

PUBLICATIONS

Court Finds California Teacher Tenure Laws Unconstitutional

July 8, 2014

On June 10, Judge Rolf M. Treu of the Los Angeles County Superior Court issued an opinion in *Vergara v. State*, striking down provisions of the California Education Code as unconstitutional. The sections of the Education Code in question concerned teacher tenure (the so-called permanent employment statute), dismissal (the dismissal statutes) and layoffs (known as “last in, first out,” or LIFO). The court held that these statutes violate the Equal Protection Clause of the California Constitution because they prevent students from accessing their fundamental rights to equal education by adversely affecting the quality of the education they are afforded. In this article, SRZ employment & employee benefits partner Mark E. Brossman, special counsel Scott A. Gold and associate Donna Lazarus discuss the court’s opinion.

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