



MARCH 2003 AGENDA

SUBJECT Repeal State Board of Education Waiver Policy: <u>Administrator/Teacher Ratio and Related Penalty</u> Adopted 10/14/88; 6/8/90	X	ACTION
		INFORMATION
		PUBLIC HEARING

Recommendation:

State Board of Education repeal the above mentioned policy.

Summary of Previous State Board of Education Discussion and Action

The State Board of Education has approved waivers of this type. The passage of AB 1818, Chapter 1168, Statutes of 2002 changes the department’s role in monitoring the ratio of administrators to teachers. Therefore, this policy has become non-operational and needs to be rescinded.

Summary of Key Issue(s)

The passage of AB 1818, changed the function of CDE and now makes each district’s auditors responsible for monitoring Education Code Section 41402, the maximum allowed ratios of administrators to teachers, in the annual audit reports. Although some additional legislation will be required to refine the process during the transition, CDE will no longer be collecting the staffing data and monitoring the ratio. The statute in 41402 is as follows:

41402. For the purposes of this article, and subject to the provisions of Section 41402.1, the maximum ratios of administrative employees to each 100 teachers in the various types of school districts shall be as follows:

- (a) In elementary school districts--9.*
- (b) In unified school districts--8.*
- (c) In high school districts--7.*

This section shall not apply to any school district which has only one school and one administrator.

Noncompliance will result in an audit finding therefore, the State Board will not be involved in any further waiver requests per the State Board of Education Policy 99-05, Apportionment Significant Audit Exceptions (Retroactive Waivers) September 1999.

Fiscal Analysis (as appropriate)

N/A

Attachment(s)

Administrator/Teacher Ratio and Related Penalty Waiver Policy to be repealed is attached.

CALIFORNIA STATE BOARD OF EDUCATION

POLICY

ADOPTED: 10/14/88; 6/8/90

SUBJECT: Administrator/Teacher Ratio and Related Penalty

REFERENCES: EC 33050 – 33053

These sections specify the classification of employees for determination of administrator/teacher ratio. Section 41404 specifies the reduction in the amount of the second principal apportionment after the determination of a penalty as defined in Section 41403.

With respect to the administrator/teacher ratio, the State Board of Education finds that, even though the law may have deficiencies which the Board supports changing, it is the law nonetheless. The Board further finds that waivers are temporary bridges to accommodate unusual situations and should not be adopted as a way of life by any school district. Toward this end, the Board has adopted the following policy regarding requests to waive the administrator/teacher ratio and the associated financial penalty:

1. Follow the Law. The Board expects all districts make every effort to comply with the administrator/teacher ratio as it is currently set forth in law, and as it may subsequently be amended.
2. With respect to each waiver request, in addition to other information which must be included, the Board asks that the applicant district present:
 - A concise statement of the reasons for the violation of the administrator/teacher ratio and the specific reasons the Board should not deny the waiver, pursuant to Section 33051 of the Education Code, on the grounds that (1) the educational needs of the pupils are not adequately addressed, and (2) pupil or school personnel protections are jeopardized; and
 - A plan for achieving compliance with the requirements of the ratio in forthcoming years so that no future waivers will be necessary.

The Board will consider failure to include these items with requests to waive the administrator/teacher ratio penalty as grounds to deem the requests incomplete.