiffs, quoting from *Horton I*, state: "Equality of educational opportunity is ascertained by comparing the quality of education provided in the school districts. In *Horton I*, this court identified criteria for measuring the quality of education, including: `(a) size of classes; (b) training, experience and background of teaching staff; (c) materials, books and supplies;

(d) school philosophy and objectives; (e) type of local control; (f) test scores as measured against ability; (g) degree of motivation and application of the students; (h) course offerings and extracurricular activities.' *Horton I*, [supra, 172 Conn. 634]."

With this legal, and appropriate, standard in place for the evaluation of a claim of a deprivation of an equal educational opportunity, the plaintiffs then attempt to persuade us that, as demonstrated by the evidence presented in the trial court, they should prevail on this claim. They attempt to do so, however, not by relying on the general harms associated with a racially and ethnically isolated school system or on the general benefits of an integrated school system, but by arguing that the trial court's adverse factual findings were clearly erroneous.

In their reply brief in this court, the plaintiffs reinforce this understanding of the basis of their equal educational opportunity claim. The plaintiffs then, in order that we not be confused about their claims, reiterated the three claims that they had presented in this case, and the doctrinal differences between them. "First, plaintiffs claim that the extreme levels of racial segregation and the concentration of poor children in the Hartford schools, along with well-documented deficiencies and disparities in educational resources and reflected by the vast gulf in outcomes, violates plaintiffs' fundamental right to an equal educational opportunity. Second, plaintiffs claim that the extreme levels of racial segregation in the Hartford area constitute a per se violation of Connecticut's constitution. Third, plaintiffs claim that the conditions in the Hartford schools violate plaintiffs' right to a minimally adequate education, pursuant to Article Eighth, § 1 and plaintiffs' due process rights."

To summarize: the plaintiffs' first claim is their claim of a deprivation of equal educational opportunity as articulated in *Horton I*. As a factual matter, this claim rests on a complex factual matrix: the undisputed facts regarding the racial and ethnic concentration, and the concentration of poverty, in the Hartford district; the disputed facts regarding the claimed inadequate educational resources in the Hartford district; and the disputed causal effect of that combination of factors on the educational outcomes claimed to be prevalent in the Hartford district.

The plaintiffs' second claim is based entirely on the legal theory that the term "segregation" in article first, § 20, means de facto segregation. As a factual matter, this claim rests on only the undisputed facts regarding the racial and ethnic concentration in the Hartford schools, to the exclusion of the disputed facts regarding the claimed disparities between the educational resources and outcomes of the Hartford school district, on one hand, and the resources and outcomes of the suburban school districts, on the other hand.

The plaintiffs' third claim is their claim of a deprivation of a minimally adequate education under article eighth, § 1, of the state constitution as articulated in *Horton I*. This claim rests on disputed facts regarding certain claimed inadequacies in the

Hartford school district.

Having summarized the plaintiffs' claims as disclosed by this voluminous record, I will next analyze the majority opinion in light of the record in this case. I turn, therefore, to that task.

III

THE FUNDAMENTAL FLAWS IN THE MAJORITY OPINION

A

The Majority's Adjudicative Process

The first flaw in the majority opinion involves the adjudicative process by which the opinion was created. As the record demonstrates, the constitutional theory conceived by the majority bears only a passing resemblance to the claims of the plaintiffs as disclosed by the record. The majority's theory is a combination of the legal theories presented in the plaintiffs' first and second claims, completely shorn of the facts that the trial court found after six years of litigation. The theory upon which the majority opinion is based, therefore, is brand new and was never advocated by the plaintiffs.

The majority asserts, *nonetheless*, that "[t]*he constitutional* implications raised by these allegations were fully argued before the trial court, and were fully briefed by the parties before this court." This is like saying that water is the same thing as hydrogen and oxygen because water is the result when the two gases are combined in a certain proportion.

The majority's theory of a lack of an equal educational opportunity is a hybrid of two disparate parts of the plaintiffs' case, as argued to and litigated in the trial court and as argued and briefed in this court. One part of the hybrid is the legal theory of the plaintiffs' first claim, namely, that under *Horton I*, they have been deprived of an equal educational opportunity, but *without* the factual matrix that the plaintiffs *themselves* presented to support that theory. The second part of the hybrid is the theory of the plaintiffs' second claim, namely, that "segregation" in article first, § 20, means de facto as well as de jure segregation when applied to education. That theory, however, does *not* constitute an equal educational opportunity claim, as understood and presented by the plaintiffs throughout this case, as understood and responded to by the defendants throughout this case, and as briefed and argued in this court.

Moreover, I confess that, having read the briefs carefully and having participated in the oral argument with great concentration, the majority's theory of a deprivation of an equal educational opportunity was a complete surprise to me. I can only wonder about the reaction of the defendants, who for the past six years have been defending this case on the basis that the record demonstrates, rather than the basis on which the majority has decided the case. In fact, I suspect that even the plaintiffs are surprised that they have prevailed on a theory of a deprivation of an equal educational opportunity that they did not present, and that renders wholly immaterial the entire factual matrix that they did present, appropriately albeit unsuccessfully, under that doctrine as articulated in *Horton I*.

The newness of the majority's constitutional theory is not

only demonstrated by comparing the record to the majority opinion, it is demonstrated by certain language in the majority opinion itself. When the majority asks, at the beginning of its analysis, whether "the plaintiffs' complaint encompass[es] [the constituent elements of the affirmative constitutional mandate to provide all public schoolchildren with a substantially equal educational opportunity]", it asks a question that no one else has ever asked us to answer, namely, whether the plaintiffs' complaint is legally sufficient. In elaborating on that question, moreover, the majority's language is curiously but revealingly qualified: it refers to the plaintiffs' claim "as we have defined it." This question and qualification are necessitated solely by the fact that the majority's, rather than the plaintiffs', theory of the equal educational opportunity claim has now become dispositive, and that this theory was never in this case until the majority issued its opinion.

Although prior to trial the defendants challenged the legal sufficiency of the plaintiffs' complaint, they lost that challenge and, except for the arguments regarding justiciability and state action, did not renew it on appeal. Moreover, at no time in this appeal was the question raised of whether the plaintiffs' pleadings stated a cognizable claim. At no time in this appeal was the question raised whether the plaintiffs' pleadings could be read to support their constitutional challenge. The sole reason that these questions and these qualifications became necessary is that majority has recast the essential nature of the plaintiffs' complaint, as presented by the plaintiffs at trial and on appeal, in order to fit the majority's predetermined outcome.

This method of adjudication is fundamentally flawed for several reasons that call into question the integrity of the majority decision. First, it is egregiously unfair to the defendants. Having defended this case for six years in the trial court, and having responded to the plaintiffs' appeal on the legal and factual bases presented by the plaintiffs, the defendants have not had the opportunity to respond to the new theory of equal educational opportunity fashioned by the majority either by evidence or argument in the trial court, or by briefs and oral argument in this court. Indeed, we will all have to wonder what evidence or arguments the defendants would have produced in the trial court and this court had they known that this hybrid theory was the basis of the equal educational opportunity claim to which they were required to respond.

Second, the majority's treatment of the plaintiffs' pleadings in this case turns our traditional treatment of pleadings on its head, and adds to the unfairness to the defendants. It is true that, under our modern jurisprudence, we read pleadings "broadly and realistically, rather than narrowly and technically. . . . *Beaudoin* v. *Town Oil Co.*, 207 Conn. 575, 587–88, 542 A.2d 1124 (1988); *Fuessenich* v. *DiNardo*, 195 Conn. 144, 150–51, 487 A.2d 514 (1985). As long as the pleadings provide sufficient notice of the facts claimed and the issues to be tried and do not surprise or prejudice the opposing party, we will not conclude that the complaint is insufficient to allow recovery." (Internal quotation marks omitted.) *Normand Josef Enterprises, Inc.* v. *Connecticut*

National Bank, 230 Conn. 486, 496, 646 A.2d 1289 (1994).

The application of that principle cannot, however, save what the majority has done here. That principle generally applies before trial to the construction of a complaint when it is challenged for legal sufficiency; see, e.g., *D'Ulisse-Cupo* v. *Board of Directors of Notre Dame High School*, 202 Conn. 206, 220–21, 520 A.2d 217 (1987); during trial, to a determination of whether certain evidence should be admitted as within, or excluded as beyond, the fair boundaries of the complaint; see, e.g., *Farrell* v. *St. Vincent's Hospital*, 203 Conn. 554, 557–58, 525 A.2d 954 (1987); and posttrial, where the parties have in fact litigated the case in a posture that includes the challenged theory, and there has been no prejudice or surprise. See, e.g., *Normand Josef Enterprises, Inc.* v. *Connecticut National Bank*, supra, 230 Conn. 497–98. The principle does not apply in this case, however, where the majority has, after the trial and after appellate briefs and arguments, altered the theory of the complaint on which all of the parties have relied, and then, without notice to anyone, has determined that the complaint supports the altered theory. That process violates the fundamental principle that "the pleadings provide sufficient notice of the facts claimed and the issues to be tried and do not surprise or prejudice the opposing party . . . ." Id., 496.

The third flaw in the process by which the majority reached its decision is that, having decided to consider a new theory of the case, the court has not afforded the parties the opportunity to file supplemental briefs or to present further oral argument. In recent years, we have engaged in the practice of requesting supplemental briefs when, after oral argument, we have determined that the parties have not sufficiently addressed an issue or potentially dispositive theory of the case that surfaced either in the oral argument or in the process of our deliberations. See, e.g., *State* v. *Troupe*, 237 Conn. 284, 286–87 n.4, ___ A.2d ___ (1996) (continued viability of constancy of accusation doctrine); *Williams* v. *Best Cleaners, Inc.*, 235 Conn. 778, 784, 670 A.2d 294 (1996) (definition of disability under General Statutes § 31-349), superseded, 237 Conn. 490, ___ A.2d ___ (1996); *Jackson* v. *Commissioner of Correction*, 227 Conn. 124, 130, 629 A.2d 413 (1993) (appropriate standard in habeas proceeding by which to determine effect of prior failure to raise constitutional claim); *State* v. *Oquendo*, 223 Conn. 635, 657, 613 A.2d 1300 (1992) (whether denial of motion to suppress can be sustained under abandonment doctrine). Indeed, we have reversed the Appellate Court for disposing of an appeal on the basis of a plain error analysis that neither party had raised, without first giving the parties the opportunity to brief the perceived plain error claim. See, e.g., *Lynch* v. *Granby Holdings, Inc.*, 230 Conn. 95, 98–99, 644 A.2d 325 (1994).

There are two reasons for this postargument appellate procedure: (1) fairness to the parties suggests that they be confronted with a potentially dispositive theory that they had not had the prior opportunity to discuss; and (2) we are more likely to be correct in our judgments if they follow adequate briefing. I acknowledge that we have not uniformly followed this procedure,

and that there is no rule that requires that we do so. Indeed, there are cases in which, for various reasons, it is appropriate that we not do so.

This case, however, is the paradigm of when supplemental briefing and argument would have been appropriate. This case may be the most significant ruling of this court in this century. I can think of no other case decided by this court that will have more impact on the daily lives of our citizenry than this case. Having ordered supplemental briefing and argument in cases involving issues of the continued viability of an evidentiary doctrine, the proper construction of second injury fund terminology, preservation of an issue for habeas review and the relevance of abandonment to the reasonable expectation of privacy, we should have done so in this case, the enormous public importance of which demands the highest degree of both fairness to the parties and confidence in the correctness of the outcome.

The use of that prudent appellate procedure would have been particularly appropriate in this case. In a case in which we exercise the judicial power to interpret a statute or explicate the common law, if we are incorrect, the General Assembly is free to enact legislation correcting our error. In a case such as this, however, in which this court incorrectly interprets our constitution, the only remedy of the people is the painful process of constitutional amendment.

Although, in my view, these flaws in the majority's process of decision-making seriously undermine the integrity of its opinion, the more fundamental question is whether, nonetheless, the reasoning of the majority opinion is sound. It is not. I turn next, therefore, to the substantive flaws in the majority opinion.

B

The Misapplication of *Horton I*

The first substantive flaw in the majority opinion is that it misapplies the principal precedent upon which the plaintiffs' equal educational opportunity claim is based, namely, *Horton I*. It does so by disregarding the factual underpinning of *Horton I*, thereby rendering irrelevant the critical factual differences between this case and *Horton I*. Thus, the majority demonstrates its lack of fidelity to *Horton I* by severing the plaintiffs' claim from its jurisprudential roots and by shedding its essential factual underpinnings.

In *Horton I*, this court held that the education clause; article eighth, § 1; and the equal protection clauses; article first, §§ 1 and 20; require "that the state provide a substantially equal educational opportunity to its youth in its free public elementary and secondary schools." *Horton I*, supra, 172 Conn. 649; see also *Horton* v. *Meskill*, 195 Conn. 24, 34–35, 486 A.2d 1099 (1985) (*Horton III*) (characterizing *Horton I* as resting on article eighth, § 1, and article first, §§ 1 and 20). We also held that the system of funding public education then prevailing, under which each town raised its own funds for education via property taxes, supplemented by a flat grant from the state according to the average daily number of students attending school in the town; *Horton I*, supra, 628; violated that requirement. Id., 648–49.

These conclusions rested on two sets of factual findings of the trial court in that case, which we determined were supported by the evidence. Id., 649. The first set of findings was that the existing system of school financing resulted in significant disparities between the amounts spent on education by property-rich towns and the amounts spent by property-poor towns. Id., 633. The court stated: "[T]he present system of financing education in Connecticut ensures that, regardless of the educational needs or wants of children, more educational dollars will be allotted to children who live in property-rich towns than to children who live in property-poor towns." Id.

The second set of findings concerned the effect of these financial disparities on the children. That set of findings established that the per pupil spending disparities resulted in a lower quality of education in the property-poor towns than in the property-rich towns. Id. The court stated: "The criteria for evaluating the `quality of education' in a town include the following: (a) size of classes; (b) training, experience and background of teaching staff; (c) materials, books and supplies; (d) school philosophy and objectives; (e) type of local control; (f) test scores as measured against ability; (g) degree of motivation and application of the students; (h) course offerings and extracurricular activities. In most cases, the optimal version of these criteria is achieved by higher per pupil operating expenditures, and because many of the elements of a quality education require higher per pupil operating expenditures, there is a direct relationship between per pupil school expenditures and the breadth and quality of educational programs." Id., 634–35. All of these factual assertions by this court were based on the factual findings of the trial court in *Horton I*, findings that had been vigorously contested by the state.

The critical difference between *Horton I* and this case involves that second set of factual findings. In *Horton I*, the trial court found that, because of -- in a cause and effect sense -- the disparities in educational funding between the property-poor towns and the property-rich towns, the quality of the educational opportunity available to students in the property-poor towns was not substantially equal to the quality of the educational opportunity available to students in the property-rich towns. Id., 637–38. In *Horton I*, the plaintiffs undertook to prove that factual assertion, the trial court found that they had proven it, and this court sustained the trial court's finding as supported by the evidence. Id., 648–49. Based on that finding, we concluded that the state's flat grant system of funding education violated the plaintiffs' constitutional right to a substantially equal educational opportunity. Id., 649–50.

In this case, the plaintiffs' equal educational opportunity claim precisely parallels the plaintiffs' claim in *Horton I*. In this case, the plaintiffs claim that, because of -- in a cause and effect sense -- their racial and ethnic isolation, coupled with the concentration of poverty and lack of material resources in Hartford, the quality of the educational opportunity available to them, measured by the same standards articulated by this court in *Horton I*, was not substantially equal to the quality of

educational opportunity available to their suburban counterparts. Put another way, the plaintiffs claim that their racial and ethnic isolation and the concentration of poverty in the city *causes* the quality of their education to be inferior, as measured by the *Horton I* standards, than that provided in the suburbs. As in *Horton I*, the plaintiffs undertook to prove that factual assertion in the trial court. Unlike *Horton I*, however, in this case, the plaintiffs failed to persuade the trial court of that factual assertion.

In this case, the trial court found that, contrary to the factual assertions of the plaintiffs, it is poverty, and not race or ethnicity, that accounts for any discrepancies between the quality of education provided to the plaintiffs and the quality of education provided to their suburban counterparts. In addition, the trial court found that the principal standard of measure that the plaintiffs sought to use to demonstrate that difference in quality of education, the statewide mastery test scores, is not a valid tool for measuring interdistrict differences in the quality of education. As I indicate later in this dissent, the trial court's factual findings are fully supported by the evidence. Thus, the analogues in this case to the factual underpinnings that supported our conclusion in *Horton I* are not only missing here; the factual analogues in this case are squarely contrary to the conclusion reached by the majority.

Consequently, the majority's reliance on *Horton I* is unfounded. In *Horton I*, we did not conclude that the plaintiffs had been deprived of an equal educational opportunity solely because of the disparities in educational funding between property-poor and property-rich towns, unconnected to the educational effects of those disparities. The majority concludes, however, that the plaintiffs have been so deprived solely because of their racial and ethnic isolation. The majority reaches that conclusion, however, not only unconnected to but squarely contrary to those factual findings. Thus, the majority's analysis is contrary to the analysis that we employed in *Horton I*.

Indeed, the only attempt by the majority to link the facts of this case to *Horton I* occurs when the majority states: "As we observed, however, in *Horton I*, supra, 172 Conn. 645, educational equalization cases are in significant aspects sui generis and not subject to analysis by accepted conventional tests or the application of mechanical standards. The wealth discrimination found among school districts differs materially from the usual equal protection case where a fairly defined indigent class suffers discrimination to its peculiar disadvantage. The discrimination is relative rather than absolute. See also *Horton III*, supra, 195 Conn. 35. Nothing in the description of the relevant legal landscape in any of our cases suggests that the constitutional right that we articulated in Horton I was limited to school financing." (Internal quotation marks omitted.)

The first part of this brief analysis is nothing more than a truism. The second part merely sets up the proverbial straw man.

No one disputes that educational equalization cases, whether based on claims of funding or race, are sui generis. That truism is, however, the beginning of the inquiry, not the end.

Although the constitutional right articulated in *Horton I* may not have been limited to school financing, there was a factual basis in that case that is lacking here. Moreover, the argument that *Horton I* is limited to school financing is but one of several arguments offered by the defendants. They also argue that, assuming that *Horton I* is appropriately extended to race and ethnicity, the plaintiffs have failed to prove that they are deprived of an equal educational opportunity by reason of race or ethnicity because the factual findings of the trial court are to the contrary and are supported by the evidence. By pretending that the defendants' only response to the extension of *Horton I* to race and ethnicity is that *Horton I* is confined to financing, the majority dismantles the straw man, answering the easy question posed by this appeal and ignoring the difficult ones.

C

The Meaning of "Segregation" in Article First, § 20

The next substantive flaw in the majority opinion is the meaning that the majority attributes to the term "segregation" in article first, § 20. The majority somehow concludes that "segregation" means de facto, as well as de jure, segregation, on the basis of the text of article first, § 20, and the history in the 1965 constitutional convention of the adoption of article eighth, § 1, and article first, § 20. The text provides no support for the majority's conclusion, and the history of the 1965 convention squarely contradicts it.

1

The Text of Article First, § 20

The constitution of Connecticut, article first, § 20, as amended by articles fifth and twenty-first of the amendments, provides: "No person shall be denied the equal protection of the law nor be subjected to segregation or discrimination in the exercise or enjoyment of his or her civil or political rights because of religion, race, color, ancestry, national origin, sex or physical or mental disability." It is axiomatic that we are limited in constitutional adjudication by the text of the particular constitutional provision at issue. *Moore* v. *Ganim*, 233 Conn. 557, 581, 660 A.2d 742 (1995); *State* v. *Miller*, 227 Conn. 363, 380–81, 630 A.2d 1315 (1993); *Cologne* v. *Westfarms Associates*, 192 Conn. 48, 77–78, 469 A.2d 1201 (1984). That text does not support the majority's reading of it.

Critical to the majority's analysis is its conclusion that the phrase "because of" and the term "segregation" do not require a showing of an intent by the state to segregate or discriminate when those terms are applied to the right to public education guaranteed under article eighth, § 1. Thus, the major, albeit unstated, premise of the majority opinion is that, although "because of" and "segregation" may require a showing of an intent by the state to segregate when applied to all other "civil or political rights" covered by article first, § 20, that same language does not require such an intent when applied to public education under article eighth, § 1.

It is true that the majority does not explicitly say that the terms, "segregation" and "because of," do require a state intent to segregate when applied to other rights guaranteed by article

first, § 20. Instead, the majority states: "Whatever this language may portend in other contexts, we are persuaded that, in the context of public education, in which the state has an affirmative obligation to monitor and equalize educational opportunity, the state's awareness of existing and increasing severe racial and ethnic isolation imposes upon the state the responsibility to remedy `segregation . . . because of race [or] . . . ancestry . . . .'"

Despite the majority's futile attempt to avoid the necessary implications of its rationale, it is clear that one such necessary implication is that the language at issue either does or does not require a segregative intent when applied in other contexts. Thus, I can read this passage from the majority opinion in only two possible ways: (1) "because of" and "segregation" do not require a state intent to segregate, irrespective of the particular legal context; or (2) "because of" and "segregation" do require a state intent to segregate when applied to other legal contexts, but not when applied to public education.

The majority cannot mean that these terms do not require such an intent irrespective of the legal context. That would necessarily mean that, with respect to the exercise of all civil and political rights, the state would be required to take affirmative steps to assure that these rights are not exercised by racially or ethnically concentrated groups, regardless of any state intent to segregate. This would mean, in turn, that any electoral district that is religiously, racially or ethnically concentrated is unconstitutional and has been such since 1965, and that such was the intent of the delegates to that convention. It would also mean that presently existing public housing projects in Hartford and other cities whose tenants are racially or ethnically concentrated, not by design but as a result of demographic and economic factors over which the state has no control, are unconstitutional and have been such because the 1965 convention delegates meant them to be. It is not hyperbole to say that the delegates would be astonished to have such an intent attributed to them. Nor is it hyperbole to say that such an interpretation would be so bizarre and unworkable as to be ludicrous.

Although I disagree with the majority, I am not willing to attribute that meaning to it. It must be, therefore, that the majority means to say that, although segregative intent is required when "because of" and "segregation" are applied to other civil and political rights, it is not required when applied to public education. This, of course also necessarily means that the same language has opposite meanings when applied to different rights -- an interpretation that, in my view, is also utterly implausible. Under the majority's view, therefore, the phrase "because of" and the term "segregation" have one meaning when applied to public elementary and secondary education, namely, that racial concentration need not be intentional on the part of the state, and the opposite meaning when applied to all other political and civil rights, namely, that racial concentration must be intentional.

This tortures the text of article first, § 20, and turns the process of constitutional adjudication upside down. I acknowledge

that it is an accepted, necessary and appropriate part of the judicial process to stretch the meaning of language in order to render a statutory scheme constitutional. See, e.g., *State* v. *Indrisano*, 228 Conn. 795, 805, 640 A.2d 986 (1994); *Ambroise* v. *William Raveis Real Estate, Inc.*, 226 Conn. 757, 764, 628 A.2d 1303 (1993); *McConnell* v. *Beverly Enterprises-Connecticut, Inc.*, 209 Conn. 692, 705, 553 A.2d 596 (1989). That does not justify, however, as the majority would have it, breaking constitutional language in two so that the same words in the same sentence have two opposite meanings when applied to different sets of rights, in order to render a statutory scheme unconstitutional.

In my view, this position is untenable. First, there is nothing in the language, history or purpose of article first, § 20, to support such a bizarre interpretation. We do not ordinarily read the same word or phrase in the same sentence to have opposite meanings depending on the subject matter to which the word or phrase is applied. See *Weinberg* v. *ARA Vending Co.*, 223 Conn. 336, 343, 612 A.2d 1203 (1992); *Board of Education* v. *State Board of Labor Relations*, 217 Conn. 110, 116, 584 A.2d 1172 (1991). There is no reason to do so here. Article first, § 20, was not drafted or approved by Lewis Carroll, whose character in Through the Looking-Glass, Humpty Dumpty, said, "when I use a word . . . it means just what I choose it to mean -- neither more nor less." L. Carroll, Through the Looking-Glass (Messner Ed. 1982) p. 198. If the phrase "because of" and the term "segregation" mean that there is no intent requirement in the context of public education, but that there is such a requirement in the context of all other political and civil rights, it is only because the majority, like Humpty Dumpty, says so.

Second, the majority's rationale for saying so in this instance, namely, that the state has an obligation to monitor and equalize educational opportunity, both assumes the answer to the question posed by this case and proves too much. It assumes the answer because the question is *whether* the obligation to "equalize" extends to racial and ethnic concentration not intended by the state. It proves too much because the state also has a constitutional obligation to monitor and equalize the electoral districts of the General Assembly. See Conn. Const., art. III, §§ 5 and 6. Certainly, the right to vote, and to have one's vote given its appropriate constitutional weight, is at least as fundamental under our constitution as the right to a public education. See Conn. Const., art. VI, § 1. Therefore, because the right to vote is, like the right to attend a free public elementary and secondary school, a fundamental right that the state has a continuing obligation to monitor and equalize, under the majority's rationale every general assembly district that is not racially, ethnically and religiously integrated is now unconstitutional. It is impossible rationally to conclude that the language adopted in the 1965 convention was intended to have this result. In short, the language of article first, § 20, simply cannot be cabined as the majority seeks to do.

Moreover, the term "segregation" cannot, the suggestion of the majority to the contrary notwithstanding, be read to mean something different from "discrimination" in the context of

article first, § 20. The nouns in this one sentence provision should not be read as having meanings that are mutually exclusive of, and unrelated to, the meanings of the other nouns that surround them. Consequently, the majority's reliance on the general interpretive guideline that ordinarily no word or phrase is to be regarded as superfluous is misplaced in this context. This broad, constitutional equal protection provision was not intended to be interpreted as if it were the Uniform Commercial Code, with each term having a neatly compartmentalized definition. Within the bounds of the language used, the terms are to be read as taking their meaning from and sharing their meaning with each other, under the doctrine of noscitur a sociis.

This approach to article first, § 20, is consistent with our precedents, which have generally treated both article first, § 1, and article first, § 20, as expressing the same principle, namely, equal protection of the law. See, e.g., *Broadley* v. *Board of Education*, 229 Conn. 1, 8–10, 639 A.2d 502 (1994); *Mario* v. *Fairfield*, 217 Conn. 164, 173–77, 585 A.2d 87 (1991); *Zapata* v. *Burns*, 207 Conn. 496, 504–505, 542 A.2d 700 (1988); *Carofano* v. *Bridgeport*, 196 Conn. 623, 638–39, 495 A.2d 1011 (1985); *Lyman* v. *Adorno*, 133 Conn. 511, 515, 52 A.2d 702 (1947); *New Haven Metal & Heating Supply Co.* v. *Danaher*, 128 Conn. 213, 219, 21 A.2d 383 (1941). The majority's interpretive method of insisting that "segregation" must include de facto segregation because otherwise it would be superfluous, is inconsistent with the general approach of these precedents. By that reasoning, article first, § 1, and article first, § 20, themselves must also have meanings independent of each other, otherwise one would be superfluous. We have never read these constitutional provisions in that fashion, and there is no justification for doing so now.

Thus, the reference in article first, § 20, to both "equal protection of the law" and "segregation" does not suggest that "segregation" has some broader meaning than "equal protection of the law." They both express the same principle, as does the word "discrimination," and the fact that the framers of this provision used, and the electorate approved, the term "segregation" does not support the conclusion that it was intended to include de facto, as opposed to de jure, racial and ethnic isolation. When interpreting a constitution, "`the intent to be arrived at is that of the people [who ratified it], and it is not to be supposed that they have looked for any dark or abstruse meaning in the words employed, but rather that they have accepted them in the sense most obvious to the common understanding, and ratified the instrument in the belief that that was the sense designed to be conveyed.'" *Cologne* v. *Westfarms Associates*, supra, 192 Conn. 78.

Similarly, the reference to "the exercise or enjoyment of his or her civil or political rights" further indicates that article first, § 20, is not meant to be read with the kind of categorical nicety that the majority employs. This phrase refers to a generally broad, inclusive category of rights, the particulars of which will have to be explicated on a case-by-case basis. The textual point is that there is no obvious, sharp distinction that leaps to mind when considering whether rights are "civil" or "political" or both.

The appropriateness of this textual approach is further demonstrated by the references to "religion, race, color, ancestry, national origin, sex or physical or mental disability." Although arguably the reference to "religion" can be read to mean something different from the other listed categories, it cannot be disputed that the categories of race, color, ancestry and national origin blend into one another.

Moreover, the use of the phrase "because of," followed by the list of protected categories, strongly suggests a requirement of state intent to segregate or discriminate, or intentionally to maintain such segregation. This reading of the phrase would be consistent with our precedents that, except where our text clearly departs from that of the federal equal protection clause, the two clauses have the same meaning and limitations. See, e.g., *State* v. *Leary*, 217 Conn. 404, 409, 587 A.2d 85 (1991); *Ecker* v. *West Hartford*, 205 Conn. 219, 237, 530 A.2d 1056 (1987); *Daily* v. *New Britain Machine Co.*, 200 Conn. 562, 577, 512 A.2d 893 (1986).

Under federal precedent, only state created or intentionally maintained racial segregation is unconstitutional, and the state is not constitutionally obligated to remedy interdistrict racial division that is caused primarily by economic and geographical factors. *Keyes* v. *School District No. 1*, 413 U.S. 189, 198, 93 S. Ct. 2686, 37 L. Ed. 2d 548 (1973); *Columbus Board of Education* v. *Penick*, 443 U.S. 449, 464, 99 S. Ct. 2941, 61 L. Ed. 2d 666 (1979); *Milliken* v. *Bradley*, 418 U.S. 717, 744–45, 94 S. Ct. 3112, 41 L. Ed. 2d 1069 (1974). Indeed, the majority's analysis implicitly concedes that "because of" carries a requirement of intentionality when applied to all civil and political rights except the right to free public elementary and secondary schools.

Furthermore, that "segregation," as used in article first, § 20, does not include de facto racial and ethnic concentration is demonstrated by simply reading the text as the simple sentence that it is, shorn of the majority's fiction that the words have opposite meanings when applied to public education and all other rights. This constitutional provision is not an education provision. It does not mention education specifically at all. This provision relates to education because the right to attend a public school comes within the phrase "in the exercise or enjoyment of his or her civil or political rights."

If, as the majority concludes, "segregation" includes racial and ethnic concentration resulting, not from intentional state conduct but from demographic factors over which the state has no control, and if we are not willing to indulge in the fiction that the same words, used in the same sentence, nonetheless have opposite meanings when applied to different rights, then other areas of public life that are covered by the phrase "in the exercise of . . . political or civil rights" must also be subject to the same proscription. Thus, for example, a local electoral district that, by virtue of the religious, racial or ethnic make-up of its constituents, is heavily Roman Catholic, African-American, Puerto Rican or Polish-American, is "segregated" under the majority's understanding of that term, and all voters within that district are being "segregat[ed] or discriminat[ed] in the exercise or enjoyment of [their] civil or political rights

because of religion, race, color, ancestry or national origin," in violation of article first, § 20. In short, under the majority's reading of "segregation," the 1965 constitutional amendments rendered all such electoral districts unconstitutional. It is not only implausible that this is what the language used in 1965 was intended to mean, it is impossible rationally to reach such a conclusion.

2

The Record of the 1965 Constitutional Convention

The history of the term "segregation" in article first, § 20, in the 1965 convention makes even clearer than its text that the members of the convention did not intend it to mean de facto racial or ethnic concentration. It is inconceivable -- except that the majority conceives it -- and it is untenable to hold -- except that the majority holds it -- that the delegates to the 1965 constitutional convention intended the term "segregation" in that article to include de facto racial and ethnic concentration in the public schools irrespective of any state intent to bring about or to perpetuate such concentration. This question is not even close.

I begin this part of my analysis with another factual finding of the trial court that the majority ignores. The trial court found that "the 1965 constitutional convention was a very conservative body that made only those changes that had to be made in order to comply with the legislative reapportionment mandates of the federal courts and it was extremely reluctant to change anything that did not have to be changed." Thus, the 1965 convention was not called for the purpose of a general overhaul of the 1818 constitution. It was called primarily for the purpose of bringing the Connecticut constitution into compliance with the then recently decided cases of *Lucas* v. *Forty-Fourth General Assembly of Colorado*, 377 U.S. 713, 84 S. Ct. 1472, 12 L. Ed. 2d 632 (1964), *Reynolds* v. *Sims*, 377 U.S. 533, 84 S. Ct. 1362, 12 L. Ed. 2d 506 (1964), *Wesberry* v. *Sanders*, 376 U.S. 1, 84 S. Ct. 526, 11 L. Ed. 2d 481 (1964), and *Gray* v. *Sanders*, 372 U.S. 368, 83 S. Ct. 801, 9 L. Ed. 2d 821 (1963), and the delegates acted accordingly. The principal agenda of a constitutional convention is a useful tool in construing its actions. See E. Peters, "State Constitutional Law: Federalism in the Common Law Tradition," 84 Mich. L. Rev. 583, 586 (1986) ("courts must look to the agenda of the constitution as a whole in the context of the historical and sociological issues that occupied center stage at the time of ratification").

One cannot square this unchallenged characterization of the 1965 convention with the notion that, when in the course of accomplishing its principal objective of legislative apportionment it also adopted article first, § 20, this "very conservative" convention also intended to accomplish results that would at that time have rendered unconstitutional -- or, at the very least, would have called into serious constitutional question -- many school districts and general assembly districts in the state. Yet, despite what the majority may say, these are the necessary implications of its decision and rationale.

In attempting to divine the intent of the framers of article

first, § 20, we are not faced with the difficult task of peering back through the mists of more than a century to a sparse historical record, in order to determine the intent of persons of whom we have limited knowledge, as is often the case when we attempt to interpret the language used in the 1818 state constitution. The 1965 convention took place but thirty-one years ago. The names and careers of the delegates are well known to anyone reasonably cognizant of Connecticut government and politics and there is a complete printed record.

Among the delegates were former and future governors of this state, former and future United States Senators and Representatives, former and future state legislators, former members of this court, including two former chief justices, and many other delegates with distinguished pedigrees in government and politics. These were men and women with long and distinguished careers in public life, who had practiced the arts of government and politics and who, presumably, knew the limits of both. They also knew that their effort would be placed before the electorate in order for the constitution to be amended. They knew, furthermore, that throughout Connecticut there were local, intradistrict neighborhood school boundaries and schools that were, because of the housing patterns then prevalent, heavily concentrated by religion, race and ethnic background. They knew, moreover, that, because of housing patterns, there would be local general assembly districts throughout Connecticut, created by the General Assembly in accordance with the constitutionally required reapportionment provisions that they were fashioning, that would also be heavily concentrated by the same factors.

It is simply inconceivable that the convention delegates, with that knowledge, intended by the language they used in article first, § 20, to render unconstitutional or to call into serious constitutional question, every one of those school boundaries, schools and electoral districts. In order to reach such a conclusion, one must posit the following line of hypothetical reasoning, or something similar, to the delegates regarding the meaning of "segregation": (1) "because of" and "segregation" mean intentional or de jure, rather than de facto, segregation, because otherwise the General Assembly would be prevented from drawing mathematically equal but religiously, racially or ethnically concentrated districts; and, although districts must now be substantially equal in population, it would be a radical change also to require them to be integrated on the basis of religion, race and ethnicity, a change far beyond the principal charge in this convention; (2) in fact, intentional segregation is probably what the United States Supreme Court was addressing in *Brown* v. *Board of Education*, 347 U.S. 483, 74 S. Ct. 686, 98 L. Ed. 873 (1954), when it outlawed the "separate but equal" doctrine, although that is not absolutely clear from the available federal decisions to date; (3) nonetheless, when the words "because of" and "segregation" come to be applied to interdistrict, but maybe not intradistrict, elementary and secondary school lines under the right to a free public education -- which, by the way, will not be adopted until five days from now and, of course, has never been interpreted -- those words mean the opposite, namely, de facto

segregation; and (4) we entertain this dual intent without (a) clearly -- or even unclearly -- suggesting it by the language we use, and (b) disclosing it on the record of this convention or to the voters who will have to ratify our work. This scenario, I suggest, does no more than dramatize the reasoning behind the majority's tortuous and selective reading of the record of the 1965 convention. In my view, to attribute such a thought process to the delegates is not only implausible, it would have been irresponsible on the part of the delegates to have engaged in such a process sub rosa, and it is untenable to suggest that they did.

My view of the intent of the convention delegates is buttressed by the fact that, as even the plaintiffs emphasized in their posttrial brief to the trial court and in their appellate brief to this court, "[t]he documentation of racial and economic isolation in Connecticut schools in the 1960s was thorough and comprehensive. In addition to the state's own official annual documentation, the University of Connecticut Institute of Urban Research and the University's Educational Resources and Development Center conducted a series of highly detailed reports on school segregation in Connecticut's major cities." In constitutionalizing the right of Connecticut's children to a free public education, however, the politically seasoned delegates to the 1965 convention uttered not one word even suggesting that this well documented problem would be addressed by the constitutional amendments that they had gathered to draft. In fact, the idea that the new education clause would create any sort of fundamental change in the state's education system was squarely rejected by Simon Bernstein, a delegate whom the majority ironically cites in support of its result. In reference to the proposed education clause, Bernstein stated, "[T]his again is not anything revolutionary, it is something which we have . . . ." 3 Proceedings of the Connecticut Constitutional Convention of 1965, p. 1039.

Moreover, just one year before the convention, the New Haven board of education had adopted a junior high school pairing plan for the purpose of reducing unintended racial imbalance in its school system and in the interest of promoting equality of educational opportunity. That plan, which generated considerable public controversy, was the subject of several public hearings at which it was vigorously defended and assailed, and resulted in an action for an injunction against the plan. On July 8, 1965, while the convention was in session, the Superior Court decided in favor of the board. See *Guida* v. *Board of Education*, 26 Conn. Sup. 121, 213 A.2d 843 (1965).

There can be little doubt that, if the delegates intended the word "segregation" in article first, § 20, to mean de facto segregation when applied to public education, the statutory authority that the Superior Court concluded the board had in *Guida* would have been transformed into a constitutional obligation. It is fair to presume that the delegates who came from the New Haven area, men and women cognizant of the public affairs of their district, were aware of this controversial case, which was decided only two months earlier. Indeed, one of those delegates, former Chief Justice Patrick B. O'Sullivan, was one of the drafters of

article first, and the chairman of the convention that adopted it, and another, Mary B. Griswold, spoke in favor of it. I cannot believe that, if it were the intent of the convention in adopting the word "segregation" to constitutionalize the New Haven board's plan, not one of the fourteen delegates from the district that included New Haven would have even mentioned its potential effect on the New Haven case. The record of the convention, however, is bereft of any such mention.

That record, moreover, affirmatively demonstrates that the delegates did not intend "segregation," as used in article first, § 20, to include de facto segregation. To the contrary, the history of the article and the debate over the term "segregation" in the 1965 convention compel the conclusion that the delegates intended the term specifically to preclude, under our state constitution, the doctrine of state-created "separate but equal" educational and other public facilities that the United States Supreme Court had expressly overruled, as a matter of fourteenth amendment jurisprudence, in *Brown* v. *Board of Education*, supra, 347 U.S. 483.

In February, 1950, the commission on state government organization issued its report to the General Assembly and to then Governor Chester Bowles. Among its recommendations was a revision of the constitution, which included a new article first, our Declaration of Rights, including the following proposed article first, § 20: "No person shall be denied the enjoyment of, nor be discriminated against in, nor be segregated in, any right or employment, nor be so treated in the militia, or in the public schools or in any public place, because of religious principles, race, color, ancestry or national origin." The commission's recommendation to revise the constitution was not acted upon.

During the 1965 convention, on July 28, 1965, Chase Going Woodhouse introduced Resolution No. 168, which contained several recommendations for changes in our Declaration of Rights, article first. Among these were two proposals that are relevant to this case. First, the resolution proposed that article first, § 1, be amended to add the provision that all men are "entitled to the equal protection of the laws." Second, it proposed that article first, § 20, be amended exactly as had been proposed by the commission to the General Assembly and the governor in 1950. This resolution was referred to the Committee on Resolutions.

Ultimately, the committee reported to the floor of the convention its Rules Committee Substitute for Constitutional Convention Resolution No. 168 (committee resolution 168). This resolution proposed a number of changes in the provisions of article first. Included within committee resolution 168 was the proposal that both article first, § 1, and then article first, § 20; see footnote 49; remain unchanged, and that there be a new article first, § 22, providing as follows: "No person shall be denied the equal protection of the law, nor the enjoyment of his civil or political rights, nor be discriminated against in the exercise thereof because of religion, race, color, ancestry or national origin." This draft of article first, § 22, therefore, incorporated the explicit references to equal protection of the law and discrimination that had been in original Resolution No.

168, but omitted the specific references to segregation, employment, the militia and the public schools that had also been in the original resolution.

This proposal prompted a letter to the convention by the Connecticut Council of Churches that committee resolution 168 was not specific enough. The council stated that "`segregation constitutes such a core area of discrimination as it affects the pattern of relationship among persons and groups and needs thereby to be specifically guarded against through constitutional provision.'" J. Zaiman, "Anti-Separation Clause Urged for Bill of Rights," The Hartford Courant, Oct. 14, 1965, pp. 1 and 11. The council also expressed the thoughts that, because "`civil or political rights'" was not defined in the proposal, that language was "`so broad as to be specifically excepted against in any controversial test of rights,'" and that "`[o]ur history seems to show that platitudinous phrases have not helped many of our citizens to enjoy specific rights that could not be pointed to implicitly in constitutional authority.'" Id., p. 11.

In addition, according to a contemporary account in The Hartford Courant, certain civil rights groups also thought that the proposal was not specific enough, and suggested reinserting the "antisegregation" clause. Id., p. 1. This prompted caucuses by both the Democrats and Republicans, as a result of which there was bipartisan agreement on reinserting language referring to segregation.

Accordingly, on October 14, Woodhouse brought to the floor an amendment reinserting the reference to "segregation," which resulted in the following language that ultimately became article first, § 20: "No person shall be denied the equal protection of the law nor be subjected to segregation or discrimination in the exercise or enjoyment of his civil or political rights because of religion, race, color, ancestry or national origin."

In proposing this amendment, Woodhouse reminded the convention that the word segregation had appeared in the original resolution, and that the only question was one of the appropriate wording to be used. 2 Proceedings, supra, pp. 690–91. Former Chief Justice Baldwin, one of the drafters of committee resolution 168 that was being amended, and another delegate, James J. Kennelly, both rose to stress the symbolic, as opposed to substantive, nature of the amendment. Id., pp. 691–92.

The only reference to education in the entire debate over committee resolution 168 was by Bernstein, and that reference was made in the context of his delineating more specifically the "civil and political rights" to which the proposal referred. Bernstein stated: "I just want to comment that in this section which states that there will be enjoyment of civil and political rights, for the record, perhaps we might spell out a few of them so that courts and historians in the future may not fail to understand what we are talking about. *These are rights which we have always assumed we have had anyway and these rights include rights of freedom from discrimination in travel, rights of freedom in education, public accommodations, and employment and housing.*" (Emphasis added.) Id., p. 694.

O'Sullivan put the amendment to a voice vote, and ruled it

adopted. O'Sullivan then ruled "*that this amendment is not a substantive change and therefore we can act upon the entire bill today.*" (Emphasis added.) Id., p. 696.

Reading this record in an objective, dispassionate manner leads inescapably to the conclusions that the use of the term "segregation" in what ultimately became article first, § 20: (1) was intended to emphasize that the entire section prohibited intentional segregation in the "separate but equal" sense; (2) was not intended to add substance to the provision, but was intended only to make the general principles more specific; (3) was not intended to affect rights to education in a way different from other civil and political rights; and (4) cannot be read to mean one thing when applied to all such rights except education, but the opposite when applied to the right to public education under article eighth, § 1. Several reasons compel these conclusions.

First, the historical source of the term was the 1950 recommendation to the General Assembly and governor for a constitutional provision. In 1950, the term "segregation," in the constitutional sense, referred to the widespread system of laws in other parts of the nation, mandating the separation of the races, the constitutionality of which was then maintained under the infamous "separate but equal" doctrine. There is no evidence, either in this case or historically in general, to suggest that in 1950 this term was understood to mean racial or ethnic concentration that was not the product of state intent. Moreover, this historical source was specifically noted as the source of original Resolution No. 168, introduced to the 1965 convention by Woodhouse.

Second, after committee resolution 168 was reported out without the term "segregation," the principal motive to reinsert it was to respond to the concern of civil rights groups and the Council of Churches, which was, not that the new resolution was not broad enough, but that it was not specific enough. Certainly, in 1965, eleven years after *Brown* and while the civil rights movement was taking hold in the land and extending the principle of *Brown* to all areas of public life, the Council's reference to segregation as a "core area of discrimination" could only have referred to segregation in its constitutional sense of legally mandated or sanctioned segregation, and cannot be plausibly read as referring to what we later have come to describe as de facto segregation.

Third, Woodhouse's remarks when she introduced the amendment reinforced the conclusion that the substance of what she sought to have enacted was already embodied in the provision, and that the reinsertion of the term was only to make the equal protection principle more specific, not to add something of substance that was not already included therein. See footnote 52. Read in the context of 1965, her reference to the "philosophy and the practice of segregation" could only have meant that philosophy and practice as a legal concept. See 2 Proceedings, supra, p. 691. Indeed, one wonders what the reference to "philosophy" could have meant in the context of racial and ethnic concentration that occurs as a result of demographic factors without any planning, intent, idea or doctrine behind it. Woodhouse's final remarks, namely, that

the amendment "in no way limits the rights of anyone," and that it "strengthens the wording" of committee resolution 168; id.; were an assurance to the Council of Churches and others that their concern for specificity was being met. Her assurance that the insertion of "segregation" makes the general more specific cannot be read, as the majority reads it, however, to make the general something else.

Fourth, the drafters of committee resolution 168, Baldwin, O'Sullivan and Bordon, three former members of this court, including two former Chief Justices, chose to exclude the term. One of them, Baldwin, acknowledged that they had discussed in the Committee on Resolutions the question of whether to include the term "segregation," and had concluded that "it was unnecessary to put in there." Id., p. 692. Baldwin, and presumably O'Sullivan and Bordon, the other distinguished members of the drafting subcommittee, was nonetheless agreeable to the amendment "if it will please people." Id.

In addition, Baldwin disclosed that the subcommittee had canvassed the state's legislation "protecting political and civil rights," and had found that our state led the nation in that respect. Id., pp. 695—96. He expressed his pride in that legislative record, and noted that, if other states had legislation like ours, "we would not be having the trouble that we are having in some places today." Id., p, 696. Among that legislation was General Statutes § 10-15c, which requires that public schools be open to all children without discrimination on account of race, creed or color, and which had been in effect since 1868. The most plausible inference from this statement is that he was referring, in part at least, to the still extant resistance, in other parts of the nation, to elimination of the separate but equal doctrine, in education as well as other areas.

Had there been any intent in reinserting the term "segregation" that it have one meaning when applied to education and an opposite meaning when applied to all the other political and civil rights, the drafting subcommittee, who obviously commanded the respect of their colleagues, would have said so and would not have misled the delegates by assuring them that there was no change in substance intended by reinsertion. This is particularly true because if, as the majority posits, there *are* dual and opposite meanings lurking in the language, (1) that duality is certainly not apparent on the face of article first, § 20, (2) it is inconceivable that the draftsmen of the article would have left that duality unexpressed, and (3) this unexpressed duality would have opened the entire article to an even more bizarre interpretation, *namely, that intention does not apply to,* and is not required to constitute a violation of, any of the civil or political rights encompassed by the article. In sum, the majority's interpretation of article first, § 20, cannot rationally or responsibly be attributed to the people who drafted it or to their colleagues with whom they discussed and adopted it.

Fifth, with one exception discussed immediately below, the debate on article first, § 20, is bereft of references to education. Thus, the majority's attempt to link the two, and to establish that the reference to "segregation" in the section was

intended to mean de facto segregation, but solely when applied to article eighth, § 1, has no support in this record. Indeed, it is impossible to imagine how the debate over "segregation" could indicate such an intent, because when the debate took place, consideration of article eighth, § 1, the education clause, was five days in the future.

