

Time Table
Act 34 – <insert name of school>

Time Constraints	Recommended Date to Meet Requirements	Description of Activity
Start Date	January Committee Meeting Date	A. A Committee of the Board forwards a motion to the Full Board to conduct a public hearing to close <u><insert name of school></u> .
In order to ensure compliance with the 90 “cool down period” and the the 60 day employee notice requirement, the Board must pass the motion <u>no later than March 1, 2012.</u> This means it would need to go through Committee at <u>no later than the February Committee Meeting</u> (unless the Board opts to not have it go through Committee).	February 13, 2012, Regular Board Meeting	B. The Full Board passes a motion to advertise for a public hearing to close <u><insert name of school></u> .
	February 14, 2012	C. The approved Board motion is written as a legal advertisement and sent to the <i>Warren Times Observer</i> at least 2 days prior to publication. (2 day lead time from receipt of advertisement until publication.)

	February 16, 2012	D. The legal advertisement appears in the Warren <i>Times Observer</i> .
At least 15 days must lapse between date of advertisement and date of public hearing	March 5, 2012	E. Public hearing at <u><insert name of school></u> is held.
At least 90 days must lapse between the date of the public hearing and the date of the Board vote to close a school	June 11, 2012	F. Regular Board Meeting to vote on decision to close <u><insert name of school></u> .
Must be given notice of decision to close at least 60 days prior to the commencement of the 2012/2013 school term; if this is not met, the affected professional and temporary professional employees must be paid by the District.	June 12, 2012	G. Written notice sent to affected professional and temporary professional employees
Legal References: 24-PS-5-524; 24-PS-13-1311; 24-PS-13-1312; 24-PS-7-780; 24-PS-25-2523; 24-PS-11-1153; 24-PS-17-1708; 24-PS-5-503		

*** 22 Pa Code §349.28 also requires the District to notify PDE of the closing prior to the effective date of the closing and after the 60 notice letters have been sent to the affected professional and temporary professional employees (after all procedural steps have been completed). The notice must include the reason for the closing and describe how the**

closing contributes to the orderly development of attendance areas. The notice must be sent to PDE no later than August 15, 2012; must be sent electronically and only from the Superintendent's e-mail. The law is unclear as to whether PDE must merely be given notice of the closure, or whether PDE must approve the closure. PDE takes the position that PDE approval is required. However, many Solicitors disagree with PDE's position in this regard. Having said this, approval is routinely granted by PDE, so I would recommend that the District seek approval from PDE in accordance with the above timeframe.

* 24 P.S. §13-1311 gives school boards the authority to close a school due to small enrollment, condition of building, better organization, or "other reasons." The reasons for closure should be incorporated in applicable motions and emphasized as a part of the public hearing so that the reason or reasons for closure are adequately reflected in the record.

* The requirements of 24 P.S. §7-707 must also be adhered to relative to the disposition of the building following its closing. If the Board desired to sell a closed school, the process would need to commence immediately following the Board vote at the June 12, 2012, meeting to close the school

* I can provide you with the public hearing notice, script and agenda for the public hearing, motions, etc. as needed throughout the process. I have prepared these items for other districts, and they can quickly be modified to meet the needs of the Warren County School District.

* If the Board considers closing Eisenhower Middle/High School and selling it to the charter group, the charter school timeline would also need to be considered. Specifically, the Board is required to hold the public hearing on the charter school application on or before December 28, 2011. The Board then has not less than 45 days and not more than 75 days from the date of the public hearing to either approve or deny the application. This means that legally, the Board is not required to either approve or deny the application until on or about March 12, 2012 (which is after the March 1, 2012 deadline relative to the motion for a school closing). As such, the Board would need to coordinate the items so that the charter application is approved prior to the Board's approval of the motion to advertise the public hearing relative to closure (the approval of the charter application and the approval of the motion to advertise the public hearing relative to closure could occur at the same meeting, to occur on or before March 1, 2012). If the Board is not prepared to render its decision on the charter application prior to March 1, 2012, the Board could still pass the motion to advertise the public hearing relative to the closure of Eisenhower Middle/High School. This would enable the Board to stay on track to comply with the school closing timeline and, if the Board then later denies the charter application, the public hearing on the closure of Eisenhower Middle/High School could be cancelled.