

# Students Matter

Defending students' rights through impact litigation

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**MEDIA CONTACT:**

Manny Rivera

[MRivera@wearerally.com](mailto:MRivera@wearerally.com), (323) 892-2080

## Students Matter Supports Asm. Bonilla's AB 934

***Organization Supports AB 934 as Introduced and  
Encourages Legislators to Strengthen — not Weaken  
— the Bill***

**SACRAMENTO** — Students Matter, the nonprofit organizational sponsor of the groundbreaking educational equity lawsuit, *Vergara v. California*, today announced its support for Assemblymember Susan Bonilla's [AB 934](#), as introduced. AB 934, a bill that supports effective teachers and prioritizes quality in California's education system, takes positive steps forward in addressing the harmful California teacher employment policies identified in the *Vergara* lawsuit.

Students Matter's policy director, Ben Austin, issued the following statement on behalf of the organization:

"We thank Assemblymember Bonilla for her leadership in fixing California's harmful and outdated teacher employment policies challenged by *Vergara*. The bill as introduced represents a strong and critical step forward in supporting effective teachers across California and ensuring that every public school student has access to the great teaching and quality education that he or she deserves.

"While we believe there are areas in which the bill can be further strengthened to support teachers and protect our public school students — and we look forward to continuing to work with Assemblymember Bonilla and the Senate Education Committee to do so — Students Matter is proud to support AB 934.

“California students filed *Vergara v. California* recognizing that there have always been two paths to fix the state’s broken Education Code: the legal route through the courts and the legislative route through Sacramento. **Twice, California courts have examined the overwhelming evidence presented during the Vergara trial, and twice, these courts have found that a broken teacher employment system imposes serious and long-lasting harms on both teachers and their students.** Because of the mountains of evidence presented in court and the high-profile discussion sparked by the trial, a chorus of teachers, parents, students, administrators, California’s editorial boards and community leaders have now called for real and meaningful change — and it is time for Sacramento to listen.

“The choice is simple: California’s legislature has the opportunity to show leadership and embrace common sense policy solutions to a problem we have all accepted for too long or to persist with a status quo that California’s courts, California voters across party lines, and voices across the nation have recognized as broken. **We urge members of the Senate Education Committee to refrain from watering down AB 934 and to use the committee hearing to strengthen—not weaken—the bill; and we encourage the full California Legislature to give this bill the support that it deserves.**”

AB 934 takes significant steps forward to address the shortfalls of the teacher employment statutes identified by the *Vergara* litigation. However, Students Matter believes the bill can be strengthened in several ways:

- **On Tenure:** The bill requires that tenure decisions be based on demonstrated quality of instruction, not just time spent in the classroom, and extends the probationary period to allow for fair and accurate evaluation of teachers to take place from the current timeframe of 18 months to a minimum of three years. Based on current [research](#), testimony from trial and best practice, Students Matter believes the bill could be strengthened by extending the length of the probationary period to at least four years to allow for tenure decisions to take into account three evaluations.
- **On Dismissal:** AB 934 explicitly includes ineffectiveness as grounds for dismissal, mirrors the dismissal process established for all public employees, and uniquely includes a year of assistance/support before any dismissal proceedings are initiated. Students Matter believes the bill could be stronger by including transparency provisions to ensure implementation is done right. Specifically, Student Matter believes the teacher equity distribution provisions of the Every Student Succeeds Act (ESSA) should be explicitly included to ensure there is equitable access to quality teachers.
- **On “Last In, First Out” (LIFO):** AB 934 respects hardworking and talented teachers by creating a new layoff system that still protects effective senior

teachers, while generally prioritizing quality of instruction over years in the classroom. However, the bill still prioritizes seniority instead of effectiveness for rehiring and reassigning teachers after necessary layoff cuts.

- **On Evaluations:** AB 934 explicitly incorporates student learning into teacher evaluations, as demanded by the state's current teacher evaluation law, the Stull Act, and creates categories that will allow for the identification of grossly ineffective educators. The bill also importantly adds evaluations for principals to ensure our administrators are held accountable in the same way as our educators. As with dismissal, our main concern relates to implementation. This is why we believe including provisions requiring transparency around the distribution of effective teachers is critical.

Students Matter also submitted a letter of support for AB 934 to Assemblymember Susan Bonilla and the California Senate Education Committee, which is set to hear the bill in June. In the letter, the organization details which components of the bill it backs, what could be strengthened through amendments, and importantly, the threshold that the current bill must sustain to continue to receive Students Matter's support. [Click here](#) to view the letter.

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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](http://studentsmatter.org).*