The only reference to the subject of education in the entire debate on the amendment occurred in remarks by Bernstein. 2 Proceedings, supra, p. 694. Those remarks are significant for several reasons that have more to do with what they do not establish than what they do establish. As noted, Bernstein made his remarks five days before the convention considered the resolution that ultimately became the education provision, article eighth, § 1. Thus, they could have had no conceivable relevance to the interpretation of that provision. In addition, his reference to education was intended to do nothing more than to indicate that education was one of those "civil and political rights," along with, in his view, travel, public accommodations, employment and housing, that would be covered by article first, § 20. Id. As discussed previously, when Bernstein did specifically address the reach of the education clause five days after the adoption of the segregation clause, he made clear that the education clause was intended only to constitutionalize the then existing system of free public education -- a municipality based system that included well documented instances of racial isolation. 3 Proceedings, supra, p. 1039.

Thus, when the majority asserts that "[t]he delegates' expectation that the proposed amendments to the constitution would secure interrelated constitutional rights was underscored by Bernstein's remark that article first, § 20, was intended to be applied in the context of the `rights of freedom in education,'" the majority merely states the obvious. Of course article first, § 20, was intended to apply to education, as one of the "civil or political rights" referred to in that article. To the extent, however, that the majority suggests that Bernstein's remarks imply some connection between that obvious application and a specific and different meaning of "segregation" in that article when applied to article eighth, § 1, the suggestion is utterly without basis.

Sixth, O'Sullivan, another member of the drafting subcommittee, presiding as the chairman of the convention ruled the amendment to be technical and not substantive. 2 Proceedings, supra, p. 696. Such a ruling cannot be squared with the notion that the amendment had the intended effect of transforming the resolution from a straightforward equal protection provision, which specifically incorporated into our constitution principles that had already been held to be there by the established interpretations of article first, § 1, into a provision that maintained those principles generally, but altered them radically with respect only to public education. If such a transformation is anything, it is certainly substantive and not technical, and O'Sullivan would have called that fact to his colleagues' attention.

Seventh, although we have on occasion interpreted article

first, § 20, to have a broader meaning than its federal counterpart, based on differing language between the two; see, e.g., *Daly* v. *DelPonte*, 225 Conn. 499, 513, 624 A.2d 876 (1993) (protecting from discrimination those with physical and mental disabilities based on explicit language of article first, § 20); the record in this case demonstrates that the linguistic difference, namely, the specific reference to "segregation," was not intended to have a meaning different from that of the federal equal protection clause. Contrary to the assertion of the majority, this record demonstrates that it was intended only to constitute a more specific application of the same principle of equal protection of the laws.

Eighth, even if one somehow were able to read the record as not clearly establishing the meaning of "segregation" to require intent, at the least it cannot be disputed that the record does not clearly indicate that "segregation" has no requirement of intent. Moreover, it cannot be disputed that reading the record as the majority reads it works a radical change in our constitutional equal protection jurisprudence. We do not read our constitutional text to make radical changes without clear evidence of an intent to do so. *Fonfara* v. *Reapportionment Commission*, 222 Conn. 166, 172–73, 610 A.2d 153 (1992). The majority's approach violates this sound principle of constitutional interpretation.

Thus, there is no basis for the suggestion by the majority of relevance to the issues in this case that when both article eighth, § 1, and article first, § 20, were debated by the convention delegates, "they recognized and endorsed the landmark decision in *Brown* . . . declaring the unconstitutionality of `separate but equal' public school education." First, there is no mention whatsoever of *Brown*, or of the question of segregation of schools, in the debate over article eighth, § 1. The entire debate concerned the fact that Connecticut was one of few states that did not mention education in its constitution, and the desirability of doing so. 3 Proceedings, supra, pp. 1038–41. If anything, the fact that the delegates obviously were aware of *Brown* contradicts the inference that the majority seeks to draw. The debate over article first, § 20, referred to the separate but equal doctrine declared invalid in *Brown*. That was a doctrine of state intended segregation, and there is no suggestion in this debate that the framers intended the references to segregation to include the notion of de facto concentration of races or ethnic groups.

Finally, the available historical evidence does not end with the printed record of the convention. There are postconvention documents that shed light on the question involved in this case, principally by the absence of any suggestion that comports with the majority's analysis. These documents are: (1) a resume by the secretary of the state of the proposals passed by the convention; (2) an annotated copy of the proposed revised constitution, with marginal notes, published by the convention itself "as a guide to the people of the state"; and (3) an account published in The Hartford Courant, December 5, 1965, p. 36, of an interview with Baldwin in which he explained the work of the convention. Each of these discusses article first, § 20, in brief and summary fashion.

None of them, however, even suggests that it could have opposite meanings when applied to education and other rights. If the majority's startling textual and historical conclusions are correct, it is curious that no one at the time understood what the convention had done, not even the delegates themselves.

D

Remedy

The final fundamental flaw in the majority opinion involves its discussion of a remedy for the constitutional violation that it has found. In what must surely be one of the great understatements in this court's history, the majority recognizes "that the fashioning of appropriate declaratory or injunctive relief requires careful consideration in order to weigh the benefits and costs of various remedial measures." The majority considers remanding the case to the trial court for the fashioning of a remedy because, in its view of the record, "the parties have not had the opportunity to present evidence directed to the remedial consequences that follow from our decision on the merits of the plaintiffs' complaint," and because in this court the plaintiffs "have not focused their attention on the remedial consequences of a substantive decision in their behalf." The majority eschews this course of action, as well as the notion of inviting further briefing in this court, however, in favor of "the methodology used in *Horton I*," namely, staying further judicial intervention to afford the General Assembly an opportunity to take appropriate action. In what must surely be one of the most ironic statements in this court's history, given the majority's judicial overreaching in this case, the majority offers as its rationale for this methodology "[p]rudence and sensitivity to the constitutional authority of coordinate branches of government . . . ."

This flaw has two parts. First, it misrepresents the record in this case. Second, it imposes on the General Assembly a mandate to enact a remedial regime without an articulation of principle to guide it in its endeavors.

1

The Record Regarding Remedy

The majority's assertion that "the parties have not had the opportunity to present evidence directed to the remedial consequences that follow from our decision on the merits of the plaintiffs' complaint" is contrary to the record. The question of a potential remedy was extensively litigated and briefed in the trial court, which specifically noted that "this is not a bifurcated hearing." The parties presented several witnesses on the subject of a remedy. In their posttrial brief, the plaintiffs spent twelve pages discussing the question of a remedy, and the defendants responded in kind, devoting thirty pages to the question.

In addition, on remand the trial court made numerous findings regarding a potential remedy. The plaintiffs do not challenge these findings in this appeal. The court found that no state in the country has a racial imbalance law that requires interdistrict balancing. Under the heading, "The Nature and Scope of the Remedy," the court made seventeen additional specific findings.

Among those findings were the following. The plaintiffs seek to have the court direct the Hartford school districts and the twenty-one suburban districts to address the claimed inequities jointly, to reconfigure district lines, and to take other steps sufficient to eliminate those inequities. The court also found that the "present racial, ethnic and socioeconomic concentration and isolation of the schoolchildren in the Hartford public school system on the basis of their residence is principally the result of social and demographic patterns of change that have occurred over the past thirty years in the Hartford metropolitan area."

The trial court found further that the relief sought by the plaintiffs includes the integration of the public schools in the region for the purpose of eliminating economic, as well as racial and ethnic, isolation. The court noted that, although William Gordon, an expert witness for the plaintiffs, was of the opinion that the federal courts' method of eliminating de jure segregation could be effectively applied to this case, the remedial planning in this case would be more complicated because the remedy sought by the plaintiffs includes interdistrict economic integration. The court also noted the plaintiffs' expert witnesses' opinions that problems of poverty can be appropriately addressed by the public schools. The court rejected these opinions, however, as inconsistent with the "general agreement that conventional educational approaches are inadequate to address the special problems of the urban poor," and with the "unanimous and apparently undisputed finding of the governor's commission on quality and integrated education that there [are] no educational strategies or initiatives that could fully deal with the larger issues of poverty, unemployment, housing, health, substance abuse, hunger, parental neglect, and crowded and substandard housing" that are associated with the concentration of poverty.

The trial court specifically found that there "are no existing standards or guidelines that educators, social scientists or desegregation planners can offer or recommend to achieve the proper racial, ethnic and socioeconomic balance in the school districts of the Hartford metropolitan area." The court further found that "[m]andatory student reassignment plans to achieve racial balance, whether intradistrict or interdistrict, are ineffective methods of achieving integration, whether they are mandated by racial imbalance laws or by court order." In this connection, the court also found that "[p]roposed solutions to the problems of racial, ethnic and economic isolation which rely on coercion and which fail to offer choices and options either do not work or have unacceptable consequences." Finally, the court found that "[i]ntegration in its fullest and most meaningful sense can only be achieved by building affordable housing in suburban areas in order to break up the inner city ghettos, and by making urban schools more attractive for those who live outside the city."

These facts, like the facts regarding the educational effects of poverty rather than of race or ethnicity, were drawn from the testimony of the witnesses whom the parties had presented at trial. The competing factual claims were vigorously litigated at trial and briefed in the trial court, and both sides had a full and fair opportunity to brief them in this court. If, as the

majority suggests, that opportunity was not adequately afforded here, it can only be attributed to the fact that the majority precludes it by sending the case directly to the General Assembly and the executive branch. This brings me to the task that the majority has thrust upon those branches of government by its opinion.

2

The Lack of a Recognizable Principle or Standard

I confess that, if I were a member of either the executive or legislative branch of our government, I would have but the slightest glimmering of what kind of legislation would comport with the majority's mandate, because the opinion articulates no principle or standard upon which to base such legislation. Confining my discussion here to the Hartford metropolitan area, I can find no principle or standard in the majority opinion by which to measure the level of racial and ethnic integration of the African-American and Hispanic schoolchildren that will be constitutional.

The closest thing to such a principle are three statements by the majority. The first is that "the existence of *extreme racial and ethnic isolation*" in the public schools violates the constitution. (Emphasis added.) The second is that if "*significant* racial and ethnic isolation continues to occur," no intent to bring about or maintain that isolation is required in order to establish a constitutional violation. (Emphasis added.) The third is that a "significant component of [a] substantially equal educational opportunity is access to a public school education that is not substantially impaired by racial and ethnic isolation."

Assuming that these elliptical references constitute the majority's guidance to the General Assembly, is the lack of significant isolation, or the presence of substantial impairment, the same as "substantial equality?" Does significant isolation or "substantially impaired" mean that, with respect to the Hartford metropolitan area, the legislature must start with the last census figures, and redraw the district lines so that each municipality has a substantially equal percentage of African-American and Hispanic schoolchildren? Or does the reference to "extreme racial and ethnic isolation" mean that, so long as the concentration is not massive -- something less than the current 92 or 95 percent figure, for example -- the constitution will not be violated? Or is the measure a statewide, rather than a district-wide figure? That is, must each municipality have a percentage of African-American and Hispanic schoolchildren substantially equal to the percentage of such children in the state? Education is, after all, a state responsibility that has only been delegated to the municipalities.

Further, why is the municipality the appropriate measuring unit, rather than the individual school? After all, if a student's constitutional right to an integrated education is violated by being required to be educated in a racially or ethnically concentrated setting, thereby, according to the majority, missing out on the social benefits of an integrated education and incurring the social burdens of a segregated

education upon which the majority's analysis rests, then is it not appropriate that we look at the actual setting in which each child's education takes place? After all, a student who attends a racially and ethnically concentrated school, albeit in a racially and ethnically integrated school district, will not have those benefits and will carry those burdens. If so, then it seems that each school must, constitutionally, have the appropriate racial and ethnic makeup. These are just some of the questions that are raised, but not addressed, by the majority opinion.

The task of the state will be complicated, moreover, by the findings of the trial court in this case regarding remedy. The majority does not address these findings, but my examination of the record discloses that they are based on sufficient evidence to withstand appellate scrutiny. Among those findings are the following.

The trial court found that there are no educational strategies or initiatives that could fully deal with the larger issues of poverty, unemployment, housing, health, substance abuse, parental neglect, and crowded and substandard housing that are associated with the concentration of poverty under which the plaintiffs suffer. Thus, it is these factors, not the plaintiffs' racial and ethnic concentration, that account for the educational deficiencies of which the plaintiffs complain. Furthermore, the court found that there are no existing standards or guidelines that educators, social scientists or desegregation planners can offer or recommend to achieve the proper racial, ethnic and socioeconomic basis in the school districts of the Hartford metropolitan area. The majority's mandate, therefore, will require the state to devise a strategy to compel integration that, the trial court found after six years of litigation, will not significantly ameliorate the underlying educational deficiencies of which the plaintiffs complain, and with respect to which educators, social scientists and desegregation planners could not offer standards or guidance. Thus, the majority thrusts on our state government the truly awesome task of devising a remedy for educational deficiencies in Hartford -- a remedy that will necessarily require drastic statewide changes -- without an intelligible guiding principle, and with no indication that the true source of Hartford's educational deficiencies will be addressed thereby.

In this respect, also, this case differs markedly from *Horton I*. In that case, like this case, the question of the availability of an appropriate remedy or remedies had been litigated. In that case, however, unlike this case, the trial court had found, and we affirmed based on that finding, that there were feasible remedies available to achieve the substantial equality of educational opportunity that was not being afforded by the flat grant funding system. *Horton I*, supra, 172 Conn. 635–36. Furthermore, in that case, unlike this case, there were successful methods in use in many other states for remedying the inequality of educational opportunity resulting from financial inequities. Id., 651. According to the trial court's findings here, by contrast, there are no strategies available, or in successful use elsewhere, for remedying differences in educational opportunities

that result from concentrations of poverty. In sum, whereas the remedy in *Horton I* involved moving dollars around and thereby ameliorating educational differences and deficiencies, the remedy here will involve moving schoolchildren around without ameliorating such differences or deficiencies.

IV

THE NECESSARY IMPLICATIONS OF THE MAJORITY OPINION

Despite the effort of the majority to cabin its conclusions, it is clear to me that the effort must fail and that, when the General Assembly attempts to enact legislation in order to meet the mandate of this case, there are several necessary -- not possible, not probable but, in my view, necessary -- implications of the majority opinion that it will be required to confront. I have already discussed what seems to me to be the most obvious implication, namely, that the majority's rationale applies, not just to interdistrict racial and ethnic concentrations, but to intradistrict and interschool concentrations as well. There are, however, other less obvious but equally necessary implications.

These implications are compelled in part by the identity of the plaintiffs. Six of the eighteen plaintiffs are white students -- four who reside in Hartford, and two who reside in West Hartford. Moreover, there is no showing that the two who live in West Hartford are burdened by a concentration of poverty. The majority opinion vindicates these white students' constitutional right to attend unsegregated schools, as well as the constitutional right of the African-American and Hispanic plaintiffs. Furthermore, the racial and ethnic concentration involved in the Hartford school district is more ethnic than racial. That is, a greater percentage of the students in Hartford are Hispanic than are African-American, and Hispanics are the fastest growing segment of the school population. Thus, in terms of article first, § 20, this case is more about "ancestry" and "national origin" than it is about "race" or "color."

The first of the necessary implications of the majority opinion is that every school district in the state that is primarily white and that does not have an appropriate percentage of African-American and Hispanic students, is in violation of article first, § 20. This conclusion, it seems clear to me, flows inexorably from the facts that (1) in this case, it is not only the constitutional rights to an unsegregated education of the African-American and Hispanic students, taken together, that are being violated, but the same rights of the white plaintiffs who live in Hartford and West Hartford, and (2) this violation is based on the general social benefits attributable to an integrated education, and the general social burdens attendant upon a racially and ethnically concentrated education. Certainly, every predominantly white school district lacks the general social benefits of an integrated education, and suffers from the general social burdens of a segregated education. Just as certainly, the constitutional rights of white students in other parts of the state cannot be less than those in the Hartford metropolitan area, and a student's constitutional right to attend school in an unsegregated public school district, or to attend an unsegregated school within such a district, cannot depend on where the student

happens to live.

Indeed, the majority comes very close to making explicit this necessary implication of its decision. It states that the right of "Connecticut schoolchildren" to a substantially equal educational opportunity requires "access to a public school education that is not substantially impaired by racial and ethnic isolation." Thus, every rural and suburban school district, from *Litchfield to Pomfret and from Greenwich to Granby, is now either* clearly or probably unconstitutional; its boundaries, or the racial and ethnic makeup of its school population, or both, will have to be changed in order to remedy that unconstitutionality. This means the end of the traditional system of municipality based school districts.

Second, because ethnicity is a specifically protected class under article first, § 20, and because the facts of this case rest more on ethnicity than on race, not only must every school district in this state have an appropriate percentage of African-American and Hispanic students, taken together, but also an appropriate ethnic makeup, irrespective of race. Furthermore, I cannot see how such a makeup can be properly confined to counting Hispanic students. Certainly, other ethnic groups have no lesser status than Hispanic students. Just as certainly, moreover, the general benefits of an integrated education and the general burdens of a segregated education apply to ethnic, as well as racial, segregation. Therefore, if ethnicity is a protected class under article first, § 20, if "segregation" does not require intent, and if segregation prohibits ethnic as well as racial segregation, then in order for a school district to be nonsegregated it will have to contain an appropriate percentage of the various major ethnic groups in the state.

Third, because "segregation" in article first, § 20, does not have an intentionality requirement, and because that article protects religion on a par with race and ethnicity, every school district, and probably every neighborhood school, that is heavily concentrated with students of one religion is segregated. Consequently, all of the students in that district or school are being subjected to segregation "because of religion." Therefore, the legislature will be required to address this necessary implication of the majority's mandate, so that each district, or school, will have an appropriate percentage of Protestant, Roman Catholic and Jewish students.

As a result of these implications, the legislature, if it is to take seriously its responsibilities under the majority's mandate, will have few options, if any, other than a statewide *realignment of school districts, accompanied by a statewide* transportation system. Such a system will be necessary to ensure that the constitutional rights of every schoolchild in the state are protected.

V

THE PLAINTIFFS' CLAIMS AS PRESENTED TO THIS COURT

This discussion brings me, finally, to a consideration of the plaintiffs' claims as they *were actually* presented to us for adjudication, not as reconstructed by the majority. The plaintiffs make three claims that, in my view of the case, must

be addressed. These are, in general terms, that: (1) the defendants violated article first, §§ 1 and 20, and article eighth, § 1, by failing to provide public schoolchildren in the Hartford metropolitan area an equal educational opportunity; (2) the defendants violated article first, §§ 1 and 20, by providing education in the Hartford metropolitan area that is segregated on the basis of race and ethnicity; and (3) the defendants violated article eighth, § 1, by failing to provide Hartford schoolchildren a minimally adequate education. Although much of my prior discussion disposes of most of these claims, some further discussion is appropriate. None of these claims is persuasive, moreover, because none is supported by the record. I would, therefore, affirm the judgment of the trial court.

A

Equal Educational Opportunity

As I indicated previously, the plaintiffs' equal educational opportunity claim is based on *Horton I*, and is premised on the factual assertion that the racial and ethnic concentration in the district, coupled with their concentration of poverty and their lesser educational resources, as compared to the resources of the suburban districts, has caused educational outcomes in the Hartford school district that are inferior to those in the suburban districts. The claim also depends in significant part on the premise that, with respect to the relative educational outcomes of Hartford and the suburbs, the state mastery test scores are a valid tool for measuring differences in educational outcomes between Hartford and the suburbs. Consequently, they argue, just as in *Horton I*, in which unequal funding caused an inferior quality of education in the property-poor towns and violated the constitution, in this case the combination of factors listed earlier has caused the quality of education in the Hartford district to be inferior to that provided in the surrounding suburban districts and violates the constitution. Similarly, the plaintiffs argue that the relative quality of educational opportunities must be measured by the same or similar factors that this court deemed relevant in *Horton I*, supra, 172 Conn. 634, namely: educational outcomes, as reflected by the state mastery test scores, state remedial goals, scholastic aptitude test (SAT) scores and college attendance rates; plants and facilities; equipment, supplies, textbooks and libraries; course offerings and curriculum; teaching and professional staff; bilingual education programs; and special needs programs.

As I indicated previously, although this claim might well be persuasive if its factual underpinnings were sound, it founders on the factual findings of the trial court. It is not necessary to recount all of those findings in this regard. It is sufficient to repeat here several that are fatal to the plaintiffs' claim.

The trial court's findings are squarely contrary to the plaintiffs' claim that Hartford suffers from diminished educational resources compared to its suburban neighbors. The court found that, since 1979, the state's method for financing public schools has taken into account the needs of urban school districts by including in the aid formula the number of children from low income families and, since 1989, a weighting factor that

takes into account the number of students who score below the remedial standard on the state's mastery test scores. The court also found that the 1986 Educational Enhancement Act addressed cities' financial needs by raising teachers' salaries dramatically, so that Hartford, New Haven and Bridgeport have been able to recruit and retain teachers at salaries comparable to, if not higher than, the salary levels offered in the suburbs, and that this has permitted urban class sizes to be reduced. The court found, in addition, that the priority school district program provides that the poorer communities, like Hartford, receive the greatest financial benefit, that the state factors the mastery test scores into the aid formula as a measurement of a school district's need, and that where students do not meet remedial standards additional funds are made available.

The trial court found, moreover, that Hartford's teachers are as qualified as their suburban counterparts, and that they are very committed and dedicated to providing a quality education for their students. Hartford's teacher training program is based on the "effective schools" concept, which is specifically directed to the needs of urban and minority children. Finally, the court found that Hartford is not a negative educational setting, that there is "outstanding education going on in its schools," that some "of the best special education classes in the state can be found" there, and that the "Hartford public schools offer academic programs that are sufficient to meet the basic educational needs of all its students and also provide other programs that are required to meet the special needs of its economically disadvantaged students."

As I indicated in great detail earlier, the trial court's findings are also squarely contrary to the plaintiffs' claim that there is a causal connection between their racial and ethnic concentration -- whether considered alone or in conjunction with the concentration of poverty -- and any educational deficiencies of which the plaintiffs complain. The gist of the trial court's findings in this regard is that it is not the racial and ethnic isolation of the plaintiffs, but their socioeconomic status -- their poverty, its concentration, and all of the social pathologies that are closely associated with poverty and its concentration -- that is the causative factor of those deficiencies. These "disadvantaging characteristics" of poverty, which "poor children bring with them" from home and neighborhood to school, include "unemployment . . . substance abuse, hunger, parental neglect . . . crowded and substandard housing," and such "at risk" factors as low birth weight and mothers on drugs at birth.

Finally, the trial court's findings are squarely contrary to the plaintiffs' claim that they have established valid differences in the educational outcomes between the Hartford school district and the suburban districts. To the extent that the plaintiffs rely on the state mastery scores to measure these differences, which as I read their brief is a considerable extent, the trial court found that such scores are not a valid means for measuring interdistrict achievements. Moreover, despite the plaintiffs' assertion to the contrary, the court's findings on this subject are not confined to

the state mastery test scores.

The plaintiffs contend, nonetheless, that the trial court's findings are clearly erroneous, that many of the facts upon which they rely were undisputed in the trial court, and that the court was required to accept certain of the experts' opinions. Suffice it to say that neither the record nor the law bears out that contention. The court's findings are fully supported by the evidence. None of the facts in question was undisputed; on the contrary, they were hotly disputed in the trial court, originally and on our remand. Finally, it is axiomatic that a trial court is not required to accept an expert's opinion; *Drabik* v. *East Lyme*, 234 Conn. 390, 396, 662 A.2d 118 (1995); and that is particularly true in this case, where the court indicated that some of the plaintiffs' experts' opinions were flawed methodologically, and where there were contrary expert opinions that the trial court did credit.

B

Per Se Segregation Under Article Eighth, § 1, and Article First, § 20

This claim of the plaintiffs bears little additional discussion. As I indicated previously, it rests entirely on the proposition that "segregation" as used in article first, § 20, and applied to education under article eighth, § 1, means de facto racial and ethnic concentration, without a requirement of state intention. As I also indicated previously, this claim is simply untenable, and such a conclusion cannot rationally be drawn from the language or history of those constitutional provisions.

C

A Minimally Adequate Education

The plaintiffs' final claim is that they have established that they are being deprived of their right, under article eighth, § 1, to a minimally adequate education. This claim requires some additional discussion, because the majority did not discuss it and, therefore, it was not involved in my analysis of the majority opinion. I conclude, nonetheless, that the plaintiffs cannot prevail on this claim.

The plaintiffs argue, first, that, under both the majority opinion in *Horton I*, supra, 172 Conn. 649 (referring to state's "constitutional duty to educate its children"), and the dissenting opinion therein; id., 659 (*Loiselle, J.*, dissenting) ("[w]hen the constitution says free education it must be interpreted in a reasonable way. A town may not herd children in an open field to hear lectures by illiterates."); article eighth, § 1, embodies a requirement of a minimally adequate education that the judiciary is empowered to enforce. The plaintiffs also point to precedents from other jurisdictions that, in their view, have held accordingly. They next contend that the trial court employed an improper standard in defining a minimally adequate education and that, under the proper standard, the evidence established a violation thereof as a matter of law.

The defendants respond, first, that article eighth, § 1, does not embody any particular substantive level of education that the judiciary has power to enforce. They contend that, although they agree that the constitutional provision includes the right to an

"adequate education"; id., 659; it "does not authorize the judiciary to establish specific educational programs and goals or levels of educational achievement as a constitutional requirement." The defendants next argue that, assuming we do consider the issue, the trial court cannot be faulted for using a standard that the plaintiffs themselves proposed, that the standard now proposed by the plaintiffs is improper, and that, under any appropriate standard, the plaintiffs' rights have not been violated.

In my view, it is not necessary in this case to decide whether article eighth, § 1, embodies a requirement that the state provide a minimally adequate education or, if it does, the extent to which such a requirement is subject to judicial review. Nor is it necessary to define the specific contours of such an education. Assuming that there is such a requirement that is subject to judicial review, I conclude that the standard proposed by the plaintiffs is improper and that, gauged by any appropriate standard, the plaintiffs have not been deprived of such a right.

Although it is difficult to ascertain precisely the standard that the plaintiffs propose, it appears to be geared in significant part to student achievement, as measured by certain performance goals set by the state, namely, the state mastery tests. Thus, they assert that the trial court improperly rejected as irrelevant to this claim their "evidence relating to whether Hartford children were succeeding in the goals set by the state . . . ." They contend that this standard is not met in Hartford, which in their view is a "school system whose children cannot read or write, even if provided with significant resources," and that Hartford has not provided a minimally adequate education because it is not a system "that succeeds in teaching children to at least achieve a minimal level of reading, writing and arithmetic . . . ." As the defendants correctly point out, the plaintiffs base these characterizations of the Hartford school district on the state mastery test scores for Hartford.

I reject, as did the trial court, the plaintiffs' proposed standard for a constitutionally required minimally adequate education. Performance or achievement of the student population, taken generally, cannot in my view be the principle upon which any such requirement is based. There is nothing in either the language or the history of article eighth, § 1, to support such a standard.

Not only the trial court's findings in this case, but also common sense tells me that any appropriate standard by which to measure the state's assumed obligation to provide a minimally adequate education must be based generally, not on what level of achievement students reach, but on what the state reasonably attempts to make available to them, taking into account any special needs of a particular local school system. Although schools are important socializing institutions in our democratic society, they cannot be constitutionally required to overcome every serious social and personal disadvantage that students bring with them to school, and that seriously hinder the academic achievement of those students. Thus, as the trial court found, achievement levels as measured by such tools as the state mastery

tests are an inappropriate measurement of the quality of education. Those test scores do not take into account important variables that erect difficult barriers to achievement, such as socioeconomic status, early environmental deprivations, low birth weight, mothers on drugs at birth, diminished motivation to succeed academically, extraordinary mobility, limited English proficiency, and all of the other dismal factors associated with the concentration of poverty in the Hartford school district.

This is not to say that, as part of its assumed constitutional obligation to provide a minimally adequate education, the state has no obligation to attempt, by reasonable means, to ameliorate these problems. It may well have such an obligation. It is to say, however, that this record fully establishes that the state has, through the programs, policies and funding mechanisms already described, met that obligation.

VI

CONCLUSION

It is a bedrock principle of our system of government that the legislative branch is the source of the fundamental public policy of the state, and that the courts may invalidate such a policy only where it is established beyond a reasonable doubt that it violates a constitutional right. *Morascini* v. *Commissioner of Public Safety*, 236 Conn. 781, 789, ___ A.2d ___ (1996). Not only does the majority fail even to give lip service to this principle, the majority violates it.

With no justification other than its own view of the wiser course for the state to follow, the majority strikes down a legislative public policy determination -- in effect since 1909, more than half a century prior to the 1965 constitutional convention -- in favor of municipality based public school districts, and substitutes its own policy choice for that legislative determination. With the same absence of legitimate justification, the majority strikes down the legislative policy determination that more can be accomplished toward the goal of diversity in our public school systems by voluntary and incremental means, supplemented by state funding and incentives, than by a mandate that requires the abandonment of municipality based school districts and the institution of a statewide system of transportation of schoolchildren. Instead, the majority substitutes its policy choice and opts for a mandate that will require such a statewide system of transportation based solely on racial, ethnic and religious factors.

Although the majority may disagree with the legislature's choices and initiatives, it cannot be maintained that reasonable *people may not differ regarding* the best way to reach the goal of diversity in our public schools. Indeed, in states and communities across the nation people of goodwill of all races and ethnic groups are struggling to find acceptable and feasible ways to reach and maintain that goal and, at the same time, to reach the twin goal of improving the quality of their children's education. This case, in which there are such disagreements and in which the defendants are engaged in a good faith effort to reach those goals, is the quintessential case for deference to the policy choice of the legislative branch.

The majority concludes its opinion with a rhetorical invocation of its oath of office as a justification for its decision. That same oath of office, however, embraces the concept of judicial respect for the legitimate policy choices of the legislative branch, even when judges disagree with those choices.

Only twelve years ago, we stated: "This court has never viewed constitutional language as newly descended from the firmament like fresh fallen snow upon which jurists may trace out their individual notions of public policy uninhibited by the history which attended the adoption of the particular phraseology at issue and the intentions of its authors. The faith which democratic societies repose in the written document as a shield against the arbitrary exercise of governmental power would be illusory if those vested with the responsibility for construing and applying disputed provisions were free to stray from the purposes of the originators." *Cologne* v. *Westfarms Associates*, supra, 192 Conn. 62. In this case, that snow has now fallen, and the shield against the arbitrary exercise of power has been shattered.

Public Act No. 97-290

AN ACT ENHANCING EDUCATIONAL CHOICES AND OPPORTUNITIES

June 26, 1997

HOME | SEARCH

Substitute House Bill No. 6890

PUBLIC ACT NO. 97-290

AN ACT ENHANCING EDUCATIONAL CHOICES AND OPPORTUNITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10-4a of the general statutes is repealed and the following is substituted in lieu thereof:

For purposes of sections 10-4, 10-4b and 10-220, the educational interests of the state shall include, but not be limited to, the concern of the state THAT (1) [that] each child shall have for the period prescribed in the general statutes equal opportunity to receive a suitable program of educational experiences; (2) [that] each school district shall finance at a reasonable level at least equal to the minimum expenditure requirement pursuant to the provisions of section 10-262j an educational program designed to achieve this end; (3) IN ORDER TO REDUCE RACIAL, ETHNIC AND ECONOMIC ISOLATION, EACH SCHOOL DISTRICT SHALL PROVIDE EDUCATIONAL OPPORTUNITIES FOR ITS STUDENTS TO INTERACT WITH STUDENTS AND TEACHERS FROM OTHER RACIAL, ETHNIC, AND ECONOMIC BACKGROUNDS AND MAY PROVIDE SUCH OPPORTUNITIES WITH STUDENTS FROM OTHER COMMUNITIES; and [(3) that] (4) the mandates in the general statutes pertaining to education within the jurisdiction of the State Board of Education be implemented.

Sec. 2. (NEW) (a) A local or regional board of education for purposes of subdivision (3) of section 10-4a of the general statutes, as amended by section 1 of this act, may offer such programs or use such methods as: (1) Interdistrict magnet school programs; (2) charter schools; (3) interdistrict after-school, Saturday and summer programs and sister-school projects; (4) intradistrict and interdistrict public school choice programs; (5) interdistrict school building projects; (6) interdistrict program collaboratives for students and staff; (7) minority staff recruitment; (8) distance learning through the use of technology; and (9) any other experience that increases awareness of the diversity of individuals and cultures.

(b) Each local and regional board of education shall report by October 1, 1998, and biennially thereafter, to the regional educational service center for its area on the programs and activities undertaken in its school district to reduce racial, ethnic and economic isolation, including (1) information on the number and duration of such programs and activities and the number of students and staff involved, and (2) evidence of the progress over time in the reduction of racial, ethnic and economic isolation.

(c) Each regional educational service center shall report by December 1, 1998, and biennially thereafter, to the Commissioner of Education on the programs and activities undertaken in its region to reduce racial, ethnic and economic isolation.

(d) The Commissioner of Education shall report, by January 1, 1999, and biennially thereafter, in accordance with section 10-4a of the general statutes, as amended by section 1 of this act, to the Governor and the General Assembly on activities and programs designed to reduce racial, ethnic and economic isolation. The report shall include statistics on any growth in such programs or expansion of such activities over time, an analysis of the success of such programs and activities in reducing racial, ethnic and economic isolation, a recommendation for any statutory changes that would assist in the expansion of such programs and activities and the sufficiency of the annual grant pursuant to subsection (f) of section 3 of this act and whether additional financial incentives would improve the program established pursuant to section 3 of this act.

Sec. 3. (NEW) (a) As used in this section:

(1) "Receiving district" means any school district that accepts students under the program established pursuant to this section; and

(2) "Sending district" means any school district which sends students it would otherwise be legally responsible for educating to another school district under the program.

(b) There is established, within available appropriations, a state-wide interdistrict public school attendance program. The purpose of the program shall be to: (1) Improve academic achievement; (2) reduce racial, ethnic and economic isolation or preserve racial and ethnic balance; and (3) provide a choice of educational programs for students.

(c) The program shall be phased in as provided in this subsection. (1) For the fiscal year ending June 30, 1998, the Department of Education shall provide grants in the amount of fifty thousand dollars each to the regional educational service centers for the Hartford, New Haven and Bridgeport regions to assist school districts in planning for the operation of the program. (2) For the school year commencing in 1998, and for each school year thereafter, the program shall be in operation in the Hartford, New Haven and Bridgeport regions. Students who reside in Hartford, New Haven or Bridgeport may attend school in another school district in the region and students who reside in such other school districts may attend school in Hartford, New Haven or Bridgeport. The Department of Education shall provide, within available appropriations, a grant for the fiscal year ending June 30, 1999, to the remaining regional educational service centers to assist school districts in planning for the expansion of the program to every school district in the state. (3) For the school year commencing in 1999, and for

each school year thereafter, the program shall be in operation in every school district in the state and students may attend school in any school district in accordance with the provisions of this section, including the purposes specified in subsection (b) of this section.

(d) Once the program is in operation in the region served by a regional educational service center pursuant to subsection (c) of this section, the Department of Education shall provide, annually, a grant in the amount of one hundred thousand dollars to such a regional educational service center to assist school districts in its area in administering the program. Each regional educational service center shall convene a meeting of representatives of the school districts in its area in order for school districts to report the number of spaces available for out-of-district students under the program. If there are more students who seek to attend school in a receiving district than there are spaces available, the regional educational service center shall assist the school district in determining attendance by the use of a lottery or lotteries designed to preserve or increase racial, ethnic and economic diversity, except that the regional educational service center shall give preference to siblings and to students who would otherwise attend a school that has lost its accreditation by the New England Association of Schools and Colleges. The admission policies shall be consistent with section 10-15c of the general statutes. No receiving district shall recruit students under the program for athletic or extracurricular purposes. Each receiving district shall allow an out-of-district student it accepts to complete the highest grade in the school he is attending under the program established pursuant to this section.

(e) The Department of Education shall provide, within available appropriations, grants to regional educational service centers or local or regional boards of education for the reasonable cost of transportation for students participating in the program, provided such grants do not exceed an amount equal to one thousand dollars for each student transported. The regional education service centers shall ensure that transportation is available for students who wish to participate in after-school activities.

(f) The Department of Education shall provide, within available appropriations, an annual grant to each receiving district in an amount not to exceed two thousand dollars for each out-of-district student who attends school in the receiving district under the program provided, for the fiscal year ending June 30, 1999, the combined total of students in the program and the program established pursuant to section 10-266j of the general statutes, as amended by section 5 of this act, shall not exceed one thousand students.

(g) Notwithstanding any provision of chapter 172 of the general statutes, each sending district and each receiving district shall divide the number of children participating in the program

who reside in such district or attend school in such district by two for purposes of the counts for subdivision (22) of section 10-262f of the general statutes, as amended by section 24 of this act, and subdivision (2) of subsection (a) of section 10-261 of the general statutes, as amended by section 25 of this act, but shall not count such children for the purposes of any other count under said sections 10-262f and 10-261.

(h) In the case of an out-of-district student who requires special education and related services, the sending district shall pay the receiving district an amount equal to the difference between the reasonable cost of providing such special education and related services to such student and the amount received by the receiving district pursuant to subdivision (f) of this section. The sending district shall be eligible for reimbursement pursuant to section 10-76g of the general statutes.

(i) Nothing in this section shall prohibit school districts from charging tuition to other school districts that do not have a high school pursuant to section 10-33 of the general statutes.

Sec. 4. (NEW) (a) The State Board of Education shall develop a five-year implementation plan with appropriate goals and strategies to achieve resource equity and equality of opportunity, increase student achievement, reduce racial, ethnic and economic isolation, improve effective instruction and encourage greater parental and community involvement in all public schools of the state. The implementation plan shall: (1) Include methods for significantly reducing over a five-year period any disparities among school districts in terms of resources, staff, programs and curriculum, student achievement and community involvement that negatively impact student learning, (2) provide for monitoring by the Department of Education of the progress made in reducing such disparities, and (3) include proposals for minority staff recruitment, including but not limited to, alternative certification, mentoring programs, involvement of the community-technical colleges and efforts by regional educational service centers.

(b) Prior to developing the plan, the State Board of Education shall conduct a state-wide assessment of the disparities among local and regional school districts and make comparisons to relevant national standards or regional accreditation standards, in the areas of: (1) Resources, including educational materials, supplies, equipment, textbooks, library materials, facilities and expenditures by category and in total; (2) staff, including the education and experience of teachers, staff-student ratios, the racial and ethnic characteristics of staff, minority staff recruitment and a comparison of the racial diversity of school staffs to the racial diversity of the region where the school is located; (3) program and curriculum, including course offerings, requirements, enrolments in advanced, special and compensatory education,

programs and services to students with limited English proficiency and an analysis of such programs and services in terms of the recommendations of the bilingual education task force, policies on student assignment and promotion, extra-curricula activities and student participation, goals and objectives and content and performance standards, opportunities for summer school, school-to-career transition, alternative programs, and parent-student choice of school or program; (4) student achievement, including the effect of social promotional policies on student achievement, state and national assessments, drop-out rates, attendance, graduation follow-up data, artistic, athletic and community service accomplishments, other documentation of student success, and success in reducing the racial, ethnic and economic isolation of students; and (5) community involvement, including parent and family contact with the school and teachers, business partnerships, joint programs with community agencies, town-wide pre-school coordination, opportunities for adult basic education and parenting education.

(c) (1) The State Board of Education shall report, in accordance with section 11-4a of the general statutes, on the plan developed pursuant to this section to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to education by February 1, 1998. The report shall: (A) Include the results of the assessment conducted pursuant to subdivisions (1) and (2) of subsection (b) of this section, (B) include recommendations for changes in state law, budget proposals and administrative actions, where appropriate, that would assist in reducing the disparities among school districts and increasing the accountability of school districts, and (C) identify the responsibility of individual boards of education to achieve the goals as specified in subsection (a) of this section in their school districts. (2) On or before January 1, 1999, the State Board of Education shall so report, to the Governor and said committee on (A) the assessment conducted pursuant to subdivisions (3) to (5), inclusive, of subsection (b) of this section, (B) include recommendations described in subparagraph (B) of subdivision (1) of this subsection and (C) identify the responsibility of individual boards of education to take specific action to improve conditions in their school districts. (3) On or before January 1, 2001, and biennially thereafter, the State Board of Education shall so report to the Governor and said committee on the progress made in reducing the disparities among school districts and the remaining barriers to and recommendations for achieving the goals specified in subsection (a) of this section.

Sec. 5. Subsection (d) of section 10-266j of the general statutes is repealed and the following is substituted in lieu thereof:

(d) [Each] FOR EACH FISCAL YEAR COMMENCING PRIOR TO JULY 1, 1998, EACH receiving district

shall receive, from the amount appropriated for purposes of this subsection, a grant in an amount equal to four hundred sixty-eight dollars for each participating child who attended school in the district in the fiscal year prior to the year in which the grant is to be paid. FOR THE FISCAL YEAR ENDING JUNE 30, 1999, AND EACH FISCAL YEAR THEREAFTER, EACH RECEIVING DISTRICT SHALL RECEIVE, WITHIN AVAILABLE APPROPRIATIONS, A GRANT FROM THE DEPARTMENT OF EDUCATION IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS FOR EACH OUT-OF-DISTRICT STUDENT WHO ATTENDS SCHOOL IN THE RECEIVING DISTRICT PURSUANT TO THIS SECTION, PROVIDED FOR THE FISCAL YEAR ENDING JUNE 30, 1999, THE COMBINED TOTAL OF STUDENTS IN THE PROGRAM ESTABLISHED PURSUANT TO THIS SECTION AND THE PROGRAM ESTABLISHED PURSUANT TO SECTION 3 OF THIS ACT SHALL NOT EXCEED ONE THOUSAND STUDENTS.

Sec. 6. Section 10-4g of the general statutes is repealed and the following is substituted in lieu thereof:

(a) The State Board of Education shall develop and distribute to all local and regional boards of education a model program to encourage the participation of parents AND THE COMMUNITY in the local or regional educational system. The model program shall include, but not be limited to, the establishment of [local or regional panels] SCHOOL-BASED TEAMS with representatives of parents, students, teachers, administrators, [and] local or regional boards of education AND COMMUNITY GROUPS AND ORGANIZATIONS assembled to: [foster] (1) FOSTER model agreements between parents and their children with the cooperation of the school, such agreements to cover goals and objectives for the student for the school year; [, and to] (2) adopt agreements to foster cooperation AND IMPROVE COMMUNICATION between such representatives regarding matters such as academic rights and responsibilities, codes of social conduct and disciplinary policies; AND (3) DEVELOP AGREEMENTS TO ENCOURAGE COMMUNITY RESIDENTS TO TAKE AN ACTIVE ROLE IN IMPROVING THE SCHOOL AND TO BECOME SCHOOL VOLUNTEERS. The model program developed by the state board shall provide model agreements for the use of [such local or regional panels] SCHOOL-BASED TEAMS in the development of their own local or regional agreements.

(b) The State Board of Education shall develop a program to encourage local and regional boards of education to develop and implement plans to involve parents of students in the educational process in that district AND TO INCREASE COMMUNITY INVOLVEMENT IN THE SCHOOLS. The local programs shall include, but not be limited to, providing REGULAR CONTACT WITH ALL parents, [with] INCLUDING opportunities FOR PARENTS to meet with their children's instructors for the purpose of reviewing the curriculum of their child's program, and developing strategies for parents to actively assist in the educational process. Such local programs shall also include the development of written materials designed to familiarize parents with their child's curriculum and to detail

specific activities parents and students may undertake together to enrich the child's education experience and development. The State Board of Education shall develop such program on or before [January 15, 1985] JULY 1, 1998, and shall immediately distribute the materials explaining the program to all local and regional boards of education. [Boards of education may submit their plans to the State Board of Education and the board shall select and distribute model plans to local and regional boards of education.]

Sec. 7. Subsections (c) and (d) of section 10-66bb of the general statutes are repealed and the following is substituted in lieu thereof:

(c) The State Board of Education shall review, annually, all applications and grant charters, provided for the period from July 1, 1997, to June 30, 1999, (1) no more than [twelve] TWENTY-FOUR charters for [local] charter schools [and no more than twelve charters for state charter schools] are granted [,] AND (2) no state charter school enrolls more than two hundred [and] fifty students or twenty-five per cent of the enrolment of the school district in which the state charter school is to be located, whichever is less. [, and the total student population of all the state charter schools does not exceed one thousand students, (3) no more than two local charter schools and no more than two state charter schools operate within any Congressional district at any one time, and (4) no more than two charter schools operate within a school district at any one time.] The State Board of Education shall give preference to applicants [who] FOR CHARTER SCHOOLS THAT will serve students who reside in a priority school district pursuant to section 10-266p OR IN A DISTRICT IN WHICH SEVENTY-FIVE PER CENT OR MORE OF THE ENROLLED STUDENTS ARE MEMBERS OF RACIAL OR ETHNIC MINORITIES and to applicants for state charter schools that WILL BE LOCATED AT A WORK-SITE OR THAT are institutions of higher education. In determining whether to grant a charter, the State Board of Education shall consider THE EFFECT OF THE PROPOSED CHARTER SCHOOL ON THE REDUCTION OF RACIAL, ETHNIC AND ECONOMIC ISOLATION IN THE REGION IN WHICH IT IS TO BE LOCATED, THE REGIONAL DISTRIBUTION OF CHARTER SCHOOLS IN THE STATE AND the potential of over concentration of charter schools WITHIN A SCHOOL DISTRICT OR in contiguous school districts.

(d) Applications pursuant to this section shall include a description of: (1) The mission, purpose and any specialized focus of the proposed charter school; (2) the interest in the community for the establishment of the charter school; (3) the school governance and procedures for the establishment of a governing council by the applicant, teachers, administrators and parents and guardians of students enrolled in the school; (4) the financial plan for operation of the school, provided no application fees or other fees for attendance, except as provided in section 10-66ee, AS AMENDED BY SECTION 9 OF THIS ACT, may be charged; (5) the educational program,

instructional methodology and services to be offered to students; (6) the number and qualifications of teachers and administrators to be employed in the school; (7) the organization of the school in terms of the ages or grades to be taught and the total estimated enrolment of the school; (8) the student admission criteria and procedures to [ensure] (A) ENSURE effective public information, (B) ENSURE open access on a space available basis, [and] (C) PROMOTE A DIVERSE STUDENT BODY, AND (D) that the school COMPLIES WITH THE PROVISIONS OF SECTION 10-15c AND THAT IT does not discriminate on the basis of [race, color, national origin, gender, religion,] disability, athletic performance or proficiency in the English language, provided the school may limit enrolment to a particular grade level or specialized educational focus and, if there is not space available for all students seeking enrolment, the school may give preference to siblings but shall otherwise determine enrolment by a lottery; (9) a means to assess student performance that includes participation in state-wide mastery examinations pursuant to chapter 163c; (10) procedures for teacher evaluation and professional development for teachers and administrators; (11) the provision of school facilities, pupil transportation and student health and welfare services; (12) procedures to encourage involvement by parents and guardians of enrolled students in student learning, school activities and school decision-making; [and] (13) DOCUMENT EFFORTS TO INCREASE THE RACIAL AND ETHNIC DIVERSITY OF STAFF; AND [(13)] (14) a five-year plan to sustain the maintenance and operation of the school. Subject to the provisions of subsection (b) of section 10-66dd, an application may include, or a charter school may file, requests to waive provisions of the general statutes and regulations not required by sections 10-66aa to 10-66ff, inclusive, AS AMENDED BY THIS ACT, and which are within the jurisdiction of the State Board of Education.

Sec. 8. Subsection (b) of section 10-66cc of the general statutes is repealed and the following is substituted in lieu thereof:

(b) The governing council of each charter school shall submit annually, to the Commissioner of Education, at such time and in such manner as he prescribes, and, in the case of a local charter school, to the local or regional board of education for the school district in which the school is located, a report on the condition of the school, including (1) the educational progress of students in the school, (2) the financial condition of the school, including a certified audit statement of all revenues and expenditures, [and] (3) accomplishment of the mission, purpose and any specialized focus of the charter school, AND (4) THE RACIAL AND ETHNIC COMPOSITION OF THE STUDENT BODY AND EFFORTS TAKEN TO INCREASE THE RACIAL AND ETHNIC DIVERSITY OF THE STUDENT BODY.

Sec. 9. Section 10-66ee of the general statutes is repealed and the following is

substituted in lieu thereof:

(a) For the purposes of education equalization aid under section 10-262h a student enrolled (1) in a local charter school shall be considered a student enrolled in the school district in which he resides, and (2) in a state charter school shall not be considered a student enrolled in the school district in which he resides.

(b) The local board of education of the school district in which a student enrolled in a local charter school resides shall [,] pay, annually, in accordance with its charter, to the fiscal authority for the charter school for each such student the amount specified in its charter.

