



C. N. Kinnicknecht

DEC 29 2005

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION
333 MARKET STREET
HARRISBURG, PENNSYLVANIA 17126-0333

SECRETARY OF EDUCATION

December 21, 2005

717-787-5820 (TEL)
717-787-7222 (FAX)
717-783-8445 (TTY)

Jackie Nuttall, President
Board of School Directors
Warren County School District
185 Hospital Drive
Warren, PA 16365

Dear Ms. Nuttall:

On November 4, 2005 the Department received your Mandate Waiver Program Application. The application requested approval for the school district to waive 24 P.S. § 7-707, that section of the School Code pertaining to the sale of unused and unnecessary lands and buildings. Specifically, the district requests the waiver to sell four schools that are determined "surplus properties" on eBay. The application indicates that although the Board regards the sale of unused and unnecessary lands and buildings on eBay to be similar in nature to public auction, the School Code does not expressly sanction such a sale, and, hence, the waiver is requested. The application indicates that this waiver will permit the district to operate more effectively, efficiently and economically.

Upon review of your application, the Department concludes that the waiver meets the requirements of the Education Empowerment Act. Furthermore, your request is permitted under Section 1714-B of the School Code. Therefore, it is my pleasure to inform you that the Department has approved your waiver request.

Please recognize that the waiver is limited to 24 P.S. § 707; if any other laws, regulations or requirements may be affected, the district should consult its solicitor. I must also point out that the Department's approval is conditioned upon our understanding that the waiver does not violate any other law, court order, or provision of the collective bargaining agreement. In addition, the Department's approval applies only to the situation described in the application.

Please note that pursuant to Section 1714-B (f) of the School Code, the district is required to submit an evaluation to the Department **by December 21, 2008**. I wish you success in the implementation of your waiver. Please do not hesitate to contact Mary Cornman at (717) 346-3354, if you have any questions.

Sincerely,

A handwritten signature in black ink, reading "Gerald L. Zahorchak". The signature is fluid and cursive, with the first name "Gerald" and last name "Zahorchak" clearly legible.

Gerald L. Zahorchak, D.Ed.
Acting Secretary of Education

c: Dr. John Grant, Superintendent