

The Administrator-to-Teacher Ratio in L.A. Unified

Los Angeles Unified School District
Independent Analysis Unit

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EXECUTIVE SUMMARY

State law stipulates that school districts must have *administrator-to-teacher ratios (ATRs)* of no more than 8 administrators for every 100 teachers. The law, laid out in California Education Code (EDC), §§ 41400-41407, could also be framed as requiring districts to employ at least 12.5 teachers for every 1 administrator.

The District complied with this rule before 2014 when state and district requirements dictated most school staffing. However, **since the Local Control Funding Formula (LCFF) took full effect in 2015-2016, L.A. Unified has been unable to meet the terms of the ATR requirement.**

In 2017-2018, as reported in the audited financial report, the District employed only 11.7 teachers for every administrator. **This violation of state law could result in penalties in the tens of millions of dollars.** Fortunately, the District has not yet had to pay any fines because the legislature has waived this ratio requirement each year. However, L.A. Unified cannot count on these waivers to continue and may have to pay penalties in the future.

Eliminating administrative positions may be undesirable for several reasons:

- a. Since the ratio is not based on research, reducing staff to meet it may interfere with efforts to improve schools;
- b. Reducing administrators could entail restricting school-based autonomy; and
- c. Many of the statutorily “excess” administrators are needed to provide supplemental services for high-needs students (e.g. targeted student population program advisors) or to comply with court orders (e.g., magnet coordinators).

Hiring approximately 2,000 more teachers while maintaining the current number of administrators would also bring the District into compliance. However, this plan would require generating more than \$200 million in new ongoing revenue.

Alternately, the District could try to remove the ratio requirement from the Education Code, or amend the law, which is a course of action the Superintendent’s staff has explored for several years. **Amending the law to exempt all mandated or supplemental administrators from the ATR, which would preserve local decision makers’ ability to decide how best to provide supplemental services to high-needs students, would benefit the District.**

This informative provides an explanation and historical overview of the ATR and presents alternative courses of action to address the issue. Central questions include:

1. How is the ATR calculated?
2. What is the recent ATR across the District, in local districts, and at school sites?
3. What are the alternatives for complying with current regulations or amending the law?
4. How do these alternatives affect the ATR?

INTRODUCTION

California Education Code stipulates that school districts may employ 8 administrators for every 100 teachers, or 12.5 teachers for every administrator (Cal. EDC, §§ 41400-41407). The maximum administrator-to-teacher ratio (ATR) can be expressed several ways: 8 per hundred, 0.08, 8%, or simply 8.

Historically, L.A. Unified has complied with the rule, which was introduced as a part of the massive re-writing of the Education Code in 1976. But in the last few years, the District has fallen out of compliance. In 2017-2018, for example, the ATR reported in the audited financial report was 8.54 per hundred (or 1 administrator per 11.7 teachers), which means the District employed 149 more administrative employees than permitted by the ATR rule.¹ Any higher-than-allowed ATR could have substantial financial consequences. **Failure to comply with this requirement results in a monetary penalty equal to the salary cost of the excess administrators.**

Fortunately, though it has been out of compliance for several years, **L.A. Unified has yet to pay a penalty because the District has received a legislative waiver each year since 2015.** But since there is no guarantee that waivers will continue indefinitely, the District must plan for the expense each fiscal year that a waiver is not secured before the budget is finalized. Since the District is required to plan three years ahead for fiscal stability, uncertainty about the waiver two or three years out may lead to unnecessarily dire financial projections.

This brief relates the history of the ATR requirement, explains how the ratio and associated penalty are calculated, reports the recent ATR for the District, individual schools, the central office, and local district offices, and includes a comparison of alternative ways to address this important compliance issue.

One solution to a high ATR is to cut administrators or add teachers. Alternatively, the District may choose to pay the penalty—either from the central budget or requiring individual schools to pay for excess administrators. However, a third option may be the most sensible—if challenging—choice. Though admittedly a long-term and difficult strategy, given possible opposition, **the IAU recommends the continued pursuit of a legislative remedy that would add language to the Education Code regarding additional exemptions for the ATR calculations.** Such a change would likely only occur as a result of collaboration between the District and its labor partners, but it would enable the District to build capacity to support teachers and preserve school-level budget flexibility in providing services to high-needs students.