(c) (1) The state shall, annually, pay in accordance with this subsection, to the fiscal authority for a state charter school, for each student enrolled in such school, an amount equal to one hundred five per cent of the foundation level pursuant to subdivision (9) of section 10-262f, per student for the fiscal year in which the payment is made. Such [payment] PAYMENTS shall be made as follows: [Ten] TWENTY-FIVE per cent of the amount determined pursuant to this subsection [on] IN July [first] AND SEPTEMBER based on ESTIMATED student enrolment on May first, and [thirty] TWENTY-FIVE per cent of such amount [on October first,] IN January [first] and THE REMAINING AMOUNT IN April [first] each based on student enrolment on [September] OCTOBER first. (2) IN THE CASE OF A STUDENT IDENTIFIED AS REQUIRING SPECIAL EDUCATION, THE SCHOOL DISTRICT IN WHICH THE STUDENT RESIDES SHALL: (A) HOLD THE PLANNING AND PLACEMENT TEAM MEETING FOR SUCH STUDENT AND SHALL INVITE REPRESENTATIVES FROM THE CHARTER SCHOOL TO PARTICIPATE IN SUCH MEETING; AND (B) PAY THE STATE CHARTER SCHOOL AN AMOUNT EQUAL TO THE DIFFERENCE BETWEEN THE REASONABLE COST OF EDUCATING SUCH STUDENT AND THE SUM OF THE AMOUNT RECEIVED BY THE STATE CHARTER SCHOOL FOR SUCH STUDENT PURSUANT TO SUBDIVISION (1) OF THIS SUBSECTION AND AMOUNTS RECEIVED FROM OTHER STATE, FEDERAL, LOCAL OR PRIVATE SOURCES CALCULATED ON A PER PUPIL BASIS. SUCH SCHOOL DISTRICT SHALL BE ELIGIBLE FOR REIMBURSEMENT PURSUANT TO SECTION 10-76g.

(d) NOTWITHSTANDING ANY PROVISION OF THE GENERAL STATUTES TO THE CONTRARY, IF AT THE END OF A FISCAL YEAR AMOUNTS RECEIVED BY A STATE CHARTER SCHOOL, PURSUANT TO SUBDIVISION (1) OF THIS SUBSECTION, ARE UNEXPENDED, THE CHARTER SCHOOL (1) MAY USE, FOR THE EXPENSES OF THE CHARTER SCHOOL FOR THE FOLLOWING FISCAL YEAR, UP TO TEN PER CENT OF SUCH AMOUNTS, AND (2) MAY (A) CREATE A RESERVE FUND TO FINANCE A SPECIFIC CAPITAL OR EQUIPMENT PURCHASE OR ANOTHER SPECIFIED PROJECT AS MAY BE APPROVED BY THE COMMISSIONER, AND (B) DEPOSIT INTO SUCH FUND UP TO FIVE PER CENT OF SUCH AMOUNTS.

[(d)] (e) The local OR REGIONAL board of education of the school district in which the charter school is located shall provide transportation services for students of the charter school who reside in such school district pursuant to section 10-273a unless the charter

school makes other arrangements for such transportation. ANY LOCAL OR REGIONAL BOARD OF EDUCATION MAY PROVIDE TRANSPORTATION SERVICES TO A STUDENT ATTENDING A CHARTER SCHOOL OUTSIDE OF THE DISTRICT IN WHICH THE STUDENT RESIDES AND, IF IT ELECTS TO PROVIDE SUCH TRANSPORTATION, SHALL BE REIMBURSED PURSUANT TO SECTION 10-266m, AS AMENDED BY SECTION 27 OF THIS ACT, FOR THE REASONABLE COSTS OF SUCH TRANSPORTATION. ANY LOCAL OR REGIONAL BOARD OF EDUCATION PROVIDING TRANSPORTATION SERVICES UNDER THIS SUBSECTION MAY SUSPEND SUCH SERVICES IN ACCORDANCE WITH THE PROVISIONS OF SECTION 10-233c.

[(e)] (f) Charter schools shall be eligible to the same extent as boards of education for any grant for special education, COMPETITIVE STATE GRANTS AND GRANTS PURSUANT TO SECTIONS 10-17g AND 10-266w.

(g) IF THE COMMISSIONER FINDS THAT ANY CHARTER SCHOOL USES A GRANT UNDER THIS SECTION FOR A PURPOSE THAT IS INCONSISTENT WITH THE PROVISIONS OF THIS PART, THE COMMISSIONER MAY REQUIRE REPAYMENT OF SUCH GRANT TO THE STATE.

[(f)] (h) Charter schools shall receive, in accordance with federal law and regulations, any federal funds available for the education of any pupils attending public schools.

[(g)] (i) The governing council of a charter school may (1) contract or enter into other agreements for purposes of administrative or other support services, transportation, plant services or leasing facilities or equipment, and (2) receive and expend private funds or public funds, including funds from local or regional boards of education AND FUNDS RECEIVED BY LOCAL CHARTER SCHOOLS FOR OUT-OF-DISTRICT STUDENTS, for school purposes.

Sec. 10. Subsection (a) of section 10-69 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Each local and regional board of education shall establish and maintain a program of adult classes or shall provide for participation in a program of adult classes for its adult residents through cooperative arrangements with one or more other boards of education, one or more cooperating eligible entities or a regional educational service center pursuant to the provisions of section 10-66a. Such board of education may admit an adult to any public elementary or secondary school. No person enrolled in a full-time program of study in any local or regional school district may enroll in an adult education activity without the approval of the school principal of the school in which such person is enrolled in such full-time program. Instruction: (1) Shall be provided in Americanization and United States citizenship, English for adults with limited English proficiency and elementary and secondary school completion programs or classes; and (2) may be provided IN (A) [in] any subject provided by the elementary and secondary schools of such school district, including vocational education, [; and (B) in] (B) ADULT LITERACY, (C) PARENTING SKILLS,

AND (D) any other subject or activity.

Sec. 11. (NEW) Each local and regional board of education shall conduct an instructional time and facility usage assessment in order to maximize student learning and community use of facilities. For purposes of such audit, the superintendent of schools of each school district shall meet regularly with representatives from the public library and the recreation department in the town or towns that comprise the school district to coordinate the availability of facilities.

Sec. 12. Section 10-74d of the general statutes is repealed and the following is substituted in lieu thereof:

(a) The state Department of Education shall, within available appropriations and after payments made pursuant to sections 10-264i, 10-2641, AS AMENDED BY SECTION 16 OF THIS ACT, and 10-266j, maintain a competitive grant program for the purpose of assisting local and regional boards of education and regional educational service centers with the establishment and operation of interdistrict cooperative programs, INCLUDING PROGRAMS PURSUANT TO SECTION 13 OF THIS ACT AND LIGHTHOUSE SCHOOLS, AS DEFINED IN SECTION 18 OF *THIS ACT, BUT* excluding interdistrict magnet school programs for which a local or regional board of education or a regional educational service center receives funds pursuant to section 10-264h, AS AMENDED BY SECTION 15 OF THIS ACT, or 10-2641, AS AMENDED BY SECTION 16 OF THIS ACT.

(b) To be eligible for a grant under this section, each application shall be submitted pursuant to a cooperative arrangement on behalf of two or more local or regional boards of education or be submitted by a regional educational service center solely or pursuant to a cooperative arrangement with one or more local or regional boards of education. Applications shall be submitted annually to the Commissioner of Education at such times and in such manner as the commissioner prescribes. In determining whether an application shall be approved and funds awarded pursuant to this section, the commissioner shall consider, but such consideration shall not be limited to, the following factors: (1) The specific objectives and description of the proposed program; (2) the cost; (3) the number of school districts and students [benefited] THAT WILL BENEFIT, PROVIDED ON AND AFTER JULY 1, 1998, THE COMMISSIONER SHALL NOT AWARD A GRANT FOR A PROGRAM IN WHICH MORE THAN EIGHTY PER CENT OF THE STUDENTS ARE FROM ONE SCHOOL DISTRICT; (4) the relative wealth of the participating school districts; (5) whether the proposed program is likely to (A) increase student performance as measured by state-wide mastery examination results and (B) [enhance student diversity and awareness of diversity] REDUCE RACIAL, ETHNIC AND ECONOMIC ISOLATION; and (6) whether participating school districts are located within regions described in section 10-264k which approved regional plans in accordance with section 10-264c.

(c) The state Department of Education may

retain up to one per cent of the amount appropriated for interdistrict cooperative grants pursuant to this section for state-wide technical assistance, program monitoring and evaluation, and administration.

Sec. 13. (NEW) Local and regional boards of education and regional educational service centers shall be eligible to receive grants pursuant to section 10-74d of the general statutes, as amended by section 12 of this act, for interdistrict cooperative programs (1) to establish full-time resident summer programs at colleges and universities to provide academically challenging courses for students from different backgrounds and communities, and (2) for distance learning and other technologies.

Sec. 14. Section 10-221 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Boards of education shall prescribe rules for the management, studies, classification and discipline of the public schools and, subject to the control of the State Board of Education, the textbooks to be used; shall make rules for the control, within their respective jurisdictions, of school library media centers and approve the selection of books and other educational media therefor, and shall approve plans for public school buildings and superintend any high or graded school in the manner specified in this title.

(b) Not later than July 1, 1985, each local and regional board of education shall develop, adopt and implement written policies concerning homework, attendance, promotion and retention. The state Department of Education shall make available model policies and guidelines to assist local and regional boards of education in meeting the responsibilities enumerated in this subsection.

(c) Boards of education may prescribe rules to impose sanctions against pupils who damage or fail to return textbooks, library materials or other educational materials. Said boards may charge pupils for such damaged or lost textbooks, library materials or other educational materials and may withhold grades, transcripts or report cards until the pupil pays for or returns the textbook, library book or other educational material.

(d) Not later than July 1, 1991, each local and regional board of education shall develop, adopt and implement policies and procedures in conformity with section 10-154a for (1) dealing with the use, sale or possession of alcohol or controlled drugs, as defined in subsection (8) of section 21a-240, by public school students on school property, including a process for coordination with, and referral of such students to, appropriate agencies and (2) cooperating with law enforcement officials.

(e) Not later than July 1, 1990, each local and regional board of education shall adopt a written policy and procedures for dealing with youth suicide prevention and youth suicide attempts. Each such board of education may

establish a student assistance program to identify risk factors for youth suicide, procedures to intervene with such youth, referral services and training for teachers and other school professionals and students who provide assistance in the program.

(f) NOT LATER THAN SEPTEMBER 1, 1998, EACH LOCAL AND REGIONAL BOARD OF EDUCATION SHALL DEVELOP, ADOPT AND IMPLEMENT WRITTEN POLICIES AND PROCEDURES TO ENCOURAGE PARENT-TEACHER COMMUNICATION. THESE POLICIES AND PROCEDURES MAY INCLUDE MONTHLY NEWSLETTERS, REQUIRED REGULAR CONTACT WITH ALL PARENTS, FLEXIBLE PARENT-TEACHER CONFERENCES, DROP-IN HOURS FOR PARENTS, HOME VISITS AND THE USE OF TECHNOLOGY SUCH AS HOMEWORK HOT LINES TO ALLOW PARENTS TO CHECK ON THEIR CHILDREN'S ASSIGNMENTS AND STUDENTS TO GET ASSISTANCE IF NEEDED.

Sec. 15. Subsections (a) and (b) of section 10-264h of the general statutes are repealed and the following is substituted in lieu thereof:

(a) For the fiscal year ending June 30, 1996, and each fiscal year thereafter, a local or regional board of education, [or] regional educational service center OR A COOPERATIVE ARRANGEMENT PURSUANT TO SECTION 10-158a FOR PURPOSES OF AN INTERDISTRICT MAGNET SCHOOL may be eligible for reimbursement up to the full reasonable cost of any capital expenditure for the purchase, construction, extension, replacement, leasing or major alteration of interdistrict magnet school facilities, including any expenditure for the purchase of equipment, in accordance with this section. To be eligible for reimbursement under this section a magnet school construction project shall meet the requirements established in chapter 173, except that the commissioner OF EDUCATION may waive any requirement in such chapter for good cause. ON AND AFTER JULY 1, 1997, THE COMMISSIONER SHALL APPROVE ONLY APPLICATIONS FOR REIMBURSEMENT UNDER THIS SECTION THAT HE FINDS WILL REDUCE RACIAL, ETHNIC AND ECONOMIC ISOLATION.

(b) [The] SUBJECT TO THE PROVISIONS OF SUBSECTION (a) OF THIS SECTION, THE applicant shall receive current payments of scheduled estimated eligible project costs for the facility, provided (1) the applicant files an application for a school building project, in accordance with section 10-283 by the date prescribed by the commissioner, (2) final plans and specifications for the project are approved pursuant to sections 10-291 and 10-292, and (3) such district submits to the commissioner, in such form as the commissioner prescribes, and the commissioner approves a plan for the operation of the facility which includes, but need not be limited to: A description of the educational programs to be offered, the completion date for the project, an estimated budget for the operation of the facility, [and] written commitments for participation from the districts that will participate in the school AND AN ANALYSIS OF THE EFFECT OF THE PROGRAM ON THE REDUCTION OF RACIAL,

ETHNIC AND ECONOMIC ISOLATION. The commissioner shall notify the secretary of the State Bond Commission when the provisions of subdivisions (1) and (3) of this subsection have been met. Upon application to the Commissioner of Education, compliance with the provisions of subdivisions (1) and (3) of this subsection and after authorization by the General Assembly pursuant to section 10-283, the applicant shall be eligible to receive a grant in an amount equal to five per cent of the amount authorized for the project for the development of final plans and specifications pursuant to subdivision (2) of this subsection.

Sec. 16. Subsections (a) and (b) of section 10-2641 of the general statutes are repealed and the following is substituted in lieu thereof:

(a) The Department of Education shall, within the amount appropriated for interdistrict cooperative grants pursuant to section 10-74d, AS AMENDED BY SECTION 12 OF THIS ACT, use up to fifty per cent of such appropriation to establish a competitive grant program to assist local and regional boards of education and regional educational service centers with the operation of interdistrict magnet school programs. For the purposes of this section "an interdistrict magnet school program" means a program which (1) supports RACIAL, ETHNIC AND ECONOMIC diversity, (2) offers a special and high quality curriculum, and (3) requires students who are enrolled to attend at least half-time. An interdistrict magnet school program does not include a regional vocational agriculture school, a regional vocational-technical school or a regional special education center. ON AND AFTER JULY 1, 2000, THE GOVERNING AUTHORITY FOR EACH INTERDISTRICT MAGNET SCHOOL PROGRAM SHALL RESTRICT THE NUMBER OF STUDENTS THAT MAY ENROLL IN THE PROGRAM FROM A PARTICIPATING DISTRICT TO EIGHTY PER CENT OF THE TOTAL ENROLMENT OF THE PROGRAM.

(b) Applications for interdistrict magnet school program operating grants awarded pursuant to this section shall be submitted annually to the Commissioner of Education at such time and in such manner as the commissioner prescribes. In determining whether an application shall be approved and funds awarded pursuant to this section, the commissioner shall consider, but such consideration shall not be limited to: [, whether: (1) The] (1) WHETHER THE program offered by the school is likely to increase student [performance as measured by state-wide mastery examination results] ACHIEVEMENT; (2) WHETHER the program is likely to [enhance student diversity and awareness of diversity] REDUCE RACIAL, ETHNIC AND ECONOMIC ISOLATION; (3) THE PERCENTAGE OF THE STUDENT ENROLMENT IN THE PROGRAM FROM EACH PARTICIPATING DISTRICT; and [(3)] (4) WHETHER participating school districts are located within regions described in section 10-264k which approved regional plans in accordance with section 10-264c. ON AND AFTER JULY 1, 2000, THE COMMISSIONER SHALL NOT AWARD A GRANT TO A PROGRAM IF MORE THAN EIGHTY PER CENT OF ITS TOTAL ENROLMENT IS FROM ONE SCHOOL

DISTRICT, EXCEPT THAT THE COMMISSIONER MAY AWARD A GRANT FOR GOOD CAUSE, FOR ANY ONE YEAR, ON BEHALF OF AN OTHERWISE ELIGIBLE MAGNET SCHOOL PROGRAM, IF MORE THAN EIGHTY PER CENT OF THE TOTAL ENROLMENT IS FROM ONE DISTRICT.

Sec. 17. The Department of Education shall conduct an evaluation of interdistrict magnet school and charter school programs in the state. The department shall also assess the need for additional interdistrict magnet schools and the number of spaces in such schools needed for the school year commencing in 2000 and for subsequent school years. The Commissioner of Education shall report, in accordance with the provisions of section 11-4a of the general statutes, on the findings of such evaluation and assessment to the joint standing committee of the General Assembly having cognizance of matters relating to education by February 1, 1998.

Sec. 18. (NEW) For the fiscal year ending June 30, 1998, the Department of Education shall award a grant in an amount not to exceed one hundred thousand dollars to the Hartford school district to assist in the development of a curriculum and the training of staff for a lighthouse school. For the fiscal year ending June 30, 1999, the Department of Education shall award, within available appropriations, competitive grants to the Hartford, New Haven and Bridgeport school districts to assist in the development of curricula and the training of staff for lighthouse schools. For purposes of this section and section 10-285a of the general statutes, as amended by section 19 of this act, a "lighthouse school" is an existing public school or a public school planned prior to July 1, 1997, in a priority school district that (1) has a specialized curriculum, and (2) is designed to promote intradistrict and interdistrict public school choice.

Sec. 19. Section 10-285a of the general statutes is amended by adding subsections (e) and (f) as follows:

(NEW) (e) The percentage determined pursuant to this section for a school building project grant for the expansion, alteration or renovation of an existing public school building to convert such building for use as a lighthouse school, as defined in section 18 of this act, shall be increased by ten percentage points.

(NEW) (f) The percentage determined pursuant to this section for a school building project grant for a new building, the expansion of an existing building, the renovation of a building to increase the area of such building used as a public school or renovation of a building for use as a public school, may be increased by up to ten percentage points based on the number of spaces made available under the project for out-of-district students participating in the program established pursuant to section 3 of this act.

Sec. 20. The Department of Education shall expand the format for strategic school profiles to

include a section concerning the provision of educational opportunities for students to interact with students and teachers from other racial, ethnic and economic backgrounds and from other communities as included in reports pursuant to subsection (b) of section 2 of this act.

Sec. 21. Section 10-220 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Each local or regional board of education shall maintain good public elementary and secondary schools, implement the educational interests of the state as defined in section 10-4a, AS AMENDED BY SECTION 1 OF THIS ACT, and provide such other educational activities as in its judgment will best serve the interests of the school district; provided any board of education may secure such opportunities in another school district in accordance with provisions of the general statutes and shall give all the children of the school district as nearly equal advantages as may be practicable; SHALL PROVIDE AN APPROPRIATE LEARNING ENVIRONMENT FOR ITS STUDENTS WHICH INCLUDES (1) ADEQUATE INSTRUCTIONAL BOOKS, SUPPLIES, MATERIALS, EQUIPMENT, STAFFING, FACILITIES AND TECHNOLOGY, (2) EQUITABLE ALLOCATION OF RESOURCES AMONG ITS SCHOOLS, AND (3) A SAFE SCHOOL SETTING; shall have charge of the schools of its respective school district; shall make a continuing study of the need for school facilities and of a long-term school building program and from time to time make recommendations based on such study to the town; SHALL REPORT ANNUALLY TO THE COMMISSIONER OF EDUCATION ON THE CONDITION OF ITS FACILITIES AND THE ACTION TAKEN TO IMPLEMENT ITS LONG-TERM SCHOOL BUILDING PROGRAM, WHICH REPORT THE COMMISSIONER SHALL USE TO PREPARE AN ANNUAL REPORT THAT HE SHALL SUBMIT IN ACCORDANCE WITH SECTION 11-4a TO THE JOINT STANDING COMMITTEE OF THE GENERAL ASSEMBLY HAVING COGNIZANCE OF EDUCATION; shall advise the Commissioner of Education of the relationship between any individual school building project pursuant to chapter 173 and such long-term school building program; shall have the care, maintenance and operation of buildings, lands, apparatus and other property used for school purposes and at all times shall insure all such buildings and all capital equipment contained therein against loss in an amount not less than eighty per cent of replacement cost; shall determine the number, age and qualifications of the pupils to be admitted into each school; shall employ and dismiss the teachers of the schools of such district subject to the provisions of sections 10-151 and 10-158a; shall designate the schools which shall be attended by the various children within the school district; shall make such provisions as will enable each child of school age, residing in the district to attend some public day school for the period required by law and provide for the transportation of children wherever transportation is reasonable and desirable, and for such purpose may make contracts covering periods of not more

than five years; may place in an alternative school program or other suitable educational program a pupil enrolling in school who is nineteen years of age or older and cannot acquire a sufficient number of credits for graduation by age twenty-one; may arrange with the board of education of an adjacent town for the instruction therein of such children as can attend school in such adjacent town more conveniently; shall cause each child seven years of age and over and under sixteen living in the school district to attend school in accordance with the provisions of section 10-184, and shall perform all acts required of it by the town or necessary to carry into effect the powers and duties imposed by law.

(b) The board of education of each local or regional school district shall, with the participation of parents, students, school administrators, teachers, citizens, local elected officials and any other individuals or groups such board shall deem appropriate, prepare a statement of educational goals for such local or regional school district. The statement of goals shall be consistent with state-wide goals pursuant to subsection (c) of section 10-4. Each local or regional board of education shall develop student objectives which relate directly to the statement of educational goals prepared pursuant to this subsection and which identify specific expectations for students in terms of skills, knowledge and competence.

(c) By November 1, 1994, and annually thereafter, each local and regional board of education shall submit to the Commissioner of Education a strategic school profile report for each school under its jurisdiction and for the school district as a whole. The superintendent of each local and regional school district shall present the profile report at the next regularly scheduled public meeting of the board of education after each such November first. The profile report shall provide information on measures of (1) student needs, (2) school resources, [and] (3) student and school performance, (4) EQUITABLE ALLOCATION OF RESOURCES AMONG ITS SCHOOLS, AND (5) REDUCTION OF RACIAL, ETHNIC AND ECONOMIC ISOLATION.

Sec. 22. Section 10-266q of the general statutes is repealed and the following is substituted in lieu thereof:

(a) On or before September fifteenth of each fiscal year in which payment is to be made, the State Board of Education shall authorize grant awards. Grant awards shall be authorized only after proposals for such grants have been submitted to the commissioner by the school districts described in section 10-266p, at such time and in such manner as the commissioner shall prescribe, and after the commissioner and each such school district have reached agreement regarding how such grant shall be utilized. Each proposal shall be based on a three-year project plan and include, but not be limited to, an explanation of project goals, objectives,

evaluation strategies and budget which shall identify local funding and other resource contributions for the three-year period provided proposals shall give priority to the development or expansion of extended-day kindergarten programs.

(b) A priority school district grant shall be payable to the local board of education for the school districts described in section 10-266p, which shall use the funds for any of the following: (1) The creation or expansion of [training, evaluation, research, development, innovative] programs or activities related to dropout prevention, [developed pursuant to the policy adopted by the State Board of Education in accordance with section 10-202e,] (2) ALTERNATIVE AND TRANSITIONAL PROGRAMS FOR STUDENTS HAVING DIFFICULTY SUCCEEDING IN TRADITIONAL EDUCATIONAL PROGRAMS, [(2)] (3) academic enrichment, tutorial and recreation programs or activities in school buildings during nonschool hours [, (3)] AND DURING THE SUMMER, (4) development or expansion of extended-day kindergarten programs, [(4)] (5) development or expansion of [early childhood education or] early reading intervention programs, [or (5)] INCLUDING SUMMER AND AFTER-SCHOOL PROGRAMS, (6) ENHANCEMENT OF THE USE OF TECHNOLOGY TO SUPPORT INSTRUCTION OR IMPROVE PARENT AND TEACHER COMMUNICATION, (7) initiatives to strengthen parent involvement in the education of children, and parent and other community involvement in school and school district programs, activities and educational policies, which may be in accordance with the provisions of section 10-4g, OR (8) FOR PURPOSES OF OBTAINING ACCREDITATION FOR ELEMENTARY AND MIDDLE SCHOOLS FROM THE NEW ENGLAND ASSOCIATION OF SCHOOLS AND COLLEGES. EACH SUCH BOARD OF EDUCATION SHALL USE AT LEAST TWENTY PER CENT OF ITS GRANT FOR EARLY READING INTERVENTION PROGRAMS. Each such board of education shall use its grant to supplement existing programs or create new programs. If the State Board of Education finds that any such grant is being used for other purposes or is being used to decrease the local share of support for schools, it may require repayment of such grant to the state.

(c) Each priority school district grant shall be awarded by the State Board of Education on an annual basis. Funding in subsequent years shall be based on funds available, annual application and program evaluation.

Sec. 23. (a) The State Board of Education shall establish a standard of reading competency for use by local and regional boards of education to measure reading competency for students in grades one to three, inclusive. The standard may be a requirement for a certain score on a standardized test.

(b) The Commissioner of Education shall report, in accordance with section 11-4a of the general statutes, on such standard to the joint standing committee of the General Assembly having cognizance of matters relating to education, by

February 1, 1998.

Sec. 24. Subdivision (22) of section 10-262f of the general statutes is repealed and the following is substituted in lieu thereof:

(22) "Resident students" means the number of pupils of the town enrolled in public schools at the expense of the town on October first or the full school day immediately preceding such date, provided the number shall be decreased by the Department of Education for failure to comply with the provisions of section 10-16 and shall be increased by one-one-hundred-eightieth for each full-time equivalent school day in the school year immediately preceding such date of at least five hours of actual school work in excess of one hundred eighty days and nine hundred hours of actual school work and be increased by the full-time equivalent number of such pupils attending the summer sessions immediately preceding such date at the expense of the town; "enrolled" shall include pupils who are scheduled for vacation on the above date and who are expected to return to school as scheduled. [Students] PUPILS enrolled in an approved program described in section 10-266j shall be counted in accordance with the provisions of subdivision (3) of subsection (c) of said section. PUPILS PARTICIPATING IN THE PROGRAM ESTABLISHED PURSUANT TO SECTION 3 OF THIS ACT SHALL BE COUNTED IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (g) OF SECTION 3 OF THIS ACT.

Sec. 25. Subdivision (2) of subsection (a) of section 10-261 of the general statutes is repealed and the following is substituted in lieu thereof:

(2) "Average daily membership" means the number of all pupils of the local or regional board of education enrolled in public schools at the expense of such board of education on October first or the full school day immediately preceding such date, provided the number so obtained shall be decreased by the Department of Education for failure to comply with the provisions of section 10-16 and shall be increased by one one-hundred-eightieth for each full-time equivalent school day of at least five hours of actual school work in excess of one hundred eighty days and nine hundred hours of actual school work and be increased by the full-time equivalent number of such pupils attending the summer sessions immediately preceding such date at the expense of such board of education; "enrolled" shall include pupils who are scheduled for vacation on the above dates and who are expected to return to school as scheduled. PUPILS PARTICIPATING IN THE PROGRAM ESTABLISHED PURSUANT TO SECTION 3 OF THIS ACT SHALL BE COUNTED IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (g) OF SECTION 3 OF THIS ACT.

Sec. 26. Section 10-66ff of the general statutes is amended by adding subsection (c) as follows:

(NEW) (c) Charter schools established pursuant to sections 10-66aa to 10-66gg, inclusive, shall be eligible to invest in participation

certificates of the short-term investment fund administered by the State Treasurer pursuant to sections 3-27a to 3-27f, inclusive.

Sec. 27. Section 10-266m of the general statutes is repealed and the following is substituted in lieu thereof:

A local or regional board of education providing transportation in accordance with the provisions of sections 10-54, 10-66ee, AS AMENDED BY SECTION 9 OF THIS ACT, 10-97, 10-273a, 10-277, 10-280a and 10-281 shall be reimbursed for a percentage of such transportation costs as follows:

(1) The percentage of pupil transportation costs reimbursed to a local board of education shall be determined by (A) ranking each town in the state in descending order from one to one hundred sixty-nine according to such town's adjusted equalized net grand list per capita, as defined in section 10-261; (B) based upon such ranking, and notwithstanding the provisions of section 2-32a, (i) except as otherwise provided in this subparagraph, a percentage of zero shall be assigned to towns ranked from one to thirteen and a percentage of not less than zero nor more than sixty shall be determined for the towns ranked from fourteen to one hundred sixty-nine on a continuous scale, except that any such percentage shall be increased by twenty percentage points in accordance with section 10-97, where applicable and (ii) for the fiscal year ending June 30, 1997, and for each fiscal year thereafter, a percentage of zero shall be assigned to towns ranked from one to seventeen and a percentage of not less than zero nor more than sixty shall be determined for the towns ranked from eighteen to one hundred sixty-nine on a continuous scale.

(2) The percentage of pupil transportation costs reimbursed to a regional board of education shall be determined by its ranking. Such ranking shall be determined by (A) multiplying the total population, as defined in section 10-261, of each town in the district by such town's ranking, as determined in subdivision (1) of this section, (B) adding together the figures determined under subparagraph (A) of this subdivision, and (C) dividing the total computed under subparagraph (B) of this subdivision by the total population of all towns in the district. The ranking of each regional board of education shall be rounded to the next higher whole number and each such board shall receive the same reimbursement percentage as would a town with the same rank, provided such percentage shall be increased in the case of a secondary regional school district by an additional five percentage points and, in the case of any other regional school district by an additional ten percentage points.

(3) Notwithstanding the provisions of subdivisions (1) and (2) of this section, for the fiscal year ending June 30, 1997, and for each fiscal year thereafter, no local or regional board of education shall receive a grant of less than one thousand dollars.

Sec. 28. Section 10-65b of the general statutes is repealed and the following is substituted in lieu thereof:

A local or regional board of education which operates a regional vocational agriculture center shall provide to each student enrolled in such center all of the student's nonagricultural academic courses, provided that any such board which, on or before July 1, 1993, entered into an agreement to offer shared-time arrangements AND ANY SUCH BOARD WHICH OPERATES A REGIONAL VOCATIONAL AQUACULTURE PROGRAM may OFFER OR continue to offer such SHARED-TIME arrangements unless the Commissioner of Education determines that such shared-time arrangements are not in substantial compliance with the provisions of sections 10-64 and 10-65 and any regulations adopted pursuant to section 10-66. For purposes of this section and said section 10-65, "shared-time arrangements" means the enrolment of students in a regional vocational agriculture center while such students receive nonagricultural academic courses in a school district under the jurisdiction of a local or regional board of education other than the board of education operating such center.

Sec. 29. This act shall take effect July 1, 1997.

Approved June 26, 1997

TOP

MILO SHEFF ET AL.

v.

WILLIAM A. O'NEILL ET AL.

Connecticut Supreme Court Decision

March 3, 1999

X03 CV89 0492119S	:	SUPERIOR COURT
MILO SHEFF, ET AL	:	COMPLEX LITIGATION DOCKET
v.	:	AT NEW BRITAIN
WILLIAM A. O'NEILL	:	MARCH 3, 1999

MEMORANDUM OF DECISION

The Decision of the Connecticut Supreme Court

On July 9, 1996, the Connecticut Supreme Court issued its decision in this case, *Sheff v. O'Neill*, 238 Conn. 1, 678 A.2d 1267 (1996), in which it held that students in the Hartford public schools were racially, ethnically and economically isolated and that, as a result, Hartford public school students had not been provided a substantially equal educational opportunity under the state constitution, article eighth, § 1, and article first, §§ 1 and 20. 238 Conn. at 37-38, 47.

The Court clearly recognized that the State had not intentionally segregated racial and ethnic

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minorities in the Hartford public school system. 238 Conn. at 10. But it also recognized that the State had created local school districts, which it identified as the most important factor contributing to the concentration of racial and ethnic minorities in Hartford:

> Although intended to improve the quality of education and not racially or ethnically motivated, the districting statute that the legislature enacted in 1909, now codified at § 10-240, is the single most important factor contributing to the present concentration of racial and ethnic minorities in the Hartford public school system. The districting statute and the resultant school district boundaries have remained virtually unchanged since 1909. The districting statute is of critical importance because it establishes town boundaries as the dividing line between all school districts in the state.

238 Conn. at 11.

Although the Court noted that "according to the findings of the trial court, poverty, not race or ethnicity, is the principal causal factor in the lower educational achievement of Hartford students," 238 Conn at 11, its holding implicitly recognized a strong causal relationship between racial and ethnic isolation and lower educational achievement.[1]

The Court further recognized that:

> The General Assembly has enacted no legislation that was intended to cause either de jure or de facto segregation. It enacted the districting statute, not to impose or to foster racial or ethnic isolation, but to improve educational quality for all Connecticut schoolchildren by increasing state involvement in all aspects of public elementary and secondary education. Moreover, the districting scheme presently furthers the legitimate nonracial interests of permitting considerable local control and accountability in educational matters.

238 Conn. at 40-41.

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[1] In the dissenting opinion, Justice Borden, writing for himself, Chief Justice Callahan and Justice Palmer, observed that:

> Thus, there are no facts in the record to support what the majority asserts, in an opinion long on rhetoric and short on reasoning, are the "devastating effects that racial and ethnic isolation . . . have had on [the plaintiffs'] education." Indeed, the facts found by the trial court contradict that assertion.

The Court's decision also contains the following language concerning the importance of remedying racial, ethnic and economic segregation in the schools:

> "[S]chools are an important socializing institution, imparting those shared values through which social order and stability are maintained." *Plyler v. Doe*, 457 U.S. 202, 222 n. 20, 102 S. Ct. 2382, 72 L. Ed. 2d 786 (1982). Schools bear central responsibility for "inculcating [the] fundamental values necessary to the maintenance of a democratic political system . . . ." *Ambach v. Norwick*, 441 U.S. 68, 77, 99 S. Ct. 1589, 60 L. Ed. 2d 49 (1979). When children attend racially and ethnically isolated schools, these "shared values" are jeopardized: "If children of different races and economic and social groups have no opportunity to know each other and to live together in school, they cannot be expected to gain the understanding and mutual respect necessary for the cohesion of our society." (Internal quotation marks omitted.) *Jenkins v. Township of Morris School District*, 58 N.J. 483, 498, 279 A.2d 619 (1971). "[T]he elimination of racial isolation in the schools promotes the attainment of equal educational opportunity and is beneficial to all students, both black and white." *Lee v. Nyquist*, 318 F. Sup. 710, 714 (W.D.N.Y. 1970), aff'd without opinion, 402 U.S. 935, 91 S. Ct. 1618, 29 L. Ed. 2d 105 (1971).

238 Conn. at 34.

The Court did not order judicial intervention to remedy the racial, ethnic and economic isolation existing in the Hartford Public Schools. Instead, the Court directed the trial court to issue a declaratory judgment and to retain jurisdiction in order to give the Legislature the opportunity to act. Specifically the Court directed " the legislature and the executive branch to put the search for appropriate remedial measures at the top of their respective agendas." *Id.* at 46.

<u>The Education Improvement Panel</u>

The State's response to the Supreme Court's decision was swift. On July 25, 1996 Governor John Rowland issued Executive Order No. 10, creating the Education Improvement Panel ("EIP"), which was charged to "explore, identify and report on a broad range of options for reducing racial isolation in our state's public schools, improving teaching and learning, enhancing a sense of community and encouraging parental involvement." Twenty-one Connecticut citizens, diverse in

race, occupation and background, were selected by the Governor and the Legislative leadership and appointed to serve on this panel which was chaired by Theodore S. Sergi, the State's Commissioner of Education. Members included the presidents of the state NAACP and the New England Health Care Employees Union, a college professor, education professionals from both the local and state levels, and a number of elected officials from all levels of government. Seven members of the Panel were either African American or Latino, and three had children or close relatives in the Hartford Public Schools.

The group process used by the Panel in its discussions and deliberations reflected an extraordinary degree of cooperation and consensus building. Although the Executive Order creating the Panel spoke of avoiding "forced bussing," Panel members discussed at length whether that option should be "off the table." Ultimately, even that controversial topic was fully explored. The Panel gradually narrowed a list of hundreds of ideas to fifteen recommendations which were supported by a majority of Panel members.

To assist them in formulating their recommendations, the Panel requested input from many outside sources. Experts from around the country, as well as other interested parties, including the plaintiffs and Capitol Region Education Council's John Allison, addressed the Panel. Each of the Panel's final recommendations had support of a majority of the Panel members. However, Panelists were allowed to voice separate or further opinions, and the final report includes numerous "minority" reports or statements.

When it was issued on January 22, 1997, the EIP final report was delivered to the Education Committee of the General Assembly, and the recommendations in the report formed the basis of legislation that was subsequently enacted. The recommendations of the Panel in the final report included a significant expansion of public school choice, measures to increase public school

accountability and parental involvement, strengthening of existing programs, and improving adult education.

Within five months of receiving the final report of the Education Improvement Panel, the Connecticut Legislature had passed Public Act 97-290, entitled "An Act Enhancing Educational Choices and Opportunities." This legislation was aimed at reducing racial, ethnic and economic isolation, as well as improving the quality of education throughout the State -- with an emphasis on improving urban education.

The first section of Public Act 97-290 amended Connecticut General Statutes§ 10-4a, the statute which defines the "educational interests of the state," to include the reduction of "racial, ethnic and economic isolation," and to impose a duty on each school district to "provide educational opportunities for its students to interact with students and teachers from other racial, ethnic and economic backgrounds . . . ." [2] The failure of local districts to carry out one or all of the "educational interests of the State," can, as discussed below, result in financial and other sanctions, including the loss of state educational funding. Moreover, the State Department of Education can initiate litigation to enforce the state's educational interests.

Section two of Public Act 97-290 provided that school boards could reduce racial, ethnic and economic isolation by using programs or methods such as:

> (1) Interdistrict magnet school programs; (2) charter schools; (3) interdistrict after-school, Saturday and summer programs and sister-school projects; (4) intradistrict and interdistrict public school choice programs; (5) interdistrict school building projects; (6) interdistrict program collaboratives for students and staff; (7) minority staff recruitment; (8) distance learning through the use of technology; and (9) any other experience that increases awareness of the diversity of individuals and cultures.

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[2] *See* Public Act 97-290 § 1.

Interdistrict Cooperative Programs

Interdistrict cooperative programs are school sponsored programs in which students from different school districts participate together in a diverse array of educational experiences. These programs, funded largely by the State, bring urban and suburban students together in the context of quality educational experiences. Educators who were called as witnesses by both the plaintiffs and the defendants agreed that interdistrict programs were beneficial. For example, Raul Montanez Pietre, principal of the Mary Hooker Elementary School in Hartford, called as a witness by the plaintiffs, testified that the interdistrict program between children at the Mary Hooker School and the Plantsville elementary school was highly successful in breaking down racial and economic barriers between the children. He testified the children learned and gained educational benefit from interdistrict programs despite the fact that they were not full time programs.

In order to receive State funding, interdistrict programs must promote diversity as well as academic improvement. The State Department of Education operates a competitive process in which local school districts or Regional Educational Service Centers submit written proposals for such programs. The review and approval process rewards programs that maximize the number and duration of face-to-face encounters between the students from different backgrounds.

The nature and duration of Interdistrict Cooperative Programs varies considerably. Some such programs are five week residential programs, where the participants live together and conduct in depth studies of particular topics like art and literature. Others are "Sister School" programs with minor State stipends that allow for students from urban and suburban schools to visit museums together or conduct other classroom exchanges . In order to fund a greater number of programs, the State typically funds the interdistrict cooperative programs at 70-90% of the funds requested. At this level of funding, the applicants tend to make up any gap in funding through local monies or

private donations. After July, 2000, no program can receive approval unless it establishes that no more than 80% of the student participants will come from any one school district. About half of these programs are sponsored by Regional Educational Service Centers and half by local school districts.

In school year 1997-98, some 81,502 students participated in interdistrict cooperative programs, and 100,000 students, nearly 20% of all public school children in the State, are expected to participate in 1998-99.

In addition to Mr. Montanez, Dr. John Allison, a former director of the Capitol Region Education Council, called as a witness by the plaintiffs, indicated that the programs are worthwhile, and that they reduce isolation and provide educational experiences. James Thompson, principal at Simpson-Waverly Elementary School in Hartford, another plaintiffs' witness, also described interdistrict cooperative grant activities in which his students had participated. Various witnesses, including several of plaintiffs' experts, agreed that when students from different backgrounds come together for constructive activity, that is in itself an educational experience.

Interdistrict Magnet Schools

Interdistrict magnet schools are created by two or more districts combining their ideas, skills and resources to create a new school centered around a unique or unusual theme, specifically designed to foster both excellence in academics and the reduction of racial, ethnic or economic isolation. Interdistrict Magnet schools existed prior to the Supreme Court's decision. However, since by definition a magnet school is made up of students from different districts, both the State and the plaintiffs have recognized the magnet school as an excellent method of reducing racial, ethnic and economic isolation.

Overall, State spending on magnet schools will be $17.5 million dollars for fiscal year 1998-99, representing an increase in excess of $7 million over the spending level for 1997-98. Both the number of magnet schools and their enrollments have shown remarkable growth, which, based on the known magnet school planning projects and planned magnet school expansions, are expected to continue into the future. Approximately twenty-seven percent of the interdistrict magnet schools being planned around the state involve participation by the Hartford Public Schools.

Like interdistrict cooperative programs, magnet schools grow out of the ideas, enthusiasm and commitment of the local districts that join forces to create them. These people are in the best position to assess what concepts will gain support and thrive as new schools. Magnet schools in urban areas which have unique educational programs can and have in this state attracted suburban students.

If a magnet school is housed in a new building, the State provides 100% funding for the construction of the building. In order to receive the State construction money the districts must commit to the new school for at least a twenty years. Those working on the development of a new magnet school can receive State funding for the planning process in the form of an interdistrict cooperative grant specifically earmarked for the planning of a magnet school. However, not all magnet schools currently in operation or proposed have used this State funding source for planning.

The State Department of Education has a division which includes employees who meet regularly with those planning new interdistrict magnet schools. They provide guidance and assistance in the development process, including supplying a "nuts and bolts" set of guidelines for the process. The founders of a proposed magnet school must submit a detailed "operations plan" which is carefully scrutinized. In particular, the State Department of Education looks for a strong and appropriate governance structure composed of at least three districts, suitable staffing patterns,

facilities, financial plans and, most importantly, an outstanding program that will attract a diverse student body. Once the proposed magnet school obtains approval of its operations plan, the founders must also obtain approval of their facilities plan from the State personnel who provide approval and funding for school facilities. They can then compete for State magnet school operational dollars.

The structure for the operational funding of interdistrict magnet schools is designed to encourage racial and ethnic diversity. Magnet schools are rewarded through financial incentives for accomplishing the greatest diversity in the racial and ethnic makeup of their student bodies. State funds for operating an interdistrict magnet school are based on per pupil payments determined as a percentage of the State's "foundation" level, currently set at $5775 per pupil. If the districts participating in the magnet school send no more than 30% of the students to the school, then the magnet school receives 90% of the foundation level for each pupil from each such district. As the percentage from the sending district rises above the 30% threshold, the operational reimbursement decreases correspondingly. This funding formula provides a strong financial incentive to the founders of magnet schools to seek to have three or more districts involved in the magnet school, with each contributing less than 30% of the students. Since the school must show it will reduce racial and/or ethnic isolation, this funding formula ensures participation of both urban and suburban districts in appropriate proportions while avoiding the pitfalls and possible legal challenges of having raced based quotas.[3] As with the interdistrict cooperative grants, by July 2000, the law will prohibit more than 80% of the students in a magnet school from coming from any one district.

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[3] *See, e.g., Wessman v. Gittens*, No. 98-1657 (lst Cir. 1998)(Use of racial quota as part of admissions criteria for Boston's prestigious Boston Latin School violates equal protection clause of the U.S. Constitution); *Hopwood v. State of Texas*, 78 F.2d 932 (5th Cir. 1996); *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469 (1989).

The State has provided a further financial incentive for local districts to participate in magnet schools. The sending districts are permitted to count the students they are sending to the magnet school in their student counts for Education Cost Sharing purposes. For example, if West Hartford sent 7 children to the Montessori Magnet school in Hartford in 1998, it would receive the same amount in Education Cost Sharing monies from the State as it would if the students remained in West Hartford schools. Obviously, under this formula the sending district could secure substantial State funds in excess of those normally received for education. Transportation funding is also available for students who do not live in the district in which the school is located at the level of $1200 per student.

State Department of Education personnel visit each magnet school twice per year to review curricula and meet with parents, teachers and school committees in order to ensure that the interdistrict magnet schools are fulfilling their mission of providing quality education while reducing isolation. The State Department of Education also must file annual interim and final reports. Magnet schools are required to report their race and ethnicity data like any other school. If an interdistrict magnet school does not meet its diversity goals, the State Department of Education provides technical assistance and additional grant monies addressed to recruiting practices and plans, giving the school a limited period in which to correct the problem. Such assistance combined with the State's ability to withdraw funding from a magnet school which is not achieving its diversity goals has been successfully used to obtain compliance by existing magnet schools in Waterbury and New Haven.

Charter Schools

Like magnet schools, charter schools are conceived and implemented by local educators and

parents. Charter schools arise from an entrepreneurial approach to providing education and use a unique, autonomous governance structure. They can be created quickly, but if they fail to meet their educational mission, they can also be dismantled quickly through the State's revocation or nonrenewal of their charters. Typically, they are small in size, with smaller class sizes, and the stakeholders and founder of the school take on full accountability and responsibility for the school. There are two kinds of charter schools in Connecticut, State and local charter schools. Both kinds of charter schools receive their charter directly from the State Board of Education. The important difference is that local school districts must first endorse local charter schools and local districts fund the operation of the local charter schools. Charter schools generally center around a particular theme and adopt innovative approaches to education. Charter schools can provide more educational options, particularly for urban students. Several existing charter schools, for example, address the needs of "at risk" students who have not succeeded in regular public schools or offer a more rigorous, disciplined approach to learning.

The establishment of a charter school is a competitive process. Prospective founders of such a school must respond to State Request for Proposals which require spelling out in detail the parameters of the proposed school. Legislation concerning charter schools predated Public Act 97-290. However, that Act amended the law governing the establishment and operation of charter schools to require the consideration of the reduction of racial, ethnic and economic isolation as a factor in approving new State or local charter schools or in renewing the charters of existing schools.[4] This change in the requirements for charter schools has already had an impact. The five

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[4] *See* Connecticut General Statutes. §§ 10-66bb, as amended by Public Act 97-290 § 7, and P.A. 98-252 § 6.

charter school proposals submitted after the amendment did propose a student composition which would be diverse. As of the date of the hearing before this court the Legislature was considering legislation which would require the applicants to demonstrate that the proposed school will reduce racial, ethnic and economic isolation.

In addition to changing the substantive requirements of charter school approval to reduce racial and ethnic isolation, the State has increased charter school funding significantly.[5] Six million dollars has been allocated for 1997-98 and nine million for 1998-99, with a concomitant increase in the number of authorized seats.

Minority Staff Recruitment

Section two of Public Act 97-290 also listed minority staff recruitment as one method whereby schools could attempt to alleviate racial, ethnic and economic isolation. There is no dispute that increasing the diversity of school staff and administrators, including minority representation in teacher preparation programs, can play a role in the reduction of racial and ethnic isolation. Under Connecticut General Statutes § 10-220, as amended by P.A. 98-252 § 13, each local or regional board of education must now develop and implement a written plan for minority staff recruitment, along with reporting requirements. In addition, legislation in 1998 added additional funds to the Connecticut State Universities and the University of Connecticut for scholarships for future minority educators.[6] The Regional Educational Service Centers gather data on minority staff recruitment and coordinate meetings and recruiting fairs which concern the recruitment of minority staff.

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[5] *See* Special Act 97-21, as amended by S.A. 98-6; Connecticut General Statutes § 10-66ee, as amended by P.A. 98-168 § 24.

[6] *See* Public Act 98-168 § 13, as amended by P.A. 98-252 § 65.

At the hearing Theodore Sergi, Connecticut's Education Commissioner, testified that the State Department of Education had conducted a survey in February of 1998 to determine whether local school boards had made efforts in the area of minority recruitment. It found that the vast *majority of school districts* were attempting to recruit minority teachers and half of the districts had a written policy regarding minority recruitment.

