

>> CTA Talking Point: “A group of billionaires and corporate special interests” are sponsoring this case.

**Fact:** The California Teachers Association is “one of the biggest political spenders in California. It outpaced all other special interests, including corporate players such as telecommunications giant AT&T and the Chevron oil company, from 2000 through 2009, according to a state study. In that decade, the labor group shelled out more than \$211 million in political contributions and lobbying expenses — roughly twice that of the next largest spender, the Service Employees International Union. Since then it has spent nearly \$40 million more ... according to the union's filings with the secretary of state.”

(Source: <http://articles.latimes.com/2012/aug/18/local/la-me-cta-20120819>)

Plaintiffs in this case are nine school-aged children with a diverse range of backgrounds and aspirations. They hail from cities and towns across the State, including Los Angeles, Pomona, San Jose, and Oakland. Some Plaintiffs attend elementary school, while others are in middle school and high school. Their names have all been made public. Additionally, our largest funder is an individual philanthropist, Dr. David Welch. He too has been public about his involvement in the case. He has no business interests at stake beyond being a Silicon Valley entrepreneur whose business depends on well-educated individuals to succeed.

>> CTA Talking Point: “*Vergara v. California* aims to overturn due process protections for teachers.”

**Fact:** We agree that teachers have due process rights and that those must be protected. But the statutory protections at issue go far beyond “due process.” Under *Skelly v. State Personnel Board* (Cal. 1975), all public employees must be afforded “notice of the proposed action, the reasons therefore, a copy of the charges and materials upon which the action is based, and the right to respond,” before the proposed termination can be made effective. *These* are due process rights that are required under the California constitution.

>> CTA Talking Point: If upheld, *Vergara* will “make it harder to attract and retain quality teachers in our schools.”

**Fact:** The LIFO statute alone is responsible for the dismissal of numerous “teacher of the year” award recipients, a reality that undermines the notion that these laws help retain quality educators. There is also no evidence to suggest that the promise of irrevocable permanent employment, regardless of performance and results, attracts high quality teachers to the profession. According to Accomplished California Teachers, what teachers actually want are differentiated compensation models and more formal leadership opportunities for teachers that will allow them to remain in the classroom.

(Source: <https://edpolicy.stanford.edu/publications/pubs/679>)

The American Federation of Teachers recommends more rigorous teacher preparation and a instituting a comprehensive teacher performance assessment to enter the teaching profession (Source: <http://www.aft.org/pdfs/highered/raisingthebar2013.pdf>)

And Educators for Excellence advocates for more collaboration time for teachers and “a stronger, more personalized framework for evaluation.”

(Source: [www.scribd.com/doc/147628923/Building-for-the-Future-Attracting-and-Retaining-Great-Teachers-in-Hard-to-Staff-Schools](http://www.scribd.com/doc/147628923/Building-for-the-Future-Attracting-and-Retaining-Great-Teachers-in-Hard-to-Staff-Schools))

The CTA and CFT leadership should listen to what teachers are actually asking for instead of fighting to maintain protections for seniority at all costs.

**>> CTA Talking Point: The allegations made in *Vergara* are “baseless and meritless.”**

**Fact:** The CTA and CFT petitioned the Court to dismiss the case on these grounds via a Motion for Summary Judgment filed in late 2013. The Court, and an appellate court, both denied the motion suggesting the Courts believe sufficient evidence exists to allow the case to go forward.

**>> CTA Talking Point: The case focuses on “the wrong problems.”**

**Fact:** Our schools face multiple challenges that require attention. We welcome the union’s participation in a discussion around higher pay and better working conditions for teachers, and ultimately, a teaching profession that values and encourages passion, commitment and results. It’s common sense that students learn more with effective teachers, but there’s also overwhelming research showing that students taught by effective teachers are more likely to attend college, have higher earnings trajectories, live in better neighborhoods, save more for retirement, and avoid pregnancy during teenage years. Despite these facts, the CTA and opposition counsel will admit that there are ineffective teachers in California public schools but defend laws that prevent schools from doing anything about it.

**>> CTA Talking Point: This lawsuit is seeking to “legislate from the bench.”**

**Fact:** The courts play a critical role in protecting and enforcing constitutional rights. They are especially critical when the rights of the voiceless or underage are disregarded and when a powerful entity like the CTA spends hundreds of millions of dollars to control the legislative process. Moreover, the CTA has spent millions thwarting legislative efforts aimed at addressing the issues at stake in *Vergara*.

**>> CTA Talking Point: “The only way to have honest education change is to include parents and educators in the discussion.”**

**Fact:** We agree, and we look forward to hearing from educators, students and parents during trial.

**>> CTA Talking Point: This case is “wasting taxpayer dollars.”**

**Fact:** The CTA and fellow defendants have done all they can to avoid trial by filing frivolous motions, serving needless subpoenas to public officials and educators and dragging out the discovery process. They did so despite pledging to allow for a swift trial when they petitioned the court to intervene. These actions have done little but delay nine students their day in court.