HISTORY AND BACKGROUND OF THE ADMINISTRATOR-TO-TEACHER RATIO

In 1976, the California legislature passed, and Governor Brown signed AB 3100, which reorganized the Education Code and made “numerous technical changes” (Statutes of California 1976, Chapter 1010). One of these changes was Article 6, “Teaching and Nonteaching Certificated Employee Ratios,” which sought to “discourage the growth of bureaucracy in the public schools, and to emphasize the importance and significance of the classroom teacher.” To accomplish these goals, the statute instituted a maximum ratio of 8 administrative employees for every 100 teachers in unified school districts—the administrator-to-teacher (ATR) ratio, also known in L.A. Unified as the *R2 Ratio*. **There is no evidence that the legislature based this ratio on research regarding the needs of California school districts or the effective allocation of teachers and support staff in schools.**

¹ Staffing data supplied by L.A. Unified Human Resources. The data is referenced in the Audited Annual Financial Report 2017-18, p. 186. Retrieved from <https://achieve.lausd.net/cms/lib/CA01000043/Centricity/Domain/328/Fiscal%20Year%202017-18/LosAngelesUnifiedRpt18.pdf>

This ratio was designed to limit the number of administrators a district could hire, but it explicitly exempted two classes of administrative employees: a) those who were completely supported by federal funds, and b) those who were completely funded by categorical programs financed from any source that required their own specific teacher administrator ratios. Thus, the legislature determined that it could legitimately dictate only how state-apportioned money was spent on administrators versus teachers. But if a district received Federal money, it was up to the Federal government to say how that money should be used. And if the District received money for programs—funded from any source—that had their own requirements about staffing ratios, those rules would override the ATR requirement in Cal. EDC § 41402.

In 1977, when the new Education Code took effect, the California public school finance system was still based on local property taxes and control over school spending was decentralized. But in response to identified inequities among districts, the state was switching to a centralized system based on state-collected tax revenue and revenue-limit funds, complemented by as many as 100 state and federal specialized programs, which supported art, music, civic education and dozens of other so-called “categoricals.” This system of funding and central control persisted from the 1980s until 2014, when the Local Control Funding Formula (LCFF) ushered in dramatic changes to California’s school funding model by eliminating all but two of the state categorical grants and giving money in three lump sums to districts to spend more or less as they saw fit.

Currently, most state funding for schools is in the form of base grants to districts, which are about \$9,000 per-student and can be spent at districts’ discretion on the general education program for all students. **Many districts, including L.A. Unified, that have high numbers of low-income students and English learners also receive large supplemental grants.** Funds from these grants are not technically restricted, but the expectation is that they are spent on services that *supplement* the general program. Besides this stipulation, the requirements are purposely undefined, and the intent is to cede control over spending decisions to localities. Last, **some districts, including L.A. Unified, that are more than one-half high-needs students, receive concentration grants,** which are intended to support more add-on programs.²

These supplemental and concentration grants, along with local control, have replaced the old categorical grant system, with its multiple funding streams, and centrally controlled programmatic requirements. Under the new system—LCFF—Districts have some degree of control over how they spend their money to support their regular and high-needs students. **In the spirit of local control, L.A. Unified has loosened restrictions on schools, leaving staffing decisions to the discretion of school-site leaders.** In many cases, these leaders have chosen to hire out-of-the-classroom program advisors and assistant principals to aid in administrative duties related to supplemental support for the Targeted Student Population (TSP).³

In recent years, the California legislature has granted L.A. Unified waivers from the ATR penalty. The current waiver expires at the end of this school year, 2018-2019, but waivers are expected through 2021-

² For more detail on L.A. Unified’s per-pupil revenues, see IAU Report “Per-Student Revenues and Expenditures,” June 8, 2018 (p. 3-4). <http://laschoolboard.org/sites/default/files/IAU%20Report%20-%20Per%20Student%20Revenues%20and%20Expenditures%202018%200608.pdf>

³ In May, 2016, LA School Report reported with alarm that L.A. Unified administrative staff had jumped 22% even as enrollment fell. The article described a Superintendent’s presentation used for a BOE retreat held on May 17, 2016. The presentation showed a leap in administrative employees, which Superintendent Michelle King, according to the article, attributed to school-determined needs for restorative justice coordinators and other school-based non-teaching staff.

Source: Szymanski, M. (2016 May 18). LAUSD administrative staff jumps 22 percent even as enrollment drops. *LA School Report*. Retrieved from <http://laschoolreport.com/administrative-staff-jumps-22-percent-even-as-enrollment-drops-at-laUSD/>

2022. However, subsequent waivers are not assured: the District must continue to plan for the possibility that the penalty will not be waived in the future until and if the Education Code is amended.⁴

If the District is not assured of a waiver, the County Office of Education (LACOE) will require the District to address the penalty in its Fiscal Stabilization Plan (FSP).⁵ In the past, the District has accounted for a potential ATR penalty risk in the FSP and, to fund the penalty, proposed freezes on travel and equipment, as well as substantial Central Office administrative staff reductions. The District must plan for these cuts in costs, even if there is a low probability they will be needed. But this kind of excessively cautious approach can be disruptive to productive financial planning, not to mention employee morale. A better course of action would be to eliminate this source of uncertainty from the budget development process.