Commissioner Sergi described an incident concerning public statements made by the former school superintendent in Cheshire on the issue of minority recruitment. The Commissioner received a letter from Representative Cameron Staples, co-chairman of the House education committee, which letter expressed concern about the superintendent's statements. In response, Commissioner Sergi made a personal visit to the Cheshire Board of Education where he obtained assurances that Cheshire in fact intended to abide by its legal duties with regard to minority recruitment. Thereafter Cheshire offered a substantial number of spaces for participation in the Choice program.

The Choice Program

Section three of Public Act 97-290 provides, in pertinent part:

> (b) There is established, within available appropriations, a state-wide interdistrict public school attendance program. The purpose of the program shall be to: (1) Improve academic achievement; (2) reduce racial, ethnic and economic isolation or preserve racial and ethnic balance; and (3) provide a choice of educational programs for students.
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> (c) The program shall be phased in as provided in this subsection. (1) For the fiscal year ending June 30, 1998, the Department of Education shall provide grants in the amount of fifty thousand dollars each to the regional educational service centers for the Hartford, New Haven and Bridgeport regions to assist school districts in planning for the operation of the program. (2) For the school year commencing in 1998, and for each school year thereafter, the program shall be in operation in the Hartford, New Haven and Bridgeport regions. Students who reside in Hartford, New Haven or Bridgeport may attend school in another school district in the region and students who reside in such other school districts may attend school in Hartford, New Haven

> or Bridgeport. The Department of Education shall provide, within available appropriations, a grant for the fiscal year ending June 30, 1999, to the remaining regional educational service centers to assist school districts in planning for the expansion of the program to every school district in the state. (3) For the school year commencing in 1999, and for each school year thereafter, the program shall be in operation in every school district in the state and students may attend school in any school district in accordance with the provisions of this section, including the purposes specified in subsection (b) of this section.

The Choice program, or "Open Choice" as it is sometimes called, is an outgrowth of the Project Concern program, which operated for many years in the Hartford area, and which, in its early history, also operated in the New Haven and Bridgeport areas.

Under the new Choice program, beginning first in Hartford, New Haven and Bridgeport areas, and then later throughout the state, districts must report to their respective Regional Education Service Centers seats available for students from other districts to allow interdistrict attendance. Project Concern, which operated in the Hartford area until this school year, has been folded into this program.[7] Three million dollars has been allocated for the Choice Program for the 1998-1999 school year alone, as compared to just $900,000 for Project Concern in the year before the Supreme Court's decision in this case. Commissioner Sergi expects that the program will grow in the future.

The Choice Program includes features which were not present in its predecessor, Project Concern. Project Concern was not available to all students in Hartford. Only the parents of particular children were "invited" to apply. Under Choice, all students are free to apply, and unlike Project Concern, special education students and students with limited English Proficiency are not turned away. The Latino participation rate in Choice has already exceeded the "best" years of Project Concern.

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[7] *See* Public Act 97-290 § 3, as amended by P.A. 98-168 § 23 and P.A. 98-252 § 34; Connecticut General Statutes § 10-266j, as amended by P.A. 98-168.

If a Choice program student needs special education, the receiving district must provide the services and if the cost of the services exceeds the $2000 per student the district receives from the State, the sending district picks up that extra cost. The student is also the responsibility of the receiving district for all disciplinary purposes.

By providing the receiving district with $2000 per student and the one half of the "daily membership" for Educational Cost Sharing purposes, the Legislature sought to shift the financial burden and the responsibility for the student to the receiving district, without the "umbilical cord back to Hartford" that existed under Project Concern. Already, in its first year, the Choice program has achieved more Latino student participation in the Hartford area than Project Concern achieved in even its peak years. Other improvements over the old program include the renewed participation of the New Haven and Bridgeport regions, and an expected increase in total number of students in the programs. Under Project Concern, the State paid only $468 per student to the receiving district. Under the Choice program, the State pays $2000 per student and also provides a $1200 per student transportation grant to the appropriate Regional Education Service Center. Finally, under the Choice program, once the receiving district has committed to taking a student, it is by law obligated to keep the student in its system at least until the student graduates from the particular school building to which he or she has been admitted.

The 1998-99 School year is the first year for the operation of the Choice Program. Suburban school districts made 1400 seats available statewide. The commitment of this many seats in the first year of the program was particularly encouraging because many suburban districts have a strained capacity due to increases in student populations and the increasing number of special education students who are taught in mainstream classrooms.

The State is providing several incentives to encourage local districts to offer seats in the

Choice program. Any school district which builds a school facility which includes extra room for the interdistrict transfer of students will receive funds from the State in an amount which is ten percent higher than the district's normal reimbursement rate. [8] Another incentive for districts to offer seats in the program is the districts' new statutory duty to demonstrate evidence of progress in reducing isolation.

Lighthouse Schools

The inclusion of a provision concerning lighthouse schools in Public Act 97-290(§ 18) resulted from legislative debate, rather than from the recommendations of the Education Improvement Panel. The concept of the lighthouse school came about as a result of a number of legislators describing the need to enable educators to improve the quality of a school in a district to the degree that it would attract students from across the district, and, eventually, from other school districts. A lighthouse school can be the predecessor of an interdistrict magnet school.

There are several schools in New Haven which were open only to children from New Haven until parents prevailed upon the school board to open them to children from other districts. Those schools began as, essentially, New Haven lighthouse schools and became interdistrict magnet schools. For the school year 1998-99 there are approximately 500 children from outside New Haven who will attend New Haven schools.

Under Public Act 97-290 § 18 one hundred thousand dollars per year is designated to fund planning of lighthouse school programs initially in Hartford, and later including Bridgeport and New Haven. The Hartford program could open as early as next year. The two Hartford school principals

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[8] School construction reimbursement rates range from 20 to 80 percent based on the wealth of the district.

who testified as witnesses for the plaintiffs endorsed the efficacy of such programs. Mr. Thompson testified about his intention to develop a lighthouse school based on his school's highly successful intradistrict classical magnet program. He further stated that he believed that such a high quality program could attract students from the suburbs. Mr. Montanez testified that he and his staff at the Mary Hooker Elementary School in Hartford have been working on a lighthouse school curriculum for several years and he expects that it will take several more years before his curriculum is ready to be implemented.

Time Frames Specified in Public Act 97-290

Section four of Public Act 97-290 requires the State Board of Education to develop a five-year implementation plan "with appropriate goals and strategies to achieve resource equity and equality of opportunity, increase student achievement, reduce racial, ethnic and economic isolation, improve effective instruction and encourage greater parental and community involvement in all public schools of the state." That section also requires that the implementation plan shall:

> (1) Include methods for significantly reducing over a five-year period any disparities among school districts in terms of resources, staff, programs and curriculum, student achievement and community involvement that negatively impact student learning, (2) provide for monitoring by the Department of Education of the progress made in reducing such disparities, and (3) include proposals for minority staff recruitment, including but not limited to, alternative certification, mentoring programs, involvement of the community-technical colleges and efforts by regional educational service centers.

In accordance with that section, the State Department of Education completed a thorough analysis of resource disparities among Connecticut school districts in February, 1998. The purpose of that analysis was to provide a clear understanding of where the greatest disparities existed among Connecticut's public schools in order to focus efforts to reduce such disparities. This February 1998

report also contained specific further legislative recommendations, which were adopted by the General Assembly. An assessment of disparities in programs and curricula, student achievement, and the reduction of racial, ethnic and economic isolation, and of the improvement of parental and community involvement, with further legislative recommendations, was due in January, 1999. The State Department of Education was on schedule for meeting this legislated time frame at the time of the hearing. To date, activities on meeting the second part of this legislative mandate have involved more interactions with the school superintendents and the consideration of further proposals regarding magnet schools, charter schools and the Open Choice program. The State Department of Education has an ongoing duty to analyze and report educational disparities on a biennial basis after January, 1999.

Reporting on Efforts to Reduce Isolation

Public Act 97-290 § 2 required all local and regional boards of education to report by October 1, 1998, and biennially thereafter to their respective Regional Education Service Centers, their efforts at reducing racial, ethnic and economic isolation. The State Department of Education will assess their "progress over time" in achieving such reduction. The regional centers will in turn report to the Commissioner, who will report by January 1, 1999 and biennially thereafter to the Governor and legislature. Once this year's "baseline" or "benchmark" has been established for each school district, the district will be required to demonstrate "evidence of progress over time" on reducing racial, ethnic and economic isolation.

This legislatively mandated duty to demonstrate reduction in isolation in each district's schools has put the districts on notice that they are required to participate in interdistrict programs in meaningful ways, and is one of the reasons for the increased interest in interdistrict programs. If

local school districts fail to demonstrate evidence of progress in reducing racial and ethnic isolation, they can be subjected to financial sanctions or court ordered implementation of a plan to reduce racial and ethnic isolation. See Connecticut General Statutes § 10-4b.

State's Takeover of the Hartford Public Schools

In February of 1996 before the Supreme Court's decision in this case, the Hartford Board of Education voted to sever its relationship with Education Alternatives, Inc., a private company that had been contracted with to manage and run the Hartford schools. After the Hartford City Council declared a state of emergency the Mayor and the chair of the Hartford Board of Education asked the State Department of Education to conduct a comprehensive assessment of the Hartford Public Schools. That assessment included an examination of existing curriculum, the growth and prevalence of special education, and staffing and facilities. The New England Regional Laboratory at Brown University conducted interview polling of 200 parents, students, teachers and community members. The assessment produced 48 recommendations which were subsequently adopted by the Hartford Board of Education. Although Hartford teachers and staff appeared to take the recommendations to heart and began to address them, the Hartford Board of Education was beset by such discord that it could not take any effective action with respect to the Hartford Public Schools. The situation continued to decline into early 1997.

Thereafter the General Assembly passed Special Act 97-4, which eliminated the Hartford Board of Education and replaced it with the State Board of Trustees as the governing body of the Hartford Public Schools. That special act adopted the 48 recommendations. The State Department of Education assigned monitors to verify Hartford's progress in implementing those recommendations and the mandates of the Act and to prepare quarterly progress reports for the Trustees.

Even the Board of Trustees' assumption of control did not end Hartford's problems. The Board of Trustees determined that Hartford needed a new Superintendent of Schools. At the time of the hearing a capable acting superintendent and assistant superintendent for finance were in place in Hartford.

Commissioner Sergi testified that the mechanisms for long term improvement in Hartford Schools are in place, and the issue now is "execution, not vision." There has been unprecedented cooperation between the State and the City, according to the Commissioner, with a significant increase in State and Federal resources coming into the district. Once Hartford was no longer paralyzed by an ineffectual Board of Education, major work on the facilities infrastructure and curriculum began. In Hartford achievement in the elementary schools has improved in each of the last five years. The special education prevalence rate has been reduced and attendance has improved.

Commissioner Sergi further testified that a "culture of accepting a light bulb that's out, a child who can't read, a roof that leaks" is changing, albeit with some "bumps in the road ."

Improvement of the Quality of Urban Education

Curiously, at the hearing before this court the plaintiffs' counsel repeatedly objected to and labeled irrelevant evidence of the numerous efforts and initiatives aimed at improving the quality of urban education. However plaintiffs' witnesses acknowledged the crucial link between improving urban education and reducing racial isolation for all students.

Mr. James Thompson, principal of Simpson-Waverly Elementary School in Hartford, testified that following the forty-eight recommendations to improve the Hartford schools will bring about positive results, which will in turn play a role in bringing suburban students into the schools. Mr. Allison, another witness called by the plaintiffs, stated that improving the quality of education in

Hartford is "critical," and Dr. Natriello, one of the plaintiffs' expert witnesses, testified that it was appropriate for educational leaders to seek to improve urban education at the same time they seek to reduce isolation because there is a relationship between the two -- higher quality attracts more students. Another plaintiffs' expert witness, Dr. Gordon, testified that if there is a quality program at the end of the bus ride in Hartford, people will support it. He also opined that the majority of successful desegregation plans succeed because they improve the quality of schooling that was present in the minority schools before the plan.

The following describes steps which the State has taken to improve the quality of urban education statewide.

The Legislature has enacted a well funded program to improve school readiness for preschoolers by establishing local school readiness councils and targeting urban and priority districts. *See* Public Act 97-259, as amended by P.A. 97-11 (June 18 Special Session) § 25, P.A. 98-239 § 30; P.A. 98-243 §§ 10, 11, and P.A. 98-252 § 32; S.A. 97-21. School readiness programs were added to the existing network of family resources centers to assist students. The school readiness councils which will be set up throughout the State will apportion the monies, with 85-90% set aside for "priority" school districts. Sixty such program centers are planned for 1998-1999. *See* Connecticut General Statutes § 10-4o, as amended by P.A. 97-259 § 21. The Head Start program has received increased funding. *See* Connecticut General Statutes § 10-16n, as amended by P.A. 97-247 § 7, S.A. 97-21. In total, funding for these programs has increased from $2 million in 1996-97, to $24 million in 1997-98, to $46 million in 1998-99.

Each local and regional board of education must now develop plans for improving early reading skills, See Public Act 98-243 § 1, and the State Board of Education has adopted specific reading standards. See Public Act 97-290 § 23, as amended by P.S. 98-243 § 2. Districts must also

now provide annual reports on the condition of their facilities, which the Commissioner will use to report to the General Assembly. See Connecticut General Statutes § 10-220, as amended by Public Act 97-290 § 21. The first comprehensive data collection on the condition of school facilities in Connecticut has now been completed, and that database will be updated regularly.

Legislation passed in 1997 and 1998 increased funding for the State Department of Education's long-standing programs to assist "urban and priority districts" through targeted grants with an emphasis on achieving more early reading success. Sixteen million dollars were allocated for this purpose in 1996-97, $18 million in 1997-98 and $19 million in 1998-99. The State has added a "transitional" school district grant. Commissioner Sergi testified that the purpose of such grants was to "reach communities in the first ring suburbs and some of our older cities" traditionally left out of the funding under the priority school district scheme. Twenty percent of all priority school district grants must go to early reading activities.

Twenty-five million dollars in technology infrastructure grants have been created over the last three school years for the wiring of schools for internet access, with a substantial portion earmarked for Hartford, New Haven, Bridgeport, and Waterbury. Connecticut General Statutes § 10-4h, as amended by Public Act 98-252 § 5; Special Act 97-1 (June 5 Special Session) § § 13, 32, as amended by S.A. 98-9 § 77.

The State Department of Education has distributed a model plan to all districts for encouraging parental and community involvement in the schools, and districts must now develop their own such policies and procedures. Section 21 of Public Act 97-290 requires school districts to provide annual reports on the condition of their facilities. The first comprehensive data collection on the condition of school facilities in Connecticut has been complete and that data base will be updated regularly.

At the time of the hearing before this court, the State had increased its total funding of education, including substantial funding specifically directed to reduce racial, ethnic and economic isolation, by $200 million above its funding for education before the decision of the Supreme Court in this case. For the 1998-99 school year alone, the State increased its funding for education by $93 million.

Has the State Complied with the Supreme Court's Order

In the "Remedies" section of its opinion in this case the Supreme Court stated:

> Because the parties have not had the opportunity to present evidence directed to the remedial consequences that follow from our decision on the merits of the plaintiffs' complaint, we could remand this case to the trial court for further proceedings to address remedies. Alternatively, if no further evidentiary inquiries would be required, we could invite further briefing in this court and attempt to resolve the issues ourselves.
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> We have decided not to follow either of these avenues but to employ the methodology used in *Horton I*. In that case, the trial court, after having found for the plaintiffs, limited its judgment by granting only declaratory relief but retained jurisdiction to grant consequential relief, if needed, at some future time. *Horton I*, supra, 172 Conn. 650. In light of the complexities of developing a legislative program that would respond to the constitutional deprivation that the plaintiffs had established, we concluded, in *Horton I*, that further judicial intervention should be stayed "to afford the General Assembly an opportunity to take appropriate legislative action." Id., 653. Prudence and sensitivity to the constitutional authority of coordinate branches of government counsel the same caution in this case.
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> In staying our hand, we do not wish to be misunderstood about the urgency of finding an appropriate remedy for the plight of Hartford's public schoolchildren. 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. 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.

238 Conn. at 45-46.

The plaintiffs do not claim that the legislative and executive branches took no action in response to the Supreme Court's directive. Rather, they claim that the State has not done enough fast enough. In support of this contention they rely on the undisputed fact that at the time they returned to court, March, 1998, and at the time of the hearing, September, 1998, the racial imbalance in the Hartford schools had not only not improved, but had become slightly worse than it was at the time the Supreme Court issued its decision in this case.

Certainly one method of assessing the efficacy of the State's efforts to reduce racial and ethnic isolation in the Hartford schools is to wait a reasonable amount of time to see how many students in Hartford are still attending schools in which they are racially or ethnically isolated. For the reasons set forth below, the court finds that the plaintiffs failed to wait a reasonable time and that their return to court was premature. They have returned to court well before any reasonable efforts could possibly have had any discernible effects.

The Supreme Court issued its decision on July 9, 1996. Even if the Executive and Legislative Branches had been able to pass remedial legislation on the very next day, that would have come too late to affect the 1996-1997 school year. Programs for that year would have to have been completed by approximately March, 1996. Therefore, even an instantaneous State response could not have been reasonably implemented until the 1997-98 school year. The plaintiffs did not even wait until the end of that first school year before determining that the State's actions were inadequate, but instead first sought relief from this court in March of 1998.

The Executive and Legislative Branches of this state both acted very expeditiously to comply with the Supreme Court's order. Governor Rowland issued the Executive Order which created the Education Improvement Panel just sixteen days after the Supreme Court's decision issued. In the

following six month period Governor Rowland and the Legislative leadership appointed twenty-one citizens to the Panel. Those citizens devoted many days in discussion, deliberations and information gathering and issued the final report of the Panel on January 22, 1997. Within five months after it received that report the Connecticut Legislature passed Public Act 97-290. Notwithstanding the speed with which the Legislature acted to pass that legislation, the legislation was not cursory, but rather, was a comprehensive, carefully drafted, and well funded plan.

Most of the measures enacted under Public Act 97-290 had not even gone into effect in March, 1998 when the plaintiffs returned to court. The first year of Project Choice was 1998-99. The school districts were to complete their first report on their efforts at reducing racial, ethnic and economic isolation by October 1, 1998. This was to serve as a "baseline" by which to gauge progress in succeeding years.

The plaintiffs have not disputed that the Hartford School Board experienced problems that ultimately became insurmountable after the Supreme Court's decision. It was unreasonable for the plaintiffs to expect that reforms of any kind could have been implemented in Hartford before the State 1) took control of the management of Hartford Schools and 2) stabilized basic problems with the physical school facilities. That stabilization process was ongoing when the plaintiffs first returned to court and even at the time of the hearing.

The plaintiffs do not disagree with the measures the State has taken in its attempt to reduce racial and ethnic isolation in Hartford. On the contrary, almost every witness called by the plaintiffs was in favor of some or all of those measures.

Professor Natriello agreed that it is beneficial to try and build community support for interdistrict programs and magnets in order to have a greater chance of long term success. He further agreed, as did Dr. William Gordon, that reducing ethnic-racial isolation and improving quality of

education go hand-in-hand because it is easier to attract diverse students to good schools. Dr. Gordon endorsed the State's policy of developing grass-roots support for desegregation plans. He also agreed that financial incentives can play a role in participation of districts in interdistrict magnets, that promoting increased diversity in school staff helps to reduce isolation, that the use of interdistrict magnets was an acceptable method of reducing racial isolation and that he was in favor of the State encouraging the building of new buildings closer to the border with Hartford. Finally, Dr. Gordon stated that after reviewing the EIP report, he thought that its recommendations on increasing intra and interdistrict choice was a "concrete recommendation."

Dr. Gary Orfield endorsed the use of interdistrict magnet schools. He also testified in glowing terms about success of the so-called METCO program, which began in Boston in the 1960's and now has 3200 of Boston's total school population, which he did not quantify, participating in a voluntary school choice program. The METCO program sounded virtually identical to the Choice program mandated in P.A.97-290.

Thus, the plaintiffs do not disagree that many of the measures adopted by the State can reduce racial and ethnic isolation, but they argue that the State has not acted fast enough in complying with the Supreme Court's decision.

The Supreme Court did not specify a time frame for the reduction of racial and ethnic isolation. It used the word "urgent" at the same time it ordered the legislative and executive branches to take action. The Court was certainly aware that the legislative process is not an instantaneous one and that before any reduction in racial, ethnic or economic isolation could occur, the executive and legislative branches needed sufficient time to propose and enact meaningful legislation. Therefore, the word "urgent" cannot reasonably be construed to require instantaneous action.

In order to determine the efficacy as well as the timeliness of the State's response to the

Supreme Court's decision, it is necessary to consider the alternative remedies available to the State in its attempts to reduce racial, ethnic and economic isolation in Hartford schools. The remedies fall into two basic categories: voluntary and mandatory.

The measures mandated by Public Act 97-290 and the other legislation referred to above are voluntary. As previously stated, the plaintiffs do not oppose voluntary measures in general. However, those measures do not produce the quick results that the plaintiffs seek. In addition, Dr. Gordon faulted the voluntary measures adopted by the State largely because those measures contained no quotas or other numerical goals. He testified that unless a desegregation plan had quotas, it was not really a desegregation plan.

Commissioner Sergi testified that the State purposely refrained from adopting arbitrary quotas or numerical goals, but rather, expects school districts to show continual evidence of progress over time. He drew an analogy to the education funding cases, *Horton v. Meskill*, 195 Conn. 24, 486 A.2d (1985); *Horton v. Meskill*, 187 Conn. 187, 445 A.2d 579 (1982); *Horton v. Meskill*, 172 Conn. 615, 376 A.2d 359 (1977), stating that numerical goals were not established there as measures of progress. Instead, the State adopted the broad goals of reducing the disparity in communities' ability to pay for education and reducing the disparity in expenditures. Commissioner Sergi further testified that maintaining the broad goal of reducing racial isolation with the broad measure of progress over time provides flexibility.

Dr. Orfield opined that the State had not created enough magnet schools and further testified that the State could open a sufficient number of new magnet schools by the school year 1999-00 "to move from a situation where you had a few hundred students experiencing some kind of desegregated experience to a situation where you'd have several thousand students experiencing that very feasiblely by next year." Dr. Orfield ventured the foregoing opinion based on the assumption that there were

buildings which were available and ready to house additional magnet schools. However, he had done no investigation and had no knowledge as to the availability of any school buildings. He admitted that if his proposed magnet schools required the construction of school buildings, then those magnets could not be completed within the time frame he suggested.

Dr. Orfield's testimony further made clear that there are no easy solutions in the difficult area of school desegregation. He testified that St. Louis and San Francisco, two cities where he had helped to create desegregation plans, had "failed to achieve metropolitan desegregation by any stretch of the imagination."

The second type of desegregation remedy is mandatory. Dr. Orfield testified that in order to fully desegregate the City of Hartford there would have to be significant mandatory reassignment of students. The term "mandatory reassignment" is, essentially, a synonym for "forced bussing."

Dr.Christine Rossell, an expert witness called by the defendants, presented convincing testimony that mandatory reassignment would not have the effect sought by the plaintiffs, and would in fact, be counter productive. Unlike Dr. Orfield, whose testimony was not based on any statistical research, Dr. Rossell has conducted extensive empirical studies of the effects of various types of desegregation plans. Stating that she previously had been a proponent of mandatory reassignment, she testified that her views changed when her empirical studies began to indicate that mandatory reassignment of white students to minority schools did, in fact, produce significant white enrollment loss or "white flight" from those schools.

Dr. Rossell testified that mandatory reassignment plans are only mandatory for the poorest people in a school district: "Everybody else has a choice. Poor people have to go where they're reassigned by some Court or Government agency who says you must go there. The rest of us can put our kids in private schools. We can move to another school district and we do. So even though these

plans were implemented with the best of intentions and you have to understand that I supported them in the early years. Even though they were implemented with the best of intentions, the problem is they're mandatory only for the poorest people in a school district."

Dr. Rossell testified that the State's approach is to implement a state-wide remedy that is based on the premise that voluntary integration is more likely to produce a lasting integration and will have more positive social effects and that this will be enhanced by their equal emphasis on improving educational quality for all children. Her research shows that a voluntary approach to school desegregation is the most effective approach and it will produce the most lasting integration. In other words, according to Dr. Rossell, in the area of school desegregation slow and steady wins the race.

In light of Dr. Rossell's findings about the relationship between mandatory reassignment of students and white flight it is not surprising to learn that since 1981 only two small school districts, Hattiesburg and Natchez, have adopted desegregation plans which use mandatary reassignment. In those districts mandatory reassignment produced a rate of white enrollment loss of about 45%. Dr. Rossell predicted that if white suburban students were mandatorily reassigned to Hartford that Hartford schools would experience a white enrollment loss at approximately the rate of 45 - 50%.

Many federal courts have held that white flight, or white enrollment loss, may be taken into account in an attempt to promote integration. *Clark v. Board of Education*, 705 F.2d 265, 271 (8th Cir. 1983); *Stout v. Jefferson County Board of Education*, 537 F.2d 800, 802 (5th Cir 1976); *Parent Ass'n of Andrew Jackson High School v. Ambach*, 598 F.2d 705 719 (2d Cir. 1979).

The plaintiffs' comparison of the State's efforts to reduce racial and ethnic isolation with the conduct of the states and cities involved in the cases of *Swann v. Charlotte-Mecklenburg Board of Education*; 402 U.S. 1 (1971); *Milliken v. Bradley*, 433 US 267 (1977); and *Green v. County School Board*, 391 U.S. 430 (1968), is hardly appropriate. In those cases the United States Supreme Court

addressed blatant *de jure* segregation which had continued unabated for years after its decision in *Brown v. Board of Education*, 347 U.S. 483(1954)(in the field of public education the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal.)

In *Swann* the North Carolina General Assembly responded to *Brown* by passing the Pupil Assignment Act (1955-56), which allowed school boards to continue to assign pupils to separate schools based on race. Seventeen years after the *Brown* decision prohibited the practice of maintaining separate schools for black and white children, the Supreme Court found that the local school board had taken affirmative measures which had "been used as a potent weapon for creating or maintaining a state-segregated school system." 402 U.S. at 21.

Similarly, in *Green* the Court also addressed blatant *de jure* segregation:

> Petitioners brought this action in March 1965 seeking injunctive relief against respondent's continued maintenance of an alleged racially segregated school system. New Kent County is a rural county in Eastern Virginia. About one-half of its population of some 4,500 are Negroes. *There is no residential segregation in the county; persons of both races reside throughout. The school system has only two schools*, the New Kent school on the east side of the county and the George W. Watkins school on the west side. In a memorandum filed May 17, 1966, the District Court found that the "school system serves approximately 1,300 pupils, of which 740 are Negro and 550 are White. *The School Board operates one white combined elementary and high school [New Kent], and one Negro combined elementary and high school [George W. Watkins]. There are no attendance zones. Each school serves the entire county.*" The record indicates that 21 school buses – 11 serving the Watkins school and 10 serving the New Kent school – travel overlapping routes throughout the county to transport pupils to and from the two schools.
>
> The segregated system was initially established and maintained under the compulsion of Virginia constitutional and statutory provisions mandating racial segregation in public education, Va. Const., Art. IX, § 140 (1902); Va. Code § 22-221 (1950). These provisions were held to violate the Federal Constitution in *Davis v. County School Board of Prince Edward County*, decided with *Brown v. Board of Education*, 347 U.S. 483, 487 (Brown I). *The respondent School Board continued the segregated operation of the system after the Brown decisions, presumably on the authority of several statutes enacted by Virginia in resistance to those decisions.*

391 U.S. 432-33. (Emphasis added)

In its decision in this case the Supreme Court acknowledged that the racial segregation in the Hartford schools was *de facto*, not *de jure:*

> The state has not intentionally segregated racial and ethnic minorities in the Hartford public school system. Except for a brief period in 1868, no students in Connecticut have intentionally been assigned to a public school or to a public school district on the basis of race or ethnicity. There has never been any other manifestation of de jure segregation either at the state or the local level. In addition to various civil.

238 Conn.at 10.

The measures appropriate to remedy *de jure* segregation which has continued for more than ten years in violation of a United States Supreme Court decision must necessarily be more severe than those appropriate to address *de facto* segregation which has continued for only several years after it was held to violate the Connecticut Constitution. *See Swann v. Charlotte-Mecklenburg Board of Education*, 402 U.S. at 16 (the nature of the desegregation remedy is to be determined by the nature and scope of the constitutional violation). It is further inappropriate for the plaintiffs to draw an analogy to the remedies employed in *Swann, Green* and *Milliken* because under federal law the plaintiffs would have no remedy in this case. Federal law does not remedy *de facto* segregation. *Sheff v. O'Neill*, 238 Conn. at 3; *Pasadena Bd. of Education v. Spangler*, 427 U.S. 424 , 434-36(1976).

The rapid rate of desegregation which the plaintiffs seek can only be accomplished through a mandatory reassignment plan. Based on the evidence presented at the hearing this court finds that voluntary plans are generally superior to mandatory ones because they promote integration of more lasting duration with a minimum of opposition and disruption. This has been recognized by courts in other jurisdictions:

> A key to the success of the [Buffalo desegregation] plan is the fact that for the most part, the integration of the schools has been achieved by voluntary means. Through the use of innovative educational techniques, the need for fixed assignments and

> mandatory busing of students has been kept to a minimum. There has been no disruption of the schools, no violence, and no massive "white flight" of majority students from the City. Instead, the City schools have improved through the use of these [voluntary] programs, and the proportion of majority to minority students has remained steady, even as the population of the City has decreased.

Arthur v. Nyquist, 547 F. Supp. 468, 470 (W.D.N.Y. 1982).

Voluntary integration plans make particular sense in situations where, as here, the past segregation was *de facto* and not *de jure*. A Pennsylvania court approved a school district's voluntary plan as a response to a finding of *de facto* segregation over the objections of the plaintiffs, who wanted a plan with mandatory components. The court concluded that, because "the School District of Philadelphia became segregated by action of the people on a voluntary basis by their selection of their neighborhood residence, [i]t does not seem inappropriate . . to attempt to achieve desegregation by the equally voluntary action of the people in the selection of the schools their children will attend." *Pennsylvania Human Relations Commission. School district of Philadelphia*, 374 A.2d 1014, 1016 (Pa.Cmnwlth.1977), *aff'd*, 390 A.2d 1238 (1978).

Representative Cameron Staples, Chairman of the Education Committee stated that Public Act 97-290 does not represent "all that we are capable of doing to address the inequities in our school system and the racial isolation in our school system. But I think it is a very important first step and I think more importantly than anything else, it sets in motion a second step, a third step, and a five year step to make sure that this issue is at the front of our agenda for the next five years." 40 H.R. Proc., Pt. 17, 1997 Sess., pp. 6181-82.

The plaintiffs have sought court intervention before the State has had an opportunity to take even a "second step" in the remedial process. The State has acted expeditiously and in good faith to respond to the decision of the Supreme Court in this case. It has devised a comprehensive, interrelated, well funded set of programs and legislation designed to improve education for all

children, with a special emphasis on urban children, while promoting diverse educational *environments.* The Legislative and Executive branches should have a realistic opportunity to implement their remedial programs before further court intervention. This will not only satisfy the Supreme Court's desire to be sensitive to the "constitutional authority of coordinate branches of government," 238 Conn. at 45-46, but will also allow any educational reform plan to gain grassroots popular support which is crucial to the success of any plan. The best way to achieve popular support is not to impose a judicially mandated remedial plan, but to encourage Connecticut's populace as a whole, both directly and through their elected representatives, to solve the problems facing the state's schools.

For the reasons set forth above this court finds that the State has complied with the Decision of the Supreme Court in this case.

By the court,

Aurigemma, J.

HHD-X07-CV89-4026240-S

MILO SHEFF, et al.	:	
	:	SUPERIOR COURT –
Plaintiffs	:	COMPLEX LITIGATION
	:	DOCKET AT HARTFORD – X07
v.	:	
	:	
WILLIAM A. O'NEILL, et al.	:	
	:	
Defendants	:	APRIL 4, 2008

STIPULATION AND PROPOSED ORDER

WHEREAS, the above entitled action was initially filed by the Plaintiffs in 1989 against the named Defendants and various state officials; and

WHEREAS, the Connecticut Supreme Court on July 9, 1996, held that public school students in the City of Hartford attended schools that were racially, ethnically, and economically isolated in violation of the Connecticut Constitution, and urged the State to take prompt steps to seek to remedy the violation; and

WHEREAS, the Plaintiffs and Defendants entered into a Stipulation and Order dated January 22, 2003 (the Phase I Stipulation), which was approved by the General Assembly and became an Order of this Court as of March 12, 2003, and which set forth a program for voluntary interdistrict programs to lessen racial, ethnic, and economic isolation, and which expired by its terms on June 30, 2007; and

WHEREAS, the goals set forth by that Phase I Stipulation were not met as of the date of its expiration on June 30, 2007; and

WHEREAS, the City of Hartford intervened in this action on January 4, 2007; and

WHEREAS, the parties have a mutual interest in reducing the racial, ethnic, and economic isolation of students in the Hartford Public Schools; and

WHEREAS, this agreement represents a timetable for reasonable progress in reducing racial, ethnic, and economic isolation in the Hartford Public Schools until June 30, 2013; and

WHEREAS, the parties are cognizant that efforts will need to continue beyond 2013 to further reduce racial, ethnic, and economic isolation in the Hartford Public Schools; and

WHEREAS, the parties do hereby knowingly and voluntarily enter into this Stipulation and agree to be bound thereby;

NOW THEREFORE, the parties hereby stipulate and agree as follows:

I. Definitions

A. Voluntary Interdistrict Programs are the instruments employed under this Stipulation to reduce racial, ethnic, and economic isolation: namely, Interdistrict Magnet Schools (Host and Regional), State Technical Schools, Charter Schools, the Regional Vocational Agriculture Centers and Open Choice.

B. Interdistrict Magnet School refers to Hartford Host Magnet Schools, Suburban Host Magnet Schools, Regional Magnet Schools, and Incubator Magnet Schools.

1. Hartford Host Magnet Schools are those Interdistrict Magnet Schools that are governed and operated by the Hartford Public School System.

2. Suburban Host Magnet Schools are those Interdistrict Magnet Schools that are governed and operated by a school district within the Sheff Region other than Hartford, alone or with a third party.

3. Regional Magnet Schools are those host and regional Interdistrict Magnet Schools that may be operated by a third party or a consortium of school districts.

4. Incubator Magnet Schools are interdistrict programs established in temporary, transitional, start-up space to begin the operation of a new interdistrict magnet school prior to the completion of construction or renovation of the permanent facility.

5. Existing Magnet Schools are those Interdistrict Magnet Schools that are in operation during the 2008-09 school year.

C. Charter School refers to local charter schools or state charter schools, as authorized by Conn. Gen. Stat. § 10-66aa, that are specifically intended to reduce racial, ethnic, and economic isolation pursuant to Conn. Gen. Stat. § 10-66bb(c).

D. State Technical School refers to certain regional vocational-technical schools that are established and maintained by the State in accordance with Conn. Gen. Stat. § 10-95, and such programs in such schools as designated by the State Department of Education.

E. Regional Vocational Agriculture Center refers to certain regional vocational agriculture schools that are established and maintained by local or regional boards of education in accordance with Conn. Gen. Stat. § 10-64.

F. Open Choice is a voluntary interdistrict transfer program that allows students to transfer between Hartford and the suburban school districts when such transfers contribute to the reduction of racial and ethnic isolation.

G. Interdistrict Cooperative Programs are those multi-district cooperative part-time programs established in accordance with Conn. Gen. Stat. § 10-74d that provide a diverse educational experience for Connecticut students and whose purpose is the reduction of racial, ethnic, and economic isolation.

H. Minority Students: For the purposes of this Stipulation, minority students shall mean those students who are Black and/or Hispanic, Asian, Native American, and Pacific Islander.

I. Sheff Region: As defined in the original complaint, the Sheff Region includes the school districts of Avon, Bloomfield, Canton, East Granby, East Hartford, East Windsor, Ellington, Farmington, Glastonbury, Granby, Hartford, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, Suffield, Vernon, West Hartford, Wethersfield, Windsor, and Windsor Locks.

J. The Desegregation Standard shall be the lesser of the Sheff Region's aggregate minority percentage enrollment plus thirty percentage points or seventy-five percent (75%). The Desegregation Standard shall be calculated for each year of the Stipulation based on that year's aggregate minority percentage enrollment figures but in no event shall it exceed seventy-five percent (75%).

K. Reduced-Isolation Setting refers to an educational setting with reduced racial, ethnic, and economic isolation.

1. An Interdistrict Magnet School, State Technical School, Regional Vocational Agriculture Center, or Charter School shall be deemed to provide a reduced-isolation setting if its enrollment is such that the percentage of minority students in the school does not exceed the Desegregation Standard.

2. A school that enrolls Hartford-resident minority students through the Open Choice program shall be deemed to provide a reduced-isolation setting.

II. Goals and Performance

A. Term: The Phase II term shall be from the date of its execution to June 30, 2013. The school years covered will be 2008-09 (Year 1), 2009-10 (Year 2), 2010-11 (Year 3), and 2011-12 (Year 4), and 2012-13 (Year 5). Pursuant to Part II.C.4 of this Stipulation, the Phase II term may extend to include school year 2013-14 (Year 6).

B. Goals

1. The goal of this Stipulation is to increase the number of Hartford-resident minority students in a reduced-isolation educational setting, and to move toward meeting demand of Hartford-resident minority students seeking placement in such settings.

2. The goal of this Stipulation is attained if, by Year 5 of this Stipulation, at least 80% of the demand for a reduced-isolation setting is met.

   a. The goal of meeting 80% of the demand for a reduced-isolation setting shall be subject to the extension provision of Part II.C.4 herein and possible adjustment by mutual agreement of the parties as set forth in Part IV.B.4.

3. This goal is to be attained through implementation of the Voluntary Interdistrict Programs defined in Part I.A above.

4. The State shall provide sufficient resources to plan, develop, open, and operate the schools and programs necessary to achieve each of the interim performance benchmarks identified in Part II.C.5 below, and to implement the programs identified in Part III below.

C. Goal Measurement

1. In April of Year 3, the State shall examine the demand for seats in reduced-isolation settings by Hartford-resident minority students based on the number of Hartford-resident minority applicants for a Voluntary Interdistrict Program for the next school year. Demand, for purposes of this Stipulation, shall include only the number of those Hartford-resident minority students who apply, via an approved application form, to either (a) Open Choice, or (b) at least three placement choices in a Voluntary Interdistrict Program that meets the Desegregation Standard at the time of application.

2. In November of Year 4, the State shall evaluate the number of Hartford-resident minority students on a waitlist for a Voluntary Interdistrict Program to determine the degree to which existing programs and planned new programs meet demand for seats in reduced-isolation settings by Hartford-resident minority students. The waitlist shall reflect the aggregate number of Hartford-resident minority students who submit applications for placement in Voluntary Interdistrict Programs that meet the Desegregation Standard at the time of application but are not offered a seat in any such program for that school year.

   a. Hartford minority students shall have readily available opportunities to submit an approved application for placement in Voluntary Interdistrict Programs.

   b. If less than 65% of the demand for seats in reduced-isolation settings by Hartford-resident minority students is met then the State, in consultation with the Regional School Choice Office, shall amend the Comprehensive Management Plan, as described in Part III.B, to plan additional capacity for seats in reduced-isolation settings. "Met demand" shall be defined as one hundred minus the percentage of Hartford-resident minority students on the waitlist for a Voluntary Interdistrict Program as calculated by dividing the number of Hartford-resident minority students on the waitlist as of November 15th, by the total number of Hartford-resident minority applicants for a Voluntary Interdistrict Program for that school year who apply to either Open Choice or at least three Voluntary Interdistrict Programs that meet the Desegregation Standard.

   c. For purposes of this Stipulation, the waitlist referenced in this Part II.C shall be a comprehensive school choice waitlist which shall include only those Hartford-resident minority students who have applied for placement in either Open Choice or at least three Voluntary Interdistrict Programs that meet the Desegregation Standard but (1) are not offered a seat in any such program for that school year, and (2) meet all of the program admission requirements, and (3) have indicated their intent as part of the application process, through a means to be defined in the Comprehensive Management Plan, to be placed on a waitlist if not accepted.

3. In November of the final school year of Phase II, the State shall convene a meeting with the Plaintiffs for the purpose of demonstrating its attainment of the goal of Phase II as set forth herein. At that time, the State will seek

to show that by Year 5, at least 80% of the demand for seats in reduced-isolation settings by Hartford-resident minority students is met, subject to any adjustments pursuant to Part IV.B.4. Meeting demand for seats in reduced-isolation settings by Year 5 as defined herein shall be demonstrated by a showing that less than 20% of Hartford-resident minority students who have applied for Open Choice or at least three Voluntary Interdistrict Programs that meet the Desegregation Standard are on the comprehensive school choice waitlist to participate in such programs as defined in Part II.C.2.c.

4. If in November of the final year of Phase II, the State is unable to demonstrate its attainment, through reasonable efforts, of the goal of meeting 80% of demand, the parties shall convene to revisit the Comprehensive Management Plan and to determine what steps are necessary to meet the demand standard by the following year. Any agreement that is reached through this process shall be incorporated into a one-year extension of the term of this Stipulation. Notwithstanding Part IV.C.1.c, failure to meet the 80% demand standard, subject to any adjustment pursuant to Part IV.B.4, shall not constitute a material breach if a minimum of 41% of Hartford-resident minority students are in a reduced-isolation setting by Year 5.

5. Interim Performance Benchmarks

   a. The State shall be required to attain the following annual benchmarks for the first two years of the Phase II term:

      (1) In Year 1 (2008-09), 19% of Hartford-resident minority students shall be in a reduced-isolation educational setting.

      (2) In Year 2 (2009-10), 27% of Hartford-resident minority students shall be in a reduced-isolation educational setting.

   b. Performance of each interim performance benchmark as well as the 41% minimum established in Part II.C.4 shall be calculated by dividing the number of Hartford-resident minority students in reduced-isolation settings by the total number of Hartford-resident minority students. Performance for each year shall be calculated using the October enrollment data for that year, which will be made available by the Defendants to the Plaintiffs and Hartford by November 15 of each year.

   c. Hartford-resident minority students who are enrolled in a

Voluntary Interdistrict Program that does not provide a reduced-isolation setting will be included in any interim performance benchmark calculation or goal calculation during the term of this Stipulation only if (1) the school is operating pursuant to an approved Enrollment Management Plan pursuant to Part IV.A below, and (2) the minority enrollment in such school does not exceed the Desegregation Standard by more than 5%. In no case shall any Voluntary Interdistrict Program be included within this exception for more than two of the five years of this Stipulation.

d. Hartford-resident minority students who are enrolled in an Incubator Magnet School that is in its first year of operation will be included in the Year 1 interim performance benchmark only if the minority enrollment in such school does not exceed the Desegregation Standard by more than 10%. In no case shall any Incubator Magnet School be included within this exception after Year 1 of the term of this Stipulation.

e. Any interim performance benchmark as well as the 41% minimum established in Part II.C.4 will be increased by up to three percentage points for Interdistrict Cooperative Programs, as follows: A credit of one percentage point shall be added for every 500 Hartford-resident minority students who participate in meaningful and substantial Interdistrict Cooperative Programs, up to a total of three percentage points. Such programs, to be considered meaningful and substantial, shall entail no less than 45 hours in duration, of which at least 30 hours must be face-to-face contact time. Time spent transporting students shall not be counted in the duration. A student who participates in a program of at least 90 hours in duration, of which at least 60 hours is face-to-face contact time, shall be counted as 1.5 students for the purpose of this calculation.

D. The parties acknowledge that full attainment of the goals of Phase II does not obviate the need to increase further the number of Hartford-resident minority students in reduced-isolation settings. By at least September 15, 2012, the parties to this Stipulation will meet to review the progress made under the Stipulation and to commence negotiations for a Phase III settlement, the purpose of which shall be to meet the demand for integrated education of Hartford-resident minority students.

III. Implementation

A. Phase II implementation shall be accomplished by implementation of a Comprehensive Management Plan and Regional School Choice Office, as described herein, for the purpose of providing quality design and implementation of this Stipulation in the interest of attaining the Phase II goals.

B. Comprehensive Management Plan

1. By September 30, 2008, the State, with input from the Regional School Choice Office, shall develop the major components of a Comprehensive Management Plan ("CMP") embracing the Voluntary Interdistrict Programs identified in Part I.A of this Stipulation, and designed to meet the Phase II goals within the term of this Stipulation. As detailed in Part III.B.2 below, the CMP must set out a connected series of goals, implementation methods, and measurements of success; centralize authority and accountability; ensure coordination of key facets of desegregation, including transportation, recruitment, and student support; provide strategic targets for evaluating progress; and evaluate and address educational funding needs throughout the Region. The requirements described below are minimum requirements that may be supplemented by the State provided that such supplemental content does not interfere with the tasks described herein.

2. By November 30, 2008, the State, with input from the Regional School Choice Office, shall develop a final CMP by a process that includes involvement of key stakeholder groups in Greater Hartford.

a. The CMP shall contain a process for determining demand for each of the Voluntary Interdistrict Programs by June 30, 2009.

b. The CMP shall contain annual strategic targets of progress.

c. The CMP shall include provision for the pairing of all Hartford regular schools, i.e. non-magnet schools, with Regional Magnet Schools or with Hartford Host Magnet Schools, for the purpose of engaging all Hartford Public Schools in the Sheff remedy.

d. The CMP shall include provision for the Regional Magnet Schools or other high performing magnet schools as determined by the State to serve as training centers for teachers and administrators throughout the Sheff Region, for the purpose of making these

schools assets to all districts in the Sheff Region in the training of educational staff in methods of quality integrated education.

e. The CMP shall include provision for measuring the actual capacity available in suburban school districts receiving students through Open Choice.

f. The CMP shall contain provision for appropriate and adequate academic and social support services for students participating in interdistrict schools, thereby supporting out-of-district students' acclimation, participation, retention, and school performance.

g. The CMP shall contain provision for expansion of all-day Kindergarten and summer programs for Open Choice students as a means of strengthening their performance and increasing their interest and retention in the program.

h. The CMP shall contain provision for expanded pre-school programs that are racially integrated and include Hartford-resident minority children as a means of boosting their school performance and assisting their parents to make informed choices on integrated K-12 schooling for their children.

i. The CMP shall contain provision for review and improvement of transportation services for interdistrict students attending Voluntary Interdistrict Programs, with a view toward improving service and shortening bus travel time in the interest of properly supporting the Sheff remedy.

j. In the review of transportation services as it applies to the Open Choice program, consideration shall be given to linking geographic areas of the Hartford Public School District with specific suburban districts as a means of increasing transportation efficiency.

k. The CMP shall contain provision for a process for the identification of sites for future interdistrict magnet schools. To the extent the CMP plans new schools hosted in suburban districts, it should describe the projected number of schools, the number of students who will be served by those schools, a process for designing those schools, and a system for calculating costs and providing necessary state expenditures.

l. To the extent the State intends to utilize new programs for desegregating schools in the region, such as charter schools, technical schools, and vocational schools, the CMP shall incorporate those plans into the State's infrastructure for administering existing Voluntary Interdistrict Programs and calculate the number of students expected to benefit from these programs.

m. The CMP shall contain a process for making recommendations on the financing models and funding levels of Interdistrict Magnet Schools and Open Choice, to include operating funds, capital funds, pre-opening development funds for magnets, transportation funds, payments by local school districts to interdistrict magnets, and the allocation of State per pupil assistance to sending and receiving districts, for the purpose of providing appropriate support for the Sheff remedy.

n. The CMP shall develop a process for making routine contacts with stakeholders throughout the Region and for linking the information gained through such outreach to substantive objectives.

o. The CMP shall ensure that there are clearly defined opportunities for students to enjoy a continuous K-12 education in reduced isolation settings.

p. The CMP shall contain a process for making recommendations for State executive or legislative action as appropriate, including recommended changes in Connecticut law necessary for effective implementation of the Sheff remedy. The CMP shall also contain provisions allowing for Plaintiffs and Hartford to review and comment on all proposed changes to Connecticut law and administrative regulation designed to implement the Sheff remedy.

q. The CMP shall provide for a common application process for Hartford-resident minority students submitting applications for placement in any of the Voluntary Interdistrict Programs. It shall also establish a method for determining the number of students deemed to be on a waitlist to participate in such programs.

r. The CMP shall contain provision for the Commissioner of Education to use his best efforts to encourage suburban school districts to participate and expand their participation in the Open Choice program.

s. The CMP shall contain provision for the Commissioner of Education to conduct an independent review of space availability of the suburban district(s) to implement the Open Choice program if the Commissioner believes a district has greater capacity than reported.

t. The CMP shall contain provision for the Commissioner to periodically evaluate the progress of participation in the Open Choice program and to take steps to increase participation. Such steps may include contact with school superintendents of suburban schools and locals boards of education, improving communications with parents of public school children in Hartford and the suburbs, developing programs for educating parents about the Open Choice program and, as appropriate, proposing legislative changes to support the Sheff remedy.

u. The CMP shall provide for the establishment of an information service center, to be housed within the Regional School Choice Office, for families seeking information and advice on options for integrated education. The information service center shall maximize the distribution of such information to families in the Sheff region; market seats and recruit students with the purpose of increasing interest in integrated education; provide for a single location at which to apply for all Voluntary Interdistrict Programs; provide services in appropriate languages to reach potential applicants and their families; and disseminate information through advertising, public service announcements, publication of brochures and pamphlets, and targeted recruiting of potential applicants at schools and locations where application levels have been inordinately low.

