

CLIENT NEWS ALERT

Court Rules Certain California Teacher Employment Laws Unconstitutional

Earlier today, Los Angeles County Superior Court Judge Rolf M. Treu issued a tentative decision in *Vergara v. State of California* (June 10, 2014, No. BC484642), ruling that certain teacher employment laws are unconstitutional under the equal protection clause of the California Constitution. Specifically, the court invalidated state laws governing the two-year track to permanent certificated employment status, the certificated dismissal process, and the requirement that certificated employees be laid off in reverse seniority order, also known as "last-in, first-out." In its ruling, the court determined that these laws have resulted in "a significant number of grossly ineffective teachers currently active in California classrooms," and that "(s)ubstantial evidence presented makes it clear to this Court that the (c)hallenged (s)tatutes disproportionately affect poor and/or minority students."

Please note that the tentative decision issued on June 10, 2014 is far from final. The parties still have the right to request revision or clarification of the decision. In addition, the court stayed enforcement of the statutory invalidations "pending appellate review." This means that the court's decision does not change the statutes at issue as they stand today. The California Teachers Association has already vowed to appeal the decision. It is also possible that the legislature may take action to amend the laws based on the outcome of this case.

We will continue to monitor developments and provide any updates. In the meantime, if you have any questions regarding this case or its impact on your school district, please contact one of our [eight offices](#) located statewide. You can also visit our [website](#), follow us on [Facebook](#) or [Twitter](#), or download our [Client News Brief App](#).

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Dulcinea Grantham
Partner and Labor & Employment
Practice Group Co-Chair
Walnut Creek Office
dgrantham@lozanosmith.com



Niki Nabavi Nouri
Associate
Walnut Creek Office
nnabavinouri@lozanosmith.com



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