

Elliott Greenleaf

A Professional Corporation

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JOHN G. DEAN
EMAIL: JGD@ELLIOTTGREENLEAF.COM

February 17, 2023

VIA EMAIL (fvanschaai@pa.gov) and FIRST CLASS MAIL

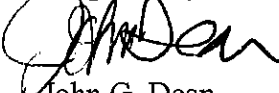
Fianne van Schaaik
Department of Education
333 Market Street
Harrisburg, PA 17126

Re: Crestwood School District

Dear Ms. van Schaaik:

As discussed this morning, I serve as General Counsel to the Crestwood School District ("Crestwood"). Also as discussed, attached hereto are a letter from the Crestwood Superintendent and a duly adopted Resolution by the Crestwood Board of Education executed by its President, John Macri, regarding economic furloughs. As further discussed, pursuant to the Superintendent's letter and accompanying Resolution, Crestwood is respectfully requesting the Acting Secretary of the Department of Education to recommend a waiver of Pennsylvania School Code Section 1124(5)(a.1)(c)(1)'s requirements. Finally as discussed, you will forward this request to Dr. Khalid N. Mumin with the attempt to have it considered at the Pennsylvania State Board of Education's March 2023 meeting. Thank you for your courtesies, professionalism and prompt responses. If you or Dr. Mumin need any further information or clarification, please do not hesitate to contact me.

Respectfully,



John G. Dean

JGD/ap
Enclosures
cc: Natasha Milazzo (via email)(w/encs.)

CRESTWOOD SCHOOL DISTRICT

281 South Mountain Boulevard
Mountain Top, PA 18707
www.csdcomets.org

"Believe, Achieve, Succeed"



February 17, 2023

Dr. Khalid N. Mumin
Acting Secretary
Pennsylvania Department of Education

RE: CRESTWOOD SCHOOL DISTRICT

Dear Dr. Mumin:

I serve as Superintendent to the Crestwood School District ("Crestwood"). Pursuant to Section 1124 of the Pennsylvania Public School Code of 1949 as amended, Crestwood at a regularly scheduled February 16, 2023 School Board Meeting passed a Resolution authorizing for economic reasons the suspension of 21 professional employees who provide instruction directly to students. (A copy of the foregoing Resolution is attached hereto). Such figure represents 12.5% of Crestwood's professional employees who provide instruction directly to the students. By this letter, pursuant to Code Section 1124 (5)(a.1)(c)(2)(i-iii), Crestwood seeks a waiver of Code Section 1124 (5)(a.1)(c)(1). For the reasons set forth below, it is respectfully requested that the Acting Pennsylvania Secretary of Education grant this waiver request.

Specifically, Crestwood's current enrollment (K-12) is 2831 students (excluding District Charter School students). Crestwood, which consists of two separate elementary schools and one secondary campus containing a middle school (grades 7-8) and a high school, (grades 9-12) only currently employs twelve (12) administrative staff not including the Superintendent. Crestwood does not employ an Assistant Superintendent or an Assistant to the Superintendent. Pursuant to the Pennsylvania Department of Education's website, the most recent data reflects that Crestwood administrative costs ranks 496 out of 500 of Pennsylvania Schools in least administrative cost per student. Since that ranking occurred, Crestwood has undertaken additional administrative cost savings measures detailed below.

The recent administrative cost savings measures Crestwood has undertaken include:

- 1) Eliminating the full-time position of Transportation Director by entering into a cost-sharing agreement with the Luzerne County Intermediate Unit saving Crestwood approximately \$60,000.00 per year;

Natasha Milazzo, M.Ed.
Superintendent of Schools
Phone (570) 474-6888
natasha.milazzo@csdcomets.org

Dr. Khalid N. Mumin
February 17, 2023
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- 2) Eliminating the full-time position of Human Resources Director with such responsibilities being assumed by the Crestwood solicitor saving Crestwood approximately \$60,000.00 per year; and
- 3) Eliminating the full-time position of Business Manager (responsibilities assumed by a volunteer and an outside Business Consultant), saving the District approximately \$72,000.00 per year.

