

Summary of Opinion
Carmen L. Lopez et al. v. Bridgeport Board of Education et al.
SC 19172

Judicial District of Fairfield at Bridgeport

In this case, the plaintiffs, who are two Bridgeport residents, brought a "quo warranto action," which is a court challenge to a public official's qualifications to hold office, against Paul Vallas, the superintendent of public schools in Bridgeport. Because Vallas was not certified as a Connecticut school superintendent, he could continue serving as a school superintendent only if the state Commissioner of Education waived the certification requirement after finding that Vallas:

1. was "exceptionally qualified for the position of superintendent"; and
2. had successfully served as an acting superintendent for a probationary period, which required him to complete a "school leadership program" approved by the State Board of Education.

The Commissioner of Education and the State Board of Education determined that Vallas met both criteria and that the independent study course he completed at the University of Connecticut was a satisfactory "school leadership program." The plaintiffs disagreed and brought a quo warranto action in Bridgeport Superior Court, claiming that Vallas was not qualified for the position because the independent study course was not a "school leadership program" that satisfied Connecticut law. The trial court agreed with the plaintiffs and ordered Vallas to leave office as superintendent.

Vallas appealed to the Supreme Court, which ruled unanimously on Thursday, Nov. 14, 2013, that the trial court should have dismissed the plaintiffs' case. In an opinion written by Senior Associate Justice Flemming L. Norcott, Jr., the Supreme Court agreed with Vallas that a quo warranto action may not be used to ask a judge to second-guess a state agency's decision granting a public official the certification or license required for his or her position. Moreover, because the Commissioner of Education and the State Board of Education are responsible for overseeing public education in Connecticut, the plaintiffs were required to first "exhaust their administrative remedies" by using that agency's established appeal procedures to

challenge their finding that Vallas had completed a qualifying school leadership program. Because the quo warranto action was not properly before the court, the Supreme Court could not decide whether Vallas had completed a school leadership program that satisfied Connecticut law.

The Supreme Court directed the trial court to dismiss this case.