

StudentsMatter

MEDIA CONTACT:

Danielle Kelton
dkelton@griffinschein.com or (323) 892-2080

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California Court of Appeal Clears the Way for Groundbreaking Education Reform Lawsuit

Vergara v. California Will Advance to Trial

LOS ANGELES, CA — Yesterday afternoon, the California Court of Appeal summarily denied the State's petition to review the Superior Court's ruling in *Vergara v. California*, which rejected the State's motion to dismiss the Plaintiffs' complaint. Plaintiffs' constitutional claims once again have a green light to move forward to trial.

"Today's order marks the second time the courts have blocked the State's attempt to prevent this groundbreaking statewide education reform lawsuit from advancing," said Plaintiffs' lead co-counsel Theodore J. Boutros, Jr. "This case is about the fundamental civil right of all California children to have an equal opportunity to access quality education. We know, because the leading research shows, that effective teachers are the single most important in-school factor to ensuring a student's academic success. Yet the current laws pertaining to teacher tenure and dismissal force administrators to knowingly place grossly ineffective teachers in front of students every year. Equal access to quality education means equal access to quality teachers. Laws that keep even a small number of grossly ineffective teachers in schools cause devastating long-term harm to the children arbitrarily assigned to those classrooms, violating children's rights under the California Constitution."

Vergara v. California, the first case sponsored by Students Matter, seeks to strike down the outdated and harmful state laws that keep ineffective teachers in schools, repel great teachers from the profession and jeopardize the future of our students. Plaintiffs, nine California public education students from districts around the state, filed *Vergara v. California* on May 14, 2012.

"In a court of law, facts matter," said Students Matter founder Dave Welch. "Special interests have kept these outdated and harmful state laws on the books for far too long, at the great expense of California's students. The violation of our children's fundamental rights demands a legal challenge. Only the court system provides a venue for an open and honest look at the correlation of bad laws to negative student outcomes."

The *Vergara* lawsuit has received support from Los Angeles Unified School District Superintendent Dr. John Deasy, a named defendant in the case; Sacramento City Unified School District Superintendent Jonathan Raymond; Oakland Unified School District Superintendent Dr. Tony Smith, also a named defendant in the case; Santa Clara County Office of Education Superintendent Xavier de la Torre; and a coalition of other leading education reform and civil rights advocates and organizations.

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Students Matter is a national non-profit organization dedicated to sponsoring impact litigation to promote access to quality public education. Learn more at studentsmatter.org.