The foregoing savings, by Crestwood's calculation would place Crestwood at 498 of 500 school districts in fewest administrative costs per student. Thus, Crestwood's operations are sufficiently administratively streamlined. Any further administrative cuts would cause harm to the Crestwood's administrative and school stability.

Based upon the foregoing, it is respectfully requested that Crestwood's waiver of Code Section 1124 (5)(a.1)(2)(c)(1)'s requirement be granted and that you provide your determination to the Pennsylvania State Board of Education for approval. As Crestwood's budget deadline is June 30, 2023 and the Pennsylvania State Board of Education is only scheduled to meet in March and May 2023 before then, it is respectfully requested that your recommendation to the foregoing Board be made as soon as possible to allow Crestwood to take necessary action. If you need any further information, please do not hesitate to contact me.

Respectfully,



Natasha Milazzo, Superintendent

Enclosure

**RESOLUTION OF THE INTENT TO SUSPEND OF THE
CRESTWOOD BOARD OF EDUCATION
Resolution # 2022-23-06**

It is the recommendation of the Superintendent and Personnel Committee that the following resolution be approved:

WHEREAS, the Crestwood School District Board of Education (the "Board") is approving the 24 P.S. § 11-1124 ("section 1124") and 24 P.S. § 11-1125.1 ("section 1125.1") Economic Layoffs due to a substantial budget shortfall;

WHEREAS, the Board is approving the intent to suspend professional by majority vote by this resolution;

WHEREAS, the Board's final budget is to be submitted no later than June 30, 2023;

WHEREAS, the Board is approving this resolution at least sixty (60) days prior to the adoption of a final budget;

WHEREAS, the Board is proposing the suspensions to reduce a budget deficit of approximately \$2,734,938 prior to suspensions;

WHEREAS, the Board anticipates the total savings for the 2023-2024 budget after these suspensions to be approximately \$2,133,300.

WHEREAS, the Board has undertaken or will undertake other cost saving measures such as:

- i. Eliminated the full-time position of Transportation Director (shared services agreement)
- ii. Eliminated the full-time position of Human Resources Manager (responsibilities assumed by Solicitor)
- iii. Eliminated the full-time position of Business Manager (responsibilities shared between a volunteer and a business consultant)
- iv. Reduction in Medical Insurance Expenses
- v. Reduction in Athletics Budget
- vi. Applied for multiple grants, including grants for School Safety and Security
- vii. Reduction of Comp-Time paid to professional staff
- viii. Operating without an Assistant Superintendent and Assistant Athletic Director
- ix. Furloughed seven (7) Support Staff members

WHEREAS, the Board will expend \$46,396,115 in 2023-2024 with these suspensions and will expend \$48,529,415 in 2023-2024 without the proposed suspensions;

WHEREAS, the Board projects total revenue and other financing sources in 2023-2024 to be \$46,482,550;

WHEREAS, the Board projects 21 professional employees who provide instruction directly to students to be suspended, representing 12.5% percent of total professional staff.

WHEREAS, The Board will seek a waiver from the Secretary of Education requiring the district to suspend an equal percentage proportion of administrative staff. This waiver will provide evidence of the following:

- The school district's operations are sufficiently streamlined (note items i, ii, iii, and viii listed above).
- The suspension of administrative staff would cause harm to school stability and student programs.

WHEREAS, the Board does not project to suspend any professional employees who are not assigned to provide instruction directly to students and who are not administrative staff.

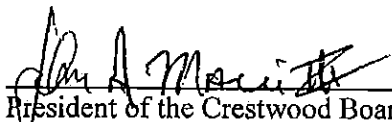
WHEREAS, the Board has reviewed the impact of the proposed suspensions on students and finds that students will continue to receive a full complement of academic programs and proposed suspensions will not have an impact on academic programs offered to students.

