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December 1, 2017

New York State Board of Regents  
89 Washington Avenue, Room 111  
Albany, New York 12234

### ***To the Honorable Members of the Board of Regents:***

The District Superintendent salary and benefit cap law is a significant hurdle to retaining District Superintendents of Board of Cooperative Educational Services and encouraging highly qualified individuals to pursue these critical leadership positions. If the Board of Regents does not adopt addressing this issue as an official legislative initiative for the 2018 legislative session, we are concerned that such an action could send an unintended signal to legislators that District Superintendent retention and recruitment is not a priority.

We believe this is not the signal the Department wants to send. The Commissioner has been outspoken in her praise of the work the District Superintendents have been doing on behalf of the state. She has praised their work at numerous statewide events as well as to them in person. The Commissioner relied heavily on the expertise of District Superintendents when developing our Every Student Succeeds Act state plan and continues to do so on other initiatives.

District Superintendents bring a local perspective to the Department and its staff. They provide invaluable advice to policy makers as the Department seeks to properly craft and implement new policy initiatives intended to benefit children. Without their expertise, the Department and the Board would have less access to this perspective and would be more likely to err in the policy making arena.

The legislative priorities list is an opportunity for the Board to lay out what their priorities are just as every other advocacy organization has priorities. The Board has endorsed initiatives that are right for students, even if their prospects in either house were uncertain or negative. In our opinion, such an approach is proper and priorities should be based on the benefits to students, regardless of political concerns.

We recognize that the District Superintendent salary and benefit cap issue has some political challenges, but it should be noted that existing legislation to increase the salary cap has passed the Senate in consecutive years and the bill moved out of the Assembly Education Committee in 2017.

In our opinion, this means that our argument for an adjustment is resonating as lawmakers recognize it is important to have highly qualified local leaders working with the Department and component districts to ensure that state policy is well thought out and will benefit students.

The issue of the District Superintendent salary and benefit cap should be treated no differently than other legislative priorities of the Board of Regents. We have heard several of you speak up in public settings about the difficult jobs the District Superintendents have and the good work they do. Intended or not, failure to include this issue on as a Regent priority could set back this initiative and lead to attrition in the ranks.

Finally, we are not asking you to explicitly support S.3203 (DeFrancisco)/A.2112 (Nolan) which would solely address the salary cap. THE COUNCIL believes that the benefit cap is equally important to retention and recruitment as the salary cap. In fact, the benefit cap is a significant impediment to women, particularly women currently occupying cabinet positions in BOCES who will not consider the position of District Superintendent because they would lose all of their accrued leave time. The cap thereby imposes a glass ceiling on women working for BOCES that prevents them from advancing. Last year, for example, four women BOCES assistant superintendents wrote to legislators advising the cap inhibits their prospects and aspirations, particularly through benefit restrictions.

We hope to partner with the Board and the Department to reach an agreement on a legislative proposal that will help alleviate this huge obstacle to retaining exemplary leaders in the District Superintendency and increase the pool of candidates when vacancies occur. We are not alone in our support as the Educational Conference Board (ECB) has supported modification to the salary cap. The ECB is the coalition of all the major statewide education groups, including THE COUNCIL, the New York State School Boards Association, the Parent Teachers Association, New York State United Teachers, and others, as well as THE COUNCIL.

Every day the BOCES District Superintendents stand up for the State Education Department priorities in the field. We ask that you stand up for them now by advocating fair and adequate compensation for their work.

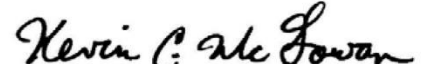
Sincerely,



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