



CCSESA

California County Superintendents Educational Services Association

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September 24, 2013

The Honorable Edmund G. Brown, Jr.
Office of the Governor
State Capitol
Sacramento, CA 95814

**ASSEMBLY BILL 375 (BUCHANAN)
REQUEST FOR VETO**

Dear Governor Brown:

The California County Superintendents Educational Services Association (CCSESA), a non-profit organization representing California's 58 county superintendents, opposes AB 375, and respectfully requests that you veto this measure when it reaches your desk.

AB 375 would revise existing statutes in a manner that would impose time limits for the commencement and completion of an appeal of a local education agency's decision to dismiss a teacher. AB 375 also would add procedural steps and constrain the ability of local education agencies to amend charges and depose witnesses to substantiate the charges. These new limits, additional steps and limitations would add time and cost to the already inefficient process for teacher dismissal.

AB 375 would create a six-month deadline for commencing a dismissal hearing. The consensus among school attorneys is that six months is too short a timeline, and that the Office of Administrative Hearing routinely gives districts a first available hearing date that is more than six months out. In addition, the bill would create a new process for appealing a suspension without pay which would require the Office of Administrative Hearings to schedule a hearing within 30 days of the motion. CCSESA believes this process will add to the expense of the dismissal process - each time a motion for immediate reversal of suspension is filed, the Administrative Law Judge will be required to issue an order denying or granting the motion, which the governing board of a school district has a right to appeal. These motions and new procedural hurdles will cause delays, adding to the expense of the dismissal process and making it even more difficult to comply with the statutory timelines.

Further, AB 375 would replace the current discovery procedures in the Government Code with a new discovery process, with different procedures and timelines. Each time a motion or objection to discovery is filed, the Administrative Law Judge would have to determine discovery disputes, and would be required to review all the documents filed, convene a hearing on the matter, deliberate and render a decision granting or denying a motion. CCSESA believes that the length of the hearing process can make it difficult to meet the proposed statutory timeline of seven months. In our view, AB 375 would make the process more costly and time consuming, and fails to effectively streamline the process for dismissal.

For these reasons, we oppose this measure, and respectfully request that you veto AB 375 when it crosses your desk.

Sincerely,

Sandra S. Morales, Director of Government Affairs
cc: Cathy McBride, Deputy Legislative Director

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