WHEREAS, the collective bargaining agreement between the parties expires in 2025;

WHEREAS, the order of suspensions will be pursuant to sections 1124 and 1125.1 of the School Code;

BE IT THEREFORE RESOLVED that the Board hereby authorizes the intent to suspend professional employees due to economic reasons;

BE IT FURTHER RESOLVED that the Board hereby authorizes and directs the Superintendent to take appropriate actions, including notifying affected employees of the intent to suspend the appropriate professional employees due to economic reasons as described above.



President of the Crestwood Board of Education

Dated this 16 day of February, 2023



Secretary of the Crestwood Board of Education

**RESOLUTION
OF THE
CRESTWOOD BOARD OF EDUCATION
FOR THE
ALTERATION/CURTAILMENT
OF PROGRAMS**

WHEREAS, on the recommendation of the Superintendent in accordance with Section 1124 of the Pennsylvania Public School Code of 1949, as amended, in order to conform with the standards of reorganization, to approve the following alteration/curtailment of educational programs and to approve the following personnel actions effective the close of the 2022-2023 school year:

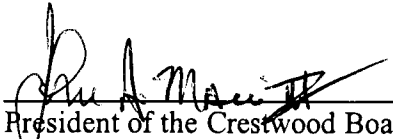
1. The elimination of elementary art;
2. The elimination of elementary library;
3. The suspension of two (2) elementary art professional positions; and
4. The suspension of two (2) elementary library professional positions.

WHEREAS, the collective bargaining agreement between the parties expires in 2025;

WHEREAS, the order of suspension will be pursuant to sections 1124 and 1125.1 of the School Code;

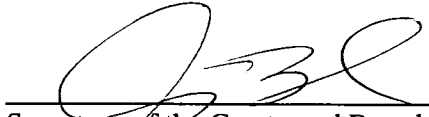
BE IT THEREFORE RESOLVED that the Board hereby authorizes the alteration/curtailment and the suspension of professional employees due to same based upon the recommendation of the Superintendent;

BE IT FURTHER RESOLVED that the Board hereby authorizes and directs the Superintendent to take appropriate actions, including notifying affected employees of the intent to suspend the appropriate professional employees due to the alteration/curtailment of programs described above.



President of the Crestwood Board of Education

Dated this 16 day of February, 2023



Secretary of the Crestwood Board of Education

CRESTWOOD SCHOOL DISTRICT

281 South Mountain Boulevard
Mountain Top, PA 18707
www.csdcomets.org

"Believe, Achieve, Succeed"



February 17, 2023

TO: RA-school-configs@pa.gov

RE: Crestwood School District Curtailment of program, elementary art and library.

Dear Sir/Madam:

I serve as Superintendent of the Crestwood School District ("Crestwood"). At its regularly scheduled February 16, 2023, School Board meeting, based upon my recommendation the Crestwood School Board passed a resolution curtailing elementary art and library.

The planned changes are effective for 2023-2024 school year.

With the elimination of these two programs at the elementary school level, the District will continue focus on our core curriculum and increase STEM activities throughout all grades (K-6). This will be achieved through enrichment and level instruction. If you need any further information, please do not hesitate to contact me.

Respectfully,

Natasha Milazzo

Natasha Milazzo, M.Ed.
Superintendent of Schools
Phone (570) 474-6888
natasha.milazzo@csdcomets.org

Elliott Greenleaf

A Professional Corporation

JOHN G. DEAN
EMAIL: JGD@ELLIOTTGREENLEAF.COM

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Wilkes-Barre, Pennsylvania 18701
Phone: (570) 371-5290 • Fax: (570) 371-5550
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February 22, 2023

VIA EMAIL (fvanschaai@pa.gov) and FIRST CLASS MAIL

Fianne van Schaaik
Department of Education
333 Market Street
Harrisburg, PA 17126

Re: Crestwood School District

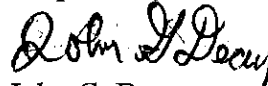
Dear Ms. van Schaaik:

In response to your email of February 17, 2023 (attached hereto as Exhibit 1) on behalf of the Crestwood School District (the "District") please see below for answers to your inquiries:

- 1) 21 Professional Employees (includes teachers and guidance counselors);
- 2) This is no alteration in Administration as it is streamlined as much as possible (see District Superintendent February 17, 2023 letter attached hereto as Exhibit 2);
- 3) 20, 11.9 percent of total;
- 4) 0 see Exhibit 2 attached hereto;
- 5) 1, 0.6 percent of total;
- 6) Slight increase in class size, no impact on student achievement due to economic furloughs.

