

Ruling Finalized in Los Angeles Parents Lawsuit

Educator Job Performance Evaluations Must Include Measures of Student Progress

On July 24, 2012, attorneys representing the parent petitioners and the school district respondents in the *Doe, et al. v. Deasy, et al.* lawsuit appeared in court to receive the final form of the judgment and terms of the writ from the judge, which will result in Los Angeles educator evaluations including measures of student progress, as required by law. After Los Angeles County Superior Court Judge James C. Chalfant ruled last month that Los Angeles Unified School District (LAUSD) had violated California law, his final judgment and writ make it clear that LAUSD must comply with the law and include measures of student achievement in the evaluations of teachers and principals beginning with the 2012-13 school year.

The finalized judgment came in response to a lawsuit brought by a group of Los Angeles parents appalled with the status quo in the broken school system and the cavalier attitude by leadership in the district and employee associations that systematically ignored the law's requirement for dozens of years at the expense of children. LAUSD is now under court order to comply with the law, known as the Stull Act, and reasonably include measures of student progress towards local school district and state adopted academic grade level standards in staff job performance evaluations.

“Last month the judge made it clear that LAUSD isn't above the law – this final judgment sets the course to do the right thing for kids and the struggling staff that need extra help” explained EdVoice CEO Bill Lucia. “It's a shame it took 40 years and a lawsuit to push the district to do something that would strike most people as common sense – the evaluations of adults employed to educate kids ought to include some measure of how well those kids are actually learning. Now it's time to move forward and implement meaningful evaluations.”

While allowing the district and its employees appropriate discretion on arriving at the details, the writ ensures the law will be followed correctly beginning with the 2012-13 school year by setting key dates for the district to demonstrate best efforts at compliance: by September 4, the district is expected to demonstrate its progress towards full compliance; and by December 4, the evaluation process must actually include measures of student progress. The court also expressly retained jurisdiction to facilitate a motion for contempt.

No adults are more important in a child's education than the teacher in the classroom and the leaders at the school site. That's why California has had a law on the books for 40 years requiring districts to conduct evaluations of principals and teachers based in part on the progress of children they've had placed under their charge. While leaving the details to local districts and educators, the Stull Act, as amended over the past 40 years, simply requires that measures of the progress of students toward locally adopted grade level standards, however measured, and, progress toward state adopted grade level standards based on state tests, if applicable, be included along with several other mandatory job performance factors in the evaluations of administrators and the teachers they support.

For more information, visit www.edvoice.org/parentlawsuit or contact Steve O'Mara at 415.250.6876 or steve@edvoice.org.