

# Judge Links Test Scores To Poverty

By George Judson

| June 28, 1995, Section B, Page 6

| The New York Times

Expanding on a ruling he issued in April, a state judge said today that poverty, not segregation, was the cause of the poor performance of students in the Hartford schools.

The finding came in a lawsuit seeking to integrate the city's schools with those of its suburbs -- a case that has already been appealed to the State Supreme Court.

The fact that Hartford's schoolchildren, the poorest and most racially segregated in Connecticut, achieve the state's lowest scores on standardized tests reflects the disadvantages of family poverty rather than the quality of their schools, wrote the Superior Court judge, Harry Hammer.

"Hartford should not be considered a negative setting for education in that the state is still meeting its primary responsibility of educating its schoolchildren, and there is some outstanding education going on in its schools," Judge Hammer wrote.

The judge had already ruled against the plaintiffs in the case, known as Sheff v. O'Neill, declaring that they had failed to prove that the state was responsible for the segregated conditions in Hartford's schools.

Since the state had not caused the conditions, he wrote, he had no reason to consider the plaintiffs' constitutional argument that segregation by race and class, regardless of how it came about, denied children an equal educational opportunity.

Black and Puerto Rican children make up 92 percent of Hartford's 24,000 students, two-thirds of whom live in poverty. Their scores on standardized tests are the lowest in the state.

Today, in additional findings requested by the Supreme Court, Judge Hammer not only repeated his conclusion that the state was not at fault, but suggested that Hartford's schools were doing as well as any schools could, considering the deprived backgrounds of their students.

He rejected the arguments of civil rights lawyers for the plaintiffs that Hartford's last-place rank on Connecticut's standardized tests, far below average scores in nearby suburbs, proved the failure of its schools.

"The disparity in test scores does not indicate that Hartford is doing an inadequate or a poor job in educating its students or that its schools are failing," Judge Hammer wrote, "because the predicted scores based upon the relevant socioeconomic factors are about at the levels that one would expect."<sup>1</sup>

---

<sup>1</sup> Wooldridge: "This conclusion is based on a regression analysis of average or median scores on socioeconomic characteristics of various school districts in Connecticut. The judge's conclusion suggests that, given the poverty levels of students at Hartford schools, the actual test scores were similar to those predicted from a regression

The judge also appeared to reject the civil rights lawyers' proposed solution to the concentration of poor children in Hartford: combining the city's schools with those in 21 surrounding communities. He agreed with lawyers for the state that court-ordered school integration is either "ineffective" or has "unacceptable consequences."

The only way to achieve meaningful integration, he wrote, was to break up segregated housing patterns by building affordable housing in suburbs, which is beyond his scope, and by making Hartford schools more attractive to people who live outside the city.

The state, he said, was already pursuing policies intended to improve schools in Hartford and other cities and to promote voluntary integration measures between school districts.

Lawyers for both sides will now prepare briefs for the Supreme Court; oral arguments before the court are expected in September or October.

Today Attorney General Richard Blumenthal said Judge Hammer's new findings "very significantly strengthen and support the state's argument that Connecticut has met and continues to meet its obligations."

---

analysis: the residual for Hartford was not sufficiently negative to conclude that the schools themselves were the cause of low test scores."