

APPOINTMENT OF THE SUPERINTENDENT OF SCHOOLS<sup>1</sup>

Political scientists believe that the governor should be the political leader and chief administrator of the state. It is important that he be the key figure in the administrative process. His leadership will be effective only if administrative officials must reckon with the possibility of a continuing influence from him. Powers to appoint and remove are necessary for the governor's effectiveness in his role as administrator. Where the governor lacks these powers, central leadership and concern about general administrative improvement cannot be expected.<sup>2</sup>

The MODEL STATE CONSTITUTION supports this point of view. It provides as follows:

"Section 5.07. *Executive Officers; Appointment.* The governor shall appoint and may remove the heads of all administrative departments. All other officers in the administrative service of the state shall be appointed and may be removed as provided by law."<sup>3</sup>

The comment to this section points out that department heads are not only administrators but also policy makers, and should be directly and personally responsible to the governor. They must be part of the chief executive's administrative team, and must be ready to serve as his

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<sup>2</sup> THE AMERICAN ASSEMBLY OF COLUMBIA GRADUATE SCHOOL OF BUSINESS, THE FORTY-EIGHT STATES 122 (1955) [hereinafter cited as THE FORTY-EIGHT STATES].

<sup>3</sup> NATIONAL MUNICIPAL LEAGUE, MODEL STATE CONSTITUTION 72 (6th ed. 1963).

advisors and be subject to his direction, as is the case in the national government or in any large industrial or business corporation.

A state superintendent of schools is chosen in one of four different ways: he is elected directly by the voters; he is appointed by an elected board; he is appointed by a board appointed by the governor; or he is directly appointed by the governor.

The first and second methods are strongly separatistic in that the superintendent enjoys much independence; however, the trend is away from the direct election for several reasons. Advocates of this movement oppose integrating the office of superintendent into the main political stream of the state government, but rather support professionalism in the departments of education.<sup>4</sup> "Students of school administration unanimously agree that superintendents should be selected by school boards, not by popular vote. . . ."<sup>5</sup>

Election of superintendents places the position on a political basis rather than on the more defensible plane of selection solely for professional qualifications. The elected superintendent has the advantage of close touch with the people of the state and can make his appeal to them in the face of legislative or executive disapproval or educational interference.<sup>6</sup> This, however, is a double-edged sword in that he must frequently modify his educa-

<sup>4</sup> THE FORTY-EIGHT STATES, supra note 2, at 123.

<sup>5</sup> W. REEDER, SCHOOL BOARDS AND SUPERINTENDENTS 46 (1954).

<sup>6</sup> 12 DEPARTMENT OF SUPERINTENDENT OF THE NATIONAL EDUCATION ASSOCIATION OF THE UNITED STATES, CRITICAL PROBLEMS IN SCHOOL ADMINISTRATION 116 (1934).