C. Connecticut State Department of Education Sheff Office:

1. The State shall establish a Sheff Office within the State Department of Education to create, develop, and oversee implementation of the Comprehensive Management Plan. The Sheff Office shall operate under the direct supervision of the Office of the Deputy Commissioner of Education.

2. In addition to its central responsibility with respect to creating and overseeing the CMP, the Sheff Office, working with Hartford, CREC, suburban school districts, and other stakeholders, shall serve as the central

authority in the planning, development, implementation, support, evaluation, monitoring, and reporting on the progress of all programs, functions, and strategies in the Greater Hartford Region designed to reduce the racial, ethnic, and economic isolation of Hartford-resident minority students ("Sheff programming"). Those programs, functions, and strategies in the Greater Hartford Region will include:

a. Connecticut Technical High Schools: expand seats for Hartford-resident minority students.
b. Expand Early Childhood Education Programs.
c. Expand Open Choice seats (using Early Beginnings).
d. Expand Academic and Student Support for Hartford-resident minority students in host and regional magnets, and Open Choice programs.
e. Enhance Interdistrict Cooperative Grant opportunities in the Sheff Region.
f. Enrollment Management Plans (EMPs): require, review and approve (or disapprove) EMPs for non-compliant Interdistrict Magnet Schools in the Sheff region.
g. Interdistrict Magnet Schools: Evaluate the ability of existing schools to become Sheff compliant, and facilitate the planning, development, and opening of new interdistrict host and regional magnet schools.
h. Legislation and Policy Initiatives: recommend technical amendments and legislative/policy changes to implement Sheff efforts.
i. Survey Instrument: create a survey instrument to inform the CMP, and gather information from Hartford and suburban parents to gauge their willingness to participate in regional school choice options.
j. Regional School Choice Office: facilitate the planning, development and opening of said office. Oversee the administration and budget for the office.
k. Regional Vocational Agriculture Centers: expand seats for Hartford-resident minority students.
l. State Charter Schools: facilitate the planning, development and opening of such schools.
m. Transportation: facilitate the establishment of a transportation system that encourages and supports the participation of Hartford and suburban students in Sheff programming throughout the Greater Hartford Region.

D. Regional School Choice Office

1. The State shall create and fund a Regional School Choice Office to support the collaborative effort between the State and the group of stakeholders, including but not limited to CREC, that will support Sheff initiatives and programming to reduce the racial, ethnic, and economic isolation of Hartford-resident minority students. The Regional School Choice Office shall be headed by an Executive Director to be designated by that office in collaboration with the Sheff Office. The State may withhold disbursements to the Regional School Choice Office if the requirements of this paragraph are not met by May 30, 2008.

2. The Regional School Choice Office shall have responsibility for:

a. Collaboration and planning that facilitates the development and implementation of exemplary school models, to enable Hartford Host Magnet Schools to improve educational performance and achieve the Desegregation Standard, and to serve as training centers for teachers and administrators in the Greater Hartford Region and beyond;

b. Comprehensive marketing and recruitment of students for all Sheff programming, including the coordination of such efforts with the Connecticut Technical High Schools, Regional Vocational Agriculture Centers, and any newly created interdistrict magnet programs and state charter schools in the Greater Hartford Region;

c. Development of a comprehensive strategy for outreach to Hartford and suburban parents to inform the development of, and participation in Sheff programming opportunities in the Greater Hartford Region;

d. Transportation of Hartford and suburban students who participate in Sheff programs;

e. Development and implementation of a common application process for all Interdistrict Magnet Schools in the Greater Hartford Region, and a single location to obtain applications for all other Sheff programming;

f. Development and maintenance of statistics and data, including information regarding demand (e.g., number of applicants, demographics for applicants, program choices), enrollment, retention, and Hartford and suburban wait list data for reporting purposes; and

g. Development and implementation of a lottery process for Sheff compliant programming in the Greater Hartford Region.

h. Starting May 30, 2008, the duties of the Joint Hartford/CREC Office, established by an agreement dated January 22, 2008, between Hartford, CREC, and the State Department of Education, will be subsumed by the Regional School Choice Office.

3. The Regional School Choice Office shall include one representative of the Plaintiffs funded by the State at an amount equal to 75% of the representative's annual salary, up to a maximum of $50,000 per year. This representative shall be involved in the planning and implementation process from the date that the office is established, and shall perform other duties as specified in the CMP, but shall not have any decision-making authority or veto power over decisions made by the Regional School Choice Office.

IV. Accountability

A. Enrollment Management Plans

1. By October 1, 2008, any Existing Magnet School that continues to exist as a magnet school on that date and that does not meet the Desegregation Standard must be operating pursuant to an Enrollment Management Plan, as approved by the State Department of Education. Notwithstanding the waiver provisions of Conn. Gen. Stat. § 10-264*l*(b), the State may continue to award operating grants to Existing Magnet Schools operated by Hartford Public Schools upon proper application for such payments in accordance with Conn. Gen. Stat. §10-264*l* through and including the 2009-2010 school year (the "Extension Period") for good cause and provided it is operating under a State approved Enrollment Management Plan that demonstrates compliance with the Desegregation Standard by the end of the Extension Period, or some lesser time period. The Extension Period may be extended for an additional two years for those Existing Magnet Schools operated by Hartford Public Schools that are under construction or renovation upon a request for such extension and approval of an appropriate Enrollment Management Plan by the State. The Enrollment Management Plans submitted pursuant to this Part IV.A shall be updated on an annual basis and subject to review and approval by the State during the term of the Extension Period.

2. A new Interdistrict Magnet School, Charter School, Regional Vocational Agriculture Center, or State Technical School opened during Phase II that does not meet the Desegregation Standard by the beginning of its second year of operation must be operating pursuant to an Enrollment Management Plan, as approved by the State Department of Education.

3. The State is responsible for overseeing the development, implementation, and effectiveness of each Enrollment Management Plan. The Enrollment Management Plan shall be directed toward compliance with the Desegregation Standard within the period specified in such Plan as approved by the State.

B. Reporting, Consulting, and Adjusting

1. The Plaintiffs shall have 30 days following receipt of the September 30, 2008 draft of the CMP to submit written objections to the State, which the parties shall meet to discuss within one week thereafter. Any unresolved objections shall be submitted to the State in writing within two weeks of that meeting. The State shall respond to this second submission by November 30, 2008. The parties may by agreement extend the deadline for completion of the CMP to accommodate responses to Plaintiffs' objections.

   a. Plaintiffs may seek judicial review of any objections that remain unresolved in the final version of the CMP developed by November 30, 2008.

   b. In the event that Plaintiffs seek judicial review pursuant to the preceding paragraph, failure to timely complete the CMP shall not constitute a material breach of this Stipulation to the extent that the delay is caused by judicial proceedings.

2. The parties agree to meet no less than four times per school year, to assess progress in the implementation of the terms of this Stipulation and the CMP.

   a. Two weeks prior to each quarterly meeting, the State will provide the parties with a written report on the progress toward implementing the terms of the Stipulation and the CMP. The written report shall include, but not be limited to, budgeting projections and updates, and a description of any obstacles the State has identified to achievement of the Phase II goals as well as steps taken to address those obstacles.

3. There shall be an annual status conference with the Court throughout the Phase II term scheduled jointly by the parties.

4. By October 1 of Year 4 of the term of this Stipulation, the parties shall meet, if necessary, to negotiate adjustments to the percent of demand that is required to be met as established in Parts II.B.2 and II.C.3.

5. The State shall grant one expert retained by the Plaintiffs reasonable access, through requests to the Department of Education Division of Legal Affairs, to any State Department of Education staff member and to non-privileged documents, and agree to make available information about students whose assignments are as a result of this Stipulation, provided such information does not violate any privacy right of any such student. The Plaintiffs will monitor implementation of this Stipulation and the CMP for the purpose of contributing to the effectiveness of the State's efforts. The State shall reimburse the Plaintiffs annually for the costs of monitoring CMP implementation and compliance with this Stipulation, up to a maximum of $7,500 per year.

6. In the interest of effective monitoring, the State shall timely provide such information and data that may be requested by the Plaintiffs or Hartford, and relevant State employees shall be made available to Plaintiffs or Hartford for discussions and interviews. Plaintiffs or Hartford may request data and information, in forms and formats suitable for monitoring purposes, through the Department of Education Division of Legal Affairs.

7. Plaintiffs will provide the State and Hartford copies of Plaintiffs' monitoring findings and recommendations, and will make Plaintiffs' counsel or other representatives available to the State and Hartford to discuss such reports on request. Plaintiffs' monitoring recommendations shall be given due consideration by the State for implementation.

C. Material Breach and Enforcement

1. The following failures shall be considered matters of material breach by the State:

a. Failure by December 31, 2008 to develop the CMP.

b. Significant failure to meet each interim performance benchmark identified in Part II.C.5 of this Stipulation. A "significant failure" shall be deemed to have occurred for a given year if performance for that year, as calculated pursuant to Part II.C.5 of this Stipulation, falls short by more than one percentage point of the annual benchmark for that year, as identified in Part II.C.5 of this Stipulation.

c. Significant failure to meet the performance goals defined in Part II.B.2 and the requirements of Part III.B.2 of this Stipulation. A "significant failure" with respect to Part II.B.2 shall be deemed to have occurred if performance of the final goal, as calculated pursuant to Part II.C of this Stipulation, falls short by more than one percentage point of the goal for Year 5, as identified in Part II.C.3 of this Stipulation. This provision with respect to Part II.B.2 is subject to the provision of Part II.C.4. This provision with respect to Part III.B.2 is subject to the advance-notice provisions of Part IV.B.1 before Plaintiffs may seek judicial review.

d. Failure to meet the requirements of Part IV.A of this Stipulation.

e. Failure by May 30, 2008 to establish the Regional School Choice Office to meet the requirements of Part III.D of this Stipulation.

2. Each material breach listed in Part IV.C.1 of this Stipulation shall be enforceable by the Plaintiffs in court. The Plaintiffs may initiate court action on the date the material breach occurs or becomes known.

a. For a material breach as identified in Part IV.C.1.b or c, an enforcement action may proceed with no cure period on the date that October enrollment data for a given school year becomes available, which in no event shall be later than November 15 of that school year.

b. For a material breach as identified in Part IV.C.1.a, d, and e, the Defendants may without penalty seek to cure any alleged breach for a period of three months. During this three-month period, the Court shall not hold an evidentiary hearing nor enter a remedial order regarding the particular breach alleged, nor shall the Plaintiffs take depositions, demand documentation or seek other discovery beyond census information for schools and programs covered by this Stipulation, materials descriptive of such schools and programs, and any individual Enrollment Management Plans that have been implemented pursuant to Part IV.A of this Stipulation.

3. Nothing in this Stipulation shall prevent the Plaintiffs from seeking further enforcement of the Supreme Court's 1996 *Sheff v. O'Neill* decision following the expiration of this Stipulation.

V. Adoption of Phase II Stipulation and Proposed Order

A. The procedure for adoption of the Phase II Stipulation and Proposed Order shall be as follows: After the document is signed by counsel for Plaintiffs, the Attorney General shall promptly submit it to the General Assembly pursuant to Conn. Gen. Stat. § 3-125(a). Unless this Stipulation and Proposed Order is approved (or not disapproved) by the General Assembly in its entirety, without modification or addition, it shall be null and void. If this Stipulation and Proposed Order is approved or deemed approved by the General Assembly, the parties shall submit the Stipulation and Proposed Order to the Court for approval at the earliest possible time.

PLAINTIFFS
MILO SHEFF, ET AL.

By: _____

Wesley W. Horton
Horton, Shields & Knox, P.C.
90 Gillett Street
Hartford, CT 06105

_____

Martha Stone
Center for Children's Advocacy
University of Connecticut School of Law
65 Elizabeth Street
Hartford, CT 06105

_____

Matthew Colangelo
NAACP Legal Defense & Educational Fund, Inc.
99 Hudson Street, 16th Floor
New York, NY 10013

_____

Dennis D. Parker
Laurence M. Schwartztol
American Civil Liberties Union
125 Broad Street
New York, NY 10004

Ghita Schwarz
Puerto Rican Legal Defense & Education Fund
99 Hudson Street, 14th Floor
New York, NY 10013

David McGuire
ACLU of Connecticut
32 Grand Street
Hartford, CT 06106

DEFENDANTS
WILLIAM A. O'NEILL, ET AL.

By: _____
Richard Blumenthal
Attorney General
State of Connecticut
55 Elm Street, P.O. Box 120
Hartford, CT 06141

SO ORDERED:

_____
Superior Court Judge

DATE: _____

New Haven Public Schools

Reginald Mayo, Ph.D
Superintendent

April 9, 2010

The Honorable Arne Duncan
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Duncan:

On behalf of the New Haven Public Schools and the New Haven Board of Education, it is with great pleasure that we submit this Magnet School Assistance Program grant application. We have proposed the establishment of four new "Magnet Schools" which, when fully implemented will serve approximately 1,984 students. The schools are:

- Hyde Sports/Medical Science Academy
- Engineering and Science University Magnet School
- Conte/West Hills Exploration, Invention Magnet School
- Rogers/Brennan Magnet School

New Haven has a long standing commitment to public school choice and reducing minority group isolation. This proposal will make it possible to expand these efforts and to comply with the state statutory requirements established in response to the 1996 *Sheff v. O'Neill* Connecticut Supreme Court decision. As interdistrict magnet schools, thirty-five percent of the students enrolled will be from suburban schools districts, thus providing a more racially and economically diverse student population than would otherwise be possible.

The Court, the Connecticut Legislature and the Connecticut State Education Department have consistently viewed the reduction of racial, ethnic and economic isolation in Connecticut schools to be mandatory. For the last three cycles our MSAP proposals have been funded by the U.S. Department of Education as required plans.

As stated in Circular Letter C-25 of 2003-2004, there is a statutory requirement (Connecticut General Statutes Section 10-4a) to reduce racial, ethnic and economic isolation in our schools. Circular C-25 quotes the law stating that "each school district shall provide educational opportunities for" its students to interact with students and teachers from other racial, ethnic, and economic backgrounds and may provide such opportunities with students from other communities.

Administrative Offices
Gateway Center
54 Meadow Street
New Haven, CT 06519
Tel. (203) 946-8888
Fax. (203) 946-7300

The Magnet Schools Assistance Program grant in operation within the New Haven Public Schools continues to conform with the requirements of the *Sheff v. O'Neill* Connecticut Supreme Court ruling. The project proposed in this application will also conform with the *Sheff* ruling. The Interdistrict Magnet School Program and Open Choice (Project Choice) was established by the Connecticut Legislature as one part of its overall response to the court's decision. These programs are managed directly by the Connecticut State Department of Education. We participate in both.

New Haven already manages seventeen interdistrict magnet schools serving over seven thousand students. It is proven practice with respect to increasing the diversity of our schools and in closing the achievement gap of our students. I am sure that as you review the details of our application you will share our enthusiasm and optimism for its success in the competition.

Sincerely,

Reginald R. Mayo, Ph.D
Superintendent of Schools

STATE OF CONNECTICUT

STATE DEPARTMENT OF EDUCATION

March 30, 2010

The Honorable Arne Duncan
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Duncan:

The letter provides information regarding the court order as detailed in the Magnet School Assistance Program (MSAP) grant award to the New Haven Public Schools.

The State of Connecticut continues to be under a court order to reduce racial isolation in Connecticut public school districts. The *Sheff V. O'Neil* case which led to this order has resulted in legislation requiring every school district in the state to provide educational opportunities to interest students and teachers from different racial, ethnic and economic backgrounds. New legislation to support these efforts was enacted in the 2008 and 2009 Connecticut legislative session. The State is currently working under a court endorsed settlement agreement that extends through the 2011-2012 school year. The district of New Haven continues to be a partner with the State in this effort to meet the requirements of this legislation.

The four schools in the New Haven MSAP plan will continue to provide reduced isolation school programs while providing students form many district a school choice opportunity. New Haven continues to be a fine example to the state for developing and implementing school programs capable of attracting diverse urban and suburban school populations.

I appreciate the opportunity to provide you with an explanation of Connecticut's plan to significantly reduce racial isolation as ordered by the courts in 1996 and again in 2003 and 2008. Please feel free to contact me at (860) 713-6575 or by e-mail at william.magnotta@ct.gov for additional information or clarification on this matter.

Sincerely,

William Magnotta
Magnet School Program Manager
Bureau of Choice Programs

WM:ea

Box 2219 • Hartford, Connecticut 06145

An Equal Opportunity Employer

Series 2003-04
Circular Letter: C- 25

TO: Chairpersons of Local and Regional School Boards in the *Sheff v. O'Neill* Region
Superintendents of Schools in the *Sheff v. O'Neill* Region
Superintendents Participating in the Open Choice Program

FROM: Dr. Betty J. Sternberg, Commissioner of Education

CC: RESC Directors

DATE: June 4, 2004

SUBJECT: Reducing Racial, Ethnic and Economic Isolation for Connecticut Students in the Greater Hartford Region and Expanding Open Choice Program Participation

One of my chief commitments as Commissioner is meeting our mutual obligation to reduce racial, ethnic and economic isolation. This is defined as one of the paramount educational interests of the state in Connecticut General Statutes Section 10-4a(3):

> "… in order to reduce racial, ethnic and economic isolation, ***each school district*** shall provide educational opportunities for its students to interact with students and teachers from other racial, ethnic, and economic backgrounds and may provide such opportunities with students from other communities…" (emphasis added)

We must meet both the letter and the spirit of the law. The Connecticut State Department of Education's Open Choice Program and the Interdistrict Magnet School Program are two of the main vehicles intended to provide school districts with opportunities to meet the ambitious goals of this legislation. The recent agreement reached between the *Sheff* plaintiffs and the State Department of Education adds to the urgency of improving these programs and aggressively increasing participation in them. Your district's contributions to these endeavors have truly supported the state goal to reduce racial, ethnic and economic isolation. **Your continuing and increasing support are critical at this time.**

According to the agreement, by June 30, 2007, at least 30 percent of minority students living in Hartford will be involved in educational experiences with reduced isolation through participation in a variety of programs. A large number of these students are expected to be enrolled in the Open Choice Program or in an Interdistrict Magnet School. Thanks to your efforts, especially through opening new seats midyear, we are close to the goal of having 1000 Hartford minority students participating in the Open Choice program in 2003-04. As of April 28, 2004, 906 Hartford minority students were enrolled.

Hartford students and their families continue to show an interest in the Open Choice program. In 2003-04, 40 or more students in each grade from Grades 4 through 9 were waiting for placement. **Our challenge now is to reach a target of 1200 Hartford minority students participating in Open Choice in 2004-05. As of April 28, 2004, CSDE and CREC projected that a minimum of 366 new seats will need to be opened and filled to achieve the Open Choice goal – an equivalent of approximately 14 new seats in each of the current 27 districts participating in the program. Securing 15 new seats in each district (405 total) will ensure that enough**

seats will be offered in the event that parents may decline placements in outlying districts. We must reach the 1200 student goal in the coming weeks to adequately prepare for the start of the new academic year.

Bruce Douglas and the Open Choice program staff members at CREC have been in contact with you to find the additional seats we need. I know that you will do everything you can to help. Remember that districts qualify for an additional CSDE disbursement in schools that enroll 10 or more out-of-district Open Choice students.

I have created a new Office of Educational Equity that reports directly to me. It has primary responsibility for the State Department of Education's efforts to reduce racial, ethnic and economic isolation across the state, but with a particular focus now on meeting and exceeding the stipulations in our agreement with the *Sheff* plaintiffs. Jack Hasegawa serves as chief of the new office. He and the staff have been working especially hard, in partnership with the Hartford Public Schools, the City of Hartford and CREC, to address the needs of Open Choice and the developing magnet schools. They will be in contact with you to enlist your continuing assistance, especially with regard to enrollment commitments for these programs.

I am aware of the challenges that many Connecticut districts are facing as they finalize their 2004-05 operating budgets. Current state funding formulas will continue to support districts that participate in these programs. There is, however, a financial commitment needed from participating districts. The Hartford school district, for example, must pay or provide special education services for Hartford students in Open Choice (for expenditures above the $2000 per pupil allocation that suburban districts receive). Also, there is a magnet tuition commitment for the Hartford Public Schools and its neighboring districts in the *Sheff v. O'Neill* region. We will continue to review with the leadership of the General Assembly legislative proposals that enhance the effectiveness and cost-effectiveness of these initiatives.

You can help by extending and increasing your current commitment to the Open Choice program and by funding magnet tuition costs. In this year, as we celebrate the 50th Anniversary of *Brown v. Board of Education*, we can continue the spirit of that seminal civil rights legislation by doing our best to meet our moral and legal commitments to school desegregation and educational excellence.

Please contact Jack Hasegawa, Chief, Office of Educational Equity, at 860.713.6545, if you have any questions. Thank you again for your ongoing support.

BJS/mr

Project Narrative

Project Narrative-Table 1 and 2 Information-LEA-Level Enrollment Data-Download tables from the application package available on the program's website and upload table information here.

Attachment 1:
Title: **New Haven Table 1 and 2 LEA Enrollment data** Pages: **0** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\New Haven Tables 1-2.pdf**

OMB-1855-0011- Expiration 05/31/2010

Table 1: Enrollment Data-NEW HAVEN PUBLIC SCHOOLS

Actual Enrollment (Current School Year—October 1, 2009)												Projected Enrollment (Year 1 of Project—Oct 1, 2010)											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**	**Grade Level**	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
PK	3	0.2%	24	1.4%	720	43.1%	713	42.7%	210	12.6%	1,670	**PK**	3	0.2%	22	1.6%	625	46.5%	500	37.2%	193	14.4%	1,343
K	6	0.4%	47	3.0%	678	43.2%	612	39.0%	227	14.5%	1,570	**K**	3	0.2%	24	1.4%	720	43.1%	713	42.7%	210	12.6%	1,670
1	5	0.3%	33	2.0%	694	42.9%	692	42.8%	193	11.9%	1,617	**1**	6	0.4%	47	3.0%	678	43.2%	612	39.0%	227	14.5%	1,570
2	5	0.4%	28	2.0%	618	44.4%	571	41.0%	170	12.2%	1,392	**2**	5	0.3%	33	2.0%	694	42.9%	692	42.8%	193	11.9%	1,617
3	5	0.3%	26	1.8%	671	45.9%	592	40.5%	168	11.5%	1,462	**3**	5	0.4%	28	2.0%	618	44.4%	571	41.0%	170	12.2%	1,392
4	3	0.2%	27	1.9%	669	47.6%	564	40.2%	141	10.0%	1,404	**4**	5	0.3%	26	1.8%	671	45.9%	592	40.5%	168	11.5%	1,462
5	4	0.3%	28	2.0%	667	48.8%	506	37.0%	163	11.9%	1,368	**5**	3	0.2%	27	1.9%	669	47.6%	564	40.2%	141	10.0%	1,404
6	1	0.1%	37	2.6%	666	46.5%	542	37.8%	187	13.0%	1,433	**6**	4	0.3%	28	2.0%	667	48.8%	506	37.0%	163	11.9%	1,368
7	2	0.1%	20	1.4%	720	50.2%	513	35.8%	179	12.5%	1,434	**7**	1	0.1%	37	2.6%	666	46.5%	542	37.8%	187	13.0%	1,433
8	1	0.1%	19	1.5%	609	49.0%	475	38.2%	140	11.3%	1,244	**8**	2	0.1%	20	1.4%	720	50.2%	513	35.8%	179	12.5%	1,434
9	0	0.0%	28	1.7%	884	52.4%	530	31.4%	244	14.5%	1,686	**9**	1	0.1%	19	1.5%	609	49.0%	475	38.2%	140	11.3%	1,244
10	3	0.2%	20	1.5%	731	53.2%	416	30.3%	204	14.8%	1,374	**10**	0	0.0%	28	1.7%	884	52.4%	530	31.4%	244	14.5%	1,686
11	0	0.0%	16	1.3%	622	51.9%	374	31.2%	186	15.5%	1,198	**11**	3	0.2%	20	1.5%	731	53.2%	416	30.3%	204	14.8%	1,374
12	1	0.1%	17	1.6%	590	54.1%	284	26.0%	199	18.2%	1,091	**12**	0	0.0%	16	1.3%	622	51.9%	374	31.2%	186	15.5%	1,198
Total	39	0.2%	370	1.9%	9,539	47.8%	7,384	37.0%	2,611	13.1%	19,943	**Total**	41	0.2%	375	1.9%	9,574	47.4%	7,600	37.6%	2,605	12.9%	20,195

Table 2: Year of Implementation for Existing Magnet Schools included in the Project

School Name	**First School Year as a Magnet School**
Conte-West Hills	1970
Hyde High School	1998
Engineering and Science University Magnet School	2008

☐ *Check here if all of the magnet schools included in the program are schools that are implementing a magnet program for the first time.*

Table 1 (Cont't): Enrollment Data-NEW HAVEN PUBLIC SCHOOLS

Projected Enrollment (Year 2 of Project—Oct 1, 2011)												Projected Enrollment (Year 3 of Project—Oct 1, 2012)										
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**	**Grade Level**	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
PK	3	0.2%	22	1.7%	625	47.5%	450	34.2%	215	16.3%	1,315	**PK**	3	0.2%	22	1.6%	625	44.6%	501	35.8%	250	17.8%	1,401
K	3	0.2%	22	1.6%	625	46.5%	500	37.2%	193	14.4%	1,343	**K**	3	0.2%	22	1.6%	635	47.6%	455	34.1%	220	16.5%	1,335
1	3	0.2%	24	1.4%	720	43.1%	713	42.7%	210	12.6%	1,670	**1**	3	0.2%	22	1.6%	625	46.5%	500	37.2%	193	14.4%	1,343
2	6	0.4%	47	3.0%	678	43.2%	612	39.0%	227	14.5%	1,570	**2**	3	0.2%	24	1.4%	720	43.1%	713	42.7%	210	12.6%	1,670
3	5	0.3%	33	2.0%	694	42.9%	692	42.8%	193	11.9%	1,617	**3**	6	0.4%	47	3.0%	678	43.2%	612	39.0%	227	14.5%	1,570
4	5	0.4%	28	2.0%	618	44.4%	571	41.0%	170	12.2%	1,392	**4**	5	0.3%	33	2.0%	694	42.9%	692	42.8%	193	11.9%	1,617
5	5	0.3%	26	1.8%	671	45.9%	592	40.5%	168	11.5%	1,462	**5**	5	0.4%	28	2.0%	618	44.4%	571	41.0%	170	12.2%	1,392
6	3	0.2%	27	1.9%	669	47.6%	564	40.2%	141	10.0%	1,404	**6**	5	0.3%	26	1.8%	671	45.9%	592	40.5%	168	11.5%	1,462
7	4	0.3%	28	2.0%	667	48.8%	506	37.0%	163	11.9%	1,368	**7**	3	0.2%	27	1.9%	669	47.6%	564	40.2%	141	10.0%	1,404
8	1	0.1%	37	2.6%	666	46.5%	542	37.8%	187	13.0%	1,433	**8**	4	0.3%	28	2.0%	667	48.8%	506	37.0%	163	11.9%	1,368
9	2	0.2%	20	1.5%	685	52.6%	445	34.2%	150	11.5%	1,302	**9**	1	0.1%	37	2.6%	666	46.5%	542	37.8%	187	13.0%	1,433
10	1	0.1%	19	1.5%	609	49.0%	475	38.2%	140	11.3%	1,244	**10**	2	0.2%	20	1.5%	685	52.6%	445	34.2%	150	11.5%	1,302
11	0	0.0%	28	1.7%	884	52.4%	530	31.4%	244	14.5%	1,686	**11**	1	0.1%	19	1.5%	609	49.0%	475	38.2%	140	11.3%	1,244
12	3	0.2%	20	1.5%	731	53.2%	416	30.3%	204	14.8%	1,374	**12**	0	0.0%	28	1.7%	884	52.4%	530	31.4%	244	14.5%	1,686
Total	44	0.2%	381	1.9%	9,542	47.3%	7,608	37.7%	2,605	12.9%	20,180	**Total**	44	0.2%	383	1.9%	9,446	46.7%	7,698	38.1%	2,656	13.1%	20,227

Table 2 (Con't): Year of Implementation for Existing Magnet Schools included in the Project

School Name	**First School Year as a Magnet School**
Conte-West Hills	1970
Hyde High School	1998
Engineering and Science University Magnet School	2008

Project Narrative

Project Narrative-Table 3 Information-Magnet Schools Enrollment Data-Download table from the application package available on the program's website and upload table information here.

Attachment 1:
Title: **New Haven Table 3-Magnet Schools Enrollment Data** Pages: **0** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\New Haven Table 3.pdf**

OMB-1855-0011- Expiration 05/31/2010

Table 3: Enrollment Data--Conte West Hills

Actual Enrollment (Current School Year—October 1, 2009)											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
PK											
K	0	0.0%	2	2.7%	41	56.2%	29	39.7%	1	1.4%	73
1	1	1.4%	1	1.4%	34	47.9%	34	47.9%	1	1.4%	71
2	1	1.4%	0	0.0%	35	48.6%	34	47.2%	2	2.8%	72
3	0	0.0%	0	0.0%	39	54.2%	28	38.9%	5	6.9%	72
4	0	0.0%	0	0.0%	38	50.0%	32	42.1%	6	7.9%	76
5	0	0.0%	0	0.0%	42	59.2%	25	35.2%	4	5.6%	71
6	0	0.0%	0	0.0%	28	41.8%	32	47.8%	7	10.4%	67
7	0	0.0%	0	0.0%	46	63.9%	21	29.2%	5	6.9%	72
8	0	0.0%	0	0.0%	40	62.5%	21	32.8%	3	4.7%	64
9											
10											
11											
12											
Total	2	0.3%	3	0.5%	343	53.8%	256	40.1%	34	5.3%	638

Projected Enrollment (Year 1 of Project—Oct 1, 2010)											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
PK											
K	1	1.3%	2	2.7%	31	41.3%	25	33.3%	16	21.3%	75
1	0	0.0%	2	2.7%	42	56.0%	30	40.0%	1	1.3%	75
2	1	1.3%	1	1.3%	36	48.0%	35	46.7%	2	2.7%	75
3	1	1.3%	0	0.0%	36	48.0%	35	46.7%	3	4.0%	75
4	0	0.0%	0	0.0%	39	54.2%	28	38.9%	5	6.9%	72
5	0	0.0%	0	0.0%	38	50.0%	32	42.1%	6	7.9%	76
6	0	0.0%	0	0.0%	42	59.2%	25	35.2%	4	5.6%	71
7	0	0.0%	0	0.0%	28	41.8%	32	47.8%	7	10.4%	67
8	0	0.0%	0	0.0%	46	63.9%	21	29.2%	5	6.9%	72
9											
10											
11											
12											
Total	3	0.5%	5	0.8%	338	51.4%	263	40.0%	49	7.4%	658

Table 3 (Cont't): Enrollment Data-Conte West Hills

Projected Enrollment (Year 2 of Project—Oct 1, 2011)											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
PK	1	5.6%	1	5.6%	5	27.8%	4	22.2%	7	38.9%	18
K	1	2.0%	2	4.0%	21	42.0%	15	30.0%	11	22.0%	50
1	1	1.3%	2	2.7%	31	41.3%	25	33.3%	16	21.3%	75
2	0	0.0%	2	2.7%	42	56.0%	30	40.0%	1	1.3%	75
3	1	1.3%	1	1.3%	36	48.0%	35	46.7%	2	2.7%	75
4	1	1.3%	0	0.0%	36	48.0%	35	46.7%	3	4.0%	75
5	0	0.0%	0	0.0%	39	54.2%	28	38.9%	5	6.9%	72
6	0	0.0%	0	0.0%	38	50.0%	32	42.1%	6	7.9%	76
7	0	0.0%	0	0.0%	42	59.2%	25	35.2%	4	5.6%	71
8	0	0.0%	0	0.0%	28	41.8%	32	47.8%	7	10.4%	67
9											
10											
11											
12											
Total	5	0.8%	8	1.2%	318	48.6%	261	39.9%	62	9.5%	654

Projected Enrollment (Year 3 of Project—Oct 1, 2012)											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
PK	1	2.8%	2	5.6%	10	27.8%	8	22.2%	15	41.7%	36
K	1	2.0%	2	4.0%	21	42.0%	15	30.0%	11	22.0%	50
1	1	2.0%	2	4.0%	21	42.0%	15	30.0%	11	22.0%	50
2	1	1.3%	2	2.7%	31	41.3%	25	33.3%	16	21.3%	75
3	0	0.0%	2	2.7%	42	56.0%	30	40.0%	1	1.3%	75
4	1	1.3%	1	1.3%	36	48.0%	35	46.7%	2	2.7%	75
5	1	1.3%	0	0.0%	36	48.0%	35	46.7%	3	4.0%	75
6	0	0.0%	0	0.0%	39	54.2%	28	38.9%	5	6.9%	72
7	0	0.0%	0	0.0%	38	50.0%	32	42.1%	6	7.9%	76
8	0	0.0%	0	0.0%	42	59.2%	25	35.2%	4	5.6%	71
9											
10											
11											
12											
Total	6	0.9%	11	1.7%	316	48.2%	248	37.9%	74	11.3%	655

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Table 3: Enrollment Data--Rogers/Brennan

Actual Enrollment (Current School Year—October 1, 2009)											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
PK											
K	0	0.0%	0	0.0%	35	72.9%	11	22.9%	2	4.2%	48
1	1	1.6%	0	0.0%	38	62.3%	19	31.1%	3	4.9%	61
2	0	0.0%	0	0.0%	28	68.3%	7	17.1%	6	14.6%	41
3	1	2.9%	1	2.9%	25	71.4%	7	20.0%	1	2.9%	35
4	0	0.0%	0	0.0%	23	74.2%	6	19.4%	2	6.5%	31
5	0	0.0%	0	0.0%	27	77.1%	7	20.0%	1	2.9%	35
6	0	0.0%	0	0.0%	21	84.0%	3	12.0%	1	4.0%	25
7	0	0.0%	0	0.0%	18	75.0%	5	20.8%	1	4.2%	24
8	0	0.0%	0	0.0%	20	76.9%	4	15.4%	2	7.7%	26
9											
10											
11											
12											
Total	2	0.6%	1	0.3%	235	72.1%	69	21.2%	19	5.8%	326

Projected Enrollment (Year 1 of Project—Oct 1, 2010)											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
PK											
K	1	2.0%	2	4.0%	21	42.0%	15	30.0%	11	22.0%	50
1	0	0.0%	0	0.0%	35	72.9%	11	22.9%	2	4.2%	48
2	1	1.6%	0	0.0%	38	62.3%	19	31.1%	3	4.9%	61
3	0	0.0%	0	0.0%	28	68.3%	7	17.1%	6	14.6%	41
4	1	2.9%	1	2.9%	25	71.4%	7	20.0%	1	2.9%	35
5	0	0.0%	0	0.0%	23	74.2%	6	19.4%	2	6.5%	31
6	0	0.0%	0	0.0%	27	77.1%	7	20.0%	1	2.9%	35
7	0	0.0%	0	0.0%	21	84.0%	3	12.0%	1	4.0%	25
8	0	0.0%	0	0.0%	18	75.0%	5	20.8%	1	4.2%	24
9											
10											
11											
12											
Total	3	0.9%	3	0.9%	236	67.4%	80	22.9%	28	8.0%	350

Table 3 (Cont't): Enrollment Data-Rogers/Brennan

Projected Enrollment **(Year 2 of Project—Oct 1, 2011)**											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
PK	1	5.6%	1	5.6%	5	27.8%	4	22.2%	7	38.9%	18
K	1	2.0%	2	4.0%	21	42.0%	15	30.0%	11	22.0%	50
1	1	2.0%	2	4.0%	21	42.0%	15	30.0%	11	22.0%	50
2	0	0.0%	0	0.0%	35	72.9%	11	22.9%	2	4.2%	48
3	1	1.6%	0	0.0%	38	62.3%	19	31.1%	3	4.9%	61
4	0	0.0%	0	0.0%	28	68.3%	7	17.1%	6	14.6%	41
5	1	2.9%	1	2.9%	25	71.4%	7	20.0%	1	2.9%	35
6	0	0.0%	0	0.0%	23	74.2%	6	19.4%	2	6.5%	31
7	0	0.0%	0	0.0%	27	77.1%	7	20.0%	1	2.9%	35
8	0	0.0%	0	0.0%	21	84.0%	3	12.0%	1	4.0%	25
9											
10											
11											
12											
Total	5	1.3%	6	1.5%	244	61.9%	94	23.9%	45	11.4%	394

Projected Enrollment **(Year 3 of Project—Oct 1, 2012)**											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
PK	1	2.8%	2	5.6%	10	27.8%	8	22.2%	15	41.7%	36
K	1	2.0%	2	4.0%	21	42.0%	15	30.0%	11	22.0%	50
1	1	2.0%	2	4.0%	21	42.0%	15	30.0%	11	22.0%	50
2	1	2.0%	2	4.0%	21	42.0%	15	30.0%	11	22.0%	50
3	0	0.0%	0	0.0%	35	72.9%	11	22.9%	2	4.2%	48
4	1	1.6%	0	0.0%	38	62.3%	19	31.1%	3	4.9%	61
5	0	0.0%	0	0.0%	28	68.3%	7	17.1%	6	14.6%	41
6	1	2.9%	1	2.9%	25	71.4%	7	20.0%	1	2.9%	35
7	0	0.0%	0	0.0%	23	74.2%	6	19.4%	2	6.5%	31
8	0	0.0%	0	0.0%	27	77.1%	7	20.0%	1	2.9%	35
9											
10											
11											
12											
Total	6	1.4%	9	2.1%	249	57.0%	110	25.2%	63	14.4%	437

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Table 3: Enrollment Data--Hyde

Actual Enrollment (Current School Year—October 1, 2009)											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
K											
1											
2											
3											
4											
5											
6											
7											
8											
9	0	0.0%	0	0.0%	48	72.7%	15	22.7%	3	4.5%	66
10	0	0.0%	1	2.1%	37	78.7%	7	14.9%	2	4.3%	47
11	0	0.0%	0	0.0%	32	82.1%	7	17.9%	0	0.0%	39
12	0	0.0%	0	0.0%	27	67.5%	9	22.5%	4	10.0%	40
Total	0	0.0%	1	0.5%	144	75.0%	38	19.8%	9	4.7%	192

Projected Enrollment (Year 1 of Project—Oct 1, 2010)											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
K											
1											
2											
3											
4											
5											
6											
7											
8											
9	1	1.5%	1	1.5%	43	63.2%	13	19.1%	10	14.7%	68
10	0	0.0%	0	0.0%	48	72.7%	15	22.7%	3	4.5%	66
11	0	0.0%	1	2.1%	37	78.7%	7	14.9%	2	4.3%	47
12	0	0.0%	0	0.0%	32	82.1%	7	17.9%	0	0.0%	39
Total	1	0.5%	2	0.9%	160	72.7%	42	19.1%	15	6.8%	220

Table 3 (Cont't): Enrollment Data-Hyde

Projected Enrollment **(Year 2 of Project—Oct 1, 2011)**											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
K											
1											
2											
3											
4											
5											
6											
7											
8											
9	1	1.3%	1	1.3%	44	58.7%	14	18.7%	15	20.0%	75
10	1	1.5%	1	1.5%	43	63.2%	13	19.1%	10	14.7%	68
11	0	0.0%	0	0.0%	48	72.7%	15	22.7%	3	4.5%	66
12	0	0.0%	1	2.1%	37	78.7%	7	14.9%	2	4.3%	47
Total	2	0.8%	3	1.2%	172	67.2%	49	19.1%	30	11.7%	256

Projected Enrollment **(Year 3 of Project—Oct 1, 2012)**											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
K											
1											
2											
3											
4											
5											
6											
7											
8											
9	1	1.3%	1	1.3%	41	54.7%	12	16.0%	20	26.7%	75
10	1	1.3%	1	1.3%	44	58.7%	14	18.7%	15	20.0%	75
11	1	1.5%	1	1.5%	43	63.2%	13	19.1%	10	14.7%	68
12	0	0.0%	0	0.0%	48	72.7%	15	22.7%	3	4.5%	66
Total	3	1.1%	3	1.1%	176	62.0%	54	19.0%	48	16.9%	284

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Table 3: Enrollment Data--Engineering and Science University Magnet School

Actual Enrollment (Current School Year—October 1, 2009)												Projected Enrollment (Year 1 of Project—Oct 1, 2010)											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**	**Grade Level**	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
K												**K**											
1												**1**											
2												**2**											
3												**3**											
4												**4**											
5												**5**											
6	0	0.0%	9	12.7%	29	40.8%	9	12.7%	24	33.8%	71	**6**	1	1.1%	10	11.4%	30	34.1%	17	19.3%	30	34.1%	88
7	0	0.0%	3	3.4%	49	56.3%	19	21.8%	16	18.4%	87	**7**	1	1.1%	12	13.6%	35	39.8%	13	14.8%	27	30.7%	88
8												**8**	0	0.0%	3	3.4%	50	56.8%	19	21.6%	16	18.2%	88
9												**9**											
10												**10**											
11												**11**											
12												**12**											
Total	0	0.0%	12	7.6%	78	49.4%	28	17.7%	40	25.3%	158	**Total**	2	0.8%	25	9.5%	115	43.6%	49	18.6%	73	27.7%	264

Table 3 (Cont't): Enrollment Data-Engineering and Science University Magnet School

Projected Enrollment **(Year 2 of Project—Oct 1, 2011)**											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
K											
1											
2											
3											
4											
5											
6	1	1.1%	9	10.2%	30	34.1%	17	19.3%	31	35.2%	88
7	1	1.1%	10	11.4%	30	34.1%	17	19.3%	30	34.1%	88
8	1	1.1%	12	13.6%	35	39.8%	13	14.8%	27	30.7%	88
9	0	0.0%	3	3.4%	50	56.8%	19	21.6%	16	18.2%	88
10											
11											
12											
Total	3	0.9%	34	9.7%	145	41.2%	66	18.8%	104	29.5%	352

Projected Enrollment **(Year 3 of Project—Oct 1, 2012)**											
Grade Level	American Indian / Alaskan Native (Number)	American Indian / Alaskan Native (%)	Asian / Pacific Islander (Number)	Asian / Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	**Total Students**
K											
1											
2											
3											
4											
5											
6	1	1.1%	9	10.2%	29	33.0%	16	18.2%	33	37.5%	88
7	1	1.1%	9	10.2%	30	34.1%	17	19.3%	31	35.2%	88
8	1	1.1%	10	11.4%	30	34.1%	17	19.3%	30	34.1%	88
9	1	1.1%	12	13.6%	35	39.8%	13	14.8%	27	30.7%	88
10	0	0.0%	3	3.4%	50	56.8%	19	21.6%	16	18.2%	88
11											
12											
Total	4	0.9%	43	9.8%	174	39.5%	82	18.6%	137	31.1%	440

Project Narrative

Project Narrative-Table 5 Information-Feeder School Enrollment Data-Download table from the application package available on the program's website and upload table information here.

Attachment 1:
Title: **New Haven Feeder School Enrollment** Pages: **0** Uploaded File: **C:\Users\Suzanne\Desktop\New Haven Table 5 FINAL.pdf**

Table 5: Feeder School Enrollment Data

For each feeder school, identify the magnet school(s) to which the feeder school would send students. If a feeder school would send students to all magnet schools at a particular grade level (for example, Elementary Feeder School "X" would send students to all of the elementary magnet schools participating in the project, indicate "All" in the "Magnet" column associated with Elementary Feeder School "X".

- The enrollment data projections for Years 1, 2 and 3 of the project should show what the enrollment of feeder schools would be expected to be if the magnet school or schools in the project are successfully implemented.

Use additional sheets, if necessary.

Schools		Actual Enrollment as of October 1, 2009 (Current School Year)											Projected Enrollment for Year 1 (2010-2011)										
FEEDER	MAGNET(S)	American Indian /Alaskan Native (Number)	American Indian /Alaskan Native (%)	Asian/Pacific Islander (Number)	Asian/Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	Total Students	American Indian /Alaskan Native (Number)	American Indian /Alaskan Native (%)	Asian/Pacific Islander (Number)	Asian/Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	Total Students
High Schools																							
James Hillhouse	Eng. Sci. University, Hyde	0	0.0%	2	0.2%	785	82.9%	148	15.6%	12	1.3%	947	0	0.0%	2	0.2%	785	82.7%	150	15.8%	12	1.3%	949
Wilbur Cross		4	0.2%	31	1.9%	679	41.9%	725	44.8%	181	11.2%	1620	4	0.2%	31	1.9%	679	41.9%	725	44.7%	182	11.2%	1621
Middle Schools																							
Betsy Ross	Conte, Rogers-Bren, ESUMS	0	0.0%	8	1.7%	233	49.3%	120	25.4%	112	23.7%	473	0	0.0%	8	1.7%	233	48.9%	120	25.2%	115	24.2%	476
Fair Haven		1	0.2%	1	0.2%	108	17.4%	488	78.7%	22	3.5%	620	1	0.2%	1	0.2%	108	17.3%	488	78.3%	25	4.0%	623
Roberto Clemente		1	0.3%	0	0.0%	225	58.7%	145	37.9%	12	3.1%	383	1	0.3%	0	0.0%	225	58.4%	145	37.7%	14	3.6%	385
Elementary Schools																							
Augusta Lewis Troup	Conte-West Hills, Rogers-Brennan, Engineer. Science Univer. Magnet	0	0.0%	5	1.0%	347	66.1%	162	30.9%	11	2.1%	525	0	0.0%	6	1.1%	350	65.9%	163	30.7%	12	2.3%	531
Barnard		1	0.2%	0	0.0%	328	65.1%	96	19.0%	79	15.7%	504	1	0.2%	1	0.2%	328	64.8%	95	18.8%	81	16.0%	506
Beecher		0	0.0%	6	1.3%	358	74.9%	70	14.6%	44	9.2%	478	0	0.0%	6	1.2%	358	74.3%	73	15.1%	45	9.3%	482
Bishop Woods		0	0.0%	22	4.9%	177	39.7%	200	44.8%	47	10.5%	446	0	0.0%	23	5.2%	177	39.7%	198	44.4%	48	10.8%	446
Celentano		0	0.0%	17	3.7%	298	64.1%	95	20.4%	55	11.8%	465	0	0.0%	17	3.6%	298	63.8%	96	20.6%	56	12.0%	467
Clinton Avenue		0	0.0%	1	0.2%	119	26.2%	319	70.1%	16	3.5%	455	0	0.0%	1	0.2%	119	26.1%	319	70.0%	17	3.7%	456
Columbus		0	0.0%	0	0.0%	32	7.5%	390	91.3%	5	1.2%	427	0	0.0%	0	0.0%	32	7.5%	390	91.1%	6	1.4%	428
Davis Street		2	0.5%	10	2.4%	270	65.4%	50	12.1%	81	19.6%	413	2	0.5%	11	2.6%	270	64.7%	52	12.5%	82	19.7%	417
East Rock		4	0.8%	24	4.8%	265	52.7%	181	36.0%	29	5.8%	503	4	0.8%	25	4.9%	265	52.4%	182	36.0%	30	5.9%	506
Edgewood		1	0.2%	9	2.0%	274	59.7%	60	13.1%	115	25.1%	459	1	0.2%	9	2.0%	274	59.6%	61	13.3%	115	25.0%	460
Hill Central		0	0.0%	0	0.0%	84	23.0%	276	75.6%	5	1.4%	365	0	0.0%	0	0.0%	84	23.0%	275	75.1%	7	1.9%	366
John Daniels		0	0.0%	4	0.8%	111	20.9%	365	68.6%	52	9.8%	532	0	0.0%	4	0.7%	111	20.7%	366	68.4%	54	10.1%	535
John S. Martinez School		2	0.3%	0	0.0%	90	15.3%	479	81.5%	17	2.9%	588	2	0.3%	0	0.0%	90	15.2%	480	81.1%	20	3.4%	592
King/Robinson		1	0.2%	14	2.9%	355	74.7%	48	10.1%	57	12.0%	475	1	0.2%	15	3.1%	355	74.1%	49	10.2%	59	12.3%	479
Lincoln-Bassett		2	0.6%	0	0.0%	292	92.1%	19	6.0%	4	1.3%	317	2	0.6%	0	0.0%	292	91.8%	20	6.3%	4	1.3%	318
Mauro/Sheridan		1	0.2%	14	2.3%	238	39.9%	219	36.7%	124	20.8%	596	1	0.2%	15	2.5%	238	39.7%	220	36.7%	125	20.9%	599
MicroSociety-Museum		0	0.0%	2	0.9%	125	54.3%	68	29.6%	35	15.2%	230	0	0.0%	2	0.9%	125	54.3%	67	29.1%	36	15.7%	230
Nathan Hale		4	0.8%	9	1.7%	56	10.5%	171	32.1%	293	55.0%	533	4	0.7%	9	1.7%	56	10.4%	171	31.6%	301	55.6%	541
Ross/Woodward		4	0.7%	15	2.8%	235	43.8%	212	39.6%	70	13.1%	536	4	0.7%	16	3.0%	235	43.8%	212	39.5%	70	13.0%	537
Strong		0	0.0%	11	4.1%	104	39.0%	136	50.9%	16	6.0%	267	0	0.0%	11	4.1%	104	38.8%	137	51.1%	16	6.0%	268
Truman		2	0.4%	0	0.0%	120	21.9%	417	76.0%	10	1.8%	549	2	0.4%	0	0.0%	122	22.1%	417	75.7%	10	1.8%	551
Wexler/Grant		0	0.0%	3	0.6%	421	91.1%	31	6.7%	7	1.5%	462	0	0.0%	3	0.6%	423	91.2%	31	6.7%	7	1.5%	464
Worthington Hooker		4	0.9%	92	21.4%	95	22.1%	24	5.6%	215	50.0%	430	4	0.9%	92	21.3%	96	22.3%	24	5.6%	215	49.9%	431

Table 5: Feeder School Enrollment Data (Cont'd)

For each feeder school, identify the magnet school(s) to which the feeder school would send students. If a feeder school would send students to all magnet schools at a particular grade level (for example, Elementary Feeder School "X" would send students to all of the elementary magnet schools participating in the project, indicate "All" in the "Magnet" column associated with Elementary Feeder School "X".

