

OVERVIEW

Students Matter

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

Students Matter's first case is *Vergara v. California*, a statewide education equality lawsuit filed by nine California public school students from districts around the state. *Vergara v. California* seeks to ensure equal access to quality education for all students, embrace a teacher career system that elevates teacher quality, and raises the prestige of the teaching profession.



Why California? Students Matter chose to sponsor its first case against the state of California because California public schools have fallen inexcusably far behind the rest of the nation, both in academic achievement and in progress toward embracing proven ways of raising student success.

Why focus on teachers? Students Matter believes in the power of a passionate, effective teacher. Research shows that quality teachers make the difference—not only in students' academic performance but also in lifetime achievement. Quality teachers are the foundation of a quality education. Yet, five state laws in California restrict access to quality teachers, particularly from our most vulnerable students who need quality teachers the most.

Why litigation? When specific laws violate the fundamental, Constitutional rights of our children, the judicial system is the only way forward. The courts offer a unique opportunity to put politics and rhetoric aside, focus on the facts, and do what is truly best for students.

COMMUNICATIONS

Sharing the story: The national Students Matter communications and advocacy campaign leverages the lawsuit as a platform to reframe the debate around education reform to focus on protecting great teachers and—most important—giving students an effective education.

Through its communications and engagement strategy, Students Matter provides a unique opportunity for parents, students, teachers and administrators to personalize the real impact on students of the laws challenged by *Vergara v. California* and gather broad-based support for the case. Students Matter puts the needs of students first in the quest for education reform by building relationships with experts, education advocacy organizations, and thought leaders in education, government, and business.

With the help of Students Matter, nine California public school students from districts across the state filed *Vergara v. California* against the State of California in May 2012. In May 2013, the state's two largest teachers unions, the California Teachers Association and the California Federation of Teachers, intervened in the case to defend the statutes. The California Superior Court for Los Angeles County has allocated four full weeks for the *Vergara v. California* trial.

By removing outdated barriers, *Vergara v. California* will create an opportunity for all integral education stakeholders to come together to create a modern, fair and empowering teacher career system, with the needs of students as a priority.

The case challenges five statutes of the Education Code that, separately and together, push some of our best teachers out of the classroom and entrench grossly ineffective teachers in our schools, creating an arbitrary, unjustifiable and unconstitutional inequality among students:

- **Permanent Employment Statute**, which effectively guarantees all teachers permanent employment after only 18 months on the job and minimal, cursory evaluations;
- **Dismissal Statutes**, which create a nearly insurmountable set of obstacles for school administrators to dismiss a single ineffective teacher; and
- **Last-in, First Out Statute**, which forces school districts to make decisions about district-wide layoffs and subsequent reassignments based solely on teacher seniority, with no consideration for performance in the classroom.

TEAM

Founder: Dr. Welch founded Students Matter in 2011 with the goal of creating positive structural change in the California K-12 public education system. His passion for public education arises from his roles both as a parent of three school-aged children and as an employer in two highly successful start-ups in Silicon Valley. He also sits on the national board of the Natural Resources Defense Council

Legal: Theodore B. Olson, Theodore J. Boutrous, and Marcellus McRae, partners at Gibson, Dunn & Crutcher, head the legal team for Students Matter. A former U.S. Solicitor General, Mr. Olson has twice received the U.S. Department of Justice's highest award for public service and leadership. Mr. Boutrous has been named one of the 100 best lawyers in California for eight consecutive years. Prior to joining Gibson, Dunn & Crutcher, Mr. McRae served as an Assistant U.S. Attorney in Los Angeles. Mr. Olson and Mr. Boutrous most recently argued the federal challenge invalidating California's prohibition on same-sex marriage, Proposition 8.

Communications: The issue advocacy firm Griffin|Schein ("GS") manages all strategy, communications and coalition building for Students Matter. GS develops and manages issue advocacy campaigns for leading foundations, nonprofit organizations and philanthropists and specializes in communications around impact litigation—including developing and executing the communications strategy supporting the marriage equality lawsuit that struck down California's Proposition 8.