California union supports Democratic-sponsored attack on teachers

Juan Verala Luz, Marc Wells
9 April 2013

The California state legislature, with the unions in tow, has struck another blow against teachers with Assembly Bill 375, a proposed measure that would expedite the dismissal process for fired teachers, making it easier and quicker to sack employees. The Assembly Education Committee has already voted unanimously in favor of it last Wednesday and a final congressional vote is imminent.

Drafted by Democrat Joan Buchanan, the legislation has received substantial support from both sides of the aisle and in particular the Democrats, including most notably Senator Alex Padilla of Los Angeles. Padilla spearheaded a similar effort last year as a way to expedite the firing of Mark Berndt, a Miramonte Elementary School teacher who was accused of engaging in lewd acts with students.

The bill broadens the terms of the old regulations by allowing districts to fire teachers at any time, including outside the normal school year, allowing the use of evidence older than four years if a judge deems it "relevant," speeding the dismissal process and changing jurisdiction of dismissal appeals to an administrative court instead of a superior court.

Importantly, it calls for a modification of existing statutes in an effort to "reduce the time necessary to complete the teacher dismissal process." Currently, when teachers are suspended or put on administrative leave to evaluate their performances or on suspicion of a violation of one or more charges of "unprofessional conduct or unsatisfactory performance", the district must submit a statement of accusation to the statewide Commission on Teacher Credentialing and initiate a review process. However, districts have been criticized for being unresponsive and failing to follow the outlined guidelines for handling claims.

If passed, the new parameters would eliminate the discovery process and pretrial proceedings to gather evidence from either side, and would require a decision to be reached within 7 months of the filed dismissal appeal. As well, serving of the employee with the written accusation would be considered adequate notification of accusations and would initiate the review process starting with that date. While a three-person panel of one judge and two teachers currently oversees cases, the passage of this bill would impose a state-mandated local program.

Justifying her submission of the proposed bill, Buchanan said: "Some [district officials] will say one of the reasons we don't issue more dismissal notices is because we don't want to go through the cost."

This effort to "reform" the existing procedure is of a piece with all other calls by the political establishment for "education reform": fashioned as a means to eliminate so-called "problematic" teachers, it is aimed at reducing the amount of expenditures on education and victimizing school workers in economically struggling districts. In the last couple of years, the media have played an essential role in this dog and pony show, with continued campaigns of vilification against single teachers accused of inappropriate behavior.

What the bill represents in a most immediate sense is an effort to undermine the due process guaranteed to workers, who fought decades ago for such basic democratic rights. More importantly, this establishes a practice of teachers' dismissal on the basis of vague, specious allegations.

With the language "unsatisfactory performance" in focus, teachers who fail any number of test scores or trumped-up conditions, or simply become an encumbrance in the process of "restructuring" would be subject to immediate firing.

© World Socialist Web Site

The ultimate aim of this maneuver is the transformation of public education to private enterprise for the pursuit of profit, not the satisfaction of a most basic human need. This measure has nothing to do with ensuring the safety of children, as falsely advertised by the media and the unions. In fact, it serves precisely as the opposite, creating a precarious and inhumane school environment where the full potential of students cannot be realized when subjected to the needs of profit.

The state's largest teachers' union, the California Teachers Association (CTA), has declared its unconditional support for AB 375 and another similar bill on child abuse, AB 1338.

The CTA commends "Assembly Member Buchanan for taking the lead on two bills that address matters impacting California's educators and the students whom they are entrusted to teach. We appreciate Senator Alex Padilla for joining the efforts as a co-sponsor."

According to its web site, "CTA supports streamlining and expediting the dismissal process to keep students safe, safeguard the integrity of the profession and protect the rights of educators." This is not the language of a workers' organization.

The union fully supports the establishment of a law-and-order system in education whose target is not only the elimination of safety and protection for crucial teaching jobs serving a fundamental social purpose, but also the dismantlement of public and equal access to education.

Last year, the CTA hypocritically opposed Senate Bill 10 as put forth by Alex Padilla himself, claiming that it undermined the teachers' right to due process in cases of "severe and egregious misconduct". Padilla's bill would have left the ultimate jurisdiction in cases of dismissing teachers up to the school board with one administrative judge hearing the proceedings.

Buchanan's bill enables a three-person administrative committee which would provide greater "transparency" and an expedited process. In addition, the creation of a statewide commission on these proceedings would guarantee "more accountability" as a centralized apparatus to deal with these situations.

This latest attack on Californian teachers comes amid the issuance of 2,600 layoff notices to teachers in mid-March, continuing with the trend of "pink-slip Friday" for the fifth year in a row. As a means to "preemptively deal with budget cuts", all of the major teachers' unions, including the CTA, the American Federation of Teachers (AFT) and SEIU Local 1000, have supported these measures.

Meanwhile, California Governor Jerry Brown's brainchild, Proposition 30, which was sold by the unions as well as the Democrats as a means to ultimately end any fears of looming measures such as these, has been thoroughly exposed as nothing more than a way to dupe the working class into paying for the economic crisis. (See "Thousands of California teachers receive layoff notices")

The CTA is solely concerned about its position within the political and judicial process, be it in passing legislation or dismissing teachers. The unions are playing the same role in Chicago and several other major cities in the US with the dismantling of public education and numerous school closures.

Not 24 hours passed before Chicago Teachers Union (CTU) president Karen Lewis came out in support of the planned closure of 61 public schools by Chicago Public Schools. Using the same excuses of "unaccountable" teachers and "correctly facilitating change", Lewis noted that the CTU did not altogether oppose the closing of schools; rather, she wanted to offer her services to close them "properly". As she noted: "We told them that the best way to do these school closings if you have to do them, is to move children together as cohorts, to keep the adults that they know so they can make seamless transitions into these schools..."

To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact

© World Socialist Web Site