- The enrollment data projections for Years 1, 2 and 3 of the project should show what the enrollment of feeder schools would be expected to be if the magnet school or schools in the project are successfully implemented.

Use additional sheets, if necessary.

Schools		Projected Enrollment as of October 1, 2011 (Year 2 of Project)											Projected Enrollment as of October 1, 2012 (Year 3 of Project)										
FEEDER	MAGNET(S)	American Indian /Alaskan Native (Number)	American Indian /Alaskan Native (%)	Asian/Pacific Islander (Number)	Asian/Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	Total Students	American Indian /Alaskan Native (Number)	American Indian /Alaskan Native (%)	Asian/Pacific Islander (Number)	Asian/Pacific Islander (%)	Black (Number) *Not of Hispanic Origin*	Black (%) *Not of Hispanic Origin*	Hispanic (Number)	Hispanic (%)	White (Number)	White (%)	Total Students
High Schools																							
James Hillhouse	Eng. Sci. University, Hyde	0	0.0%	2	0.2%	780	82.6%	150	15.9%	12	1.3%	944	0	0.0%	2	0.2%	789	82.8%	150	15.7%	12	1.3%	953
Wilbur Cross		5	0.3%	33	2.0%	683	42.0%	725	44.5%	182	11.2%	1628	5	0.3%	33	2.0%	689	42.0%	730	44.5%	185	11.3%	1642
Middle Schools																							
Betsy Ross	Conte, Rogers-Bren, ESUMS	0	0.0%	8	1.7%	232	49.0%	121	25.6%	112	23.7%	473	0	0.0%	10	2.0%	235	48.2%	118	24.2%	125	25.6%	488
Fair Haven		1	0.2%	1	0.2%	109	17.8%	478	78.1%	23	3.8%	612	1	0.2%	4	0.7%	110	18.0%	471	77.1%	25	4.1%	611
Roberto Clemente		1	0.3%	0	0.0%	226	58.2%	148	38.1%	13	3.4%	388	1	0.3%	0	0.0%	229	58.7%	145	37.2%	15	3.8%	390
Elementary Schools																							
Augusta Lewis Troup	Conte-West Hills, Rogers-Brennan, Engineer. Science Univer. Magnet	0	0.0%	6	1.1%	351	66.0%	165	31.0%	10	1.9%	532	0	0.0%	7	1.3%	355	66.2%	165	30.8%	9	1.7%	536
Barnard		1	0.2%	1	0.2%	328	65.6%	95	19.0%	75	15.0%	500	1	0.2%	1	0.2%	336	66.5%	97	19.2%	70	13.9%	505
Beecher		0	0.0%	6	1.3%	356	74.2%	75	15.6%	43	9.0%	480	0	0.0%	6	1.3%	357	74.4%	75	15.6%	42	8.8%	480
Bishop Woods		0	0.0%	23	5.2%	179	40.2%	198	44.5%	45	10.1%	445	0	0.0%	25	5.6%	180	40.1%	201	44.8%	43	9.6%	449
Celentano		0	0.0%	17	3.6%	301	64.0%	97	20.6%	55	11.7%	470	0	0.0%	17	3.6%	305	64.3%	100	21.1%	52	11.0%	474
Clinton Avenue		0	0.0%	1	0.2%	117	25.7%	320	70.2%	18	3.9%	456	0	0.0%	1	0.2%	119	26.1%	320	70.2%	16	3.5%	456
Columbus		0	0.0%	0	0.0%	36	8.3%	390	90.1%	7	1.6%	433	0	0.0%	0	0.0%	37	8.5%	392	90.3%	5	1.2%	434
Davis Street		2	0.5%	11	2.6%	272	65.2%	52	12.5%	80	19.2%	417	2	0.5%	12	2.9%	274	65.7%	54	12.9%	75	18.0%	417
East Rock		5	1.0%	25	4.9%	266	52.2%	183	35.9%	31	6.1%	510	5	1.0%	27	5.3%	266	52.1%	183	35.8%	30	5.9%	511
Edgewood		1	0.2%	9	2.0%	274	60.2%	61	13.4%	110	24.2%	455	1	0.2%	10	2.2%	278	60.4%	66	14.3%	105	22.8%	460
Hill Central		0	0.0%	0	0.0%	84	22.8%	277	75.1%	8	2.2%	369	0	0.0%	0	0.0%	87	23.4%	277	74.5%	8	2.2%	372
John Daniels		0	0.0%	4	0.7%	112	20.9%	368	68.7%	52	9.7%	536	0	0.0%	5	0.9%	113	21.1%	368	68.7%	50	9.3%	536
John S. Martinez School		2	0.3%	0	0.0%	92	15.5%	480	80.7%	21	3.5%	595	2	0.3%	0	0.0%	94	15.7%	482	80.5%	21	3.5%	599
King/Robinson		1	0.2%	15	3.1%	356	74.0%	49	10.2%	60	12.5%	481	1	0.2%	17	3.5%	357	74.2%	51	10.6%	55	11.4%	481
Lincoln-Bassett		2	0.6%	0	0.0%	292	91.3%	22	6.9%	4	1.3%	320	2	0.6%	0	0.0%	291	91.2%	22	6.9%	4	1.3%	319
Mauro/Sheridan		1	0.2%	15	2.5%	236	39.9%	220	37.2%	120	20.3%	592	1	0.2%	17	2.9%	234	39.7%	222	37.7%	115	19.5%	589
MicroSociety-Museum		0	0.0%	2	0.9%	125	54.3%	68	29.6%	35	15.2%	230	0	0.0%	2	0.9%	126	54.5%	68	29.4%	35	15.2%	231
Nathan Hale		4	0.7%	9	1.7%	56	10.3%	171	31.5%	302	55.7%	542	4	0.7%	10	1.8%	61	11.1%	172	31.2%	305	55.3%	552
Ross/Woodward		4	0.7%	16	3.0%	235	43.4%	216	39.9%	71	13.1%	542	4	0.7%	17	3.1%	236	43.4%	216	39.7%	71	13.1%	544
Strong		0	0.0%	11	4.1%	106	39.1%	137	50.6%	17	6.3%	271	0	0.0%	12	4.4%	107	38.9%	139	50.5%	17	6.2%	275
Truman		2	0.4%	0	0.0%	122	22.0%	419	75.6%	11	2.0%	554	2	0.4%	0	0.0%	123	22.2%	419	75.5%	11	2.0%	555
Wexler/Grant		0	0.0%	3	0.6%	425	91.0%	31	6.6%	8	1.7%	467	0	0.0%	3	0.6%	426	90.8%	32	6.8%	8	1.7%	469
Worthington Hooker		4	0.9%	92	21.2%	96	22.2%	25	5.8%	216	49.9%	433	4	0.9%	92	21.2%	97	22.4%	25	5.8%	216	49.8%	434

Connecticut State Department of Education
Bureau of Grants Management
Enrollment by school and race for selected districts, October 1, 2009
Data from Public School Information System October 2009 Collection as at April 13, 2010, Unaudited
Racial counts of less than 5 students are not included, for privacy reasons

District Name	School Name	American Indian	Asian	Hispanic	Black	White	Total	% American I	% Asian	%Hispanic	% Black	% White
Ansonia	Mead School	0	19	165	143	329	656	0.0%	2.9%	25.2%	21.8%	50.2%
Ansonia	Prendergast School	0	17	191	163	436	807	0.0%	2.1%	23.7%	20.2%	54.0%
Ansonia	Ansonia Middle School	0	9	99	93	275	476	0.0%	1.9%	20.8%	19.5%	57.8%
Ansonia	Ansonia High School	0	17	153	183	421	774	0.0%	2.2%	19.8%	23.6%	54.4%
Bethany	Bethany Community School	0	32	7	9	465	513	0.0%	6.2%	1.4%	1.8%	90.6%
Branford	Mary T. Murphy School	0	56	55	20	302	433	0.0%	12.9%	12.7%	4.6%	69.7%
Branford	Mary R. Tisko School	0	24	15	7	382	428	0.0%	5.6%	3.5%	1.6%	89.3%
Branford	John B. Sliney School	0	18	30	13	298	359	0.0%	5.0%	8.4%	3.6%	83.0%
Branford	Francis Walsh Intermediate School	0	82	71	46	910	1109	0.0%	7.4%	6.4%	4.1%	82.1%
Branford	Branford High School	0	74	41	34	957	1106	0.0%	6.7%	3.7%	3.1%	86.5%
Branford	Indian Neck School	0	0	6	0	50	56	0.0%	0.0%	10.7%	0.0%	89.3%
Cheshire	Chapman School	0	22	16	7	280	325	0.0%	6.8%	4.9%	2.2%	86.2%
Cheshire	Darcey School	0	42	25	7	321	395	0.0%	10.6%	6.3%	1.8%	81.3%
Cheshire	Highland School	0	87	30	15	706	838	0.0%	10.4%	3.6%	1.8%	84.2%
Cheshire	Norton School	0	44	16	8	421	489	0.0%	9.0%	3.3%	1.6%	86.1%
Cheshire	Doolittle School	0	47	22	15	431	515	0.0%	9.1%	4.3%	2.9%	83.7%
Cheshire	Dodd Middle School	0	69	18	11	717	815	0.0%	8.5%	2.2%	1.3%	88.0%
Cheshire	Cheshire High School	0	106	41	30	1367	1544	0.0%	6.9%	2.7%	1.9%	88.5%
Cheshire	Humiston School	0	0	0	0	16	16	0.0%	0.0%	0.0%	0.0%	100.0%
Clinton	Abraham Pierson School	0	9	21	5	264	299	0.0%	3.0%	7.0%	1.7%	88.3%
Clinton	Lewin G. Joel Jr. School	0	16	56	8	591	671	0.0%	2.4%	8.3%	1.2%	88.1%
Clinton	Jared Eliot School	0	11	21	8	454	494	0.0%	2.2%	4.3%	1.6%	91.9%
Clinton	The Morgan School	0	23	36	7	492	558	0.0%	4.1%	6.5%	1.3%	88.2%
Derby	Irving School	0	7	150	84	198	439	0.0%	1.6%	34.2%	19.1%	45.1%
Derby	Bradley School	0	22	43	37	284	386	0.0%	5.7%	11.1%	9.6%	73.6%
Derby	Derby High School	0	13	124	113	371	621	0.0%	2.1%	20.0%	18.2%	59.7%
East Haven	Deer Run School	0	13	64	15	250	342	0.0%	3.8%	18.7%	4.4%	73.1%
East Haven	Momauguin School	0	10	52	0	146	208	0.0%	4.8%	25.0%	0.0%	70.2%
East Haven	Grove J. Tuttle School	0	9	51	12	160	232	0.0%	3.9%	22.0%	5.2%	69.0%
East Haven	Dominick H. Ferrara School	0	8	26	0	159	193	0.0%	4.1%	13.5%	0.0%	82.4%
East Haven	D. C. Moore School	0	9	53	10	141	213	0.0%	4.2%	24.9%	4.7%	66.2%
East Haven	Robert W. Carbone School	0	15	36	10	197	258	0.0%	5.8%	14.0%	3.9%	76.4%
East Haven	East Haven Academy	0	14	9	0	212	235	0.0%	6.0%	3.8%	0.0%	90.2%
East Haven	Overbrook School	0	10	37	0	131	178	0.0%	5.6%	20.8%	0.0%	73.6%
East Haven	Hays School	0	13	21	0	117	151	0.0%	8.6%	13.9%	0.0%	77.5%
East Haven	Joseph Melillo Middle School	0	16	67	11	378	472	0.0%	3.4%	14.2%	2.3%	80.1%
East Haven	East Haven High School	0	37	98	33	799	967	0.0%	3.8%	10.1%	3.4%	82.6%

District Name	School Name	American Indian	Asian	Hispanic	Black	White	Total	% American I	% Asian	%Hispanic	% Black	% White
East Haven	Pathways	0	0	0	0	26	26	0.0%	0.0%	0.0%	0.0%	100.0%
Guilford	Guilford Lakes School	0	17	15	8	393	433	0.0%	3.9%	3.5%	1.8%	90.8%
Guilford	Melissa Jones School	0	11	25	0	308	344	0.0%	3.2%	7.3%	0.0%	89.5%
Guilford	Calvin Leete School	0	23	9	0	297	329	0.0%	7.0%	2.7%	0.0%	90.3%
Guilford	A. W. Cox School	0	16	18	0	282	316	0.0%	5.1%	5.7%	0.0%	89.2%
Guilford	A. Baldwin Middle School	0	24	32	0	484	540	0.0%	4.4%	5.9%	0.0%	89.6%
Guilford	E. C. Adams Middle School	0	29	19	5	565	618	0.0%	4.7%	3.1%	0.8%	91.4%
Guilford	Guilford High School	0	34	48	15	1017	1114	0.0%	3.1%	4.3%	1.3%	91.3%
Hamden	Shepherd Glen School	0	62	40	102	108	312	0.0%	19.9%	12.8%	32.7%	34.6%
Hamden	Church Street School	0	18	109	197	87	411	0.0%	4.4%	26.5%	47.9%	21.2%
Hamden	Dunbar Hill School	0	21	40	132	132	325	0.0%	6.5%	12.3%	40.6%	40.6%
Hamden	Helen Street School	0	15	71	135	78	299	0.0%	5.0%	23.7%	45.2%	26.1%
Hamden	Spring Glen School	0	16	21	81	240	358	0.0%	4.5%	5.9%	22.6%	67.0%
Hamden	Ridge Hill School	0	27	71	130	85	313	0.0%	8.6%	22.7%	41.5%	27.2%
Hamden	Bear Path School	0	39	41	80	295	455	0.0%	8.6%	9.0%	17.6%	64.8%
Hamden	West Woods School	0	72	40	61	338	511	0.0%	14.1%	7.8%	11.9%	66.1%
Hamden	Hamden Middle School	0	51	125	299	405	880	0.0%	5.8%	14.2%	34.0%	46.0%
Hamden	Hamden High School	0	103	236	677	956	1972	0.0%	5.2%	12.0%	34.3%	48.5%
Hamden	Alice Peck Pre-K Program	0	9	10	25	52	96	0.0%	9.4%	10.4%	26.0%	54.2%
Madison	J. Milton Jeffrey Elementary School	0	13	7	0	524	544	0.0%	2.4%	1.3%	0.0%	96.3%
Madison	Island Avenue Elementary School	0	13	10	0	293	316	0.0%	4.1%	3.2%	0.0%	92.7%
Madison	Kathleen H. Ryerson Elementary Schoo	0	17	0	0	288	305	0.0%	5.6%	0.0%	0.0%	94.4%
Madison	Dr. Robert H. Brown Middle School	0	21	11	0	548	580	0.0%	3.6%	1.9%	0.0%	94.5%
Madison	Walter C. Polson Upper Middle School	0	23	5	5	574	607	0.0%	3.8%	0.8%	0.8%	94.6%
Madison	Daniel Hand High School	0	49	13	16	1182	1260	0.0%	3.9%	1.0%	1.3%	93.8%
Madison	Town Campus Learning Center	0	0	0	0	25	25	0.0%	0.0%	0.0%	0.0%	100.0%
Middletown	Spencer School	0	21	46	83	229	379	0.0%	5.5%	12.1%	21.9%	60.4%
Middletown	Bielefield School	0	16	40	84	181	321	0.0%	5.0%	12.5%	26.2%	56.4%
Middletown	Farm Hill School	0	13	42	54	197	306	0.0%	4.2%	13.7%	17.6%	64.4%
Middletown	MacDonough School	0	0	57	82	68	207	0.0%	0.0%	27.5%	39.6%	32.9%
Middletown	Snow School	0	29	36	93	195	353	0.0%	8.2%	10.2%	26.3%	55.2%
Middletown	Moody School	0	26	67	72	270	435	0.0%	6.0%	15.4%	16.6%	62.1%
Middletown	Lawrence School	0	58	37	76	174	345	0.0%	16.8%	10.7%	22.0%	50.4%
Middletown	Wesley School	0	19	39	86	226	370	0.0%	5.1%	10.5%	23.2%	61.1%
Middletown	Keigwin Middle School	0	17	69	95	188	369	0.0%	4.6%	18.7%	25.7%	50.9%
Middletown	Woodrow Wilson Middle School	0	30	99	191	421	741	0.0%	4.0%	13.4%	25.8%	56.8%
Middletown	Middletown High School	7	62	140	342	773	1324	0.5%	4.7%	10.6%	25.8%	58.4%
Middletown	DEAL Program	0	0	0	7	5	12	0.0%	0.0%	0.0%	58.3%	41.7%
Milford	Calf Pen Meadow School	0	16	13	6	265	300	0.0%	5.3%	4.3%	2.0%	88.3%
Milford	Meadowside School	0	71	23	18	246	358	0.0%	19.8%	6.4%	5.0%	68.7%
Milford	Orange Avenue School	0	40	15	14	398	467	0.0%	8.6%	3.2%	3.0%	85.2%
Milford	Pumpkin Delight School	5	10	26	15	234	290	1.7%	3.4%	9.0%	5.2%	80.7%
Milford	Simon Lake School	0	36	41	28	253	358	0.0%	10.1%	11.5%	7.8%	70.7%
Milford	Live Oaks School	0	27	12	14	274	327	0.0%	8.3%	3.7%	4.3%	83.8%

District Name	School Name	American Indian	Asian	Hispanic	Black	White	Total	% American I	% Asian	%Hispanic	% Black	% White
Milford	Mathewson School	0	63	9	27	388	487	0.0%	12.9%	1.8%	5.5%	79.7%
Milford	Orchard Hills School	0	30	17	13	354	414	0.0%	7.2%	4.1%	3.1%	85.5%
Milford	J. F. Kennedy School	0	23	16	12	307	358	0.0%	6.4%	4.5%	3.4%	85.8%
Milford	East Shore Middle School	0	25	23	15	495	558	0.0%	4.5%	4.1%	2.7%	88.7%
Milford	Harborside Middle School	0	38	23	18	504	583	0.0%	6.5%	3.9%	3.1%	86.4%
Milford	West Shore Middle School	0	40	50	28	442	560	0.0%	7.1%	8.9%	5.0%	78.9%
Milford	Jonathan Law High School	5	52	86	59	809	1011	0.5%	5.1%	8.5%	5.8%	80.0%
Milford	Joseph A. Foran High School	0	39	48	43	919	1049	0.0%	3.7%	4.6%	4.1%	87.6%
Monroe	Monroe Elementary School	0	0	11	5	336	352	0.0%	0.0%	3.1%	1.4%	95.5%
Monroe	Stepney Elementary School	0	19	16	8	407	450	0.0%	4.2%	3.6%	1.8%	90.4%
Monroe	Fawn Hollow Elementary School	0	20	8	13	487	528	0.0%	3.8%	1.5%	2.5%	92.2%
Monroe	Chalk Hill School	0	20	27	14	514	575	0.0%	3.5%	4.7%	2.4%	89.4%
Monroe	Jockey Hollow School	0	21	31	8	616	676	0.0%	3.1%	4.6%	1.2%	91.1%
Monroe	Masuk High School	5	42	57	34	1164	1302	0.4%	3.2%	4.4%	2.6%	89.4%
Naugatuck	Central Avenue School	0	14	57	27	186	284	0.0%	4.9%	20.1%	9.5%	65.5%
Naugatuck	Cross Street Intermediate School	0	12	37	38	299	386	0.0%	3.1%	9.6%	9.8%	77.5%
Naugatuck	Maple Hill School	0	26	38	43	349	456	0.0%	5.7%	8.3%	9.4%	76.5%
Naugatuck	Hop Brook Intermediate School	0	13	52	46	255	366	0.0%	3.6%	14.2%	12.6%	69.7%
Naugatuck	Prospect Street School	0	30	51	32	204	317	0.0%	9.5%	16.1%	10.1%	64.4%
Naugatuck	Salem School	0	10	36	37	163	246	0.0%	4.1%	14.6%	15.0%	66.3%
Naugatuck	Western School	0	6	42	21	205	274	0.0%	2.2%	15.3%	7.7%	74.8%
Naugatuck	Andrew Avenue School	0	20	40	7	160	227	0.0%	8.8%	17.6%	3.1%	70.5%
Naugatuck	City Hill Middle School	0	9	46	51	363	469	0.0%	1.9%	9.8%	10.9%	77.4%
Naugatuck	Hillside Middle School	0	20	45	27	212	304	0.0%	6.6%	14.8%	8.9%	69.7%
Naugatuck	Naugatuck High School	0	39	163	116	1114	1432	0.0%	2.7%	11.4%	8.1%	77.8%
Naugatuck	Head Start at City Hill Middle School	0	6	26	14	58	104	0.0%	5.8%	25.0%	13.5%	55.8%
North Branford	Jerome Harrison School	0	8	11	5	300	324	0.0%	2.5%	3.4%	1.5%	92.6%
North Branford	Stanley T. Williams School	0	6	7	0	234	247	0.0%	2.4%	2.8%	0.0%	94.7%
North Branford	Totoket Valley Elementary School	0	6	7	8	444	465	0.0%	1.3%	1.5%	1.7%	95.5%
North Branford	North Branford Intermediate School	0	15	20	10	562	607	0.0%	2.5%	3.3%	1.6%	92.6%
North Branford	North Branford High School	0	16	24	17	628	685	0.0%	2.3%	3.5%	2.5%	91.7%
North Haven	Montowese Elementary School	0	24	15	9	366	414	0.0%	5.8%	3.6%	2.2%	88.4%
North Haven	Ridge Road Elementary School	0	36	14	15	363	428	0.0%	8.4%	3.3%	3.5%	84.8%
North Haven	Green Acres Elementary School	0	35	17	27	313	392	0.0%	8.9%	4.3%	6.9%	79.8%
North Haven	Clintonville Elementary School	0	20	13	14	347	394	0.0%	5.1%	3.3%	3.6%	88.1%
North Haven	North Haven Middle School	0	50	35	38	749	872	0.0%	5.7%	4.0%	4.4%	85.9%
North Haven	North Haven High School	0	72	71	76	961	1180	0.0%	6.1%	6.0%	6.4%	81.4%
Orange	Mary L. Tracy School	0	17	7	0	161	185	0.0%	9.2%	3.8%	0.0%	87.0%
Orange	Race Brook School	0	54	21	7	318	400	0.0%	13.5%	5.3%	1.8%	79.5%
Orange	Turkey Hill School	0	33	5	16	246	300	0.0%	11.0%	1.7%	5.3%	82.0%
Orange	Peck Place School	0	47	9	8	346	410	0.0%	11.5%	2.2%	2.0%	84.4%
Oxford	Oxford Center School	0	8	14	0	511	533	0.0%	1.5%	2.6%	0.0%	95.9%
Oxford	Quaker Farms School	0	10	11	7	521	549	0.0%	1.8%	2.0%	1.3%	94.9%
Oxford	Great Oak School	0	11	23	17	452	503	0.0%	2.2%	4.6%	3.4%	89.9%

District Name	School Name	American Indian	Asian	Hispanic	Black	White	Total	% American I	% Asian	%Hispanic	% Black	% White
Oxford	Oxford High School	0	11	19	14	519	563	0.0%	2.0%	3.4%	2.5%	92.2%
Region 5	Amity Middle School: Bethany	0	28	18	11	366	423	0.0%	6.6%	4.3%	2.6%	86.5%
Region 5	Amity Middle School: Orange	0	48	13	10	357	428	0.0%	11.2%	3.0%	2.3%	83.4%
Region 5	Amity Regional High School	0	156	51	51	1369	1627	0.0%	9.6%	3.1%	3.1%	84.1%
Seymour	Bungay School	0	30	35	8	488	561	0.0%	5.3%	6.2%	1.4%	87.0%
Seymour	Anna L. Lopresti School	0	7	34	27	227	295	0.0%	2.4%	11.5%	9.2%	76.9%
Seymour	Paul Chatfield School	0	7	19	9	256	291	0.0%	2.4%	6.5%	3.1%	88.0%
Seymour	Seymour Middle School	0	15	45	24	486	570	0.0%	2.6%	7.9%	4.2%	85.3%
Seymour	Seymour High School	0	22	65	18	595	700	0.0%	3.1%	9.3%	2.6%	85.0%
Shelton	Lafayette School	0	15	71	30	202	318	0.0%	4.7%	22.3%	9.4%	63.5%
Shelton	Elizabeth Shelton School	0	32	24	6	528	590	0.0%	5.4%	4.1%	1.0%	89.5%
Shelton	Sunnyside School	0	32	27	22	236	317	0.0%	10.1%	8.5%	6.9%	74.4%
Shelton	Long Hill School	0	47	56	29	465	597	0.0%	7.9%	9.4%	4.9%	77.9%
Shelton	Mohegan School	0	29	16	10	587	642	0.0%	4.5%	2.5%	1.6%	91.4%
Shelton	Booth Hill School	0	27	15	0	434	476	0.0%	5.7%	3.2%	0.0%	91.2%
Shelton	Intermediate School	0	35	62	23	749	869	0.0%	4.0%	7.1%	2.6%	86.2%
Shelton	Shelton High School	6	60	126	53	1386	1631	0.4%	3.7%	7.7%	3.2%	85.0%
Southington	Hatton School	0	8	25	12	393	438	0.0%	1.8%	5.7%	2.7%	89.7%
Southington	Plantsville School at North Center	0	0	6	8	197	211	0.0%	0.0%	2.8%	3.8%	93.4%
Southington	South End School	0	8	11	5	197	221	0.0%	3.6%	5.0%	2.3%	89.1%
Southington	Strong School	0	16	12	19	428	475	0.0%	3.4%	2.5%	4.0%	90.1%
Southington	Thalberg School	0	33	16	5	365	419	0.0%	7.9%	3.8%	1.2%	87.1%
Southington	Flanders School	0	10	31	0	263	304	0.0%	3.3%	10.2%	0.0%	86.5%
Southington	Urbin T. Kelley School	0	25	9	5	366	405	0.0%	6.2%	2.2%	1.2%	90.4%
Southington	Derynoski Elementary School	0	16	28	5	643	692	0.0%	2.3%	4.0%	0.7%	92.9%
Southington	Joseph A. Depaolo Middle School	0	24	52	19	686	781	0.0%	3.1%	6.7%	2.4%	87.8%
Southington	John F. Kennedy Middle School	0	27	23	14	733	797	0.0%	3.4%	2.9%	1.8%	92.0%
Southington	Southington High School	0	63	86	52	1829	2030	0.0%	3.1%	4.2%	2.6%	90.1%
Stratford	Chapel School	0	30	78	141	311	560	0.0%	5.4%	13.9%	25.2%	55.5%
Stratford	Franklin School	0	10	92	89	147	338	0.0%	3.0%	27.2%	26.3%	43.5%
Stratford	Lordship School	0	5	37	61	112	215	0.0%	2.3%	17.2%	28.4%	52.1%
Stratford	Nichols School	0	14	115	83	224	436	0.0%	3.2%	26.4%	19.0%	51.4%
Stratford	Second Hill Lane School	9	35	172	123	384	723	1.2%	4.8%	23.8%	17.0%	53.1%
Stratford	Eli Whitney School	0	14	98	106	305	523	0.0%	2.7%	18.7%	20.3%	58.3%
Stratford	Wilcoxson School	0	15	89	74	228	406	0.0%	3.7%	21.9%	18.2%	56.2%
Stratford	Stratford Academy - Johnson House	0	12	64	112	265	453	0.0%	2.6%	14.1%	24.7%	58.5%
Stratford	Stratford Academy - Honeyspot House	0	10	34	59	133	236	0.0%	4.2%	14.4%	25.0%	56.4%
Stratford	David Wooster Middle School	0	14	117	148	293	572	0.0%	2.4%	20.5%	25.9%	51.2%
Stratford	Harry B. Flood Middle School	0	7	124	133	336	600	0.0%	1.2%	20.7%	22.2%	56.0%
Stratford	Stratford High School	0	33	204	289	451	977	0.0%	3.4%	20.9%	29.6%	46.2%
Stratford	Bunnell High School	8	33	232	266	708	1247	0.6%	2.6%	18.6%	21.3%	56.8%
Stratford	STRIVE	0	0	0	0	11	11	0.0%	0.0%	0.0%	0.0%	100.0%
Wallingford	Moses Y. Beach School	0	8	101	9	238	356	0.0%	2.2%	28.4%	2.5%	66.9%
Wallingford	Highland School	0	15	10	8	274	307	0.0%	4.9%	3.3%	2.6%	89.3%

District Name	School Name	American Indian	Asian	Hispanic	Black	White	Total	% American I	% Asian	%Hispanic	% Black	% White
Wallingford	Parker Farms School	0	23	92	20	220	355	0.0%	6.5%	25.9%	5.6%	62.0%
Wallingford	Rock Hill School	0	23	22	8	274	327	0.0%	7.0%	6.7%	2.4%	83.8%
Wallingford	Yalesville School	0	43	36	12	420	511	0.0%	8.4%	7.0%	2.3%	82.2%
Wallingford	Evarts C. Stevens School	0	26	63	12	327	428	0.0%	6.1%	14.7%	2.8%	76.4%
Wallingford	Cook Hill School	0	18	20	17	341	396	0.0%	4.5%	5.1%	4.3%	86.1%
Wallingford	Pond Hill School	0	6	45	7	230	288	0.0%	2.1%	15.6%	2.4%	79.9%
Wallingford	Dag Hammarskjold School	0	31	69	19	580	699	0.0%	4.4%	9.9%	2.7%	83.0%
Wallingford	James H. Moran Middle School	0	41	67	26	704	838	0.0%	4.9%	8.0%	3.1%	84.0%
Wallingford	Lyman Hall High School	0	32	118	29	974	1153	0.0%	2.8%	10.2%	2.5%	84.5%
Wallingford	Mark T. Sheehan High School	0	42	60	26	851	979	0.0%	4.3%	6.1%	2.7%	86.9%
Wallingford	Wallingford Intra-District School Educa	0	0	0	0	11	11	0.0%	0.0%	0.0%	0.0%	100.0%
Westbrook	Daisy Ingraham School	0	8	21	0	334	363	0.0%	2.2%	5.8%	0.0%	92.0%
Westbrook	Westbrook Middle School	0	0	13	6	281	300	0.0%	0.0%	4.3%	2.0%	93.7%
Westbrook	Westbrook High School	0	6	9	0	283	298	0.0%	2.0%	3.0%	0.0%	95.0%
West Haven	Forest School	0	18	169	149	125	461	0.0%	3.9%	36.7%	32.3%	27.1%
West Haven	Seth G. Haley School	0	27	76	90	310	503	0.0%	5.4%	15.1%	17.9%	61.6%
West Haven	Edith E. Mackrille School	7	19	68	54	218	366	1.9%	5.2%	18.6%	14.8%	59.6%
West Haven	Alma E. Pagels School	0	27	50	77	213	367	0.0%	7.4%	13.6%	21.0%	58.0%
West Haven	Clarence E. Thompson School	0	8	158	121	94	381	0.0%	2.1%	41.5%	31.8%	24.7%
West Haven	Washington School	0	8	126	104	193	431	0.0%	1.9%	29.2%	24.1%	44.8%
West Haven	Anna V. Molloy School	0	22	109	83	72	286	0.0%	7.7%	38.1%	29.0%	25.2%
West Haven	Savin Rock Community School	0	10	158	105	165	438	0.0%	2.3%	36.1%	24.0%	37.7%
West Haven	Harry M. Bailey Middle School	9	41	125	134	420	729	1.2%	5.6%	17.1%	18.4%	57.6%
West Haven	May V. Carrigan Middle School	0	16	253	203	229	701	0.0%	2.3%	36.1%	29.0%	32.7%
West Haven	West Haven High School	9	49	338	426	747	1569	0.6%	3.1%	21.5%	27.2%	47.6%
Wolcott	Frisbie School	0	17	16	0	345	378	0.0%	4.5%	4.2%	0.0%	91.3%
Wolcott	Wakelee School	0	6	19	12	395	432	0.0%	1.4%	4.4%	2.8%	91.4%
Wolcott	Alcott School	0	12	18	9	325	364	0.0%	3.3%	4.9%	2.5%	89.3%
Wolcott	Tyrrell Middle School	0	12	22	18	675	727	0.0%	1.7%	3.0%	2.5%	92.8%
Wolcott	Wolcott High School	0	12	27	20	780	839	0.0%	1.4%	3.2%	2.4%	93.0%
Woodbridge	Beecher Road Primary School	0	31	15	8	242	296	0.0%	10.5%	5.1%	2.7%	81.8%
Woodbridge	Beecher Road Intermediate School	0	57	13	13	349	432	0.0%	13.2%	3.0%	3.0%	80.8%
		American Indian	**Asian**	**Hispanic**	**Black**	**White**	**Total**	**American Ind**	**% Asian**	**%Hispanic**	**% Black**	**% White**
	Total	70	5116	10120	9513	79236	104055	0.1%	4.9%	9.7%	9.1%	76.1%

1. There are 28 suburban sending districts with 104,055 enrolled students
2. 76.1% of those student are WHITE (79,236).
3. There are 201 public schools in the 28 districts.
o 19 of these schools have minority enrollments that are more than 50%
o 27 of these schools have minority enrollment between 40-50%
o New Haven will draw suburban students from the remaining 155 schools with minority enrollments of less than 40%
o 127 schools have less than 25% minority enrollment

Project Narrative

Project Narrative-Table 7 and 8 Information-LEA-Level (Converted) Enrollment Data-Download tables from the application package available on the program's website and upload table information here.

Project Narrative

Project Narrative-Table 9 Information-Magnet Schools (Converted) Enrollment Data-Download table from the application package available on the program's website and upload table information here.

Project Narrative

Project Narrative-Table 11 Information-Feeder-(Converted) Enrollment Data-Download table from the application package available on the program's website and upload table information here.

Project Narrative

Project Narrative-Table 13 Information-Selection of Students-Download table from the application package available on the program's website and upload table information here.

Attachment 1:
Title: **New Haven Table 13-Selection of Students** Pages: **0** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\NH Table 13 rever.doc**

Table 13: Selection of Students-Competitive Preference 3

Instructions:

For each magnet school included in the project:

- Indicate whether or not academic examination is used as a factor in the selection of students for the magnet school and, if so, how it is used.
- Briefly describe how students are selected (e.g., weighted lottery, first come/first served, etc.). In the description, identify the criteria that are used, if any, in selecting students and indicate how each of those criteria is used in the process.
- If the same process and use of academic criteria applies to more than one of the magnet schools included in the project, in the "Magnet School(s)" identify all of the schools for which the student selection process applies.
- Use additional sheets or space, if necessary.
- Information on the student selection processes used by other magnet schools (i.e., magnet schools that are not included in the project) is not needed.

Magnet School(s): Hyde Sports/Medical Science Academy; Engineering and Science University Magnet School; Conte/West Hills Invention, Exploration Magnet School; Rogers/Brennan Magnet School

Check the appropriate box:

☐ Academic examination is a criterion in the magnet school student selection process.

☒ Academic examination is not a criterion in the magnet school student selection process.

Describe the student selection process.

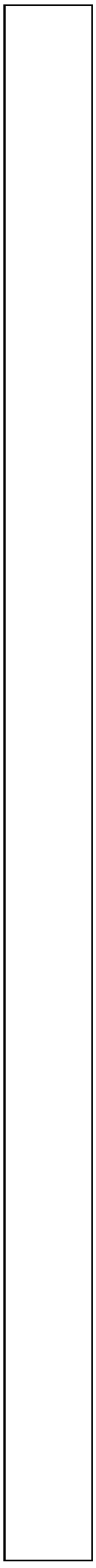
The following is a brief description of how the New Haven Public Schools will select students for the Magnet Schools Assistance Program.

The New Haven Public Schools will use a **lottery** to select students for its magnet schools. **No academic criteria such as academic examination or grades will be used to screen or select students. In addition, no performance testing or screening will be used to select students. Further, race and ethnicity will not be used as a factor for the lottery or in the student selection process.**

During the magnet school application period, a parent seeking to enroll his/her child in a magnet school will be asked to indicate school choices by completing an application form. Efforts will be made to give each parent his/her first choice. Parents will be asked to make choices solely on interest. Students will not be required to take an academic examination, nor will any results of academic examinations be considered as a requirement for student selection.

If there are more applicants than available seats in a magnet school, the New Haven Public Schools will conduct a lottery to fill the available spaces at each grade level at each magnet school.

The student selection process will be in accord with the court order and the state rules, regulations and laws governing the Connecticut Interdistrict Magnet Program which is a result of the Sheff Decision.



Project Narrative

Project Narrative-Table 14 Information-Revised Magnet Schools-Download table from the application package available on the program's website and upload table information here.

Attachment 1:
Title: **New Haven Table 14 Revised Magnet Schools** Pages: **0** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\New Haven Table 14 Significant Revision Hyde HS_Conte-West Hills_ESUMS rev3dak.doc**

Table 14: New or Revised Magnet School Projects-Competitive Preference 4

Instructions:

For each magnet school identified in Tables 1 – 11:

- Briefly describe the nature of the change that is being made to the magnet school program at that school (for example, expansion of program from within school program serving 50 students to whole school program serving 400 students; adding medical sciences within school to complement other within school programs and serve greater total number of students; upgrade thematic curriculum to maintain program attractiveness; replace existing magnet program, etc); and
- Explain the significance of the revision to the magnet school. Relevant information might include, for example, discussion of diminishing effectiveness of the existing program; what would be accomplished or achieved as a result of the revision to the magnet program; the expected benefits or effects that would result from implementation of the revision; the need, if appropriate, to expand from a within school program to a whole program; etc.
- If all of the schools participating in the project are new magnet schools, indicate "No Revised Magnet Schools Participating in the Project" in the first "Nature of Revision or Change to the Magnet School" box.
- Use additional sheets, if necessary.

Magnet School: Hyde High School (Grades 9-12)

Nature of Revision or Change to the Magnet School: Hyde, a magnet school since, 1998 is completely changing its theme because it has not met its desegregation goals and has not attained AYP. Hyde started as the Hyde Leadership School. Its mission focused on character education. It used the Character First model and was the only school in Connecticut to use this model. In addition to striving for achieve high academic achievement, it stressed character development and self-discovery including being able to work productively with others and being able to make good choices.

For reasons explained below, this school will become Hyde High School of Health Sciences and Sports Medicine. Its theme will be completely different, adding a rigorous STEM program that will focus on Health Sciences and Sports Medicine, careers that

many New Haven students have expressed interest in. There is not a school like it in the entire New Haven region. An interdistrict magnet school in Hartford has been very successful with a similar theme. That school has reduced minority group isolation and is a higher performing school. Hyde's magnet curriculum will be based on the Foundation Standards of the National Consortium on Health Science Education and will include Project Lead the Way's Biomedical Sciences program. Hyde students will be exposed to a variety of educational and career opportunities through job shadowing and internships. Hyde will also implement Expeditionary Learning which emphasizes high achievement through active learning, character growth and teamwork. None of these programs exist at Hyde. Therefore, there is a need for extensive professional development for the Hyde staff and extensive curriculum development as new courses are created, existing courses are modified and the new magnet themes are integrated into strengthened core academic courses. Southern Connecticut State University's Department of Exercise Science will assist in curriculum development, offer advanced courses for college credit, give tours of Health and Sports Science departments, provide college students as mentors, help Hyde in facilities design and equipment and supplies selection. Teachers will receive extensive on-site professional development for curriculum integration through an Expeditionary Learning Designer and they will attend EL conferences designed to support interdisciplinary expeditions. Health Science and Sports Medicine and Science teachers will attend the Project Lead the Way Professional Development during the summer at Stevenson College in Maryland. The new theme will increase the attractiveness of the school and increase its racial and ethnic diversity.

Explanation of How or Why the Revision is Significant:

Hyde is an interdistrict magnet school but has not attracted a racially diverse population. It's minority enrollment is currently 95% which is higher than the New Haven districtwide average of minority students at the high school level (83.5%). It is the second most minority group isolated high school in New Haven. (New Haven has nine high schools.) An important reason for this is that Hyde does not have an applicant pool that is sufficiently diverse nor large enough. Last year, Hyde had a total of 170 applications but only 13 (7.6%) from white students. This year, Hyde had 157 applications but only 17 (10.8%) from white applicants. In 2003, Hyde had 34 white students (17%) and 154 (83%) minority students. Since then the number of white students has declined to 9 (5%) and minority group isolation has increased. In addition, Hyde is a School in Need of Improvement for the fourth consecutive year.

Therefore, the new, rigorous science based, high interest theme will increase the attractiveness of the school. Hyde is an approved (Connecticut State Department of Education) interdistrict magnet school. With a new theme, significant professional development supported by MSAP, the New Haven school district and the State Department of Education, as described in this application, a significantly larger and more diverse applicant pool can bring about greater racial and ethnic diversity and will improve instruction in core academic subjects.

Magnet School: Conte-West Hills (Grades PreK-8)

Nature of Revision or Change to the Magnet School:

Conte-West Hills became a magnet school in 1970. Its theme was the Bank Street Program an Integrated Day model of instruction using thematic units, cooperative learning, critical and creative thinking skills and sensitivity to children's unique learning styles. This

is a theme that excited many parents forty years ago but sounds like and is, in fact, what every school in New Haven has made part of its program. As a result, the school has lost its effectiveness to attract a diverse student population and has experienced a dramatic increase in minority group isolation over the last decade. Therefore, the Conte-West Hills staff wants to change to a new theme: Exploration and Innovation. In the process of transformation, it will also become and Expeditionary Learning school. Primary students will explore their communities, while intermediate students will explore the USA through a unique exploratory program (Social Studies Alive), and will follow routes of explorers using curriculum developed at the Smithsonian Museum and Library of Congress. Elementary and middle school students will study how immigrants explored a new world and continue to do so through the oral history Story Corps experience. They will explore original documents through the National Archive Repository (NARA). The school will use The Inventive Thinking Curriculum Project of the U.S. Patent and Trademark Office, robotics through the Tufts University LEGO Symposium and the Boston Museum of Science's Engineering is Elementary and will engage in the Connecticut Invention Convention. The Expeditionary Learning reform model is well suited to the theme of Exploration and Innovation. To support the innovations theme, teachers will attend the Tufts University LEGO Symposium and attend workshops on Engineering is Elementary from staff at the Boston Science Museum. For their exploration theme, they will attend workshops and on-line professional development from the Smithsonian and will receive professional development from TCI, which is the professional development arm of Social Studies Alive. The new theme will increase the attractiveness of the school and increase its racial and ethnic diversity.

Explanation of How or Why the Revision is Significant:

The school is no longer distinctive and therefore, no longer attractive to many parents. In 1997, Conte-West Hills enrolled 137 (37%) white students and 233 (63%) minority students. For 2009-2010, the school enrolled 34 (5%) white students and 604 (95%) minority students. Last year, Conte-West Hills attracted 151 applicants but only 10 (6.6%) from white students. This year, the school attracted only 112 applicants of whom only 9 (8%) were white students. Conte-West Hills was one of New Haven's most diverse schools thirteen years ago. Today, it is highly minority group isolated. Minority group isolation has increased every year since 1997. Conte-West Hills is also a School in Need of Improvement.

A completely new theme coupled with Expeditionary Learning will make this school unique in New Haven once again and will provide opportunities for extensive professional development for the staff not only related to the magnet theme but to improving all core academic subjects as described in the narrative section of this application.

Magnet School: Engineering and Science University Magnet School (Currently grades 6-7; by project year 3 grades 6-10; by 2014 grades 6-12)

Nature of Revision or Change to the Magnet School: Engineering and Science University Magnet School (ESUMS) is a successful magnet school serving grades 6 and 7 this year. With a minority enrollment of 75%, it is a racially diverse school especially compared with New Haven's district-wide minority enrollment of 87%. The significant revision will be the expansion of this high performing school to the high school grades using a STEM curriculum. Expanding to create a high school as part of ESUMS makes sense. The

school is a higher performing school in a district where two thirds of the schools are in need of improvement. It has a dynamic staff and a highly qualified, successful principal, Dr. Marjorie Edmonds-Lloyd. ESUMS is especially suited to be a STEM high school because its new building and will be located on the campus of the University of New Haven (UNH). The school will partner with the university's School of Engineering which will provide an orientation and on-campus college day for the entering class each year, provide interns and tutors to work with students, implement a 1-week UNH Summer STEM Institute for grades 9–11, award college credits for approved Project Lead the Way courses, provide 8 scholarships to attend the Tagliatela College of Engineering and facilitate internships for juniors and seniors with the local engineering, manufacturing, and scientific community. UNH will also schedule regular small group presentation and information sessions for teachers (both on and off campus), provide opportunities for teachers to attend STEM classes at UNH on specified topics, and require teachers to attend at least of 5 of the Alvine Engineering Professional Effectiveness and Enrichment Program Lecture Series and other UNH professional development opportunities. The expansion to high school grades will also allow the school to grow considerably. Since it now serves grades 6 and 7, it will add the 8th grade next year, a planning year for the high school. Implementation will begin in project year 2 when the 9th grade, the entry grade for the high school, will be started. The school will add a 10th grade during project year 3. ESUMS now serves 158 students. By project year 3, it will expand to 440 students in grades 6-10.

Explanation of How or Why the Revision is Significant: New Haven has relatively few higher performing schools especially high schools. None of New Haven's eight comprehensive or magnet high schools are higher performing schools. Only one high school, a

vocational-technical school, is higher performing. The expansion of ESUMS to the high school grades will create a higher performing high school that will offer school choice to a greater number of New Haven students who currently attend low performing schools. As an interdistrict magnet school with all of its seats dedicated to magnet applicants, ESUMS' enrollment consists of 65% New Haven students and 35% suburban students. The school will expand from 158 students this year to 440 students by the project year 3. This means that the expansion of ESUMS will enable an additional 183 students who currently attend low performing high schools to attend a higher performing school. By project year 3, ESUMS will serve approximately 285 New Haven students from Title I Schools in Need of Improvement. By attracting these students, nearly all of whom will be minority, minority group isolation at the lower performing sending schools will be reduced.

Magnet School: Rogers-Brennan (Grades PreK-8) New magnet school.