HOW THE ADMINISTRATOR-TO-TEACHER RATIO IS CALCULATED

The Education Code and ATR guidelines from the California Department of Education (CDE) describe how to calculate the ATR. Though detailed and specific about the three primary categories of jobs certificated employees can perform—and how to exempt some positions from the count based on funding source—the process still leaves school districts to make decisions about which job duties, descriptions, or titles fit into each job category.⁶ The three job categories are:

- **Teacher.** An employee of a school district, employed in a position requiring certification qualifications, whose duties require the employee to provide direct instruction to pupils in the schools of that district for the full time for which he or she is employed.
- **Pupil services employee.** An employee of a school district, employed in a position requiring a standard designated services credential, health and development credential, or a librarian credential, who performs direct services to pupils. ‘Pupil services employee’ includes, but is not limited to, in-school librarians, school nurses, audiovisual personnel, counselors, psychologists, attendance personnel, school social workers, and all other certificated personnel performing pupil-personnel, health, or librarian services.
- **Administrative employee.** Certificated staff members who are neither teachers nor pupil services employees—basically, everyone left over.⁷

The two positions of real interest are teachers and administrators, but many certificated non-teaching employees work in pupil services, so the state requires every district to count and report the pupil services positions and then subtract them from the total certificated positions.

Finally, not all administrative positions count towards the ATR. Any administrative position can be *exempt* if federal funds, such as those associated with Title I or Title III of the Elementary and Secondary Education Act, pay for it. Positions supported by categorical grants that had their own staffing ratio requirements are also exempt; however, historically, few categorical grants had such requirements and, in 2014, the LCFF revision to the Education Code did away with all but two of these state grants.

⁴ Office of the Chief Financial Officer. (2018 December 11). 2018-19 First Interim Financial Report. *L.A. Unified*.

⁵ The Fiscal Stabilization Plan from Fall 2017 can be found at https://achieve.lausd.net/cms/lib/CA01000043/Centricity/Domain/123/Final%20Package%20to%20LACOE_%202018-19%20Conditional%20Approval%20Follow-up%20Documents_v2.pdf.

⁶ CA. Dept. of Education. (2019). ATR Guidelines. Retrieved from <https://www.cde.ca.gov/fg/aa/ca/atrguidelines.asp>

The accounting of every administrative, pupil services and teacher employee of districts, as well as the calculation of the ATR penalty, is submitted to independent auditors and validated as part of the annual audited financial report.

⁷ Detailed job category descriptions are included in Appendix A.

The ATR is not calculated using individual employees; instead, it uses full-time equivalent (FTE) units, which are fractions of a week that it takes an employee to perform a particular job duty. One way to think of this calculation method is that it counts positions per employee, rather than employees. In L.A. Unified, full-time teachers and administrators can work either 30 or 40 hours per week. Each position is counted as a fraction of an employee's week.

For example, if a 30-hour employee spent 15 hours a week performing an administrative job and 15 hours a week performing a teaching job, that employee would count as contributing 0.5 to the administrator FTE count and 0.5 to the teacher FTE count. This system of counting positions per employee is called *prorating*. To calculate the ATR, all 39,000 or so employees are prorated per position, then all non-exempt administrative, teacher, and pupil services FTEs are summed. Finally, total non-exempt administrative FTEs are divided by teacher FTEs (and divided by 100) to compute the ATR.

Additional rules apply to prorating. For instance, the statute specifically states that a teacher who spends some time out of the classroom preparing for instruction—which includes, but is not limited to performing department chair duties or being a mentor to other teachers—still counts 100% as a teacher, but the regulations do not mention how to count a teacher who is also a magnet coordinator, or a teacher who works part-time as a Targeted Student Population Program Advisor. The District therefore must decide whether to prorate these employees as administrators, teachers, or partly each.

Thus, despite detailed guidelines, District officials still must make choices about how to divide employees' time and how to categorize each of the more than 150 job descriptions as teachers, administrators or pupil services. If no waiver is received, independent auditors validate these choices and any assessment of a penalty as part of the year-end L.A. Unified financial audit. However, since the state waived the requirement for L.A. Unified, no authoritative count exists.

LA. UNIFIED'S ADMINISTRATOR-TO-TEACHER RATIO, 2017-2018

Even though no official, audited count exists, the District did report an ATR of 8.54 per hundred in the 2017-2018 Audited Financial Report. This ratio equates to 11.7 teachers per administrator—just short of the 12.5 required by law. Figure 1 shows the number of administrators and teachers as calculated by L.A. Unified Department of Human Resources and submitted to the independent auditor for the Audited Annual Financial Report for Fiscal Year Ended June 30, 2018.⁸

In Figure 1, Federal and non-federal employees are separated because employees supported by federal funds are exempt from the ATR calculation. To make the calculation, the sum of non-federal administrator FTEs is divided by the total number of teacher FTEs and then multiplied by 100.

