

Reorganization Powers of the Commissioner of Education

The Commissioner of Education's powers for reorganizing school districts are currently limited to proposing and approving reorganizations. Some type of local approval, such as a vote, a permissive referendum and/or board approval, are required in all reorganizations. Though the Commissioner may propose a reorganization at any time, they only do after:

- **Feasibility Study:** The school district boards agree to undertake a study of reorganization to determine the costs and benefits of reorganization as well as how it would be implemented.
- **Public Informed:** The public is informed about the proposed reorganization.
- **Public Support:** There is evidence of support in each district for the reorganization, which can take the form of petitions or straw polls (advisory referendums).

Once the Commissioner of Education has proposed a reorganization, the steps vary depend on the type of reorganization.

Centralization of School Districts

- Commissioner proposes the districts to be included in a centralization.
- Petition must be received in the proposed district to put the centralization to referendum with signatures numbering the lesser of 100 qualified voters or ten percent of the pupils.
- Centralization occurs if the referendum receives a majority of votes in each district.

Annexation to Central School District

- Commissioner proposes the districts to be dissolved and annexed to a central school district.
- Order is subject to a permissive referendum. If either the dissolving or annexing school district receives a petition with signatures from the lesser of 100 qualified voters or ten percent of its pupils, the dissolution and annexation is to go to a referendum in that district.
- Annexation occurs if no petition is received or if the requested referendum passes in each district.

Annexation to Union Free School District

- Commissioner proposes the districts to be dissolved and annexed to a union free school district.
- Special meeting is called by the Commissioner of Education at which eligible electors vote on the dissolution and annexation.
- Annexation occurs if the proposal receives a majority of votes in each district at the special meeting.



Consolidation of Union Free and/or Common School Districts

- Petition from ten or more qualified voters is submitted to the board of each district.
- Consolidation proposal is submitted by the boards to the Commissioner of Education.
- Commissioner approves proposed consolidation.
- Special meeting is called at which eligible electors vote on the consolidation.
- Consolidation occurs if the proposal receives a majority of votes in each district at the special meeting.

Consolidation with Small City School District

- Qualified voters of a district contiguous to a city district adopts at an annual or special meeting a proposition to consolidate with a city school district.
- City school district board adopts a resolution consenting to the consolidation
- Commissioner orders consolidation.

In addition to the Commissioner's powers for reorganization, the Commissioner may also shut down a school for poor academic performance under the Schools Under Registration Review process or the No Child Left Behind Act. The Commissioner may also remove school superintendents or school board members for willful violation or neglect. There is no comprehensive process by which the State may takeover a school district, as they did with the Roosevelt School District. This required a special act of the Legislature.