

MEMORANDUM IN OPPOSITION

S.3655 (Fuschillo) / A.6226 (Nolan)

In relation to limiting the salaries of Superintendents

March 10, 2011



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The New York State Council of School Superintendents STRONGLY OPPOSES this legislation, and urges its DEFEAT

This legislation would limit the salaries of school superintendents based upon enrollment. The bill would also limit superintendent benefits to those available to state management/confidential employees.

This bill would hurt schools by depriving them of the leadership they need to meet unprecedented challenges of preserving and improving student opportunities in a time of diminishing revenues.

Summary of provisions

Salaries of superintendents serving districts with enrollments up to 250 students would be capped at \$125,000. The cap would rise in increments up to a maximum of \$175,000 for districts with more than 6,501 students. In some districts, teachers would then earn more than their superintendents, even without taking into account the full-year responsibilities of superintendents. The bill is unclear on what would happen if a district's enrollment changes enough to move it from one cap size to another.

The bill would also limit superintendent benefits to those available to state management/confidential employees. As a result, superintendents would be required in many cases to accept benefits reduced from those available to lower ranking, less experienced colleagues. For example, upon becoming a superintendent, an educator would revert to having no accrued vacation or sick leave days.

The bill would inflict long-term damage on schools in exchange for minimal short-term savings.

School districts now are facing the threat of a \$1.5 billion cut in state aid – the largest ever proposed by a Governor. Looking ahead, a cap on property taxes would limit the ability of schools to raise local revenues. At the same time, schools are being challenged by the state's "Race to the Top" agenda to implement sweeping reforms intended to raise expectations and achievement for all students.

These challenges require strong and resourceful leaders. Superintendents help lead boards, staff, parents and communities through tough decisions on how to balance what students need and what taxpayers can afford. They work with unions to reduce personnel costs and seek other innovative ways to reduce costs. In some cases, they lead their communities to face the need to consider consolidation with another district.

Varied and crucial responsibilities

In all times, good or bad, a superintendent exercises diverse skills and responsibilities:

- serving as CEO of what is often the largest employer in a community and a cornerstone in defining property values;
- developing and managing multimillion-dollar budgets and construction projects;
- negotiating contracts with unions, as well as hiring, evaluating and dismissing employees;
- managing larger transportation systems and food service businesses than found in any other entity, public or private, in most communities;
- implementing mandates enacted for the entire state or nation in ways that can work in each particular community;
- being ultimately responsible for the safety of every child while in school and for assuring that each receives an education that prepares him or her for success in life beyond school;
- being accountable to an elected board of education, elected and appointed state officials, federal agencies, hundreds of parents and thousands of taxpayers.

Research has shown that effective district leadership ranks behind only classroom teaching as a positive school influence on student achievement. The decisions a superintendent makes help create the conditions for successful instruction.

Demands of the job, difficulties in finding superintendents

Becoming a superintendent requires accepting longer working hours, more public scrutiny, wider job responsibilities *and less job security* than other school positions. When a school district fails in any way, often the only person who loses his or her position is the superintendent.

School districts often struggle now to find acceptable candidates to serve as superintendents. In a 2008 survey, the Council found that 60 percent of search consultants reported that both the quantity and quality of candidates for superintendent positions had declined from three years before, and more than 75 percent said the quantity and quality were lower than five years prior.

The legislation proposed by the Governor would make it more difficult for school districts to recruit and retain the leaders they need now. Rather than face decreases in compensation, experienced and effective leaders will leave. Worse yet, promising up and comers will forgo the opportunity to follow them.

Why would an educator accept less job security, longer working days, more working weeks, reduced vacation and sick leave, and greater public scrutiny for a “promotion” to the only position in education whose compensation and benefits are capped?

Miniscule savings against state aid cuts

The Executive Budget would cut School Aid by \$1.5 billion. The Governor estimates capping superintendent salaries would save \$15 million. Because state laws cannot change existing contracts, the proposal would save less than \$5 million in the first year.

In fact, all central office spending by all districts does not match the size of the proposed cut in state aid to schools.

There is also no evidence to suggest that capping superintendent salaries would reduce overall personnel costs.

That has not happened in the state’s Boards of Cooperative Educational Services, whose superintendents have had their salaries capped since the early 1990s. BOCES teacher salaries are typically on par with those of

surrounding districts. On Long Island, the cap led to long-term vacancies in all three BOCES superintendent positions, while BOCES teacher salaries remained above the regional median.

In all cases outside the Big 5 Cities, superintendent compensation has been approved by an elected board of education, disclosed to the public, and included in an operating budget subject to voter approval.

Finally, superintendent salaries in New York State are on par with the average for the nation, despite our state's higher than average cost of living and overall education costs. Last year, the average superintendent salary in New York State was \$163,000. The average nationally was \$160,000.

Conclusion

The Governor had to make hard choices in putting together his proposed state budget and we respect that.

However, this proposal is a distraction from the difficulties his budget would now cause for schools and the students they serve.

Superintendents will remain focused on the job they are paid to do – ensuring that the resources taxpayers provide are put to the best possible use for the students they serve. The Council will continue to advocate for a state budget that gives them the best possible chance to succeed.

What some others are saying about a superintendent salary cap:

“Cuomo's plan won't make our students any smarter, or help deliver a better education product. It is likely, however, to antagonize a lot of superintendents, confound the market for top school talent in New York and forestall necessary discussions about overall student performance and school-district consolidation, two imperatives waiting for serious attention.”

~ Editorial, *The Journal News*, March 1, 2011

“A cheap shot that, like too much in the public discourse lately, reduces public servants to a political punch line.”

~ Editorial, *Albany Times Union*, March 2, 2011

“A good leader is invaluable to a school district. That point seems to be lost right now in Albany. Empowering students to achieve success and demanding accountability for results all start at the top of the organization. You can't always put a price tag on that.”

~ Florence Johnson, President, New York State School Boards Association

“...as it relates to bringing school district spending down, it's the equivalent of trying to chop down a tree with nail clippers.”

~ Empire Center for New York State Policy, *Public Payroll Watch*, March 3, 2011

“The governor is injecting the state into decisions better left to the marketplace. Statewide school officials say superintendent jobs are becoming harder to fill and can even take years. Competition should set the salary. The plan also micromanages district affairs by interfering with school board independence to determine salaries of all employees and to decide what is the best use of school finances.”

~ Editorial, *Watertown Daily Times*, March 3, 2011