⁸ Note that all calculations for the ATR and alternative guidelines for exemptions are based on 2017-2018 ATR data requested and received from L.A. Unified's Department of Human Resources in November 2018. Because discretion is used in counting the numbers of teachers, administrators and pupil services staff, the numbers—and the corresponding ATR—should be understood as *estimates*. A different coding scheme might produce a higher or lower ATR. Because the District has received compliance waivers, no authoritative, audited counts, or corresponding penalties, have been assessed.

Figure 1. Employee FTE Counts and Administrator-to-Teacher Ratio (ATR), L.A. Unified (2017-2018)

EMPLOYEE CATEGORY	FUNDING TYPE		TOTAL
	FEDERAL	NON-FEDERAL	
ADMINISTRATORS	516.72	2,340.28	2,857.00
PUPIL SERVICES	809.85	2,654.12	3,463.97
TEACHERS	961.66	26,428.76	27,390.42
TOTAL CALCULATED FTE	2,288.22	31,423.16	33,711.39

ADMINISTRATORS (NON-FEDERAL)	2,340.28
TEACHERS (NON-FEDERAL & FEDERAL)	27,390.42
ADMINISTRATORS PER 100 TEACHERS (ATR)	8.54
ADMINISTRATOR REDUCTION TO REACH 8.00 ATR	-149.05

Table 1 shows the count of all administrators and teachers at school sites across the District for each local district, local district office, and the central office. The final column shows the ATR for each group of schools and offices. **Table 1 is provided as a thought exercise; only the bottom row matters.**

Table 1. Employee FTE Counts and Administrator-to-Teacher Ratio (ATR) at School Sites, Local District, Central Office, and Districtwide (2017-2018)

ATR BY SCHOOLS, LOCAL DISTRICT OFFICES, CENTRAL OFFICE, & DISTRICTWIDE	ATR CATEGORY TOTAL CALCULATED ATR FTE		HYPOTHETICAL ADMINISTRATOR REDUCTION TO REACH 8.00 ATR	TOTAL ATR
	ADMINISTRATORS (NON-FEDERAL)	TEACHERS (NON-FEDERAL & FEDERAL)		
LOCAL DISTRICT CENTRAL SCHOOLS	334.43	5,051.51	69.69	6.62
LOCAL DISTRICT EAST SCHOOLS	296.40	4,302.75	47.82	6.89
LOCAL DISTRICT NORTHEAST SCHOOLS	246.08	3,815.96	59.20	6.45
LOCAL DISTRICT NORTHWEST SCHOOLS	245.15	3,810.83	59.72	6.43
LOCAL DISTRICT SOUTH SCHOOLS	288.73	4,143.95	42.79	6.97
LOCAL DISTRICT WEST SCHOOLS	300.33	3,877.03	9.84	7.75
ALL LOCAL DISTRICT SCHOOLS	1,711.11	25,002.02	289.05	6.84
LOCAL DISTRICT CENTRAL OFFICES	26.70	56.00	-22.22	47.68
LOCAL DISTRICT EAST OFFICES	26.70	40.00	-23.50	66.75
LOCAL DISTRICT NORTHEAST OFFICES	22.70	5.00	-22.30	454.00
LOCAL DISTRICT NORTHWEST OFFICES	24.20	23.00	-22.36	105.22
LOCAL DISTRICT SOUTH OFFICES	27.70	18.00	-26.26	153.89
LOCAL DISTRICT WEST OFFICES	29.30	36.50	-26.38	80.27
ALL LOCAL DISTRICT OFFICES	157.30	178.50	-143.02	88.12
CENTRAL OFFICE	471.87	2,209.90	-295.07	21.35
DISTRICTWIDE	2,340.28	27,390.42	-149.05	8.54

Note: The ATR should be read as the number of administrators per every 100 teachers.

None of the ATRs at groups of local district schools exceeds 8 administrators per 100 teachers. However, 329 individual schools did exceed the ratio. Generally speaking, the schools that exceeded the ratio were small schools, magnets, affiliated charters, or special education schools.

Some administrative employees—as well as some teachers—are not school-based. Table 1 shows administrators and teachers at each local district office, as well as ATRs calculated for these offices. The ATRs are very high here simply because most local district employees are administrative, with just a few itinerant teachers. Finally, about 472 administrative employees and about 2,200 teachers worked in the central office in 2017-2018. Calculating the ATR for the central office alone results in an ATR of 21.35.

No one should conclude from the high number of administrators compared to teachers working out of local district and central offices that there are too many administrators in the local districts. Instead, these administrators are better understood as support staff for the teachers in all the schools in their local districts. **The ATR pertains to the District as a whole, not to the school or local district.**

As Table 1 shows, most teachers and administrators are based at school sites. However, the large overall size and distributed organizational structure of L.A. Unified (with six local districts serving as intermediate support for hundreds of schools in different regions) results in groups of administrative employees and itinerant teaching personnel concentrated in regional and central offices. Though it may be tempting to look for administrative excess in these offices, the District is organized this way to maximize efficiency and effectiveness—it *may be more efficient to have administrators concentrated in central locations rather than duplicated in schools*. More analysis is needed to determine the best placement and distribution of support staff. Furthermore, any new reorganization of the District would by nature entail different ratios in different locations.