Nature of Revision or Change to the Magnet School:

Rogers-Brennan is a new magnet school.

Explanation of How or Why the Revision is Significant:

Project Narrative

Project Narrative-Magnet Schools Assistance Program Assurances-Download form from the application package available on the program's website and upload form here.

Attachment 1:
Title: **Magnet School Assistance Program Assurances** Pages: **0** Uploaded File: **C:\Documents and Settings\robert.canelli\My Documents\Magnet Schools Assistance Program Assurances.doc**

VI. ASSURANCES AND CERTIFICATIONS

Magnet Schools Assistance Program Assurances

In accordance with section 5305(b)(2) of the ESEA, the applicant hereby assures and certifies that it will—

(A) use grant funds under this part for the purposes specified in section 5301(b);

(B) employ highly qualified teachers in the courses of instruction assisted under this part;

(C) not engage in discrimination based on race, religion, color, national origin, sex, or disability in the hiring, promotion, or assignment of employees of the applicant or other personnel for whom the applicant has any administrative responsibility;

(D) not engage in discrimination based on race, religion, color, national origin, sex, or disability in the assignment of students to schools, or to courses of instruction within the schools, of such applicant, except to carry out the approved plan;

(E) not engage in discrimination based on race, religion, color, national origin, sex, or disability in designing or operating extracurricular activities for students;

(F) carry out a high-quality education program that will encourage greater parental decision-making and involvement; and

(G) give students residing in the local attendance area of the proposed magnet school program equitable consideration for placement in the program, consistent with desegregation guidelines and the capacity of the applicant to accommodate the students.

* * * * * * * * * * * *

If the applicant has an approved desegregation plan—

The applicant hereby assures and certifies that it is implementing that desegregation plan as approved.

Signature of Authorized Representative	4/9/10 Date

Project Narrative

Project Narrative-Resumes-Refer to: Instructions for Other Documents and Attachments

Attachment 1:
Title: **Resumes** Pages: **0** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\New Haven MSAP 10-13 Resumes with Job Descriptions.pdf**

Reginald Mayo, Ph.D
Superintendent of Schools
New Haven, Connecticut

Dr. Reginald Mayo, Superintendent of the New Haven Public Schools, is a seasoned leader whose 36 years as an educator have culminated in remarkable growth for the New Haven Public Schools.

Dr. Mayo was appointed Superintendent of New Haven Public Schools in 1992 and has devoted most of his professional career to the district. He started out in 1967 as a science teacher at Troup Middle School, and subsequently chaired the mathematics and science department at Troup. In 1973, Dr. Mayo was appointed Assistant Principal of Troup, then was promoted to principal of Jackie Robinson Middle School. In 1980, he continued his professional development as a post-doctorate fellow at Yale University. In 1981, he was promoted to K-8 Director of Schools, and in 1984, Executive Director of School Operations, a post he retained until his superintendency appointment in 1992.

Through his leadership, New Haven became the first district in the State of Connecticut to craft a policy effectively ending the practice of social promotion. New Haven's retention policy, its mandatory summer school and its Saturday Academies have garnered national press attention and praise from key leaders. The summer school program has emerged as one of the most successful in the State of Connecticut.

At a time when the State of Connecticut is rocked by the school desegregation case known as Sheff vs. O'Neill, Dr. Mayo's school district has quietly and effectively built the largest interdistrict magnet program in the State of Connecticut, with 1,300 suburban students enrolled and a model program of urban-suburban exchange.

As many school districts are just coming to grips with the deterioration of neighborhood schools built decades ago, Mayor John DeStefano Jr. has created one of the largest and most innovative school construction programs in the country, administered through the Board of Education. To date, as a result of this program, the first phase of the building program has resulted in renovations and reconstruction for 14 schools. Another six schools are in construction and 9 are in design. A new master plan completed in 2001 charts the rebuilding of every remaining school in the district, with a budget exceeding $1.1 billion.

The New Haven Public Schools also oversees an early childhood initiative that has expanded the quality and quantity of child care available in the City of New Haven. The City's school readiness program is one of the most ambitious, with nearly 2,000 new child care slots created just in the past few years for children ages 3 and 4. The district also has the highest percentage of children attending preschool programs of the urban districts in the State of Connecticut.

Dr. Mayo has created several other innovative programs to help families succeed with school. At school events, he noted that grandparents often were the primary caregivers. As a grandparent contributing to his grandson's care, he sympathized. He asked his Social Development Department to look into the trend. The result was a monthly forum for grandparents who are raising their grandchildren that has involved 1,000 grandparents.

Dr. Mayo is an effective advocate and champion who recently was honored by Dr. James Comer, founder of the Yale University School Development Program, with an award for his "tireless work on behalf of America's children, especially the most disadvantaged."

Educational Background:
Doctor of Philosophy, **University of Connecticut**
Post-Doctoral Study, **Yale University** School Development Program
Doctor of Education, **Nova University**, Fort Lauderdale, FL
Master of Science, **Southern Connecticut State University**
Bachelor of Science, **Virginia Union University,** Richmond, Virginia

Professional Activities
Member, Horace Mann League of the U.S.A.
Fellow for Calhoun College, Yale University
Fellow for Yale Bush Center
Student Advisor, Union Graduate School
Adjunct Professor, Southern Connecticut State University
Research Affiliate, Yale Child Study Center

Awards

2009	Outstanding Educator, National Council of Negro Women
2009	100 Influential Blacks in Connecticut, NAACP, State of CT
2009	Lifetime Achievement Award, Holla Back Gospel Music Awards
2008	Philip Rawlins Award, Honorary Board Member, Special Olympics of CT
2007	Recipient of the Year, St. Jude Children's Research Hospital, New Haven Chapter
2005	Educational Service Award, Bennett College National Alumnae Assoc.
2005	Leadership Award, Connecticut Martin Luther King, Jr., Holiday Commission
2004	Connecticut Yankee Council, Boy Scouts of America "Good Scout Award"
2004	Seal of the City, New Haven Colony Historical Society
2004	Finalist, 2004 National Superintendent of the Year, American Assoc, of School Administrators
2003	Connecticut 2004 Superintendent of the Year, CT Association of Public School Superintendents
2003	Thirman L. Milner Outstanding Civic Leadership Award, Greater New Haven NAACP
2003	Educational Leader of the Year, Southern CT State Univ. Department of Educational Leadership
2003	Casa Otonal, Man of the Year
2003	Farnham Neighborhood House, Community Leader Award
2002	The Gan School, Community Leadership Award
2001	Community Service Award for Education, Greater New Haven Black History Committee
2000	Outstanding Superintendent Award, Neag School of Education Alumni Society University of Connecticut
2000	"Rebuilding Urban Schools for the 21st Century," presentation to 60th Annual Conference, National School Boards Association.

Awards (cont'd.)

1999	American Association of School Administrators' Judge, Architectural Jury
1999	Yale University School Development Program
1999	Gateway Community College Foundation Man of the Year
1999	Positive Image Award, Opportunities and Industrialization Center
1999	Service Award, Connecticut Council of Boy Scouts of America
1998	W.E.B. DuBois Service Award
1998	Elm City Nation Outstanding Achievement
1998	Distinguished Educational Service, NAACP
1996	Al Haray Service Award
1993	Head Start Children and Families Service Award

GARTH HARRIES

(o) 203 946 8447

garth.harries@new-haven.k12.ct.us

Experience

NEW HAVEN PUBLIC SCHOOLS, New Haven CT — 2009 to present

Assistant Superintendent for Portfolio and Performance Management. Responsible for designing and implementing the district's reform plan, known as the school change campaign.

NEW YORK CITY DEPARTMENT OF EDUCATION, New York, NY — 2003 to 2009

Senior Coordinator for Special Education (Jan. 2009 to July 2009). Published a well-received report to reform the educational and systemic approach to Special Education students in New York City.

Chief Executive for Portfolio Development (2007 to 2009). Developed portfolio planning for New York City schools. Program responsibility for new schools, charter schools, career and technical education, and small learning communities. Led mayoral taskforce on career and technical education. Managed school closure decision-making and implementation, effecting 15 to 20 schools a year. In early 2009 led consolidation of central staffing and realignment of DOE's Senior Leadership team. Responsible for New York City class size reduction efforts.

Chief Executive (2005 to 2007) and Chief Operating Officer (2004 to 2005), Office of New Schools. Led new school creation, a core pillar of New York City school reform. Led creation of 333 new DOE schools and 63 new public charter schools. Led authorizing and oversight for public charter schools authorized by the DOE. Helped launch NYC Autonomy Zone Pilot.

Project Manager, Office of the Chief of Staff (2003 to 2004). Led cross functional planning for school opening in September 2004. Coordinated strategic planning secondary school reform.

MCKINSEY & COMPANY, New York, NY — 2000 to 2003 and Summer 1999

Engagement Manager. Managed teams of consultants and on-site contact with clients. Projects focused in financial services, including retail banking, insurance, and private equity.

Nonprofit activities. Co-leader of the New York Office Nonprofit Leadership Committee. Directed teams of consultants in pro bono strategic planning for Robin Hood Foundation's community-based grantees.

PHILADELPHIA EMPOWERMENT ZONE, Philadelphia, PA — 1997

Special Projects Coordinator, Economic Development Office. Designed and directed economic development projects in disadvantaged neighborhoods of Philadelphia.

PENNSYLVANIA DEMOCRATIC COORDINATED CAMPAIGN, Scranton, PA — 1996

Field Coordinator. Democratic Presidential and State party campaign in the 10th Congressional District.

VAIL MOUNTAIN SCHOOL, Vail, CO — 1995-1996

Teacher. 10th grade History, 9th and 10th grade Math. Outdoor Coordinator and 6th grade soccer coach.

Education

STANFORD LAW SCHOOL, Stanford, CA — Graduated 2000

Juris Doctor, graduated with distinction.

Activities: East Palo Alto Community Law Project (Board Member). Stanford Law Review. Task Force on the Mission of Stanford Law School (Dean's appointment). Student Liaison to the Faculty Hiring Committee (elected). Co-founder, Shaking the Foundations Conference.

Summer 99: U.S. Dept. of Justice, Civil Rights Division, Housing and Civil Enforcement, Washington, DC.

Summer 98: Brancart & Brancart, Pescadero, CA. Litigation of federal fair housing cases.

YALE UNIVERSITY, New Haven, CT — Graduated 1995

B.A. in Ethics, Politics and Economics, *Summa Cum Laude.*

Honors: Phi Beta Kappa (junior year). Heinz Fellow for Public Interest (summer 1994).

Activities: Men's Varsity Soccer (1991-1994). Ultimate Frisbee, North-east regional champions (1995).

&

Broad Academy Fellow 2009, executive training program to develop leadership in urban public education. Weekend work at my wife's organic farm in Ridgefield CT. Avid reader and athlete.

Feb 2010

Immacolata Canelli

(b)(6)

(b)(6) /e-mail: imma.canelli@new-haven.k12.ct.us

Professional Experience

2007-Present	Gateway Center/Board of Education	New Haven, CT
Assistant Superintendent of Curriculum and Instruction		
2005-2007	Gateway Center/Board of Education	New Haven, CT
Director of Instruction		
1999-2005	Reading Department/444 Chapel St	New Haven, CT
Supervisor of Reading/Language Arts K-12		
1998-1999	Davis Street School	New Haven, CT
Administrative Internship		
1994-1998	Davis Street School	New Haven, CT
Curriculum Staff Developer		
1992-1994	Barnard School & Davis Street School	New Haven, CT
Staff Developer/Facilitator		
1990-1992		New Haven, CT
Reading Curriculum Staff Developer		
1989-1990	Davis Street School	New Haven, CT
Teacher, Grade 4		
1986-1989	Hill Central School	New Haven, CT
Chapter 1 Reading Teacher		
1979-1986	Hill Central School	New Haven, CT
Teacher, Grade 2 & Grade 4		
1978-1979	Troup Middle School	New Haven, CT
Teacher, Grade 7 Reading		

Curriculum and Staff Development Experience

1997-Present	Development of District-Wide Assessment, SAAS
1999-Present	Development of K-3 Curriculum Monday Presentations Development of Grade 4-5 Curriculum Development of Middle School Curriculum Monday Presentations Development of K-1 Goals Development of Saturday Academy Curriculum
1998-Present	Development of High School Common Exam Development of Mandatory Summer School Curriculum
1997-Present	Development of the Reading/Language Arts Curriculum Frameworks Development of the Periodic Assessment System
1996-Present	Trainer for Rigby Train the Trainers Member of the Language Arts Cadre

Professional Seminars and Training

Breakthrough to Literacy, University of Iowa – 2001

International Reading Association, New Orleans – 2001

Connecticut Reading Conference – 1999, 2000

Early Reading Conference – 1999, 2000

Empowering Writers – 2000

Cast-A-Spell trained – 2000

National Conference of the Teachers of English – 2001

Rigby Train the Trainers – 1986

School Development Program, SDP Training – 1996, 1997

BEST Mentor Training – 1996

Cooperative Learning Training – 1993

HBJ Training for building representatives – 1992

SRA Training – 1986

Madeline Hunter Training – 1985

Open Court Training – 1980

Education

1999 Southern CT State University New Haven, CT

- Six Year
- Educational Leadership, Reading/Language Arts Consultant

1982 Southern CT State University New Haven, CT

- Masters of Science
- Reading, Magna Cum Laude

1978 Southern CT State University New Haven, CT

- Bachelors of Science
- Intermediate-Upper Education, Cum Laude

Professional Memberships

National Council of the Teachers of English

International Reading Association

Connecticut Reading Association

Community Activities

Relay for Life, Registration Chairperson – 1999

Cheshire High School Swim Team Parents Association – 1999-2000

Southpond Homeowner's Association

Cheshire High School PTA

Dodd Junior High PTA

References

Furnished Upon Request

Robert J. Canelli

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Education:

- 6th Year Certification in Education Leadership Southern Connecticut State University, New Haven, CT, May, 1989
- Masters Degree in Counseling, May 1983, Southern Connecticut State University, New Haven, CT
- Bachelor of Science in Physical Education K-12, Minor in General Science 7-12, May, 1997

Work Experience

August 2007 – Present **Magnet Schools in the City of New Haven**
Supervisor

- Manage all aspects of the project; supervise all project staff
- Coordinate the activities of the Magnet School Advisor Committee, and the chair committee
- Ensure that the activities of the Magnet School Project are continually focused on promoting desegregation in accordance with the district's desegregation plan
- Supervise Magnet School staff
- Serve as the primary support person assisting each of the magnet school principals in implementing their magnet school program and teacher training
- Work closely with the District Curriculum Supervisors to coordinate their involvement with the school based planning activities in each magnet school such as curriculum, development and infusion with units and lessons
- Manage in cooperation with the school district's Director of Grants, all fiscal and budget aspects of the project
- Keep all project records with the assistant of the projects secretary and the Superintendent's clerical staff
- File all necessary reports with the U.S. Department of Education
- Coordinate all project activities with the Director of Student Services and Special Education, the Special Education Supervisors, and the Supervisor of Bilingual/ESL Programs to make certain that special education and LEP populations are included
- Supervise and coordinate the recruitment/application process, the Magnet Schools Lottery Program, and the entire student selection process
- Take the lead in developing and directing the district's student recruitment plan and oversee its implementation and coordination with school plans

August 2003 – August 2007 **Wilbur Cross High School, New Haven, CT**
Principal

- Responsible for the safety and well-being of the school
- Supervise the administrative staff, teachers and other employees
- Monitor the implementation of the district's curriculum standards
- Conduct teacher observations
- Oversee the school budget
- Assess all specific programs such as the "Smaller Learning Communities Grant"

- Monitor busing, cafeteria, security, part-time employees, career center, after school programs and all athletics
- Work closely with parents and the community
- Carry out all discipline policies and procedures
- Provide meaningful professional development for the staff
- Offer social activities such as movies, dances and ski trips for the students health
- Continue own professional development for self-growth

September 1992 – August 2003 **Sheridan Academy for Excellence, New Haven, CT**
Middle School Principal

- Develop and implement the middle school reform plan
- Implement the Comer program at Sheridan
- Write the Technology Grant to obtain Magnet School status
- Prepare a million dollar budget (site based)
- Prepare action plan for the CT Mastery Test
- Analyze CMT data for student improvement plans
- Design a state of the art technology program that included: robotics, power point, video and photography, computers, graphic design, science
- Implement the new "NASA" grant
- Follow all of the responsibilities under the Wilbur Cross Bullets

September 1987 – August 1992 **High School in the Community, New Haven, CT**
Facilitator

- Teacher – run school Oversee the general operations of the school
- Liaison between central office and HSC
- Worked with staff on all decision making policies
- Discipline/Attendance
- Budget
- Hiring

September 1986 – September 1987 **High School in the Community, New Haven, CT**
Assistant Facilitator

- To assist the Facilitator in the general operation of the school
- Learned how top budget site-based money
- Discipline/Attendance
- Student Membership – Recruiting students form New Haven and the suburbs

January 1980 – September 1986 **High School in the Community, New Haven, CT**
Science Teacher

- Taught Biology, Physical Science, Earth Science
- Developed an Advisor/Advice group (Family Group)
- Worked on the Science budget
- Started new environmental courses located at the Sound School site and the West Rock Nature Center
- Provided sport activities during lunch – volleyball, basketball using the parking lot
- Started a ski club taking students to local and out of state mountains
- Completed Comer Training

- On-going professional development

November 1982 – March 1986 **North Branford High School, North Branford, CT**
JV/Varsity Basketball Coach

- Worked three years as Assistant Basketball Coach at North Branford High School
- Varsity Coach for one year
- Developed physical, mental and social skills for each player
- CPR and First Aid trained

May 1988 – August 1998 **Paradise Country Club**
Assistant Director

- Oversee and operate the entire country club facility (over four hundred families)
- Director of the immediate staff (lifeguards, swim instructors)
- Handle any emergency regardless of seriousness (small cut to heart attack)
- Dealing with problems that the members may have
- Evaluating staff
- CPR and First Aid Training

September 1978 – August 1980 **Sheridan Middle School, New Haven, CT**
Science Teacher

- Taught 7th and 8th grade Science
- Participated and directed the Science Fair
- Developed creative hands-on-labs

September 1977 – August 1978 **Sleeping Giant Jr. High School, Hamden, CT**
Permanent Teacher

- Taught 9th grade Science
- Participated in the school wide Science Fair

Related Experience

- Hopkins, Hamden Middle School, Basketball Coach 1973 – 1975
- Camp Counselor – Summers 1978 – 1980
- Guidance Counselor at Wilbur Cross in the Adult Education Program at night 1980 – 1082
- AAU Basketball Coach – Greater New Haven Jammers 1995 – 1998
- Guest Speaker – UNH Graduate Program Teachers Aspiring to be Administrators 1996 – 1998

Certifications

- 6th Year in Administration and Supervision (092)
- Masters Degree – General Counseling
- Bachelor of Science Degree – Physical Education (K-12)
- Minor Degree – General Science (7-12)
- American Red Cross certified CPR and First Aid and Safety

Awards

T.A.P.S. Award – Principal, Sheridan Middle School; Man of the Year Award – Principal, Wilbur Cross High School; Nominated: CT Principal of the Year – Principal Wilbur Cross High School

WILLIAM FRANCIS CLARK
(b)(6)
(b)(6) Work: (203) 691-2680
william.clark@new-haven.k12.ct.us

EXPERIENCE:

September 2007 - Current

***Chief Operating Officer,* New Haven Board of Education**
Responsible for supervision of budget, food service, facilities and operations of school district serving 20,000 students. Oversee and manage an operating budget in excess of $366 million, a School Construction Program in excess of $1billion and staff in excess of 2,300 employees. Part of the Senior Leadership team that has negotiated and produced a nationally recognized School Reform Program with a ground breaking teachers contract.

November 2003 - August 2007

***Partner,* BERCHEM, MOSES, & DEVLIN, P.C.**
75 Broad Street, Milford, CT 06460
Attorney specializing in issues of Labor and Employment and Education Law. Represent clients in all forums related to employment and education law.

January 1999- November 2003

Director of Labor Relations, City of New Haven
Appointed to oversee labor relations matters for the City of New Haven. Responsible for negotiation and interest arbitration of collective bargaining agreements for 15 bargaining units for both the City and the Board of Education. Represent City departments and the Board of Education in grievance arbitration at the State Labor Board and Connecticut courts and agencies. Assist in the drafting and implementation of policy initiatives and manage day-to-day contractual and personnel matters.

August 1997- January 1999

Assistant Corporation Counsel, City of New Haven
Attorney assigned to provide legal counsel to the New Haven Board of Education. Represented the Board in all legal matters, including defense of civil litigation claims and negotiation and monitoring construction and architecture contracts related to $1billion school construction program. Handled all special education representation including due process hearings and compliance issues as well as expulsion and other general legal matters.

March 1996-
August 1997

***Associate Attorney*, Lynch, Traub, Keefe & Errante**
New Haven, CT
Civil litigation attorney. Responsible for wide-ranging caseload of negligence actions on behalf of plaintiffs and defendants. Handled all facets of litigation including drafting of pleadings and motions, conducting depositions, oral arguments and trial preparation in both state and federal courts. Litigated collection matters on behalf of local utility company, which included trials and contested hearings in a number of judicial districts.

August 1995-March 1996

***Courtroom Clerk*, New Haven County Superior Court**
Honorable Joseph Licari, Jr., Chief Administrative Judge
Responsible for administrative duties throughout the criminal trial process. Administered oaths, took pleas, controlled evidence and coordinated court files.

BAR ADMISSIONS:

State of Connecticut, November 1995
U.S. District Court, District of Connecticut, 1996

EDUCATION:

August 1992-May 1995

Quinnipiac University, School of Law, Hamden, CT
Juris Doctor, May 1995

Activities:
President, Brehon Law Society; President, Mock Trial Society; Criminal Law Society; Environmental Law Society; Law School Hockey Team Member.

Honors:
IOLTA Fund Scholarship recipient for academic achievement; Recommended by faculty for pilot Teacher's Assistant Program; Recognized for Outstanding Legal Scholarship, Superior Classroom Performance and Service to the Community by the Faculty.

August 1997-
May 1991

University of Notre Dame, Notre Dame, IN

Bachelor of Arts, May 1991
Majors: History and Communications: Film Concentration

Honors:
Phi Alpha Theta History Society

INTERESTS And ASSOCIATIONS:

2003-Present	*Board Member & President*, Yale Youth Hockey Association,
2003-2007	*Executive Board Member*, Connecticut Public Employer Labor Relations Association
	Member, New Haven County Bar Association, Connecticut Bar Association, American Bar Association, National Public Employer Labor Relations Association
	Trustee, St. Joseph's Church, New Haven, CT.
	Eddie Sheehan Baseball League, Associate Commissioner
	Worthington Hooker Basketball Team, Coach

Dianne O. Spence

(b)(6)

Hamden , CT 06518
(203) 946-6456
Dianne.spence@new-haven.k12.ct.us

Education

Southern Connecticut State University, New Haven, CT
- Sixth Year Degree in Educational Leadership, 2003

Lehman College, *Bronx, NY*
- Masters of Science, Learning Disabilities, 1994

University of the West Indies, *Kingston, Jamaica*
- Bachelors of Art, Economics and History, 1981

Professional Experience

September 2007-Present

Harry A. Conte West Hills Magnet School (K-8) - New Haven
Principal
Responsibilities include the following:
- supervise daily operation of 650 students - K-8 building.
- facilitate building-wide design of strategic school plan to meet building-level, district, state/federal goals and initiatives.
- monitor curriculum, instruction and assessment to ensure success in meeting monthly/quarterly benchmarks identified in school plan.
- co-ordinate, integrate and monitor implementation of Reading First Program into K-5 literacy curriculum
- mentor staff on meeting state, district and school initiatives.
- conduct professional development workshops for all teachers with a focus on integrating instructional strategies that meet the needs of all learners.
- provide safe, orderly and welcoming environment for staff, students and visitors.

July 2005 – August 2007

Benjamin Jepson Magnet School (K-8) – New Haven
Assistant Principal
Responsibilities included the following:
- responsible for facilitation and supervisions of curriculum programs and staff in grades 5, 6, 7 and 8.
- created instructional program and schedules for staff and support personnel with focus on district literacy initiative across grade and content areas.
- conducted professional development workshops for all teachers with a focus on integrating technology and science magnet themes into daily instructional practices.

September 2004 - August 2005

Benjamin Jepson Magnet School (K-8)– *New Haven*
Instructional Coach
Responsibilities included the following:

- provide instructional support to teachers with respect to curriculum, instruction and assessment.
- conduct professional development sessions for staff with focus on district goals and initiatives.
- model literacy and math lessons to showcase new instructional approaches and strategies.

September 1999 - August 2003

Davis Street Magnet School– *New Haven*
Teacher – Grades 4-5
Responsibilities included the following:

- responsible for designing, implementing and assessing lessons for Grades 4 and 5 students.
- served as department representative for school's curriculum committee and management team.

September 1995 to August1999

Katherine Brennan School – New Haven
Teacher- Grades 4-5

- responsible for designing, implementing and assessing lessons for grades 4 and 5 students.
- coordinated afterschool program

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KAREN N. LOTT

(b)(6)

Educational Profile

Certificate of Advanced Graduate Studies, School Administration — 2003
Westfield State College — Springfield, Massachusetts

Credits for an Advanced Graduate Studies Degree, Public Administration — 1996
Virginia Commonwealth University — Richmond, Virginia

Masters Degree, (MSW) Social Work — 1989
Virginia Commonwealth University — Richmond, Virginia

Bachelor of Science, Rehabilitation Therapy — 1987
Springfield College — Springfield, Ma.

Statement of Interest

Experienced public educator interested in obtaining a high level educational leadership position directing organizational change within an educational system which primarily serves inner city/urban youth.

Career Profile

Principal — **Present**
New Haven Public Schools — **New Haven, Connecticut**
Manage the daily operation of Katherine Brennan/Clarence Rogers School which serves a population of four hundred students in grades K-8. Direct the implementation of the school wide Aspiring Authors theme based magnet. Provide leadership to a staff of one assistant principal and 40 teachers and paraprofessionals. Supervise the implementation of the school improvement plan and district's overall academic curriculum. Organize after school programming to foster extended day learning for students to improve student performance. Oversee the general school operating budget and additional funding sources. Undertake efforts to increase student attendance, academic performance and parental engagement. Observe and conduct formal teacher evaluations

Senior Director (K-12 Services) — **May 2007-August 2009**
The College Board — Waltham, Massachusetts
Managed service relationships for schools and school districts in assisting them in navigating the College Board programs and services ensuring appropriate levels of service by College Board program users. Supervised and directed the work activities of a 6 member K-12 unit, inclusive of training staff on program information, revenue, projections and margins. Oversaw the creation, development, monitoring and management of the unit's operating budget. Served as the lead of the regional office with direct responsibility for project activities/management. Conducted trainings and workshops for public schools and districts personnel on college readiness, alignment of test results to district curriculum and the use of College Board programs,

Principal — 2005 to May 2007
Springfield Public Schools — Springfield, Massachusetts
Provided leadership to a large urban high school which served a diverse population of 1,700 inner city youth. Governed the educational environment and oversaw the implementation and redesign of the school curriculum. Supervised the school staff of 140 teachers and 35 paraprofessionals. Oversaw the curriculum and school redesign for the Smaller Learning Communities Initiative. Marketed the curriculum, reform efforts, educational programs and course offerings of the school to members of the community and related business partners. Managed a school based budget of $135,000 and directed the overall school operation including the physical plant and office operations.

Principal June 2005 to October 2005
Springfield Public Schools Springfield, Massachusetts

Governed the daily operation of the Elias Brookings School Museum Magnet School serving a population of 500 students in kindergarten to eighth grade. Managed the school's expansion of a federal magnet grant and infusion of a museum themed curriculum. Provided supervision to a faculty of 35 teachers and 15 paraprofessionals. Established and maintained community partnerships. Led the organization and operation of the School Based Decision Making Team and a state mandated school advisory board.

Assistant Principal 2003 to 2005
Springfield Public Schools Springfield, Massachusetts

Served as an assistant to the School Principal at the Elias Brookings School and the High School of Science and Technology. Coordinated school wide professional development activities based on school initiatives such as; Responsive Classroom, Vertical Teaming and John Collins Writing. Assisted with supervision, observation and evaluation of teachers and professionals. Utilized technology for record keeping, management of work activities and data collection/analysis. Managed the implementation and service delivery of the Smaller Learning Communities grant initiative. Provided instructional and technical assistance to the development of programs for diverse learners. Served as the school liaison for the community based Step Up Springfield initiative. Represented the school in partnerships with local businesses and local institutions of higher education.

School Adjustment Counselor 1997 to 2003
Springfield Public Schools Springfield, Massachusetts

Provided counseling and advisement to a diverse group of at risk adolescents at Central High School and Springfield High School. Initiated referrals to community counseling service agencies. Participated in individualized education plan (IEP) meetings to outline educational services to students. Managed a school within a school program for at risk students. Supervised student interns (Social Work and School Counseling) in the Ameri-Corp Program at Springfield College.

JOHN N. RUSSELL

(b)(6)

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Email: john.russell@new-haven.k12.ct.us

WORK HISTORY

1998 to present — ***Principal - Administrator***
Hyde Leadership School
New Haven, Connecticut

Principal of a New Haven Public Magnet High School

1993 to 1998 — ***English Teacher***
Hyde Leadership School
New Haven, Connecticut

High School Teacher of English and Character Growth & Development

1979 to 1993 — ***Supervisor***
Coca-Cola Bottling Company
East Hartford, Connecticut

Supervisor, Manager of Budget and Inventory

EDUCATION

1997 — ***Southern Connecticut State University***
Sixth Year Degree - Educational Leadership

1992 — ***University of Bridgeport***
Masters Degree - Education

1982 — ***New Hampshire College***
Bachelors Degree - Human Services

MEMBERSHIPS

- Shoreline Principals Association
- National Alliance of Black School Educators
- Former Education Chair – NAACP – Connecticut Branch
- Grace Baptist Church, Religious Education and Adult Choir
- Superintendent of Sunday School, Trustee - Deacon
- President and Treasurer of the Black Democratic Club of Waterbury, Connecticut

REFERENCES

Furnished Upon Request

Marjorie M. Edmonds-Lloyd, EdD
(b)(6)

Experience

School Planning, Design, and Leadership

2007- present- Start-up Facilitator/Magnet Resource Specialist/Consultant, Engineering and Science University Magnet School, New Haven Public Schools
Start-up consultant/Magnet Resource Specialist responsible for all start-up activities and year one administrative duties to include recruitment of teachers and students, design and documentation of the school culture and academic plan of operation; design, documentation, and implementation of a rigorous school curriculum; textbook selection and budget management; strategic planning and meeting with tri-fold partnership of university and school constituents; school site visits and events planning for open houses and status updates, student discipline, teacher mentoring, federal grant reporting.

2005- 2006- Chief Academic Officer, Howard University Middle School of Mathematics and Science, Public Charter School
As one of start-up educational leadership consultants, my responsibilities included development and implementation of the staffing plan to include description documentation, recruitment, and management of teaching staff and university interns; design and implementation of academic support programs inclusive of course design and training for the morning acceleration and extended day enrichment programs; technical oversight for school-wide assessment search, implementation, and management including outside technical support team; instruction in extended day programs; inquiry-based curriculum design, development and support inclusive of development and documentation of instructional pedagogy and curriculum textbook selection and acquisition; and general operational support in the form of grant writing, instruction, hall monitoring, recess programming, newsletter submittals, strategic planning, teacher-staff collaborative planning, formal and informal teacher observations and evaluations, professional development research and scheduling for teaching staff; teacher policies and procedures, and self-evaluations for charter authority site-visit.

2002-2004- Educational Consultant
Mechanical, Industrial, Technical Public Charter School
Serve as member of founding board and strategic planner assisting with the 2-year long documentation and acquisition of facility, funding, and provisional charter. Other responsibilities included weekly board meetings, presentations before the educational board, and strategic partnering for the building of social capital.

1998-2005 - Director, School of Tomorrow
As Chief Administrator of the School Of Tomorrow, I am responsible for the Curriculum, Instructional Practices, and Performance of a faith-based adult education school. Under my administration, four instructional areas have been developed and executed: (1)Comprehensive Academics leading to the GED and/or higher education, (2) Commercial Driver Preparation leading to Private Industry Commercial Drivers License,(3) Computer Training, including the

highly sought after CISCO training, (4) Life Skills, including nationally recognized WORKNET program and economic literacy. I also develop partnerships with public and private entities for the purpose of fundraising and further support to the school. I write District, Federal, and Philanthropic grant applications to secure funds for the school. My successful grants have brought in access of $900 hundred thousand dollars.

Additional Experience

Academic Instruction: k- adult

1985-2007 – Science and Math Teacher – Milton Academy, Brooks School, Parkmont School, Shipley School, Columbia Union College, and Orange County High School
Incumbent taught Lab-based Sciences – Chemistry, Physics, Computer Science, to private school and public school students grades k-12. Also taught Algebra I, II, Geometry, Pre-Calculus, Environmental Science, GED, and college-level Multicultural Dimensions. This teaching experience also included county- wide benchmark development and curriculum development/ application of math and science program for learning challenged students.

Technical

1991-1992 Process Engineer, IBM Corporation
Incumbent was responsible for supervision and coordination of operators and technicians in a semi-conductor micro-chip wafer fabrication line. Developed, coordinated, and implemented process improvements facilitating enhanced productivity, reduced contamination for statistical process (e.g. etch rate, image size, gas flow), and silicon nitride etch process (reduced cycle time, cost reduction, p\improved process flow).

1990-1991 – Research Assistant – Los Alamos National Laboratories
Research assistant in one-dimensional diffusion modeling/simulation of contaminants in porous media. This experience allowed me to apply field research techniques as opposed to lab techniques and also enabled me to better use my science training and interest in teaching.

1989 – Engineering Intern – Blue Plains Waste/Water Treatment Plant
As an Engineering Intern, was responsible for conducting research on primary activated sludge as it relates to biological nutrient removal and aeration. Responsibilities also included autoclave sterilization, bacteria culturing, data analysis and writing reports.

Education

B.Sc. Chemistry – Oberlin College, 1985; Added concentrations – French, Mathematics
M.Sc. – Chemical Engineering – Howard University, 1994
Ed.D.- Organizational and Educational Leadership- University of Pennsylvania, 2005 (*with honors*)

Certifications and Awards

1989-1991: Patricia Robert-Harris Fellowship
1991: Environmental Protection Agency Fellowship
1997: EPA Teachers Institute
1998: WORKNET Services Certification

2000-2001: CAAB Economic Literacy Cert. and NX-level Small Business Training

Publications/Presentations

1987: "Biological Nutrient Removal of Activated Sludge", (Nwachuka, Tang, Edmonds, et al), WPCA Conference.
1993: "Transport of Contaminants in Porous Media", Howard Univ., Masters Thesis
1996: "From Whence Cometh My Inspiration"; When Dawn Lingers, International Library of Poetry.
1999: "Poverty"; Of Memory's Bliss, The International Library of Poetry.
2001: "*Women in Leadership"*, *NBEA, March.*
2001: CATO Institute, Audience participation on Faith Based Initiatives and Separation of Church and State, February 20, 2001.
2001: Capital Hill Hearings, Panelist on Faith based initiatives and Charitable Choice for CFED, April.
2002: *"Keeping People in Their Assets",* Corporation for Entreprise Development International Conference, Windsor, Ontario, April.
2002: "Setting Goals", University of the District of Columbia, June.
2004: **How Banking Institutions Can Help the Unbanked,** Urban Institute, March.
2004: Still Left Behind: Low-Income African American Women and Technology, 12th World Congress On Comparative Education, Cuba, October 27.
2005: How low-income African American Women Take up Opportunities in Technology, 26th Annual Ethnography in Education Research Forum, UPENN, Feb 25
2007: **Parallels and Contrasts between South Africa and the United States: Charting the Course to Academic Excellence and Equity,** 17th Annual International Conference on Multicultural Education, Nov 1.

Magnet Resource Teacher Description

The Magnet Resource Teacher position must work to support the school magnet theme and meet all objectives outlined in the original grant. The duties require collaboration and planning with all teachers in grade PreK-8 with magnet unit lesson plans, aligning the curriculum to city and state standards, planning grade level meetings to provide feedback and support to teachers. The collaboration includes co-teaching and modeling lessons in classrooms and demonstrating how units can be integrated into the daily instruction. The responsibilities include ordering necessary materials for instructional support and demonstrating how materials can be utilized in the classroom on a daily basis. It is also the Magnet Resource teacher's responsibility to implement staff development related to the magnet theme, and focus on strengthening parent and community relationships.

Magnet Recruiter Description

The Magnet Recruiter position requires a Bachelor Degree or High School Graduate Degree with a minimum of two to three years related experience. The candidate must have knowledge of the New Haven communities as well as the surrounding suburban towns. The position requires excellent communication, interpersonal, written, verbal and computer skills. The candidate must be able to communicate with large groups; i.e. parents and students from different racial, ethnic and socio-economic backgrounds. The position also requires interactions with administrators on all levels. There will be extended working hours during peak recruiting periods, with some evenings required. Other requirements include: data entry experience, extensive travel. The starting salary will be $35,000-$38,000 based on experience.

Kenneth R. Mathews
Improving Performance • Enhancing Programs • Inspiring Systemic Change

(b)(6)
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203-676-2193

EXPERIENCED EDUCATOR

...dedicated to guiding others to succeed while inspiring an insatiable passion for learning and success

HIGHLIGHTED PROFESSIONAL EXPERIENCE

NEW HAVEN PUBLIC SCHOOLS, New Haven, CT **July 2005 - Present**

Math Supervisor

- Supervised 1200 teachers who teach mathematics, PreK - 12
- Developed, implemented and articulated curriculum at all levels
- Provided professional development in mathematics and technology for all staff
- Served on District Improvement Team and Superintendent's Cabinet

Highlighted Achievements

- Contributed to a significant increase in student performances on standardized testing.
- Provide instructional and administration leadership for 1200 teachers in 52 schools
- Increased parental involvement by conducting regional parent workshops
- Enforced the "No Child Left Behind" Act through primary educational services and interventions
- Managed a direct staff of 33 coaches and clerical.
- Implemented new progtramming at all levels
- Won many grants
- Started up STEM initiative

QUINNIPIAC UNIVERSITY, Hamden, CT **September 1998 – Present**

Adjunct Instructor

- Taught courses in mathematics, science, mathematics teaching methods, science teaching methods
- Implemented on-line courses
- Developed curriculum

REGION 16 PUBLIC SCHOOLS, Prospect, CT **Sept 2001 – June 2005**

Math Coordinator

- Fulfilled curricular, supervisory, and fiscal responsibilities
- Raised test scores
- Started up a brand new high school with staff, materials, and technology

BEACON ACADEMY OF TECHNOLOGY, Norwalk, CT **Sept 1999 – June 2001**

Director

- Served as instructional leader for interdistrict magnet middle school

NORTH HAVEN PUBLIC SCHOOLS, North Haven, CT **Sept 1994 – June 1998**

Supervisor of Math, Science and Technology

- Fulfilled curricular, supervisory, and fiscal responsibilities
- Raised test scores
- Won grants to implement technology-enriched instruction

WEST HAVEN HIGH SCHOOL, West Haven, CT **Sept 1987 – June 1994**

Math/Science Teacher

- Taught courses in math, biology, chemistry, physics, general science
- Supervised clubs
- Coached tennis and soccer

CONNECTICUT PROFESSIONAL EDUCATOR CERTIFICATIONS

Mathematics, 7-12
Biology, 7-12
Physics, 7-12
Educational Administration (092), K-12
Chemistry, 7-12
General Science, 7-12

EDUCATION

Ph.D. (abd) Educational Leadership, University of CT
6th Year., Educational Leadership, Southern CT State University, 1992
M.S., Mathematics, Southern CT State University, 1990
B.S., Biology, Wesleyan University, 1987

TECHNICAL AND PROFESSIONAL SKILLS

- Successful grant-writer (MSP, ARRA, TQP, GOALS 2000, STEM)
- School evaluator trained by The Cambridge Group, Cambridge, England
- Instructional Strategies that Work (Robert Marzano)
- A Balanced Curriculum (David Squires)
- Common Formative Assessments (Larry Ainsworth)
- Data Team Trainer of Trainers (Doug Reeves and Tony Flach)
- Proficient in Apple and PC technologies, educational software and interactive white boards

CIVIC, COMMUNITY AND ASSOCIATIONS

ATOMIC (Board of Directors)
CCLM
NCSM
NCTM
Parishioner of St. Mary Parish, Milford, CT
Knights of Columbus
Volunteer at Beth El Shelter, Milford
Wesleyan University Alumni Association
Notre Dame High School, Shepherds, Inc.

Richard Therrien

(b)(6)

Portfolio and info at: http://www.richtherrn.net/leadership.htm

K-12 Science Supervisor, New Haven Schools
54 Meadow Street, New Haven, CT 06519
(203)-946-7993, 946-8664 (fax)
richard.therrien@new-haven.k12.ct.us
www.newhavenscience.org

Objective: Educational Leadership

Highlights of Qualifications

- Experience and expertise in curriculum, professional development, and professional learning communities
- Proven success in designing and implementing quality science, technology and math instruction
- Experienced science methods instructor, BEST/Mentor, teacher trainer and science department leader
- Intermediate Administrator certification (092) , Science certification(029,031,032,033,034) , Superintendent (093) in 2011
- Strong foundation in physics, chemistry, math, astronomy, interdisciplinary, technology and curriculum development.
- Excellent teaching skills, for adults AND students, as well as state science leader (CSTA, CSSA) .

Professional Experience

New Haven Public Schools, New Haven, CT 2006-Present

K-12 Science Supervisor

Leader of science department of large urban school district of over fifty schools and 20,000 students. Responsible for curricular coordination, CAPT and CMT prep, instructional coaching, professional development, grant writing and implementation. Work with a variety of partners at CT State Dept of Ed, PIMMS, CT Academy. Serve on district wide committees and work with principals, leaders, directors and a variety of stakeholders to improve science learning for all students district wide. Member of 10 person District Leadership and District Data Team, trained in and monitor CALI Intiatives: Effective Teaching, Data Teams, Formative Assessment, Response To Intervention. Trained as a Cambridge Supervisor, and head up District Tier II Effective Time /STEM Subcommittee.

Suffield Public Schools, Suffield, CT 2000-2006

Science Curriculum Chair, Physics, Earth, Science & Society, Physical Science Teacher

Led district science in curricular coordination, budget, peer coaching, and equipment management. Taught different levels/subjects of science. Prepared and improved standardized testing prep (CAPT) , organized safety/security procedures. Chaired new high school move and Curriculum Council/NEASC committees. Hired and worked with teachers at all levels throughout the district. Offered professional development activities designed to improve science teaching and learning, including technology, science in society, performance based assessment, inquiry activities as well as instructional theory workshops for the entire staff.

Alternate Route to Certification, CT State Dept. of Higher Education 1999- 2000

Instructor, Physical Science Course

Led intensive 8 week summer program for prospective CT 7-12 science teachers. Taught CT Teaching Competencies, lesson planning, assessment, lab skills and safety and all aspects of a science methods course. Instructed in use of technology in science teaching, learning cycle, CAPT style labs, and lecture style. Supervised student teaching.

Project to Increase Mastery in Math and Science, Wesleyan University 1990-1998

Instructor, Middle School Science Fellows Program (1993-1998), Technology Leadership Institute (1990-1993), Physics, Math, Technology Institute (1995-1996)

Led intensive (1 to 4 week) PIMMS summer programs for K-12 CT teachers, emphasizing technology in the classroom, especially in K-12 science and math. Taught teachers how to integrate the use of technology into lesson plans. Developed integrated model of science/math professional development, following a learning cycle model, along with performance based assessments.

East Granby High School, East Granby, CT 1997-2000

Physics, Earth Science (College Prep,Honors,& General), Pre-Algebra, Algebra (3 levels)

Taught an enriching program of math and science courses. Revised curriculum for ninth grade Earth Science. Coordinated science curriculum across the district. Completely revised curriculum and labs for Honors Physics. Developed meaningful projects for Algebra programs. Leader in serving on science, math curriculum, block scheduling, National Honor Society, CAPT and accreditation curriculum committees. Played an integral role in rewriting middle to high school math sequences.

John Read Middle School, Redding, CT 1988-1997

Physical Science, Computer Teacher, Educational Technology Specialist

Taught an enriching physical science curriculum to students of all ability levels. Developed many open ended CAPT type activities. Taught interdisciplinary courses and units on the CITY, immigration, WW II. Taught computer course for 6-8 students and teachers. Participated in student activities, a structured advisor/advisee program, Student Assistance Team. Coordinated curriculum with teachers across the district. Variety of committees, including hiring, scheduling, peer coaching, science curriculum and

Additional Professional Experiences and Qualifications (Richard Therrien)

Urban Science Rep, Board of Directors, Connecticut Science Supervisors Association	2008-Present
-Officer, Board of Directors, Connecticut Science Teachers Association	1993-Present

Past President (1999-Present), President (1997-99), Treasurer (1999-2002), Newsletter Editor, (1999-2000),Vice President and Conference Chair (1996-97), Membership Chair (1995-97), Middle Level Director (1993-95)

Played important leadership role in serving the needs of Connecticut's science teachers. Worked with local, state and national officials and companies to conduct an annual CT Science Educators Conference. Represented CT Science Teachers Association at various meetings and conferences.

-NEASC Visiting Committee Member (2 Visits), selected as Assistant Chair Visiting Committee	2005-Present
-Active member, CT Science Teachers, CT Science Supervisors, NSTA, ASCD,	1986-Present
-Trainer, Presenter, Sales, Apple Computer	2001-2005
-National Science Teachers Association Key Leader, ENC Ambassador for CT	2001-Present
-Contributing Editor, CAPT Science Study Guide, Websterhouse Publishing	2005
-Task10 Science Technology Committee	2000-2001
-State Science Frameworks/CAPT Writing Committee	1994-2000
-Presenter, variety of National and State Science conferences	1989-Present
-BEST/Mentor Trained, BEST Program Science Portfolio Assessor (6-12)	1996-Present
-CT Academy for Mathematics, Science and Technology Leadership Council	1997-2000
-CT Academy Grade 8 Science Assessment Writing Project	1997-1999
-Support Programs To Increase Competency in Astronomy(SPICA) Agent, Harvard-Smithsonian Center for Astrophysics	Summer 1991
-University of New Haven, K-12 Intern trainer (Science, Lesson Design, Technology)	1993-1995
-University of Bridgeport, K-12 Intern trainer , Course Instructor (Science, Technology)	1988-1993
-Administrative Assistant, Department of Education, University of Bridgeport	1986-1988
-Student Teaching, Physics, Fairfield High School	Fall 1987
-Full time Science Intern/Substitute, University of Bridgeport, Norwalk High School	1986-1987
-Participant in professional development on interdisciplinary curriculum, lesson design, misconceptions, performance based assessment, integrated science, technology, and teaming at state and national conferences and workshops with leaders such as Grant Wiggins, Heidi Jacobs, Michael Hibbard.	1988-present

Education

Doctorate in Educational Leadership	Central Connecticut State University, New Britain, CT	2009-2012
Sixth Year Educational Leadership	Central Connecticut State University, New Britain, CT	2004-2006
Sixth Year (32 cr no degree), Education (Science)	University of Bridgeport, Bridgeport, CT	1987-1992
Master of Science, Education	University of Bridgeport, Bridgeport, CT	1986-1987
Bachelor of Arts, Astronomy Minors: History of Science, Physics, Music	Case Western Reserve University , Cleveland, OH	1982-1986
Granby Memorial High School,	Granby, CT	1978-1982

References on request include:

Imma Canelli, New Haven Asst Superintendent	(203)-946-5082	Willie Freeman, New Haven Social Studies Supervisor	(203)-946-8622
Tom Jones, Principal, Suffield High School (Ret)	(860)-668-3810	Dr. R Lindgren, Admin Intern Supervisor, CCSU	(860)-653-6981
Steve Weinberg, CSDE Science Consultant (ret)	(860)-561-4143	Tom Menditto, Science, Tech.Coord, New Britain	(860)-827-2275

Willie L. Freeman

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CAREER DATA

2003 - 2008 -Social Studies Supervisor New Haven Public Schools
-Coordinator of the New Haven Public Schools "Teaching American History" grant – To plan, implement and monitor effective in-service activities and recruit participants.

2004 - 2006 -Academic Development Editor, OPB (Oregon Public Broadcasting) – "Turning Points In American History Project "

2001 - 2003 -New Haven Crypt, Executive Board Member, Center Church on the Green.

