

## ISSUES & ACTIONS

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### KEY POINTS ON THE VERGARA V. STATE OF CALIFORNIA LAWSUIT/TRIAL

#### Background:

A group of billionaires and corporate special interests who want to push their education agenda on California schools filed a lawsuit last year attacking educators' professional rights. The lawsuit, *Vergara v. State of California*, aims to overturn due process protections for teachers. If upheld, it will make it harder to attract and retain quality teachers in our schools. The lawsuit alleges that California laws governing teacher dismissals, attainment of permanent status and layoffs are unconstitutional and should be eliminated. The allegations—which are baseless and meritless—circumvent input by local parents and educators through the legislative process. CTA and CFT intervened in this lawsuit to ensure all stakeholders have input in education policy decisions and to protect the rights of educators for the sake of the students they teach.

#### Key Message:

Simply put, this lawsuit highlights the wrong problems, proposes the wrong solutions, and follows the wrong process. This lawsuit is yet another attempt by the usual corporate special interests to undermine the teaching profession and push their agenda on California public schools and students. Circumventing the legislative process to strip teachers of their due process rights will not improve student learning, will make it harder to attract and retain quality teachers in our classrooms, and ignores all the research that shows experience is a key factor in effective teaching. This is a blatant effort to legislate from the bench, keeping parents and educators out of education policy decisions.

#### Key Points:

- This lawsuit is baseless and meritless, and does nothing to address the real problems facing our schools. The problems we face with layoffs are not because of Education Code provisions or local collective bargaining agreements, but lack of funding. The real needs facing our students today are adequate resources, smaller class sizes, parental involvement and quality teacher training.
- Contrary to what the lawsuit claims, not one teacher in California has a job for life. In fact, teachers can be fired in the first two years for no reason at all. Current law ensures experienced teachers are not dismissed for arbitrary, unfair or unjustifiable reasons, and ensure that budget-based layoffs are implemented in an objective manner that is free of favoritism.
- The lawsuit ignores all research that shows teaching experience contributes to student learning. Studies show that teacher experience enhances teacher effectiveness and increases productivity at all grade levels in reading and in math.
- This lawsuit will make it harder to attract and retain quality teachers in our schools. In cities, we already lose 50 percent of teachers before their fifth year due to burnout and frustration in an underfunded school system. Eroding teacher rights is not the solution.
- The backers of this lawsuit include a “who’s who” of the billionaire boys club and their front groups whose real agendas have nothing to do with protecting students, but are really about privatizing public schools and attacking teachers and their unions. The proponents are good at coming up with fair-sounding names like “Students Matter” or “Students First” to mask their real agenda.
- Wrong solution! This lawsuit is trying to legislate from the bench and exclude meaningful input from parents, educators and lawmakers. If you have issues with education laws, rather than filing costly law suits go through the legislative process where parents, educators and all community members can have input. The only way to have honest education change is to include all stakeholders, including educators and parents, in the discussion.