Rather than viewing administrative excess in terms of work location, it is more useful to analyze the ATR in terms of distribution and quantities of administrative *positions and roles*. This is the approach taken in the next section of the paper.

DISCUSSION ON MANDATED ADMINISTRATOR RATIOS

The 8 to 100 administrator-to-teacher ratio contained in the Education Code, §§ 41400-41407, does not appear to be research-based. Compared to other professions, public schooling has an unusually high number of staff members reporting to supervisors. In public administration, the ratio is only 3.3 staff members to 1 supervisor.⁹ Indeed, researchers have not come to a consensus regarding the most efficient and effective number of non-teaching employees who should be hired to support teachers and provide pupil services. As a Brookings report on this issue put it:

“It is a mistake to conclude that the best way to improve schools is necessarily to reduce the number and quality of non-teaching staff and focus only on teachers. The devil is in the details of who does what for whom, rather than in the broad categorization of staff as teachers or non-teachers.”¹⁰

A universal and optimal ATR is elusive partly because schools and school districts have different needs. Education Code §§ 41400-41407, however, sets a one-size-fits-all ratio for all districts in the state. **Though the District strives to comply with the ATR rule, L.A. Unified makes staffing decisions based on various factors including school-determined needs, government mandates, and court-ordered settlements. These factors sometimes conflict with the need to adhere to the statutory ratio.**

For example, the District must hire magnet coordinators to comply with its court-ordered integration plan. The District also faces challenges educating students who are largely low-income and English learners. To serve these students, L.A. Unified receives LCFF supplemental and concentration grant funds and

⁹ Forsyth, J. (n.d.). Are There Too Many Administrators? *AASA | American Association of School Administrators*. Retrieved February 21, 2019, from <http://www.aasa.org/SchoolAdministratorArticle.aspx?id=10206>

¹⁰ Loeb, S. (2016). Half the people working in schools aren't classroom teachers-so what? *Brookings*. Retrieved from <https://www.brookings.edu/research/half-the-people-working-in-schools-arent-classroom-teachers-so-what/>

must use these funds to augment existing services, which can mean hiring additional staff labeled as administrators for ATR calculations.¹¹

Importantly, it is the policy of the district to give schools the maximum feasible discretion in hiring to meet their needs within their budget. This policy makes sense since, as the Brookings report puts it, “*Local decision makers have information on needs and hiring opportunities that likely put them in a better position to make these choices.*”¹² Denying schools the ability to hire the support employees they need to meet their school-wide educational goals would be a setback for the District’s school autonomy policy. Also, considering that on average schools employ 15 teachers for every administrator, more than the law requires, a policy that asks schools to trim administrators would be misguided.¹³

Finally, charter schools and county offices of education are not required to summarize their staffing data or monitor their ratio of administrators to teachers. The ATR policy disproportionately burdens school districts, especially those with large populations of students receiving supplemental support.

POLICY ALTERNATIVES

The District has several options for addressing the ATR requirement. First, it could pay the fine, which would also indirectly force reductions in staff. Second, the District could comply, which would require school officials to make difficult choices and alter policy. The District could either reduce the number of so-called administrators by least 150, which might require denying schools’ requests for such employees, or it could hire additional teachers. In 2017-2018, based on the ATR as reported in the audited financial report, the District would have needed to hire 1,855 new teachers at an ongoing estimated cost of \$186 million, requiring additional revenue.

Apart from complying with existing law, a third option is for L.A. Unified to continue to pursue a legislative change that **redefines which employees are counted as exempt administrators**. The Office of Government Relations, collaborating with Budget Services and Financial Planning, has explored this option actively over the last several years and it is contained in the Board-approved legislative priorities.

Given labor opposition to such an amendment, the Board must bring labor on board for these changes if it wishes to free the District from this restrictive mandate. Conceivably, a redefinition of administrators would be positive for labor as it, a) would not necessarily negatively affect union membership, and b) could lead to better working conditions for teachers who need support serving high-needs students.

Below, the IAU has analyzed the effects of five exemptions for amending the Education Code:

1. Magnet coordinators
2. Magnet coordinators and administrators supporting the Targeted Student Population (TSP)
3. Magnet coordinators, TSP positions and other mandated, grant-funded or court-ordered positions
4. All administrative employees represented by UTLA
5. All employees providing direct or indirect services to students

¹¹ In 2017-2018, the District employed 438 staff members (284.3 FTEs) as TSP Program Advisors, all represented by UTLA and working at school sites (mostly at elementary, senior high, and middle schools).

¹² Loeb, S. (2016).