2001 -Contributing Book Reader, New Haven's Cultural Landscape: Its Changing People and Places

1998 - Present -K-12 District Supervisor of Social Studies/History, New Haven Public Schools, CT.

1998 – 2008 - Connecticut Council of Social Studies, Executive Board Member

1998 - 2007 - United Way Executive Board Member, City of New Haven, CT.

1998 - 2006 - New Haven City Empowerment Zone Education Committee Member

1996 - 1998 -Principal of Jackie Robinson Middle School, New Haven Public Schools, CT.

1985 - 1996 -Principal of Timothy Dwight Elementary School, New Haven Public Schools, CT.

-New Haven's Dwight/West River Neighborhood Corporation Member

1983 - 1985 -Curriculum/Staff Specialist, Central District, New Haven, CT. .

1983 -1985 -Served on various Educational Multi-Task Committees:
-NHPS Programmatic and Testing Committee..
-NHPS Computer Program Committee.
-City of New Haven "Save the Q-House" Committee representing New Haven Public Schools.
-City of New Haven United Negro College Fund (UNCF) Steering Committee.

1981-1983 -Jackie Robinson Middle School Director of Staff and Student Activities. .

1977-1983 -Teacher, Grade 6, Jackie Robinson Middle School, New Haven, CT.

-Chairperson of the Jackie Robinson Middle School Staff Advisory Committee.

1976-1983 -Chairperson of the Jackie Robinson Middle School 5th / 6th Grade Washington, D.C. fieldtrip.

1981-1982 -New Haven Board of Education Academic Freedom Policy Committee.

1979-1981 -Jackie Robinson Middle School Interdisciplinary Curriculum Team.

1978-1979 -Chairperson of the Jackie Robinson Middle School Science Curriculum Committee.

1977-1979 -New Haven Public Schools' Rockefeller Committee.

1972-1977 -Teacher, grade 6, Lincoln-Bassett Elementary School, New Haven, CT.

ADDITIONAL EXPERIENCE

1977-1983 -Assistant Director at the Lincoln-Bassett Community Summer School.

1981-1983 -Jackie Robinson Middle School Community Council Treasurer.

1973-1975 -Assistant Director of the Lincoln-Bassett Community School Evening Program

EDUCATION

1978 – 1981 Southern Connecticut State College
Sixth Year Professional Diploma of Advanced Studies, May, 1981
Major: Administration and Supervision
Graduates of this program are awarded the Sixth Year Professional Diploma of Advanced Studies meet state requirements for certification as administrators or supervisors.

1975-1978 Southern Connecticut State College
Master of Science Degree: May, 1978
Major: Reading

1968-1972 Southern Connecticut State College
Bachelor of Science Degree: May, 1972
Major: Intermediate Upper Education
Minor: Physics and General Science

1968 Graduated from Wilbur Cross High School
High School Diploma
New Haven, CT

AWARDS AND HONORS

2002 Theta Alpha Sigma Chapter of Sigma Gamma Rho Sorority, Incorporated "Certificate of Merit and Recognition" Award for Service and Achievement in Education

2001 Historic Seventh-Day Adventist Theological Seminary "Honorary Degree of Doctor of Education"

1997 New Haven Public Schools Headstart "Service" Award.

1990 - 1995 New Haven Public Schools Chapter 1 "Principal of the Year" Awards (Six consecutive years).

1992 New Haven Ct Shoot-Out "Distinguished Service Award"

1991 New Haven Public Education Fund "Friends of Education" Award.

1990 Elm City Clubs of the National Association of Negro Business and Professional Women's Clubs' "Man of the Year" Award.

1983 New Haven Newhallville Neighborhood "Service" Award.

1982 New Haven Association of African Americans "Heroism" Award.

REFERENCES

References will be forwarded upon request.

Patricia T. D'Amore

- *25 Far Mill Road* • *Monroe, Connecticut 06468* • *203-261-6480* • *trishd25@sbcglobal.net*

CERTIFICATION

Administration and Supervision	***Endorsement # 92***
Reading Consultant K-8	***Endorsement # 96***
PreK-8 Elementary Teacher	***Endorsement # 01***

SUMMARY OF QUALIFICATIONS

- ***Supervisor of Literacy & Library Media Studies, K-12, New Haven Public Schools***
- ***Management of multimillion dollar Reading First (NCLB) Grant***
- ***Selected to be a member of 2005-6 Education Policy Fellowship Program for State of CT***
- ***Coordinator, Developer and Presenter of State Professional Development***
- ***Extensive experience in Grant Writing and Evaluation***
- ***Strong background in No Child Left Behind legislation , scientifically based reading research practices and Response to Intervention (RtI)***
- ***Trained in Professional Learning Communities, Data Teams, Analyzing Student Work, Effective Teaching Strategies and Classroom Walk-Through Practices***

ADMINISTRATIVE EXPERIENCES

January, 2006- Present
Literacy & Library Media Supervisor k-12, New Haven Public Schools

- Chaired the revision of Comprehensive Literacy Curriculum K-5 and 9-12
- Wrote and supervised Reading First and Early Reading Success Grant
- Researched and designed Literacy Principal Walkthrough protocols for grades k-3
- Active member of the Stupski Foundation Curriculum and Instruction Committee
- Interviewed and supervised Literacy Coaches
- Assisted in aligning the Literacy Curriculum with other content areas
- Presented to Board of Education and Parent/Community Groups
- Active writer on NH's Strategic Planning Team
- Presented professional development to Administrators and Teachers

July 1, 2005- January, 2006
Director of Curriculum - Prek-12, Derby, CT

- Wrote Grants such as Bilingual, Early Reading Success and Consolidated Grant
- Planned and Organized Audit Review of k-12 Math Program
- Participated in 24/7 Classroom Walk Through Training and DuFours' Professional Learning Communities training
- Initiated Literacy Reform Model in Elementary Schools
- Created long-term Professional Development Plan
- Planned and Facilitated Administrative Council Meetings

Literacy Coordinator, Cooperative Educational Services, Trumbull, CT
September 2000 - June 30, 2005

- Planned, wrote, organized and assisted in implementation of the CT Reading First Grant to the Federal Government
- Served as active contributing member of CSDE Management Team for 25 Reading First Schools
- Researched assessments for screening, monitoring and outcome data
- Trained in Accountability in Action, Standards and Data Teams by the Center for Performance Assessment
- Wrote the Consolidated Grant and Goals 2000 Comprehensive School Reform Grant for Bridgeport
- Researched and wrote Interdistrict grants

- Represented CSDE at National Reading First Meetings
- Planned, wrote, organized and assisted in implementation the RESC Alliance Early Reading Success Institute Grant for Priority Schools
- Facilitated District Report Card revisions
- Assisted in writing and revising of the CT Frameworks and CMT
- Researched, designed, co-developed and co-presented the Principal's Guide to Comprehensive Literacy, Phonological Awareness ,Explicit Small Group Instruction, Comprehension and Vocabulary Modules for the Connecticut State Department of Education
- Planned statewide professional development
- Provided technical assistance in reading/language arts with an emphasis on establishing and strengthening a comprehensive literacy program based on best instructional practices
- Identified, reviewed and purchased instructional materials to support the Connecticut's Blueprint for Reading Achievement components
- Served as consultant for the 2002 Steck Vaughn K-6 Linking Words to Meaning Spelling Program and 2003 Sadlier-Oxford Integrated Content Readers

PRINCIPAL OF INTERDISTRICT ROGRAM ***June 2000- August 2000***
COORDINATOR of SUMMER SCHOOL ***June 1999-August 1999***

- Implemented and supervised implementation of the Voyager SpaceCommand and Pre-Law theme
- Provided leadership to a comprehensive training program serving teachers, paraprofessionals and high school interns
- Supervised 255 grades 3-8 students from Bridgeport, Stratford, Monroe and Trumbull
- Supervised and evaluated teachers, assistants and interns
- Wrote a summative narrative and summary narrative for the Interdistrict Grant
- Interviewed and recommended teachers and staff for the summer program
- Researched, selected and supervised implementation of a comprehensive reading school

READING CONSULTANT EXPERIENCE
January, 1995-September 2000 District-wide Reading Consultant for Bridgeport Public Schools

- Served as interim Principal
- Served as liaison with the high school concerning the CAPT
- Selected as an Outstanding Teacher by the Bridgeport Public Education Fund
- and contributed to the Early Reading Success Grant
- Active writer of Bridgeport's Integrated Reading/Language Arts Curriculum, grades K-8, with emphasis on the Writing component
- Planned and delivered ongoing professional development in all components of literacy k-8
- Created quarterly district writing prompts for narrative, expository and persuasive essays
- Created quarterly district Response to Literature tutorials for students and teachers
- Recruited, interviewed, observed and recommended candidates for K-6 classroom teachers, 7/8 reading/language arts teachers, library media specialists and teaching assistants
- Researched, reviewed and purchased instructional materials to support literacy, K-8, for mainstream, bilingual and special education students and teachers
- Planned, organized and scheduled professional development sessions for teachers and administrators
- Accomplished change by taking leadership role on school and district committees for report cards, curriculum development, textbook selection, and assessment selection
- Trained teachers in the implementation of "First Steps Reading Program"
- Served in leadership role in devising new report card for grades 1-8

READING SPECIALIST EXPERIENCE August 1984-January, 1995

- Evaluated, diagnosed and suggested intervention strategies for identified students
- Developed and implemented individual educational plans for students
- Interpreted and analyze assessment data
- Provided training in Junior Great Books shared inquiry parent-directed program
- Planned and implement portfolio based assessment in the district
- Nominated as Bridgeport Teacher of the Year
- Recipient of American Brands Education Grant and five Bridgeport Education Grants
- Planned and presented series of literacy parent training workshops

CLASSROOM TEACHER EXPERIENCE **September 1973 – June 1984**

- Selected to be on the Planning committee to write the philosophy, mission statement and curriculum for Bridgeport's first magnet school, High Horizons
- Taught grades two, three, four and five in integrated thematic approach

RELATED EXPERIENCES

- Adjunct Professor Southern CT State University, New Haven, CT
- Adjunct Professor Sacred Heart University, Fairfield, CT
- President (1997 – 1999) and vice president (1995 – 1997) of Southern Fairfield County Council of the Connecticut Reading Association
- Member of Phi Delta Kappa Honor Society
- Officer of Alpha Delta Kappa Educational Society
- Contributing Editor for Steck Vaughn and Sadlier Oxford Publishing Company

EDUCATION

- ***Central Connecticut State University***: Bachelor of Science, Elementary Education, Cum Laude Graduate, *Minor*: Reading
- ***University of Bridgeport***: Master of Science Degree, Reading Consultant K-8
- ***Sacred Heart University***: Sixth Year Administration and Supervision

Pedro Mendia-Landa

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W(203)946-2307

pedro.mendia@yale.edu

EDUCATION

2002 - UNIVERSITY OF CONNECTICUT, Storrs, CT
Major: Bilingual and Bicultural Education
Minors: Program Evaluation and Administration
Index: 4.0/4.0

1999 - 2002 UNIVERSITY OF CONNECTICUT, Storrs, CT
Major: Educational Administration
Index: 4.0/4.0

1988 - 1994 SOUTHERN CONNECTICUT STATE UNIVERSITY, New Haven, CT
Major: Research and Measurement in the Behavioral Sciences, M.S.
Index: 3.296/4.0

1982-1985 SOUTHERN CONNECTICUT STATE UNIVERSITY, New Haven, CT
Major: Education (Early Childhood), B.S.
Index: 3.440/4.0

1982 FAIRLEIGHT DICKINSON UNIVERSITY, MADISON, NJ

ACADEMIC HONORS

Title VII Bilingual Education Doctoral Fellow '99 - Present
Yale New Haven Teachers Institute Fellow, '96-'08
Peabody Fellows Program '98. Peabody Museum of Natural History.
OLIN /Yale New Haven Public School's Science Fair '97,'98,'04.'05
Service Award '98. Clinton Avenue School. New Haven, CT
Performance Award '92. VA Medical Center. West Haven, CT
Recipient of: American Field Service Scholarship(AFS) '1980
Honor List at Fairleight Dickinson University '1982.
Deans List at Southern Connecticut State University. 1988-1989

WORK EXPERIENCE

2006-2008 NEW HAVEN PUBLIC SCHOOLS. NEW HAVEN, CT
English Language Learners Instructional Coach,
data collection, reporting, and evaluation, teacher training.

2005 - 2006 COLUMBUS FAMILY ACADEMY. NEW HAVEN, CT
Dual Language Coordinator

2001 - 2005 COLUMBUS FAMILY ACADEMY. NEW HAVEN, CT
Teacher Self-contained Dual Language Program.
Intermediate Administrator and Supervisor (092). Professional educator Pre-K - 6. Endorsements: English as a Second Language (TESOL); Bilingual Education Pre-K-12.
Dual Language Curriculum, Instruction, and Assessment, Chairperson.

2003 STATE OF CONNECTICUT DEPARTMENT OF HIGHER EDUCATION
Faculty Alternate Route to Certification. Implemented teaching methods course. Student teacher placement, observation and evaluation.

1992 - 2001

CLINTON AVENUE SCHOOL. NEW HAVEN, CT
Teacher Self-contained second grade bilingual classroom.
Professional educator Pre-K - 6. Endorsements: English as a Second Language (TESOL); Bilingual Education Pre-K-12.
Science representative. School Planning and Management Team Committee, Chairperson. Curriculum, Instruction, and Assessment Committee member; Comer Process Facilitator; Active member of the following Committees: Science and Technology, Library Power, and P.T.O.
Yale New Haven Teachers Institute Representative.
Bilingual Science Enhancement Project (BISCI) Representative.

1998

BILINGUAL PROGRAM CURRICULUM DEVELOPMENT
Teacher Representative Write district's curriculum for English as a Second Language and Bilingual Program based on district and state curricular standards and frameworks.

1997

BILINGUAL EDUCATION and ESOL PROGRAM COMMITTEE (Pre K–4)
Committee Member Curriculum Framework Writing And Development Committee.

1997

MATH AND READING ASSESSMENT TEAM
Team Member Creation of a math and language arts assessment tool, parallel to districts one, to be used in the bilingual program.

1996 - 1999

YALE NEW HAVEN TEACHERS INSTITUTE
Representative Canvass teachers for ideas and topics for seminar and interested topics to write curriculum on. Disseminate information on curricular units and usage of other Institute Resources.

1997 -2000

BILINGUAL SCIENCE (BISCI)
Data Coordinator Data collection, assessment tool development, and analysis of students' written samples. Rubric creation, scoring, data entry, and analysis. Report writing and applications for ongoing classroom practices. Staff development.

1992 - 1994

CLINTON AVENUE LANGUAGE ACADEMY. NEW HAVEN, CT
Language specialist Implementation of two-way bilingual program. Questionnaire creation, data gathering and evaluation.

1991 - 1992

NATIONAL CENTER FOR PTSD, WEST HAVEN, CT AFFECTIVE DISORDER UNIT, WEST HAVEN VA MEDICAL CENTER, CT
Biostatistician Developed and devised experimental designs. Evaluation of methods of source data acquisition, data management and analysis of results in neurobiological research projects. Review research proposals and advice researches on matters of protocol, design, mathematics, and statistics to be used. Supervision of other data collection personnel such as statistical clerks.
System Analyst Developed and maintained operation and use of Macintosh and IBM computer systems and network. Software and

Hardware resource person for Psychiatry Services at the West Haven VA Medical Center.

3/90 - 3/91 NATIONAL CENTER FOR SCHIZOPHRENIA RESEARCH, WEST HAVEN, CT
Statistician Responsible for the collection, verification, and statistical analysis of research data(behavioral and clinical). Performed basic statistical analysis using various statistical packages(SPSS, BMDP, SAS)

8/89 - 3/90 CT STATE DEPARTMENT OF EDUCATION, HARTFORD
Research Associate Data management.

7/88 - 6/89 LULAC HEADSTART, CENTRO SAN JOSE, NEW HAVEN
Head-Teacher Curriculum and overall classroom activities implementation. Supervision of teacher-aids and volunteers. Mediation between parents, children, school and community.

7/85 - 6/86 COMMUNITY ACTION AGENCY HEADSTART, NEW HAVEN. **Head-Teacher**

7/84 - 6/85 CAA HEAD-START, STRONG SCHOOL, NEW HAVEN. **Head-Teacher**

PROFESSIONAL EXPERIENCES

TITLE VII DOCTORAL FELLOW (UCONN)
English Language Learners Instructional Coach District Dual Language Coordinator, data collection, reporting, and evaluation; teacher training.
Dual Language Coordinator Curriculum and assessment writing and implementation
Staff Developer Conduct training and workshops directed to professionals working with English Language Learners.
Data Coordinator Data management and scoring on Staff Development Survey Meeting ELLs' Needs, 2000

BILINGUAL SCIENCE (BISCI)
Data Coordinator Data management and scoring, 1998-1999

YALE-NEW HAVEN TEACHERS INSTITUTE (YNHTI)
Seminar Coordinator 1997-1998, 2004.

YALE-NEW HAVEN TEACHERS INSTITUTE (YNHTI)
Team member 1998-1999. Steering Committee. National Program Implementation. National Teachers' Steering Committee.

YALE-NEW HAVEN TEACHERS INSTITUTE (YNHTI).
Fellow 1996-2007. Curriculum Development

YALE PEABODY MUSEUM OF NATURAL HISTORY
Fellow 1998. Science Curriculum Development.

PUBLICATIONS

Myths and Legends on Natural Disasters: Making Sense of Our World. Science of Natural Disasters. New Haven, Connecticut, Yale-New Haven Teachers Institute. **On Press:** (2007).

Mathematics Alive: Environment and Design of Human Habitats. Math in the Beauty and Realization of Architecture. New Haven, Connecticut, Yale-New Haven Teachers Institute. **IV:** (2006).

Cycles of Life in an Urban Habitat: Changes in Biodiversity. Ecology

Marilyn M. Chalmers
96 Winterhill Road, Madison, CT 06443

Summary Experienced and articulate educational professional with extensive background in Special Education administration. Possess vast knowledge of current educational practices, theories, processes and programs. Understand the intricacies and processes of maintaining funding and grants through compliance with agency specifications. Excellent of written and oral communications allows for successful interaction with people of diverse backgrounds, cultures, professional and educational levels, as well as all age groups.

Skills
+ Early Childhood Development
+ Program Management
+ Funding Acquisition
+ Operations/Facilities Management
+ Special Education Administration

Career Accomplishments
+ Featured in PBS video, "Schools That Work."
+ Recognized by state and local news reporting agencies for superb Mental Health Team Administration.
+ Created and integrated before/after-hours programs, such as an adult continuing education, the Latch-Key Program and Before the Bell.
+ Featured in training video "State Department of Education for Early Childhood Programming," and utilized in District's Public Education Program.

2002-Present New Haven Board of Education, New Haven, CT

Director of Student Services and Special Education

Responsible for all special education programs, both within and outside of New Haven, that are serving students with disabilities; directly supervise all special education services staff, prepare, and oversee budgets; prepare all reports relating to department, both within district and for the state of Connecticut; moved district from categorical service delivery to non-categorical model; develop programs for students with moderate disabilities, at the secondary level; create innovative alliances with private facilities and in regional collaborative to provide quality programs under local control; develop inclusive preschool program model; enhance transitional opportunities to post-secondary options through grants and refocusing of internal resources.

1996-2002 New Haven Board of Education, New Haven, CT

Special Education Administrator, Special Education

Oversaw special education programming. Monitored and supervised teachers and faculty members, Maintained responsibility for the administration of federal grant monies through budget management and adherence to agency regulations. Ensured faculty and staff remain knowledgeable of current practices and theories through professional development activities.

1993-1996 New Haven Board of Education/Lincoln Bassett Community, New Haven, CT
Principal

Managed and administrated operations and personnel activities of 65+ faculty and staff responsible for the education of over 600 Pre-K through grade 5 students. Analyzed and implement the District's and State's curricular adoptions. Successfully directed the daily operations of the facility. Served as mentor and supervisor to teachers, paraprofessionals and volunteers. Effectively handled difficult situations and upheld district disciplinary actions in regard to faculty, staff and students.

1992-1993 New Haven Board of Education, New Haven, CT
Supervisor, Special Education

Monitored and administrated Special Education programs and activities, district-wide, to ensure all personnel and programs were fully implemented and remained in compliance with regulatory specifications. Mentored facility administrators, such as principals, vice principals, and classroom teachers to develop and implement curricular program within the Special Education department.

1987-1992 **New Haven Board of Education, New Haven, CT**
Special Education Teacher

Oversaw and conducted the activities of a self-contained Special Education Classroom. Educated children with learning disabilities, mental retardation, mental and emotional illnesses, and autism.

1984-1986 **Old Saybrook Board of Education, Old Saybrook, CT**
Special Education Teacher

Managed the activities and curriculum of a self-contained and resource Special Education Classrooms.

Education

Advanced Graduate Degree in Administration/Supervision
Southern Connecticut State University, 1992
Master of Science Degree
Southern Connecticut State University, 1987

Specialized Training

Applied Behavioral Analysis/Discrete Trials
School's Planning and Management Teams, Dr. James Comer Leadership Training
PECS (Picture Exchange Communication System)
504 Compliance
OCR Compliance
Accountability through Leadership

Certifications

Connecticut **Administration/Supervision, State of Connecticut**
Special Education Teacher, PRE-K through 12

Virginia **Administration/Supervision, State of Virginia**
Special and General Education K through 12

Curriculum Vitae

F. Catherine McCaslin, Ph.D.

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(b)(6)
(b)(6)
(b)(6)
203-946-5771 (O)
Fax: 203-946-2987

Education

Ph.D. (Sociology)	University of California, Los Angeles Los Angeles, California
M.A. (Sociology)	Georgia State University Atlanta, Georgia
A.B. (Psychology)	Hollins College Roanoke, Virginia

Professional Experience

Director, Department of Research, Assessment and Student Information, New Haven Public Schools, New Haven, Connecticut, 2005 to present.

Beaufort County Schools, Beaufort, South Carolina, 1992 to 2005:

> Supervisor, Research, Program Evaluation and Assessment, Beaufort County School District, Beaufort, South Carolina, 2001 to 2005.
>
> Evaluation and Assessment Specialist, Beaufort County School District, Beaufort, South Carolina, 1992 to 2001.

Adjunct Faculty, University of South Carolina, Beaufort, South Carolina, 1992 to present.

Partner, Schuhmacher & McCaslin Associates, Philadelphia, Pennsylvania and Beaufort, South Carolina, 1986 - 1992.

Research Faculty in Medicine, University of Pennsylvania School of Medicine, Philadelphia, Pennsylvania, 1984-1986.

Adjunct Faculty, Princeton University, Princeton, New Jersey, 1981-1982.

Program Officer, The Robert Wood Johnson Foundation, Princeton, New Jersey, 1980-1984.

Director of Survey Research and Analysis, Kaiser Foundation Health Plan, Los Angeles, California, 1978-1980.

Director, Division of Program Evaluation, Health Care Delivery Services, Inc., Los Angeles, California, 1976-1978.

Professional Experience (continued)

Trainee, Center for Health Services Research, National Institutes of Health Graduate Training Program, "Social Analyses and Evaluative Research in Health." School of Public Health, University of California, Los Angeles, California, 1973-1978.

Project Director for Los Angeles County, "A Comparative Study of Heroin-Dependent Men and Women in Treatment." Contract for The University of Michigan, School of Social Work and Psychology, Los Angeles, California, 1977.

NIMH Fellow, First Annual Summer Institute in Evaluation Research, University of Massachusetts, Amherst, Massachusetts, 1975.

Senior Research Associate, UCLA Drug Treatment Program, Los Angeles, California, 1975-1976.

Postgraduate Researcher, Databank of Program Evaluations, School of Public Health, University of California, Los Angeles, California, 1973-1974.

Associate Director, Division of Program Evaluation, Drug Abuse Services, Department of Human Resources, State of Georgia, Atlanta, Georgia, 1973.

Research Associate, Division of Program Evaluation, Drug Abuse Services, Department of Human Resources, State of Georgia, Atlanta, Georgia, 1972-1973.

Lecturer, Department of Sociology, Georgia State University, Atlanta, Georgia, 1972-1973.

Special Research Assistant, Department of Sociology, Georgia State University, Atlanta, Georgia, 1971-1972.

Graduate Teaching Assistant, Department of Sociology, Georgia State University, Atlanta, Georgia, 1971-1972.

Group Therapist and Psychiatric Aide, Veteran's Administration Hospital, Salem, Virginia, 1969.

Research Assistant, Department of Psychology, Hollins College, Roanoke, Virginia, 1969.

Governess, Senator Robert F. Kennedy family, McLean, Virginia, 1966-1967.

Other Professional Activities

Member, Leadership Initiative Advisory Committee for the Data-driven Decision Making Initiative: *Vision to Know and Do*. Consortium for School Networking (CoSN), Washington, DC, 2005.

Evaluation Consultant, *Project Whirl* (using handhelds for assessment in project-based science classrooms), NSF 3-year grant, SRI International, Palo Alto, CA 2002-04.

Consultant and school site visit team leader, *Primary Years International Baccalaureate Programme*, 2000-01.

Member and past-Chair, Collaborative Management Council, Port Royal Elementary School, Port Royal, South Carolina, 1995 to present. (Selected as Most Effective School Improvement Council Award for 1999, South Carolina Department of Education.)

Other Professional Activities (continued)

Member, South Carolina Department of Education Review Panel, National Blue Ribbon School Nomination Selections, Columbia, South Carolina, 2000 and 2001.

Evaluation Consultant, University of South Carolina, Graduate School of Education, "Three Year Evaluation Of Beaufort County's Middle School Laptop Program: Anytime-Anywhere Learning Evens the Playing Field for Low Income Learners." 1999-2000.

Consultant, Lowcountry Tech Prep Consortium, Walterboro, South Carolina, 1995.

Chair, Research and Evaluation Review Panel, "Head Start - University Partnerships." Head Start Bureau, Washington, D.C., 1992.

Chair, Evaluation Review Panel, "National Head Start - Public Schools Transition Demonstration Program." Head Start Bureau, Washington. D.C., 1991.

Member, Peer Review Panel, "Field Initiated Research." National Center on Child Abuse and Neglect, Washington, D.C., 1991.

Consultant, Untermeyer Mace Partners Ltd., New York, New York, 1989-1991.

Associate Editor, Journal of Health and Social Behavior, 1988-1990.

Member, National Council of the Medical Sociology Section, American Sociological Association, 1984 - 1989.

Editor, Medical Sociology Newsletter, 1984-1989

Chair, Professional Relations Committee, National Council of the Medical Sociology Section, American Sociological Association, 1986-1988.

Organizer and Session Chair, "Medical Sociology and Sociological Practice: A Small Group Discussion." Annual Meetings of the American Sociological Association, Atlanta, Georgia, 1988.

Reviewer, The Sociological Quarterly, 1984-1985.

Workshop Facilitator, "Consulting Practice Workshop." Mid-Year Meetings of Sociologists for Women in Society, Philadelphia, Pennsylvania, 1987.

Associate, Leonard Davis Institute of Health Economics, University of Pennsylvania, 1984-1986.

Reviewer, Journal of Health and Social Behavior, 1982-1988.

Organizer and Session Chair, "Roundtable Discussions in Medical Sociology," Annual Meetings of the American Sociological Association, Washington. D.C., 1985 and San Antonio, Texas, 1986.

Session Chair, "Cost and Competition in Health Care." Annual Meeting of the Society for the Study of Social Problems, San Antonio, Texas, August 1984.

Project Narrative

Project Narrative-Letters of Support (Optional)

Attachment 1:
Title: **New Haven Letters of Support** Pages: **1** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\New Haven Letters of Support.pdf**

QUINNIPIAC UNIVERSITY

SCHOOL OF HEALTH SCIENCES

Office of the Dean

April 30, 2010

To Whom It May Concern:

On behalf of the School of Health Sciences at Quinnipiac University, we are pleased to lend our support to the development of a magnet high school focused on health sciences and sports medicine. Stimulating interest in any of the 200 health professions and providing the appropriate high school coursework will enable students to more easily transition to programs at the collegiate level. This pathway will address the intense workforce needs in all health professions.

The School of Health Sciences has a long tradition of preparing highly qualified and caring health care professionals in fields such as occupational therapy, physical therapy, nursing, diagnostic imaging and physician assistants. Our talented faculty and staff are willing to provide their expertise in areas such as curriculum development, professional development as well as in the design and utilization of appropriate facilities. Students enrolled in our programs are committed to community service and as future health professionals, will be able to serve as mentors and role models. We anticipate that there will be numerous opportunities for interaction between these two student populations.

Quinnipiac University is proud to be a contributing member of the greater New Haven area and looks forward to being a partner in this initiative.

Sincerely,

Edward R O'Connor

Edward R. O'Connor, Dean
School of Health Sciences

275 MT. CARMEL AVENUE, HAMDEN, CT 06518-1908 · TEL 203-582-8710 · FAX 203-582-8706 · WWW.QUINNIPIAC.EDU

Area Health Education Centers Southwestern AHEC
5520 Park Ave., Suite 109
Trumbull, CT 06611
Phone: 203 372-5503
Fax: 203 372-5504

April 30, 2010

Robert Canelli
Supervisor, Magnet Schools
New Haven Public Schools
54 Meadow Street New Haven, Connecticut 06519

Dear Mr. Canelli:

On behalf of Southwestern Area Health Education Center (AHEC), we are pleased to support the grant application for the Hyde School of Health Sciences and Sports Medicine. If funded, this school will focus on developing capable students for a future health care workforce for the country's rapidly aging and diverse populations. Southwestern AHEC is committed to *"Connecting Students to Careers, Professionals to Communities, and Communities to Better Health,"* and is poised to provide experiential learning opportunities in accordance with the Bureau of Health Professions' *Kids into Health Careers Initiative.* Southwestern AHEC is a HRSA funded program, and is fully ensconced in health careers awareness programs and health careers recruitment in southwestern Connecticut.

Southwestern AHEC currently offers both the Collegiate Health Service Corps (CHSC) and Youth Health Service Corps (YHSC) programs to college and high school students to engage them in community service while incorporating learning experiences about health careers. The YHSC program has been recognized by the award of funding from Learn and Serve America, and by participating students receiving the President's Volunteer Service Award. Our agency also has a Health Careers Mentoring program which joins high school students and regional college students majoring in health careers twice a month with the college students serving as mentors for the high school students. This program provides experiential learning and field trips to various medical facilities, and partners with our local medical and dental associations, with wonderful relationships and sharing of experiences between the students.

Southwestern AHEC welcomes this opportunity to partner with the Hyde School of Health Sciences and Sports Medicine, and the New Haven Public Schools and is enthusiastic about this proposal. We look forward to a positive response to this very exciting opportunity.

Sincerely,
Meredith C. Ferraro, MS
Executive Director

Area Health Education Centers Southwestern AHEC
5520 Park Ave., Suite 109
Trumbull, CT 06611
Phone: 203 372-5503
Fax: 203 372-5504
www.swctahec.org
www.healthcareersinct.com
Connecting students to careers, professionals to communities, and communities to better health.

Southern Connecticut State University

SCSU

Dr. Selase W. Williams
PROVOST AND VICE PRESIDENT FOR ACADEMIC AFFAIRS

April 30, 2010

To Whom It May Concern:

It is my pleasure to write in strong support of the grant application for Hyde Leadership Interdistrict Magnet School. Southern Connecticut State University (SCSU) is excited to partner with New Haven Public Schools and particularly with Hyde Leadership for the Magnet Schools Assistance Program. Hyde Leadership will be developing and designing an innovative curriculum around Sports Sciences. Establishing a partnership with the New Haven Public School is significant.

SCSU has a very positive reputation of being a leader in the Northeast regarding our program in Human Performance/Exercise Physiology. Our curriculum provides an understanding of the exercise sciences which include physiology of exercise, kinesiology, sports medicine, nutrition and exercise, and psychology of sport. An internship also provides an opportunity to apply scientific course work principles in an exercise/fitness/rehabilitation/ strength and conditioning setting. Human performance graduates are prepared for employment in the physical fitness industry. Such occupational opportunities include adult fitness in a corporate, community, commercial, or rehabilitation setting; youth fitness in public and private agencies; and special population fitness for infants, the elderly, various clinical populations and physically and emotionally handicapped individuals.

Our goal is to partner with the faculty and staff at Hyde as well as New Haven Public Schools to ensure the academic curriculum will meet the needs of a Sports Science Theme. Through our expertise in the area we will develop a strong sport science curriculum focused on student achievement to enable Hyde to recruit a diverse population of students who want to pursue a Sports Science career. Not only will these students gain knowledge but they will be college ready for a program in many of the sport science related fields. Such a background and interest can be applied to future education in physical therapy, occupational therapy, nursing, respiratory therapy, physician assistant, and echocardiogram technologist training,

Another goal for the partnership is that we will not only reach the students in the school but will provide an avenue for community outreach. Through educational opportunities that the students will have as well as faculty, we will be able to provide outreach to the community through health and wellness initiatives. We are all aware of the problem of childhood obesity and in particular the higher risk for minority children. Through education and outreach we hope to address this issue in the community.

It is important to note the University's firm commitment to this project. We look forward to this project and the positive outcomes.

Sincerely,

Dr. Selase W. Williams
Provost and Vice President for Academic Affairs
Southern Connecticut State University

Project Narrative

Project Narrative-Joint Application Information (if necessary)-Refer to: Instructions for Other Documents and Attachments

Budget Narrative

Project Narrative-Budget Narrative

Attachment 1:
Title: **New Haven Budget Narrative** Pages: **1** Uploaded File: **C:\Documents and Settings\robert.canelli\Desktop\MSAP NH Budget Narrative FINAL.pdf**

New Haven Public Schools
Magnet Schools Assistance Program
Three Year Budget Overview
2010 - 2013

Three Year Budget Summary

Budget Catagories	2010-2011	2011-2012	2012-2013	3 Year Total
Personnel	$ 1,047,600	$ 1,197,516	$ 1,232,502	$ 3,477,618
Fringe	$ 398,832	$ 447,894	$ 462,929	$ 1,309,655
Travel	$ 60,000	$ 70,000	$ 70,000	$ 200,000
Equipment	$ 210,000	$ 272,500	$ 272,500	$ 755,000
Supplies	$ 175,000	$ 240,000	$ 240,000	$ 655,000
Contractual	$ 755,000	$ 775,900	$ 732,335	$ 2,263,235
Construction	$ -	$ -	$ -	$ -
Other	$ 168,000	$ 180,000	$ 180,000	$ 528,000
Total Direct Costs	$ 2,814,432	$ 3,183,810	$ 3,190,266	$ 9,188,508
Indirect Costs @ 6.16%	$ 173,369	$ 196,123	$ 196,520	$ 566,012
Training Stipends	$ 30,000	$ 24,000	$ 24,000	$ 78,000
Total Costs	$ 3,017,801	$ 3,403,933	$ 3,410,786	$ 9,832,520

New Haven Public Schools
Magnet Schools Assistance Program
Three Year Budget Overview
2010 - 2013

Program Administration
Student Recruitment, Assignment and Evaluation

Category	#	2010-2011	2011-2012	2012-2013	3 Year Total
Personnel					
Director	1.0	$ 135,000	$ 139,725	$ 144,615	$ 419,340
Student Recruitment (Cert.)	1.0	$ 82,000	$ 84,870	$ 87,416	$ 254,286
Budget/Purchasing Specialist (Non-Cert.)	1.0	$ 55,600	$ 57,546	$ 59,272	$ 172,418
Student Recruitment (Non-Cert.)	2.0	$ 85,000	$ 87,975	$ 90,614	$ 263,589
Part-Time Recruitment Hourly		$ 25,000	$ 25,000	$ 25,000	$ 75,000
Fringe					
Health (FT Only)		$ 143,040	$ 148,046	$ 152,767	$ 443,854
FICA (Non-Cert)		$ 12,668	$ 13,045	$ 13,379	$ 39,092
Medicare (3/86 No FICA)		$ 3,147	$ 3,257	$ 3,364	$ 9,768
Work Comp. (All)		$ 2,870	$ 2,963	$ 3,052	$ 8,885
Equipment still & video digital cameras/printers					
General Office / Still & Video Cameras		$ 5,000	$ 2,500	$ 2,500	$ 10,000
Computer / Color Printers					
Supplies					
General Office		$ 15,000	$ 15,000	$ 15,000	$ 45,000
Contractual					
Evaluation		$ 145,000	$ 149,350	$ 153,831	$ 448,181
Student Recruitment/Assignment, Publications, Media, Internet, Assignment, Events, etc.		$ 330,000	$ 341,550	$ 353,504	$ 1,025,054
Other					
Professional Travel		$ 10,000	$ 10,000	$ 10,000	$ 30,000
Postage		$ 30,000	$ 30,000	$ 30,000	$ 90,000
Indirect Costs					
6.16% rate		$ 173,369	$ 196,123	$ 196,520	$ 566,012
TOTAL		$ 1,252,693	$ 1,306,950	$ 1,340,835	$ 3,900,479

New Haven Public Schools
Magnet Schools Assistance Program
Three Year Budget Overview
2010 - 2013

Engineering and Science University Magnet School

Category	#	2010-2011	2011-2012	2012-2013	3 Year Total
Personnel					
Magnet Resource Specialists (1.0 first yr.)	2.0	$ 80,000	$ 165,600	$ 171,396	$ 416,996
Stipends for Planning/PD		$ 12,000	$ 6,000	$ 6,000	$ 24,000
Tutors		$ -	$ 35,000	$ 35,000	$ 70,000
Fringe					
Health (FT Only)		$ 32,000	$ 66,240	$ 68,558	$ 166,798
FICA (Non-Cert)		$ -	$ -	$ -	$ -
Medicare (3/86 No FICA)		$ 1,160	$ 2,401	$ 2,485	$ 6,046
Work Comp. (All)		$ 600	$ 1,505	$ 1,548	$ 3,652
Equipment					
Promethean Boards; teacher technology kits for a smart classroom (pointer; document cameras, clocks, stop watches, multiple computer platforms); movable white boards; graphing calculators with display panels and CDR's; networked, high resolution color copier-scanner-printer for advanced CAD and digital.		$ 25,000	$ 150,000	$ 150,000	$ 325,000
Supplies					
Science, Math and Engineering related textbooks and software (e.g., architectural materials, advanced materials for Phy/Chem Lab, advanced materials for Civil Engineering Lab.		$ 10,000	$ 75,000	$ 75,000	$ 160,000
Contractual					
Project Lead The Way		$ 25,000	$ 75,000	$ 75,000	$ 175,000
Kumon Math Reading Literacy					
Other Curriculum/Instruction Programs					
Other					
Professional Travel		$ 5,000	$ 15,000	$ 15,000	$ 35,000
Student Recruitment		$ 8,000	$ 10,000	$ 10,000	$ 28,000
Student Activities		$ 10,000	$ 10,000	$ 10,000	$ 30,000
TOTAL		$ 208,760	$ 611,746	$ 619,988	$ 1,440,493

New Haven Public Schools
Magnet Schools Assistance Program
Three Year Budget Overview
2010 - 2013

Conte/West Hills Invention Exploration Magnet School

Category	#	2010-2011	2011-2012	2012-2013	3 Year Total
Personnel					
Magnet Resource Specialists	2.0	$ 160,000	$ 165,600	$ 171,396	$ 496,996
Stipends for Planning/PD		$ 6,000	$ 6,000	$ 6,000	$ 18,000
Tutors		$ 35,000	$ 35,000	$ 35,000	$ 105,000
Fringe					
Health (FT Only)		$ 64,000	$ 66,240	$ 68,558	$ 198,798
FICA (Non-Cert)		$ -	$ -	$ -	$ -
Medicare (3/86 No FICA)		$ 2,320	$ 2,401	$ 2,485	$ 7,206
Work Comp. (All)		$ 1,463	$ 1,505	$ 1,548	$ 4,515
Equipment					
Poly-vision boards; laptop & desktop computers; Rolling carts with 25 laptop computers; Projection board / TV for the lobby; microscopes; Bulletin Boards; Elmo Overhead Projectors; Science/engineering Exploratorium labs with LEGOs Knex, Mindstorms		$ 60,000	$ 40,000	$ 40,000	$ 140,000
Supplies					
The instructional supplies needed to support our magnet theme fall into three main categories: textbook programs for social studies and science, trade books, and hands-on materials (e.g., Social Studies Alive Book set for classrooms, sets of Engineering is Elementary Books, LEGO Robotics sets and activity packages, etc.)		$ 50,000	$ 50,000	$ 50,000	$ 150,000
Contractual					
Expeditionary Learning		$ 85,000	$ 70,000	$ 50,000	$ 205,000
Other					
Professional Travel		$ 15,000	$ 15,000	$ 15,000	$ 45,000
Student Recruitment		$ 10,000	$ 10,000	$ 10,000	$ 30,000
Student Activities & Admissions Fees		$ 10,000	$ 10,000	$ 10,000	$ 30,000
TOTAL		$ 498,783	$ 471,746	$ 459,988	$ 1,430,516

New Haven Public Schools
Magnet Schools Assistance Program
Three Year Budget Overview
2010 - 2013

Hyde Sports/Medical Science Academy

Category	#	2010-2011	2011-2012	2012-2013	3 Year Total
Personnel					
Magnet Resource Specialists	2.0	$ 160,000	$ 165,600	$ 171,396	$ 496,996
Stipends for Planning/PD		$ 6,000	$ 6,000	$ 6,000	$ 18,000
Tutors		$ 35,000	$ 35,000	$ 35,000	$ 105,000
Fringe					
Health (FT Only)		$ 64,000	$ 66,240	$ 68,558	$ 198,798
FICA (Non-Cert)		$ -	$ -	$ -	$ -
Medicare (3/86 No FICA)		$ 2,320	$ 2,401	$ 2,485	$ 7,206
Work Comp. (All)		$ 1,463	$ 1,505	$ 1,548	$ 4,515
Equipment					
computers; printers; Promethean Boards; a variety of both general and specialized equipment related to biological, chemical and medical sciences. This will include indivdual student items such as microscopes to class/lab items such as anatomy modeling Manikens™ and storage and refridgeration units; and a variety of equipment that supports the science of physical development and athletic performance.		$ 60,000	$ 40,000	$ 40,000	$ 140,000
Supplies					
Texts and other print materials in the themes of biology, medical science, general science and exercise science; Subscriptions to regularly published journals and research; Specialized computer software and access to internet based subscription programs. Supplies for science, medical and athletic curricula (e.g., medical and science research chemistry and anatomy and physiology books, medical supplies and materials including blood pressure monitors, spirometers, oximeters, oxygen uptake monitors, a bone densitometer, body composition calipers, etc.).		$ 50,000	$ 50,000	$ 50,000	$ 150,000
Contractual					
Project Lead the Way Expeditionary Learning		$ 85,000	$ 70,000	$ 50,000	$ 205,000
Other					
Professional Travel		$ 15,000	$ 15,000	$ 15,000	$ 45,000
Student Recruitment		$ 10,000	$ 10,000	$ 10,000	$ 30,000
Student Activities & Admissions Fees		$ 10,000	$ 10,000	$ 10,000	$ 30,000
TOTAL		$ 498,783	$ 471,746	$ 459,988	$ 1,430,516

New Haven Public Schools
Magnet Schools Assistance Program
Three Year Budget Overview
2010 - 2013

Clarence Rogers/Katherine Brennan Magnet School

Category	#	2010-2011	2011-2012	2012-2013	3 Year Total
Personnel					
Magnet Resource Specialists	2.0	$ 160,000	$ 165,600	$ 171,396	$ 496,996
Stipends for Planning/PD		$ 6,000	$ 6,000	$ 6,000	$ 18,000
Tutors		$ 35,000	$ 35,000	$ 35,000	$ 105,000
Fringe					
Health (FT Only)		$ 64,000	$ 66,240	$ 68,558	$ 198,798
FICA (Non-Cert)		$ -	$ -	$ -	$ -
Medicare (3/86 No FICA)		$ 2,320	$ 2,401	$ 2,485	$ 7,206
Work Comp. (All)		$ 1,463	$ 1,505	$ 1,548	$ 4,515
Equipment					
Promethean Boards; Televisions; DVD players; CD burners; CD players; Recording devices ; IPods ; Pulse pens; Pulse Notebooks; Kindles; Digital cameras; Desktop computers; Laptops; Camcorders; Microphones; Smart Boards/Integrated Systems; LCD Projectors, White Boards; Binding Machines, Teleconferencing Equipment; Portable Projection Screens, Speaker/Sound system; Sound/Music Production Equipment; Media Production Equipment; Publishing Equipment; Writing Stations.		$ 60,000	$ 40,000	$ 40,000	$ 140,000
Supplies					
Books in support of communication and media instruction; Magazine Subscriptions; Writing Workshop Supplemental Text; Library Resources; Computer software/programs, (newspaper and publishing software); Banners; Varied forms of media (CD, DVDs, Podcast, Video Streaming); Art/Media Supplies (e.g., Junior Great Books, Talking Walls books, TV and theater scripts, musical instruments).		$ 50,000	$ 50,000	$ 50,000	$ 150,000
Contractual					
Expeditionary Learning		$ 85,000	$ 70,000	$ 50,000	$ 205,000
Other					
Professional Travel		$ 15,000	$ 15,000	$ 15,000	$ 45,000
Student Recruitment		$ 10,000	$ 10,000	$ 10,000	$ 30,000
Student Activities & Admissions Fees		$ 10,000	$ 10,000	$ 10,000	$ 30,000
TOTAL		$ 498,783	$ 471,746	$ 459,988	$ 1,430,516

New Haven Public Schools Budget Narrative

The following is a description of the budget breakdown for each budget category for the New Haven Magnet Schools Assistance Program project 2010 – 2013. The budget narrative is for each year of the three year project.

Personnel For program administration, the district budgeted the Project Director salary over three years as well as 3 student recruiters and 1 Budget/Purchasing Specialist. During the lottery period, the district is requesting an additional hourly, part-time recruiter. The district is also requesting 8 (7 during the first year since University will be in planning) Magnet Specialists. Each school is also requesting funds for tutors as well as stipends for planning and for professional development.

The project director will oversee the entire Magnet School Project, coordinating all project activities, monitoring full implementation, and reporting on the progress of the project to the Superintendent, the Board of Education, and the community.

The student recruiters will oversee the production of all marketing and advertising materials, work with principals and district staff to ensure coordination of school- and district-level recruitment activities, and organize and manage all district-level magnet recruiting activities.

The 8 Magnet Resource Specialists will work on site with classroom teachers to align the district's curriculum with their school's specific magnet theme; to develop and deliver an integrated curriculum; to plan and participate in professional development, program implementation and parent involvement activities.

The district is also requesting funds to pay teachers hourly stipends for professional development and curriculum development and alignment.

Fringe Fringe benefits are a contractual obligation. They include Health Benefits for full-time employees, FICA for non-certified employees, Medicare (after 3/86 hired no FICA) and Workman's Compensation for all.

Equipment The district is requesting funds for equipment necessary to carry out the magnet program in the four schools. Schools will purchase such items as Promethean Boards, white boards, computers, teleconferencing equipment, sound/music equipment (for the Brennan Magnet School), anatomy models (for Sports Medical Science Academy), science/engineering exploratorium laboratory equipment (for Conte Innovation and Exploration Magnet School), etc.

Supplies A range of materials will be purchased to support each school's specific magnet theme, as well as to advance literacy, numeracy, and other whole-school reform initiatives. For example, Hyde is requesting medical and science research chemistry and anatomy and physiology books; Brennan is requesting books to support its communication and media instruction such as writing workshop supplemental texts, Junior Great Books, theater and TV scripts; Conte is requesting Social Studies Alive book sets, LEGO robotics sets; and Engineering and Science University Magnet is requesting architectural materials, advanced materials for Civil Engineering, etc.

Contractual Each magnet school will contract with external professional development providers, such as Expeditionary Learning and Project Lead the Way, to work with teachers in the areas of magnet theme development, literacy, numeracy, and curriculum enrichment. In addition, funds for Kuman have been requested to support students in math, reading and literacy. Funds have also been requested to contract for services of an outside evaluator to provide the district with both formative and summative evaluation.

Other Each school is requesting funds to support their individual recruiting, such as brochures, posters, videos and other materials. Each school is also requesting funds for admission fees. As an example students at the Hyde Medical School will visit medical museums to do research.

Travel Funds are requested for staff at each school to travel to visit other schools that have the same themes. Funds are also requested for staff to attend conferences.