

Capitol Alert

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Posted by Alexei Koseff



The latest on California politics and government

Portending what could become a major policy issue in November's runoff for state superintendent of public instruction, challenger **Marshall Tuck** called on incumbent **Tom Torlakson** Wednesday to support a recent court decision striking down California's teacher tenure laws.

"As one of the named defendants in the lawsuit and California's top education official, you are not merely a bystander in this case; legally and morally, you play a central role," Tuck wrote in an open letter to Torlakson.

"That is why I am writing to urge you to immediately drop any plans to appeal the Vergara ruling, and stop wasting taxpayer resources defending a broken system."

The decision issued Tuesday in *Vergara v. State of California* declared unconstitutional California rules establishing a two-year probationary period for teacher tenure, the process for firing teachers and seniority-based layoffs.

Los Angeles Superior Court Judge **Rolf Treu** argued that these laws deprive students of their constitutional right to a quality education by keeping subpar teachers in the classroom. Teachers unions sharply criticized the ruling and will likely appeal.

Torlakson, who was among those named in the lawsuit and would have a role in deciding whether to appeal the ruling, did not respond to Tuck's letter.

"He's focused on improving education for children and doesn't have time to waste on political stunts by his opponent," spokesman **Paul Hefner** said.

Torlakson issued a brief statement Tuesday that removing protections might make it more difficult for schools to attract, train and nurture top talent.

"Teachers are not the problem in our schools, they are the solution," he said.

Tuck and Torlakson have been locked in a costly and ideologically charged battle for the office of state schools chief. Millions of dollars in outside spending have poured into the race, with organized labor backing Torlakson and Tuck receiving big support from the private sector.



Tuck has been vocal about overhauling California's public education system, which ranks perennially low in national exams, and he has heavily criticized Torlakson's close relationship with teachers unions.

"Do you stand with California's kids, or with your Sacramento political supporters?" he wrote in Wednesday's letter.

Editor's note: This post was updated at 5:50 p.m. to include comments from Torlakson spokesman Paul Hefner.

PHOTO: Courtesy of Marshall Tuck