

Students Matter

Defending students' rights through impact litigation

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Teachers' Unions Reveal True Intent Of Sham Dismissal Bill AB 375: To Avoid Trial in *Vergara v. California*

Policy Experts, Superintendents, School Boards, Administrators, Parents, and Children's Advocates Urge Governor Brown to Veto AB 375

LOS ANGELES — On Friday, September 27, the California Teachers Association (CTA), the California Federation of Teachers (CFT), and the State of California served motions for summary judgment on the Plaintiffs in *Vergara v. California*, asking the Los Angeles Superior Court to rule on the case in the State's and unions' favor without going to trial. **(Motions available upon request.)**

In their motion, the CTA and CFT claim that AB 375, if signed into law by Governor Jerry Brown, would render moot Plaintiffs' challenges to California's cumbersome, costly and ineffective dismissal process for substantially underperforming and/or abusive teachers. But policy experts, superintendents, school boards, administrators, parents, teachers, and children's advocates agree that AB 375 does not address the current dismissal laws' major problems and would make the process for removing sexual predators from the classroom even more difficult.

"AB 375 has no impact on the legal claims in *Vergara v. California*. Even worse, AB 375 does nothing to protect California's children in the classroom. The California Teachers Association and the California Federation of Teachers are attempting to use this hollow bill to deny a group of public school children their day in court, but they will not succeed," said *Vergara v. California* Plaintiffs' attorney Marcellus Antonio McRae. "I find it interesting that the teachers unions fought to resurrect AB 375 from committee only after the discovery process in *Vergara v. California* and our depositions of superintendents, union representatives and state officials were underway and evidence was mounting that the law and the facts in this case are on the Plaintiffs' side."

The outdated and unworkable dismissal process for teachers, created by state law, keeps not only substantially underperforming teachers but also abusive adults in front of children and leads to underperforming and predatory teachers being concentrated in schools serving low-income African American and Latino communities. Students Matter is arguing that California's teacher dismissal laws, which AB 375 would do nothing to meaningfully change, violate students' constitutionally protected right to equal educational opportunity, clearly and unequivocally.

Even the legislators who voted to pass AB 375 strongly criticized the bill and expressed bewilderment as to why the unions were suddenly supporting such ineffective legislation. When testifying in favor of AB

375 on the senate floor, [Senator Marty Block](#) (D-San Diego) called the bill “terribly flawed” and said, “Senator Padilla’s [teacher dismissal] bill last year was a far better bill.”

“The real victims of the California Teachers Association’s and the California Federation of Teachers’ blatant and shameful political theater are the children of California,” said Dave Welch, founder of Students Matter. “State law should rigorously ensure that our schools never place a known ineffective or abusive teacher in front of children. Anything less than that is unacceptable. Our children are the ones put at risk when bad state law keeps predatory and ineffective teachers in the classroom. Anyone can see that AB 375 is not a sincere effort to reform a broken system that endangers children’s lives, but rather a political ploy to rob California’s children of a chance to fight for their fundamental educational and civil rights through the courts. Our children deserve better.”

San Francisco Unified Superintendent Richard Carranza, the Association of California School Administrators, the California School Boards Association, California Democrats for Education Reform, EdVoice, parents around the state, and some of California’s oldest and most respected newspapers urge Gov. Brown to veto AB 375. Read their statements below:

- San Francisco Unified [Superintendent Richard Carranza](#) says AB 375 makes “a convoluted, costly and time-consuming process...even worse.”
- Wesley Smith, Executive Director of the [Association of California School Administrators](#), says “the problems created for school districts far outweigh any modest improvements contained in the bill...[AB 375] protects the adults over our students’ safety.”
- The [California School Boards Association](#) says AB 375 is a “good bill for bad teachers” that “overlooks” the real problems contributing to the current “long, cumbersome and costly” dismissal process.
- [San Diego Union-Tribune](#) Editorial Board calls AB 375 “a fake reform that in some cases actually gives teachers even more job protections.”
- [Los Angeles Daily News](#) Editorial Board calls AB 375 “a watered-down version that makes small changes around the edges” and says, “the original [Padilla] bill would have served the public better, but because of the inordinate power of one organization, it didn’t have a chance.”
- Gloria Romero, former Democratic state senator from Los Angeles and California State Director of [Democrats for Education Reform](#), says AB 375 “does more harm than good” and “protect[s] union members at the expense of kids.”
- Bill Lucia, President and CEO of education watchdog group [EdVoice](#), says AB 375 is “unsafe for children” and “restricts the ability of school districts to expeditiously and definitively dismiss staff abusing children and other adults on campus.”
- San Diego parent and former teacher [Judy Neufeld-Fernandez](#) says, “AB 375 makes California’s children less safe and should be vetoed.”

Plaintiffs in *Vergara v. California* will file their opposition to the State’s and teachers unions’ summary judgment motions in November. The hearing on the motions for summary judgment will take place on December 13 at the Stanley Mosk Courthouse, Department 58, in downtown Los Angeles.

To speak with a member of the Students Matter legal team, contact Danielle Kelton at dkelton@griffinschein.com or (323) 892-2080.

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