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**SHEFF V. O'NEILL ANNIVERSARY**

## **Sheff V. O'Neill Case A 20-Year Study In Persistence In Hartford**

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The desire for a good education wakes 13-year-old Kennisha Dixon in the dark hours of morning. She's up at 5:30 a.m. inside the small, tidy cape in Hartford's North End. By 6:45, she's on the school bus. The cracked, pocked streets of Hartford smooth out as Dixon makes her way to Simsbury, a quiet suburb 30 minutes away.

In the carpeted halls of Henry James Middle School, Dixon and her mother, Andrea Edmead, hope to find opportunity, far from the Hartford school system, its historic struggle with dysfunction, its dismal test scores.

Back in the city, thousands of parents and children wait and hope for a similar chance for their children. Some will choose, like Edmead, to send their child to a suburban school. Others will try to win a spot in one of the many magnet schools in the area.

The choices available to Hartford students have grown in the past two decades, since a ground-breaking lawsuit was filed seeking equal education for all students, regardless of race or income level.

Amid a changing educational landscape, the next generation is beginning to reap the benefits, though the state still struggles to fulfill its part of the bargain to provide an equal education for all students, whether they're black, brown, white, rich or poor.

Today, on the 20th anniversary of the case that came to be known as Sheff v. O'Neill, those involved reflect on the legacy of the decision with a mixture of frustration and optimism.

### **'Left Behind'**

The 1989 lawsuit paved the way for city students to look beyond Hartford's borders for their education.

Now students can apply to more than 20 magnet schools or many suburban school districts. But even with more options, thousands of Hartford parents and their children remain outside the reach of Sheff goals.

Their lottery number for a spot in a suburban or magnet school is never called, or their neighborhood school doesn't live up to their expectations.

"The sense of being left behind is not theoretical for these kids," said Justin Long, a Hartford Public High School graduate and a professor at the University of Connecticut Law School. "It's real."

The civil rights lawyers who launched the Sheff v. O'Neill case expected a long battle to integrate Hartford area schools and to force the state to make good on its constitutional obligation to provide an integrated education to all students.

"Is this case slower than it should be? Absolutely," said Martha Stone, one of the attorneys for the plaintiffs. "Did we expect to get full integration of Hartford schools by now? Probably not."

Some of the parents in the Sheff lawsuit have waited so long to see results that their dreams rest on the shoulders of their grandchildren now.

The Sheff case wasn't the first attempt to integrate schools in the region. In the 1960s, the state launched a pilot program called Project Concern — now called Open Choice — that let Hartford students enroll in suburban schools. In the following decades, civil rights attorneys and state lawmakers alike grappled with additional efforts to integrate schools.

Yet, when the Sheff v. O'Neill lawsuit was filed, 91 percent of Hartford's schoolchildren were minorities. Schools in the surrounding suburbs, in contrast, were virtually all white.

After he released a report in 1987 that urged better integration and a regional approach to education, state Education Commissioner Gerald Tirozzi made comments that seem prescient now: If the state fails to act, Tirozzi said, "some judge, some court someday will tell Connecticut how to do it, and it will probably be on terms no one will find acceptable."

That set the stage for the Sheff lawyers, said John C. Brittain, one of the original attorneys, now chief counsel for the Lawyers' Committee for Civil Rights Under Law in Washington, D.C.

"We took the report and said, 'Aha! Now the state actually admits what we've been studying,'" Brittain said recently. "We thought the report galvanized the issues and presented them almost on a silver platter."

Around that time, standardized testing data were publicized that spotlighted the disparity

between Hartford students and their suburban peers.

"All of a sudden, it was in your face how blatant the discrepancies were in Hartford," said Stone.

That data appalled a city activist and single mother, Elizabeth Horton Sheff.

"They said 74 percent [of eighth-graders] needed assistance with remedial reading," Horton Sheff recalled. "That's not 74 percent of Hartford children failing. That's the system failing."

After consulting with her 10-year-old son, Milo, Horton Sheff agreed to be the lead plaintiff in the case.

"That kind of injustice ... you can't sit and turn your back on it," Horton Sheff said. "You have to do something."

### **'On Year 13'**

The lawyers filed the Sheff suit on April 27, 1989, against then-Gov. William A. O'Neill on behalf of 17 schoolchildren, including two from West Hartford. The suit said the combined effects of segregation and poverty resulted in an inferior educational system that violated the constitutional rights of city schoolchildren.

In 1995, a judge ruled against the plaintiffs.

"The trial decision was devastating," said Stone. "It was probably one of the worst days for all of us. We were all so surprised."

The case was appealed, and eventually went to the state Supreme Court. In July 1996, the high court, in a 4-3 vote, overturned the earlier decision, but left it up to the legislature and then-Gov. John G. Rowland to find a solution.

That solution has been a long time coming. Over the past 13 years, the case has gone back to court several times as the plaintiffs seek faster, better compliance. Two agreements have been hammered out since 2003.

Brittain compared Sheff to the landmark U.S. Supreme Court decision in *Brown v. Board of Education*.

"It took approximately 15 to 16 years of post-Brown litigation to finally enforce the command of Brown," Brittain said. "We're on year 13. By their standard, we still have some room to meet the compliance time frame."