¹³ In 2018, the LAUSD Task Force suggested that schools should examine their organization charts, increase their utilization of teacher leaders, and in general find ways reduce the number of administrative employees they have supporting their teachers. ERS. (2018). Resource Map for LAUSD. Retrieved from <http://www.lausdtaskforce.com/wp-content/uploads/2018/06/ERS-Resource-Map-for-LAUSD-June-2018.pdf>

ALTERNATIVE GUIDELINES FOR EXEMPT ADMINISTRATORS

Option 1: Exempt Magnet Coordinators from the Count of Administrators

The legislature’s original rationale for exempting categorical grant-funded positions from the ATR was that these grants required administrative management at school sites and in the central office (Cal. EDC § 41403(a)). To comply with the terms of the grants, districts *needed* to spend money on administration of grant functions. Though the old categorical program grants are gone, certain positions are still mandated by courts or statutes and, while some of these have dedicated funding streams, they do not fall under the statutory definition of exempt administrative employees for the ATR. One such position is that of magnet coordinator, which is mandated by the District’s court-ordered integration plan but is not exempt from the ATR. A precedent exists for this modification to existing law: San Diego Unified School District receives a magnet coordinator exemption (Cal. EDC § 41403 (d)).

The results of excluding magnet coordinators from the ATR are shown in Figure 2. The total administrative employee count is the same as in Figure 1. However, the number of administrators who count toward the ATR is smaller by 154, which brings the ratio down to just below 8.0 and the number of teachers to administrators to almost exactly 12.5. This fix alone, clearly defensible, with an existing precedent, and possibly amenable to all stakeholders, could bring the District into compliance, based on the position coding method used in this report.

Figure 2. Employee FTE Counts and Administrator-to-Teacher Ratio (ATR), Excluding Magnet Coordinators (2017-2018)¹⁴

EMPLOYEE CATEGORY	FUNDING TYPE			TOTAL
	FEDERAL	MAGNET COORDINATORS	NON-FEDERAL, NON-MAGNET	
ADMINISTRATORS	516.72	153.78	2,186.50	2,857.00
PUPIL SERVICES	809.85		2,654.12	3,463.97
TEACHERS	961.66		26,428.76	27,390.42
TOTAL CALCULATED ATR FTE	2,288.22		31,269.38	33,711.39

EMPLOYEE CATEGORY	TOTAL CALCULATED ATR FTE	ATR
ADMINISTRATORS	2,186.50	7.98
TEACHERS	27,390.42	

Note: The ATR should be read as the number of administrators per every 100 teachers.

Option 2: Exempt Magnet Coordinators and TSP Positions

The argument for excluding Targeted Student Population (TSP) positions from the count of administrative employees used in the ATR is like the argument for exempting magnet coordinators. Supplemental and concentration grants, calculated according to the LCFF, must support supplemental – not general or duplicative – programs, and are the source of funding for positions coded as “TSP” in the District’s budget.

By definition, TSP positions are required to be *added* to the standard offerings and are specifically funded through these grants. Supplemental and concentration grants, though less restrictive than the former categorical grants, are intended to *supplement*, not *supplant*. **The clearest definition of supplementing is**

¹⁴ Note that all calculations in this section are based on 2017-2018 ATR data requested and received from L.A. Unified’s Department of Human Resources in November 2018.

to hire additional staff to provide supplemental services.¹⁵ If these TSP positions, along with magnet positions, are excluded from ATR administrators, the ATR drops below 6.0, meaning the District would be considered to be employing 1 administrator for every 17 teachers (Figure 3).

Figure 3. Employee FTE Counts and Administrator-to-Teacher Ratio (ATR), Excluding Magnet Coordinators and TSP Positions (2017-2018)

EMPLOYEE CATEGORY	FUNDING TYPE				TOTAL
	FEDERAL	MAGNET	TSP POSITIONS	DISCRETIONARY	
ADMINISTRATORS	516.72	153.78	568.63	1,617.87	2,857.00
PUPIL SERVICES	809.85	0.00	953.39	1,700.73	3,463.97
TEACHERS	961.66	0.00	1,640.82	24,787.95	27,390.42
TOTAL CALCULATED ATR FTE	2,288.22	153.78	3,162.84	28,106.54	33,711.39

EMPLOYEE CATEGORY	TOTAL CALCULATED ATR FTE	ATR
ADMINISTRATORS	1,617.87	5.91
TEACHERS	27,390.42	

Note: The ATR should be read as the number of administrators per every 100 teachers.

Option 3. Exempt Magnet Coordinators, TSP Positions, and other Mandated or Funded Positions

Magnet coordinators and TSP positions are not the only positions that fulfill mandates. Several other legal requirements constrain District staffing decisions, including the Reed Settlement (2014) and the ACLU/ COCO settlement (2017).¹⁶ In addition, grants fund a number of administrative positions throughout the District. Since the original statute established that districts could hire excess administrators if non-state sources supported them, it stands to reason that any grant-funded administrators should be exempt from the ATR calculations.

