



Talking Points: Proposition 74 Governor’s “Punish New Teachers” Act

Our perspective

The misnamed “Put the Kids First” Act would extend new teachers’ probationary period from the current two years to five years. It would also allow school districts to terminate tenured teachers after two years of poor evaluations. Tenure protects teachers against arbitrary and unreasonable firing. Lengthening teachers’ probation period to five years from two will do nothing to attract, retain or improve teachers. Prop 74 would open the door to a time in the past when teachers were at-will employees, their work lives completely subject to the whims of administrators.

Point 1: It is unnecessary.

School districts can use the existing evaluation process to dismiss tenured teachers for unsatisfactory performance, unprofessional conduct, criminal acts, dishonesty or conduct unfit for associating with children, as provided for by Education Code section 44932 (4).

Point 2: It’s unfair.

A new teacher could have five years of perfect evaluations, and still be dismissed with no due process. The district doesn’t have to—and won’t—give a reason for not granting tenure.

Point 3: It doesn’t do anything to help schools.

It won’t reduce class size, provide mentoring, training or peer assistance to teachers in need, or buy new textbooks. These are proven methods of improving education. Extending probation is not a proven method for anything except creating a revolving door for young teachers.

Point 4: It’s an obstacle to quality education.

It makes recruiting and retaining quality teachers more difficult, especially in schools that are difficult to staff. Nearly half of all new teachers leave the classroom within five years already, due to under-funding, difficult working conditions, and lack of adequate support. Prop 74 would also chill academic freedom, forcing teachers to tailor classroom discussion of controversial issues to their fear of dismissal.

Point 5: It’s dishonest.

Proponents claim that tenure (along with teacher unions and collective bargaining agreements) prevents “bad teachers” from being fired. Not true. Tenure is not a Supreme Court appointment. It is a process, a guarantee of nothing except the right to a hearing before termination. School administrators can dismiss any teacher with poor evaluations. All he or she needs to do is document the problem properly and present the evidence to a panel consisting of an independent administrative law judge and two other individuals, *one of whom is chosen by the administrator*.

Point 6: It’s a smokescreen

The governor wants to divert attention from his broken promise to students and schools that he would return \$3.1 billion he borrowed from education funding last year.

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