
January 12, 2022

TO: Senate Education Committee
FR: Lori Sattenspiel on behalf of OSBA and Morgan Allen on behalf of COSA
RE: LC 209 Testimony

Good Afternoon Chair Dembrow and members of the Senate Education Committee:

On behalf of the Oregon School Boards Association (OSBA) and the Coalition of Oregon School Administrators (COSA), we are here to share information about LC 209, which provides basic employment protections for Oregon's school district and education service district superintendents. Our organizations developed this bill together with this shared goal: help provide leadership stability in support of our students and communities. We appreciate the opportunity to discuss this concept with the committee today.

Stability in School is Best For Students and Superintendent Turnover is Skyrocketing

Staff stability is best for students and current turnover among Oregon's superintendents is alarmingly high due to a number of factors - increasingly polarized politics within local communities and boards, an overwhelming amount of work serving students and families during the COVID-19 pandemic, a general staffing shortage and retirements, and the fact that superintendents can be dismissed "without cause" during their terms of employment.

Between 2018-19 and 2021-22, there were 127 superintendent vacancies in Oregon, an average of almost 32 vacancies per school year. For the current school year, there were 43 superintendent vacancies. And so far, there are already 35 vacancies – with more expected – heading into the 2022-23 school year. This is out of a total of 216 positions in Oregon.

In some communities, our superintendents and school boards are facing a backlash that is unlike anything experienced before. Politics have distracted leaders from centering the needs of their students, focusing on equitable educational outcomes or implementing legally required public health and safety measures. Our superintendents need basic employment protections, just like teachers, principals and other licensed K-12 educators. Under current law, superintendents are potentially risking their careers and livelihoods for following state or federal law, rules, and regulations.

Passage of LC 209 will allow boards and superintendents to collaborate better and focus on providing educational leadership, stability and continuity for our students, staff, and communities without superintendents working in fear of losing their jobs over political disagreements that are outside their control.

LC 209 Adds Basic Employment Protections To Statute For Superintendents

The proposed bill includes the following statutory changes:

1. Prohibiting school boards from ordering superintendents to ignore or violate state and federal law, Oregon Administrative Rule or any emergency directive or executive order that applies to school districts and education service districts;
2. Protections for superintendents from being fired or disciplined for following these same rules or laws; and
3. Explicitly requiring both the board and superintendent to agree to any “without cause” termination language in contracts, and requiring a minimum of one year’s notice for a superintendent to be fired “without cause.”

LC 209 is Critical For Our Schools and Students

Stability in the superintendency has many benefits for schools and students.

- **Leadership Stability Equals Improved Student Outcomes.** Years of research and multiple studies confirm what we all know intuitively - stable leadership is critical for improving student outcomes and the success of our schools. *“Leadership stability matters, especially at the district level, for frequent superintendent turnovers can have disruptive effects on staff morale, student performance, and organizational finance”* ([Alsbury, 2008](#); [Banicki & Pacha, 2011](#); [Diem, Frankenberg, & Cleary, 2015](#); [Grissom & Andersen, 2012](#); [Grissom & Mitani, 2016](#)).
- **Attracting More Diverse Superintendents.** Without basic employment protections, diverse leaders will not be drawn to Oregon’s leadership ranks. Our leaders are not currently representative of the students they serve and we won’t make real progress on diversifying the ranks of superintendents without basic employment rights in place.
- **Avoiding the “Domino Effect” and Unnecessary Costs for Taxpayers.** Superintendent turnover negatively impacts leadership at the district level and often leads to the loss of additional district leaders and staff. This turnover can disrupt district- and school-level efforts to best serve students, and can end up being very costly for districts and ESDs as they try to replace leaders – wasting taxpayer dollars that should be directed towards students.

We look forward to further discussions on this bill during the February Session. And we would be happy to discuss any components further or answer any questions you may have.