Figure 4 shows the numbers of teacher, administrators, pupil services staff, magnet, TSP and mandated or funded positions, as well as the calculated ATR if only fully discretionary administrative staff are counted. In this case, the ATR drops below six, meaning that, using this more restrictive definition of administrator the District would have 18 teachers for every administrator and not be subject to a penalty.

Figure 4. Employee FTE Counts and Administrator-to-Teacher Ratio (ATR), Excluding Magnet Coordinators, TSP Positions, and Other Mandated or Funded Positions (2017-2018)

EMPLOYEE CATEGORY	FUNDING TYPE					TOTAL
	FEDERAL	MAGNET	TSP POSITIONS	OTHER MANDATED or FUNDED	DISCRETIONARY	
ADMINISTRATORS	516.72	153.78	568.63	67.91	1,549.96	2,857.00
PUPIL SERVICES	809.85	0.00	953.39	0.00	1,700.73	3,463.97
TEACHERS	961.66	0.00	1,640.82	0.00	24,787.95	27,390.42
TOTAL CALCULATED ATR FTE	2,288.22	153.78	3,162.84	67.91	28,038.63	33,711.39

EMPLOYEE CATEGORY	TOTAL CALCULATED ATR FTE	ATR
ADMINISTRATORS	1,549.96	5.66
TEACHERS	27,390.42	

Note: The ATR should be read as the number of administrators per every 100 teachers.

¹⁵ Technically, supplemental and concentration grants are *unrestricted*, whereas the former state categorical grants, like Title I federal grants, were *restricted*.

¹⁶ Both legal settlements included agreements that L.A. Unified will provide additional supports (staffing, programs, and/or funding) to specific high-needs schools across the District.

Option 4. Exempt UTLA-represented Administrators

We present a fourth option here not as a recommendation, but to illustrate that the law (Cal. EDC, §§ 41400-41407) defines teachers and administrators by their job roles rather than their membership in bargaining units. As shown in Figure 5, the teacher’s union – UTLA – actually represents many employees who are categorized as administrators under current regulations.

Re-calculating the ATR based on bargaining units shows that UTLA will not necessarily lose membership and that Associate Administrators of Los Angeles (AALA) will not necessarily gain members if some employees move out of the classroom into administrative roles. UTLA represents about 433 FTEs of statutorily defined non-Federal administrators. These positions are held by 522 employees and the largest group of these are 198 magnet coordinators (149 FTEs). Counting only non-Federal administrative AALA-represented employees results in an ATR under 7.0, which would mean about 14 UTLA-represented teachers would be on payroll for every non-exempt, non-UTLA administrator.

Figure 5. Employee FTE Counts and Administrator-to-Teacher Ratio (ATR), Excluding UTLA-represented Administrators (2017-2018)

EMPLOYEE CATEGORY	FUNDING TYPE and BARGAINING UNIT				TOTAL
	UTLA		AALA		
	FEDERAL	NON-FEDERAL	FEDERAL	NON-FEDERAL	
ADMINISTRATORS	274.35	432.65	242.37	1,907.63	2,857.00
PUPIL SERVICES	670.01	2,396.96	139.84	257.16	3,463.97
TEACHERS	961.66	26,428.76	0.00	0.00	27,390.42
TOTAL CALCULATED ATR FTE	1,906.01	29,258.37	382.21	2,164.79	33,711.39

EMPLOYEE CATEGORY	TOTAL CALCULATED ATR FTE	ATR
ADMINISTRATORS	1,907.63	6.96
TEACHERS	27,390.42	

Note: The ATR should be read as the number of administrators per every 100 teachers.

Option 5. Define all employees who provide direct or indirect services to pupils as not ‘administrators’

A final option is to define all employees who provide direct or indirect services to students differently from those who perform operational or management duties. These employees may not spend all their time in the classroom, but are still dedicated to supporting instruction. This recalculation would fulfill the original intent to prioritize instruction and limit bureaucracy, while also allowing districts to support teachers with out-of-the-classroom auxiliary staff who provide specialty services. As shown in Figure 6, this change would bring the ratio down to 7.0, or 13.8 teachers for every administrative employee.

Figure 6. Employee FTE Counts and Administrator-to-Teacher Ratio (ATR), Excluding All Employees Providing Direct or Indirect Services to Pupils (2017-2018)

EMPLOYEE CATEGORY	FUNDING TYPE			TOTAL
	FEDERAL	NON-ADMIN DIRECT OR INDIRECT SERVICES	NON-FEDERAL, NON-STUDENT SERVICES	
ADMINISTRATORS	516.72	352.65	1,987.63	2,857.00
PUPIL SERVICES	809.85		2,654.12	3,463.97
TEACHERS	961.66		26,428.76	27,390.42
TOTAL CALCULATED ATR FTE	2,288.22		31,070.51	33,711.39

EMPLOYEE CATEGORY	TOTAL CALCULATED ATR FTE	ATR
ADMINISTRATORS	1,987.63	7.26
TEACHERS	27,390.42	

Note: The ATR should be read as the number of administrators per every 100 teachers.

