

District calls chief post vacant

BY JOHN HILDEBRAND

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The Hempstead school board has unanimously declared vacant the superintendent's post once held by Shimon Waronker, on grounds the embattled schools chief never took the required oath of office after starting in the \$265,000-a-year position in June 2017.

Board trustees, following a 17-month feud with Waronker, cut off payments of his salary and benefits and elevated his replacement, Regina Armstrong, from acting superintendent to interim superintendent, according to minutes of the board's June 13 meeting. Waronker has not worked in the district since January 2018, when trustees in a 3-2 vote placed him on paid administrative leave.

Under state law and legal rulings, all school superintendents must take and file oaths of office within 30 days of beginning their terms. Failure to do so automatically creates a vacancy in the position, pursuant to New York State's Public Officers Law.

The discovery that Waronker had not taken the oath surfaced during research into the administrator's employment by the district, said Jonathan Scher, an attorney for the school system.

On Wednesday, Waronker's supporters accused Hempstead's board of exploiting a legal "loophole" and said they have appealed to the state for the former administrator's reinstatement in office and back pay.

Proponents of the board's actions described it as an effort to end a "bitter dispute" that left the 7,600-student district politically fractured.

Months-old notice

The school district's website, meanwhile, continued Wednesday to feature a notice — posted several months ago — about Waronker being on paid administrative leave, including a link to a 344-page document detailing the trustees' charges against him.

The fight over control of Hempstead's schools has been one of the most explosive on Long Island in decades, with

both the sidelined superintendent and trustees exchanging accusations of corruption and mismanagement. When hired, Waronker brought to the chronically troubled district a reputation as an education reformer with success in the New York City schools.

Scher estimated the district could save \$1 million to \$1.3 million in salary costs, benefits and legal fees through the step of declaring the superintendent's post legally vacant. Scher added that the board now has an opportunity to name a permanent chief executive for the district — possibly Armstrong — after conducting a search.

"A bitter dispute is now behind us, and we can focus on student achievement, which is what really matters," Scher said.

Frederick K. Brewington, a Hempstead attorney who represents Waronker, has appealed to the state education commissioner. Brewington said the responsibility for Waronker's not having taken an oath of office rests in the hands of other district officials who administer

such proceedings.

"After contending he did something wrong, they've abandoned the charges against him and tried to find a loophole," Brewington said.

Vote after midnight

The Hempstead board's latest move against Waronker came shortly after midnight of June 13, in a 5-0 vote to declare the job officially vacant. A resolution approved by the panel justified the step on grounds that Waronker "failed to file an oath of office with the District Clerk at any time" since taking office in June 2017 and that meeting.

At the same board meeting, trustees agreed to stop paying Waronker his salary, which under a four-year contract was to run through June 30, 2021. Trustees further decided to appoint Armstrong as interim

schools chief.

Brewington said he and his client did not learn of the board's actions until days later, when the matter came up in a conference call between lawyers who were discussing related legal matters.

Waronker's work in Hempstead got off to a brighter start in April 2017, when he was appointed to the superintendent's post on the strength of his educational track record in New York City. The Harvard-educated administrator was especially noted for turning around a South Bronx school marked by violence and low academic achievement.

But shortly after he started work that June, the Hempstead board's majority shifted and Waronker frequently found himself at odds with the majority trustees and their supporters.