

ANTONIO R. VILLARAIGOSA
MAYOR

April 5, 2012

The Honorable Julia Brownley
Chairwoman
Assembly Education Committee
1020 N Street, Room 2163
Sacramento, CA 94249

Re: Support of AB 2028 (Knight)

Dear Assemblywoman Brownley:

I write to express my support of AB 2028, a bill that would modify the dismissal procedures for certificated employees for specified causes, including immoral or unprofessional conduct, unsatisfactory performance, and evident unfitness for service.

It is morally imperative that we address the obstacles that make it difficult to fire teachers who commit crimes. Current dismissal procedures are overly onerous, making it hard to protect our students. Even in cases when there is overwhelming evidence of abuse, the process is so burdensome that it is often easier for districts to pay teachers to quit: In the recent case at Miramonte Elementary in the Los Angeles Unified School District (LAUSD) a teacher was paid \$40,000 to leave the profession.

It is also important that consistently ineffective teachers, after being given adequate support, are removed from the classroom. We simply cannot allow unsatisfactory teachers to languish in our classrooms. When instructed by a series of low-performing teachers, students fall so far behind that even the best teacher in later years cannot catch them up. This problem is more acute for our low-income students, who are more likely to get the least effective teachers year after year. Yet principals in the LAUSD have admitted to counseling underperforming teachers to voluntarily transfer to other schools rather than initiating the daunting dismissal proceedings.

To be clear, we cannot dismiss our way to a more effective educator workforce. To increase effectiveness we have to do a better job identifying areas of strength and weakness in performance and providing adequate professional development - which is why I continue to advocate for improving our evaluation and support systems in California. The focus of this bill, however, is eliminating barriers to removing educators in cases where there is sufficient evidence to dismiss.

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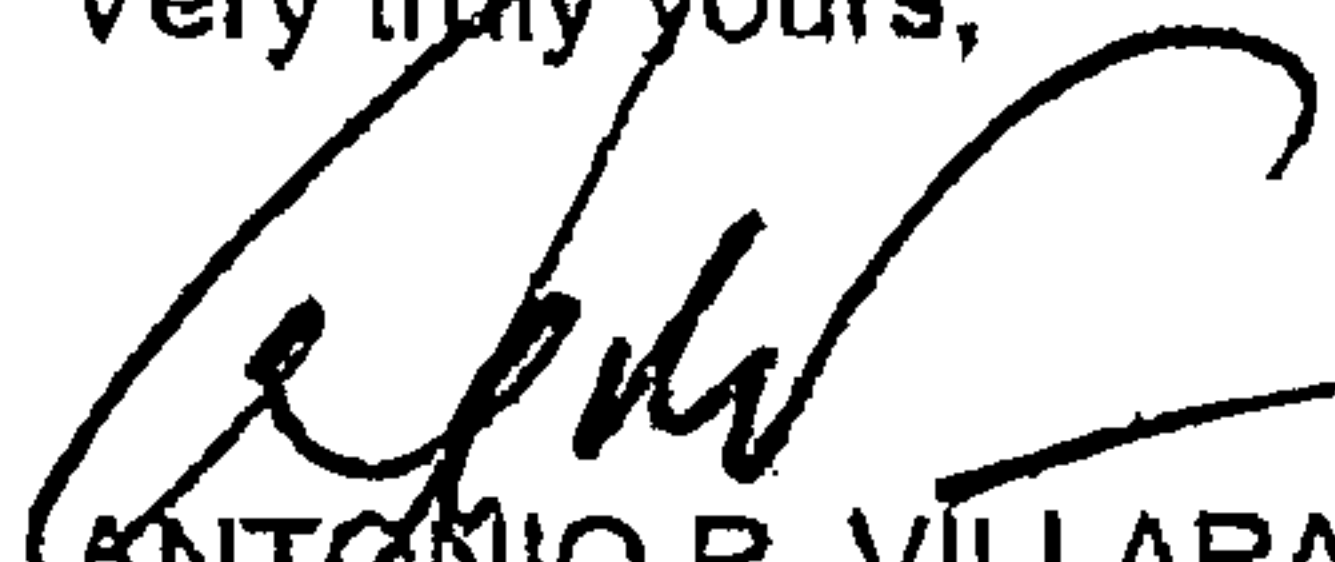
Our dedicated, law abiding teachers and school leaders must continue to have due process protections. This bill maintains those basic rights but recognizes the irreparable harm done to students when we fail to remove educators who are chronically ineffective or who commit crimes against children. It is our responsibility as leaders to take action to ensure not only that students are safe in schools but that they have access to highly effective teachers and school leaders. Fixing dismissal law is a critical step in that process.

In particular, I agree with the components of the bill that would:

- Eliminate the Commission on Professional Competence and replace with an administrative law judge whose decision would be advisory.
- Allow evidence older than 4 years to be included in investigations.
- Eliminate the prohibition on issuing notices between May 15 and September 15.
- Remove the delays between notification of charges and the official notice of "intent to dismiss."
- Prohibit collective bargaining agreements that allow removal of records after a specific time period.
- Eliminate current exemptions for sale, exchange, and use of specific drugs.

I urge you to support AB 2028 because it eliminates the barriers in the dismissal process that make it difficult to protect students from criminals and chronically poor performers, while continuing to shield our dedicated educators from unfair practices.

Very truly yours,



ANTONIO R. VILLARAIGOSA
Mayor

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