

Milestone agreement in Sheff vs. O'Neill school desegregation case adds 1,000 magnet school seats to ease racial isolation of Hartford students

By JOSH KOVNER

JAN 10, 2020 | 4:57 PM

Civil rights lawyers and the state have reached a milestone agreement in the 30-year-old Sheff vs. O'Neill school desegregation case that adds more than 1,000 new magnet school seats and improves the school choice lottery in a system long plagued by a racial imbalance.

Martha Stone, the original Sheff lawyer, and Attorney General William Tong told Superior Court Judge Marshall Berger Friday that the agreement, while not coming close to meeting the actual demand for magnet school seats, provides a blueprint for more permanent solutions to racial isolation in and around Hartford.

The agreement follows by three years a Courant investigation that found some seats were artificially kept open to avoid racial imbalances, which penalized minority children in Hartford.

Berger signed the agreement, saying it was worth celebrating, but cautioning that even harder work lies ahead.

Stone noted that the last agreement in the long-running case came after hotly contested hearings in 2017.

She said this time, the plaintiffs and the state come "in unison," with a commitment to create an approach that can be sustained financially and in the way it operates, over a period of many years.



On familiar ground, lawyer Martha Stone helps draft milestone agreement in a landmark desegregation case she joined 30 years ago. (Josh Kovner/Hartford Courant)

"We share the same goal," Tong said.

"Keep on stepping forward," said Elizabeth Horton Sheff, the named plaintiff and mother of Milo Sheff. He was 10 when the case started. He'll be 41 in a couple of weeks, his mother said.

She's been "stopped on the street and thanked, and stopped on the street and dressed down," she said, recalling 30 years of "up and downs" and "very strong emotions."

The agreement adds 150 sixth-, seventh-, and eighth-grade seats over three years at the Riverside Magnet School on the campus of Goodwin University in East Hartford, with at least half set aside for Hartford students. The agreement also creates new pre-kindergarten programs hosted by a Hartford magnet school and expands the Academy of Aerospace and Engineering Elementary School in Rocky Hill.

Six hundred of the new magnet school seats are reserved for Hartford students. The state is also providing an additional \$2.3 million to draw more students to certain magnet schools, support Hartford students in the Open School Choice program and give suburban schools a financial incentive to open new seats for Hartford students.

But true desegregation remains an elusive target. More than 10,300 students applied for Hartford-area magnet school this year, and demand for seats far exceeds supply even with the expansion provided in the new court filing. The hope is that this milestone sets off a series of future expansions, the participants said.

The 30-page agreement, the product of six months of negotiations between Tong's office and plaintiffs including Horton Sheff, the NAACP Legal Defense and Educational Fund and the Center for Children's Advocacy in Hartford, founded by Stone. The agreement lasts until June 2022 and then will be reviewed.

When Berger approved the agreement as expected Friday afternoon at a crowded hearing, there was an optimistic tone in the air.

If the expansion proves to have created more magnet school opportunities for black and Latino students from Hartford, the agreement will serve as the foundation of long-term plan, officials said.

The goal of that broader plan, said Stone, is to "ensure that every Hartford student has the option of attending a quality, integrated school." She added, "We still need many more seats."

Howard Rifkin, Hartford's corporation counsel, represented the city at Friday's hearing. Tong said Hartford's participation was crucial. Rifkin said the challenge for the city now is to ensure that Hartford's neighborhood schools can match the Sheff magnet schools in quality.



Sheff lawyer Martha Stone said the need to confront racial isolation is as important today as it was 30 years ago. Her children were in the front row of the original Sheff trial. Friday, her grandchildren watched as a milestone agreement was signed. (Josh Kovner/Hartford Courant)

Over the years, some magnet school seats were kept empty, in part because of state funding caps that were imposed on schools. Those caps have been lifted in the new agreement, and financial incentives have been added to prompt suburban schools to open more new seats to Hartford students.

The suburban schools, however, still have the choice of not creating new seats.

The agreement seeks to place 47.5% of Hartford students in integrated schools, up from 44%.

"When we advocate for quality, integrated education, we are fighting to ensure that all students — no matter the color of their skin or whether they are rich or poor — receive the kind of education that they deserve," Horton Sheff said. "All students benefit from learning together. This is a question of social justice, not just education."

When the case began in 1989, there were no magnet schools in the Hartford metro area. Now there are 39, Stone noted.

The agreement also adopts a new lottery system to ensure the magnet schools have a diverse group of students from all income levels. It further requires more public reporting and transparency to help families make better decisions when applying to magnet and Open Choice schools.

"This agreement is an important step forward in our longstanding effort to end the racial and economic segregation of the Hartford area school system," said Deuel Ross, senior counsel at the NAACP's Legal Defense Fund. "We look forward to working with state officials to develop a comprehensive, long-term plan to guarantee that all Hartford students have equal access to a quality education."

Gov. Ned Lamont said in a statement that the agreement creates educational opportunities that otherwise would have occurred.

"Today's agreement will make school choice programs for families in the Hartford region more accessible and transparent as we continue our work to improve quality and equity for students in all schools," Lamont said. "Education advocates, parents, and students have fought persistently to improve these programs and help students access educational opportunities that would have otherwise never been available to them."

Tong said the expansion represents a breakthrough in a case marked in recent years by short extensions of the original desegregation plan.

"This settlement places Connecticut on a pathway to end 30 years of litigation," he said. "Most importantly, it greatly expands opportunities for Hartford students to attend excellent schools in diverse settings. This significant breakthrough is the result of tireless effort on behalf of all parties, united by a strong, shared desire to place the best interest of students first."

State education Commissioner Miguel Cardona said the agreement brings the state "closer to our shared goal of reaching a long-term sustainable solution that ensures improved outcomes and equity for every one of our kids."

"Let's remember this case started with the recognition of the need to provide diverse learning environments for students who were being educated in a segregated environment," he said. "While we should acknowledge that there is a broader conversation needed in Connecticut about the existence of racially segregated communities, today, our focus is educational policy. We are eager to do our part to shift the conversation from litigation to education."

The state Supreme Court in 1996 ruled that the extreme racial segregation between the predominately minority schools in Hartford and the overwhelmingly white and high- or middle-income schools in the surrounding suburbs violated the Connecticut State Constitution.

The court directed the legislature and executive branch to implement remedial measures. Since then, the parties in the case have entered into a series of agreements, which have established the 39 magnet schools and the Open Choice program, which allows Hartford students to transfer to suburban schools.

[courant.com/news/connecticut/hc-news-sheff-desegregation-expansion-hartford-magnet-20200110-7hpmkplwxjfxjedqu2r-5bic44y-story.html](https://www.courant.com/news/connecticut/hc-news-sheff-desegregation-expansion-hartford-magnet-20200110-7hpmkplwxjfxjedqu2r-5bic44y-story.html)