

July 23, 2018

The Honorable Andrew M. Cuomo  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12244

Re: S.3203-A, DeFrancisco /A.2112-A, Nolan  
Relates to the effectiveness of provisions relating to BOCES intermediate districts

Dear Governor Cuomo,

The New York State School Boards Association ***strongly supports*** the above referenced legislation and urges your immediate approval.

This bill seeks to update the current cap on salaries for BOCES district superintendents. Current law caps the salary of BOCES district superintendents at 98 percent of the commissioner of education's 2003-04 salary or 106% of the salary cap applicable in the previous school year, whichever is less. This legislation would update the cap to reflect the commissioner of education's 2018-19 salary.

The cap, first enacted in 1993, was intended to be regularly updated. Indeed, the cap was adjusted ten years after its original enactment. However, attempts to adjust the cap since 2003-04 have stalled. It has now been fifteen years since the last update.

The current cap effectively hampers the ability of BOCES boards to negotiate competitively with the individuals currently leading, and who are needed to lead, our 37 BOCES districts across the state. BOCES serve as an increasingly vital part of New York's education system. With each year, the education community hears increasing calls for more sharing of services and consolidation of programs. In addition, districts are facing increasing pressure to provide students with increasingly diverse and high tech offerings to ensure that all students are prepared for post-secondary opportunities. Finally, high needs special education programs continue to grow. BOCES are frequently the most logical and effective solution to each of these needs, and our boards need the authority to retain the leaders required to address these large and complex systems.

District superintendents not only serve as the BOCES chief executive officer but also act as the official representatives of the commissioner of education to their component school districts. As a result, BOCES district superintendents are called upon to advise the State Education Department, weigh-in on pending policy changes and share feedback from their component districts. BOCES district superintendents share information from the state with their component districts and aid their components in compliance with state laws and regulations.

In addition to their responsibilities to the state, and the services BOCES superintendents provide to their component districts and the hundreds of thousands of students they serve, it is important to remember that the 37 BOCES across New York also deliver direct educational programs and services to more than 100,000 students directly.

Enactment of this legislation would not automatically grant any BOCES leader a raise. Each board would still make the decision about how to compensation their superintendent, as is the case with all other boards of education. In addition, it is important to note that boards would not have the ability negotiate an unlimited year over year increase. The 6% year to year cap remains in place.

After 15 years without adjustment, it is long past time that we allow our boards to engage in a meaningful conversation about fair compensation with these experienced educational leaders.

For these reasons, NYSSBA ***strongly supports*** this legislation and urges your immediate approval. If you require additional information, please do not hesitate to contact me at (518) 783-0200.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie M. Marlette".

Julie M. Marlette  
Director of Governmental Relations

Cc: Senator John DeFrancisco  
Assemblymember Catherine Nolan  
Alphonso David  
Terry Pratt  
Dan Fuller  
Jamie Frank  
Michael Smingler