

Calif. teacher tenure laws ruled unconstitutional

By Jennifer Medina, New York Times

LOS ANGELES – A Los Angeles Superior Court judge ruled Tuesday that teacher tenure laws deprive students of their constitutional right to an education, a decision that hands teachers' unions a major defeat in a landmark case that overturns several California laws that govern the way teachers are hired and fired.

"Substantial evidence presented makes it clear to this court that the challenged statutes disproportionately affect poor and/or minority students," Judge Rolf M. Treu wrote in the ruling. "The evidence is compelling. Indeed, it shocks the conscience."

The ruling, which declared the laws governing how teachers are hired and fired in California to be unconstitutional, is likely to set off a slew of legal fights here and in other states, where many education reform advocates are eager to change similar laws. The ruling brings a close to the first chapter of the case, Vergara v. California, but both sides have made it clear that they plan to appeal any decision that goes against them to the State Supreme Court.

The plaintiffs argued that California's current laws made it impossible to get rid of low-performing and incompetent teachers, who were disproportionately assigned to schools filled with poor students. The result, they insisted, amounted to a violation of students' constitutional rights to an education.

But lawyers for the states and teachers' unions said that overturning such laws would erode necessary protections that stop school administrators from making unfair personnel

decisions. They also argued that the vast majority of teachers in the state's schools are competent and providing students with all the necessary tools to learn. More important factors than teachers, they argued, are social and economic inequalities as well as the funding levels of public schools.

Read the whole story