CONCLUSION

State law prohibits the District from hiring more than 8 administrators for every 100 teachers (an 8.0 administrator-to-teacher ratio (ATR) or 1 administrator for every 12.5 teachers). **This proscribed ratio is not based on research or proven effective management or instructional practices.** It was originally conceived four decades ago in the context of a K-12 educational system that was dramatically different from the current environment, and it is disconnected from the current needs and realities of schools.

As the preceding analysis demonstrates, the definition of ‘administrator’ is variable and arbitrary. Since 1976, when the ATR requirement was introduced, the role of out-of-classroom employees has evolved beyond the bureaucratic management tasks de-valued in the original legislation. Today’s so-called administrators are teacher coaches, curriculum experts, targeted student program advisors, restorative justice advisors, parent educators, and more. A substantial number are represented by UTLA. Most of them contribute to improved educational services by directly supporting teachers or students.

The ATR violation also only became a problem recently after the legislature gave additional authority over educational spending to local entities. The introduction of supplemental and concentration LCFF grants and an emphasis on supplementing services for high-needs students may be one factor that has led school leaders to hire additional support staff members.

Though the District overall employs 150 more administrators than permitted, the excess is distributed across the central office, local district offices, and schools. If the District reorganizes its regional system of school support offices, administrative employees will be distributed differently. **In determining which administrators are needed, it is less useful to ask *where* administrators work and more useful to ask *what* they do.** The law requires entire districts—not schools—to adhere to the ratio. In LA. Unified, about 300 schools employ more than 1 administrator for every 12.5 teachers due to school-determined needs, including the court-ordered need for magnet coordinators, the legal requirement to provide services to special needs students, and the need to provide supplemental services to high-needs students.

The violation of the ATR requirement could bring a fine in the tens of millions of dollars to the District. However, the legislature has waived the penalty in the past and is expected to do so through 2021-2022. Nevertheless, if the law remains in effect, the District must make plans to comply or pay the penalty. Compliance could require hiring close to 2,000 more teachers or reducing the work force by at least 150 administrative employees. The former would mean finding at least \$200 million in ongoing revenue sources for salaries, and the latter might require constraining the choices of schools to determine their own needs, the capacity of district offices to support teachers in schools, and the ability to add supplemental positions to support students in need.

For these reasons—and because the expected waiver means the District has a couple of years to accomplish its goal—the IAU recommends that the Board continue to support the Office of Government Relations in pursuing a legislative remedy that would add language to the Education Code regarding additional exemptions for the ATR calculations. These exemptions may include all or some administrators who are magnet coordinators, supported by supplemental or concentration grants, otherwise grant-funded, or required by legal settlements. The IAU recommends something like Option 3 above, but the Board of Education and the Superintendent should agree to specific language. This legislative change would conceptually align the LCFF funding and accountability system—including the precept of local control—with the 1976 legislative intent to prioritize the classroom teacher and discourage excessive bureaucracy in school districts.

APPENDIX A

Table A. Teaching and Nonteaching Certification Position Descriptions (Cal. EDC §§ 41400-41407)¹⁷

Category	Description
Administrative Employee	An employee of a school district, employed in a position requiring certification qualifications, who does not come within the definition of a teacher or a pupil services employee.
Classified Employee	An employee of a school district, employed in a position not requiring certification qualifications.
Teachers	<p>An employee of a school district, employed in a position requiring certification qualifications, whose duties require him or her to provide direct instruction to pupils in the schools of that district for the full time for which he or she is employed. Instructional preparation time shall be counted as part of a teacher full-time equivalent, including, but not limited to, mentor teaching or department chairperson time.</p> <p>This includes, but is not limited to, teachers of special classes, teachers of exceptional children, teachers of pupils with physical disabilities, teachers of minors with intellectual disabilities, substitute teachers, instructional television teachers, and specialist mathematics teachers, specialist reading teachers, home and hospital teachers, and learning disability group teachers.</p>
Pupil Services Employee	<p>An employee of a school district, employed in a position requiring a standard designated services credential, health and development credential, or a librarian credential, who performs direct services to pupils.</p> <p>This includes, but is not limited to, in-school librarians, school nurses, assistant in-school librarians, audiovisual personnel, counselors, psychologists, psychometrists, guidance and welfare personnel, attendance personnel, school social workers, and all other certificated personnel performing pupil-personnel, health, or librarian services.</p>

¹⁷ CA. Dept. of Education. (2019). ATR Guidelines. Retrieved from <https://www.cde.ca.gov/fg/aa/ca/atrguidelines.asp>