Long, the UConn professor, was a student at Quirk Middle School when the Sheff case was filed. He studied it in college and now teaches educational equity and constitutional

law.

"I never imagined when I was sitting in that courtroom listening that things would be the same today," Long said. "I had an idealism in the power of the courts to get things done when it was ordered."

### **'A Magical Power'**

The plaintiffs are quick to say that for the first time they are in position to achieve the integration goals.

The most recent court agreement resulted in a detailed plan and several steps have already been taken: a new Regional School Choice Office was created, and more magnet schools are diversifying their enrollments.

More than 20 magnet schools have opened in the region in the past 20 years. Of those, 17 are now "Sheff-compliant," which means they enroll no more than 75 percent minority students.

Kathy Demsey, who works in the state Department of Education's Sheff office, said there has been more progress toward the goals in the past year than in the past decade. Five people work in the Sheff office, in addition to the staff at the Regional School Choice Office.

"It's been a year of change, but it's also been a year of significant progress," Demsey said. "And heading into the next year we have all the structure in place for a smoother process for all the parents involved."

For the first time, significant numbers of suburban students are applying to Hartford public schools through the Open Choice program. Of the 1,061 suburban applicants, about 12 percent are white, according to Christopher Leone, Hartford administrator for the Regional School Choice Office.

But there has been little change in the number of Hartford minority students attending suburban schools through the Open Choice program. Those numbers hover around the same rate as the early 1980s.

"The Choice program has not expanded and I think that's where they have been unsuccessful," said Stone. "That's where they haven't done enough."

Others wonder whether the Sheff goals focus too much on race and not enough on poverty levels.

Timothy Sullivan, principal at Greater Hartford Classical Magnet School, sees an important benefit to mixing students with different economic realities, one that prompted his school to start a theater program: Higher-income parents, Sullivan said, demand

certain programs. And his school must compete with other, private schools for students.

"I think Sheff has required us to evaluate what we're doing in our schools and what our standards should be," Sullivan said. "It's a real testament to the concept that if we put these kids in the room side by side, there will be a magical power that will raise everybody up."

The state says it expects to meet the integration goals, which increase each year until 41 percent of Hartford minority students are attending integrated schools by 2012-13. The state met this year's goal of 19 percent.

But even when the goals are met, there are students left behind, many say.

The goal "on its face realizes there will be kids left behind in racial isolation," Long said. "The attention on Open Choice and magnet school programs gives people the sense that progress is being made, that we don't have to worry about this problem anymore."

### **Changing Landscape**

As the state works to meet Sheff goals, the nation struggles through an economic crisis which leaves questions about how much more can realistically be done. The state has already spent about \$1 billion on Sheff-related programs and construction.

Along with new financial realities comes another shift — in demographics. When the Sheff case was filed in 1989, Hartford's minority population was the highest in the area. But the suburbs are quickly catching up.

"Places like East Hartford have 'tipped' to majority non-white. Windsor, Manchester, are increasingly more diverse," said Brittain.

Bloomfield currently has a higher number of minority residents — 95 percent — than Hartford. Jack Dougherty, a Trinity College professor who has written extensively about the Sheff case, said the educational boundaries haven't changed to accommodate the demographic shift.

"One could easily ask: 'Should the plaintiffs in the Sheff case be expanded to include the students of Bloomfield and East Hartford?'" Dougherty said.

Brittain said the shift "shows a need for a more regional approach."

Eugene Leach, a Sheff plaintiff whose two children attended West Hartford schools, worries that changing demographics might make the issue seem less urgent.

"What alarms me the most ... is to discover how much the country has withdrawn from the goal of integration and has turned to relying on natural integration," said Leach. "The positive vision of an integrated America, which really lies behind the lawsuit, I really

think has lost a lot of ground."

### **'I'll Hang In There'**

But in the homes and hearts of Hartford parents, there's a need to keep fighting.

Take Milagros Vega, who struggles daily to get what she feels is the best education for her grandson, a 10-year-old with several special needs.

"I said maybe at a magnet school he'll learn to read," Vega said. "But I'm not lucky to get in. ... I'll apply again, see if I'm lucky. I'll hang in there."

Some parents apply to magnet schools before their children are old enough to attend. Others score a coveted spot, only to take their children out because the program isn't a good match, or a child is too far behind academically.

Even those who stay in inter-district programs or in suburban schools aren't always happy.

Cheryl Perry — one of the first students to participate in Project Concern, which later became Open Choice — says her granddaughter attends Simsbury schools but wants to return to Hartford. A part of Perry wants her to come back, too.

"My dream, and my goal, is to be able to pull my children and bring them back to Hartford," said Perry.

Other students flourish in their new school settings. Kennisha Dixon says going to school in Simsbury has presented her with opportunities that go far beyond academics.

"I have a lot of friends in Simsbury," Dixon said. They go horseback riding together, she said. Her friends taught her how to swim.

For Dixon's family, crossing borders for school has become a way of life. As Dixon comes home from Simsbury late in the day, her younger sister Kelsey Dixon returns from her school in West Hartford. Their friends are spread around the region. Their lives extend far beyond the North End of Hartford.

"We don't really know anyone in Hartford," their mother, Andrea Edmead, says, almost apologetically.

The trade-off is worth it.

"She wasn't learning that well," Edmead said of Dixon's schooling in Hartford. "Now I see a big difference."