

**GOVERNOR'S PROGRAM BILL  
2011**

**MEMORANDUM**

AN ACT to amend the education law, in relation to the salary cap for school superintendents

**PURPOSE:**

This bill would limit the salaries of school superintendents based upon student enrollment.

**SUMMARY OF PROVISIONS:**

Section 1 of the bill would add a new § 3102 to the Education Law to establish a limitation on the salaries of school superintendents, except in a city school district in a city having a population of one million inhabitants or more. Under the superintendent salary cap:

- Salaries of school superintendents would be capped based upon student enrollment. Salaries of superintendents from school districts with 250 or less students would be capped at \$125,000. The salaries would increase incrementally with the level of school enrollment and the largest school districts (over 6,501 students) would be capped at \$175,000. Superintendent salaries would be limited as follows:

<b>Tier</b>	<b>School District Enrollment</b>	<b>Superintendent Salary Cap</b>
<b>1</b>	0 - 250	\$125,000
<b>2</b>	251-750	\$135,000
<b>3</b>	751-1,500	\$145,000
<b>4</b>	1,501-3,000	\$155,000
<b>5</b>	3,001-6,500	\$165,000
<b>6</b>	6,501+	\$175,000

- Local communities would have the ability to vote on overriding the salary cap, limited only to specific contracts. These votes will be held during normal school budget votes. In school districts that do not hold an annual school budget vote, the mayor, city manager, or fiscal control agency would have the ability to

approve an override of a superintendent's salary if it exceeds the parameters laid out in this provision.

Section 2 provides that the bill would take effect immediately, but will be applied only prospectively as contracts expire or are amended.

**EXISTING LAW:**

Currently, there is a salary cap for BOCES district superintendents, set at a single flat salary level (\$166,572), regardless of the number of students enrolled in the school. See Ed. Law § 1950(4)(a)(2).

**JUSTIFICATION:**

The Governor has made government reform and rightsizing a central component of his Administration. Currently, more than 30 percent of school superintendents in New York State earn more than \$175,000 annually. This bill would cap the salaries of school superintendents to bring those salaries back in line with other senior public officials.

The cap would be based upon student enrollment, including the large city school districts, whose superintendents tend to receive higher salaries. Salaries of superintendents from school districts with 250 or less students would be capped at \$125,000. The salaries would increase incrementally with the level of school enrollment and the largest school districts (over 6,501 students) would be capped at \$175,000.

Moreover, this bill preserves local control by allowing voters to override the cap if the community believes it is in the best interest of the school district.

**LEGISLATIVE HISTORY:**

This is a new bill.

**BUDGET IMPLICATIONS:**

This bill would save the approximately \$15,000,000 in total for school districts.

**EFFECTIVE DATE:**

This bill would take effect immediately, provided that this bill will only apply to any employment contracts for persons serving as superintendents that are entered into, amended or extended on or after the effective date of this bill.