

The Superintendency in New York State

**Clymer Central School District
Board of Education**

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Legal/Statutory Framework

Education Law SS 1711

- *The board of education of any union free (or central) school district **may** appoint a superintendent consistent with the provisions of this section. (emphasis added)*
- *Powers and duties follow in the statute*
- *Included powers follow in the statute, and elsewhere, specific responsibilities under statute include recommendation of granting of tenure, the recommendation of employment of certified staff, certification of APPR, and many other specific responsibilities.*

Other duties performed by a superintendent

- Enforcement of regulations and laws
- Part 83 Charges
- Superintendent Hearings
- Safety Plan Certifications
- Hiring (and firing) recommendations
- Supervises Courses of Study
- Supervises leadership
- Serves as key spokesperson for the District
- "To have a right to speak on all matters before the board, but not to vote."

Bottom Line...

- The question of how a NYS school district might operate without a superintendent has not been answered, even if the law seems to suggest its possibility.
- The legally and regulatory roles for a superintendent in a school system are significant.

Could a Superintendent Work Part Time?

- No current example of this model exists for a K-12 school system.
- However, a small number of NYS part-time superintendents in tuition-based districts (e.g. a K-2 district, or “no students” tuition-only model).
- Examples: Wainscott CSD (28), Inlet Common (18) and Raquette Lake/Piesco Common (non instructional, tuition only)

What about an Interim?

- Interim superintendent roles are most often found in systems undergoing a leadership transition or a search.
- An interim part-time arrangement sometimes can help “keep the wheel steady” but is typically provided by an experienced (often retired) person for a short term.
- NYS Retirees must submit TRS waivers to be permitted to be compensated as an interim. These must be sought annually.

How about sharing a
Superintendent?

Sharing a Superintendent Legal Authority – Education Law SS 1981

- *Notwithstanding any other provision of the law, school authorities may arrange to share the services of a superintendent, associate superintendent or any other employee with district-wide administrative or supervisory responsibilities **with one or more other school districts.***

Legal Authority

SS 1981 (Cont.)

- *Any such shared personnel who are not in a position for which tenure may be granted pursuant to this chapter shall be considered to be employed by all participating school districts. Any decisions regarding the appointment or compensation of such shared personnel shall be made with the consent of a majority of the boards of education of each participating school district.*

Legal Authority

SS 1981(Cont.)

- *All agreements to share personnel pursuant to this section shall be subject to the approval and oversight of the district superintendent, if any, or by the commissioner or his designee if there is no local superintendent.*

Two other relevant statutes:

- *1527c – Allows Boards of Education to share if enrollment in each is less than 1000 students*
- *5G Agreement – Intermunicipal agreement*
 - *Used in Barker CSD and Royalton-Hartland CSD
Shared arrangement a few years ago*
 - *May be best suited for shorter-term arrangement*

Examples of Current Shared Superintendents in New York State

- Andes and Margaretville
- Southold and Greenport
- Roscoe, Livingston Manor, and Downsville
- Raquette Lake UFSD and Piseco Common (PT)

Note: *None* of the sharing arrangements at the time have endured since the last time a shared superintendency presentation occurred for Panama and Clymer, in 2012.

Issues for Consideration

- In Sharing: potential conflicts of interest between the districts and/or boards
- Finding a district that wants to share a superintendent, and that is well-suited to share
- Finding a candidate who wishes to be shared – or to stay in this arrangement.
- In sharing -- conflicts between the boards in regard to evaluation/contract extensions/termination
- Providing for sustained instructional leadership in two districts – unless other roles in curriculum and instruction are also shared
- In small districts, superintendents already often carry a wider variety of roles, which need reassignment

Possible Benefits

- Savings for shared salary/benefits (~\$50,000-\$60,000)
- May help conversations about consolidation of districts or greater shared services and programs
- Higher salary for a shared superintendent may attract/retain a superintendent for a longer period of time providing stability in leadership
- May serve as bridge between districts for broader sharing – tuitioning, or merging

Potential Sharing Drawbacks

- Savings are very small when considered in the context of a district budget, – May “feel good” but create disruption to operation without careful planning.
- Lessens time for support/communications to the board, students and staff
- Lessens time to develop new administrative staff (may be better for strong middle management)
- Reduces “face time” and visibility in both communities with residents, parents, school staff
- Boards would need to scale expectations for two boards

Potential Challenges

- Not well-tested in lots of cases in NYS – none have endured beyond a new hiring
- Human tendency to find individual fault when faced with systemic issues: key is to learn from “speed bumps” when faced with a new structure
- Potential for “lame duck” perceptions if using a shorter-term/transitional sharing arrangement
- Zero funding support from NYS for this concept – little incentive for process

Other Considerations

- Functional Consolidation of Services (*i.e.*, transportation maintenance, supervision of buildings and grounds, food service management, CBO)
- Shared Academic Enrichment/Athletic Programs

Bigger Forces

- Challenges of Reorganization
- Revenue Pressures – Tax Cap, State Aid Growth Cap
- Persistent Inequality in School Funding in NYS and State Aid Distribution
- Transitions in Leadership in Neighboring Schools
- Sometimes Declining Enrollment

Questions from the Board

