

California lawmakers consider expanding teacher tenure despite court ruling

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SACRAMENTO Calif. (Reuters) - A union-backed bill in the California legislature to expand tenure protections for public school teachers to other employees stalled on Wednesday amid concern about a court ruling last week that said the practice is unconstitutional and hurts students.

The measure, which could come up again next week, comes as officials in the most populous U.S. state continue to wrestle with whether to appeal the ruling by a Los Angeles Superior Court judge, which overturned five laws meant to protect teachers' jobs. The ruling said the protections make it too hard to fire ineffective teachers and inadvertently lead to placing the worst teachers at schools in disadvantaged neighborhoods.

"The issue remains that there are a number of teachers, nurses, counselors - folks who take care of kids every single day - who don't have basic protections," said Democratic Assemblywoman Lorena Gonzalez, the bill's author.

Her bill, which passed the Assembly but failed to get four votes needed to make it out of the Senate's education committee Wednesday, would require small school districts to grant tenure to credentialed teachers after three years on the job. Districts with fewer than 250 students are not currently required to grant tenure. It also would require all districts to grant tenure to vocational education teachers, nurses, psychologists and counselors after three years.

The committee agreed to hear it again, possibly as soon as next week, but the bill will die if Gonzalez does not secure another vote, her spokesman, Evan McLaughlin, said.

Committee members were "confused" about whether the bill would put the legislature at odds with the court decision, McLaughlin said.

But Republican leader Bob Huff, who serves on the committee and voted against the bill, said the measure would perpetuate the very conditions addressed in the June 10 ruling.

The ruling, a major setback for teacher unions that could also have national implications, came in response to a lawsuit complaining that tenure and other protections hurt poor and minority students by effectively funneling incompetent teachers to schools in disadvantaged areas at disproportional rates.

The ruling won praise from the Obama administration at a time when the politics of education reform are changing, with more Democrats signing on to the notion, spelled out in the lawsuit and supported by many Republicans, that it is too difficult to fire incompetent teachers in California.

Democratic Governor Jerry Brown's administration is still deciding whether to appeal the ruling.

(Reporting by Sharon Bernstein; Editing by Bill Trott)