For the reasons stated in Exhibit 2, it is respectfully requested the waiver request be granted. If you have any questions, please do not hesitate to contact me.

Respectfully,



John G. Dean

JGD/ms
Enclosures
cc: Natasha Milazzo (via email)(w/encs.)

EXHIBIT "1"

From: "van Schaaik, Fianne" <fvanschaai@pa.gov>
Date: February 17, 2023 at 2:03:38 PM EST
To: "John G. Dean" <jgd@elliottgreenleaf.com>
Cc: Natasha Milazzo <natasha.milazzo@csdcomets.org>, "ED, PDE School Services" <RA-PDE-SchoolService@pa.gov>
Subject: Acknowledgement of receipt

Good afternoon Mr. Dean,

The School Services Office has received your letter on February 17, 2023.

This email is to acknowledge receipt of this letter with the statement and intent to furlough employees due to economic reasons for the 2023-24 school year for Crestwood School District :

- Furlough of professional staff necessary:
 - 21 professional employees who provide instruction directly to students.
 - 7 Support Staff member
 - 1 Transportation Director
 - 1 Human Resources Manager

- 1 Business Manager
- All bullet points are board approved according to Crestwood Board of Education on February 16, 2023.

Please address the following:

1. List all 21 professional employees job titles.
2. Include the current and proposed alteration for each school and school district (administrative office) affected by the change.
3. The number and percentage of employees to be suspended who are professional employees assigned to provide instruction directly to students.
4. The number and percentage of employees to be suspended who are administrative staff.
5. The number and percentage of employees to be suspended who are professional employees who are not assigned to provide instruction directly to students and who are not administrative staff.
6. The impact of the proposed suspensions on academic programs to be offered to students following the proposed suspensions, as well as the impact on academic programs to be offered to students if the proposed suspensions are not undertaken, compared to the current school year, and the actions, if any, that will be taken to minimize the impact on student achievement.

Thank you for your notice.

With kind regards,

Fianne van Schaik | Basic Education Associate 2
Department of Education | School Services Office
333 Market Street | Hbg PA 17126
Phone: 717.783.6610 | Fax: 717.214.4389
www.education.pa.gov | fvanschaal@pa.gov



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From: John G. Dean <jgd@elliottgreenleaf.com>
Sent: Friday, February 17, 2023 11:34 AM
To: van Schaaik, Fianne <fvanschaai@pa.gov>
Cc: Natasha Milazzo <natasha.milazzo@csdcomets.org>
Subject: [External] FW: Crestwood School District

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EXHIBIT "2"

CRESTWOOD SCHOOL DISTRICT

281 South Mountain Boulevard
Mountain Top, PA 18707
www.csdcomets.org

"Believe, Achieve, Succeed"



February 17, 2023

Dr. Khalid N. Mumin
Acting Secretary
Pennsylvania Department of Education

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Dr. Khalid N. Mumin
February 17, 2023
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- 2) Eliminating the full-time position of Human Resources Director with such responsibilities being assumed by the Crestwood solicitor saving Crestwood approximately \$60,000.00 per year; and
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Respectfully,



Natasha Milazzo, Superintendent

Enclosure

**RESOLUTION OF THE INTENT TO SUSPEND OF THE
CRESTWOOD BOARD OF EDUCATION
Resolution # 2022-23-06**

It is the recommendation of the Superintendent and Personnel Committee that the following resolution be approved:

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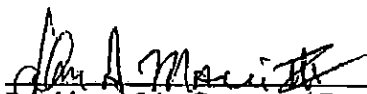
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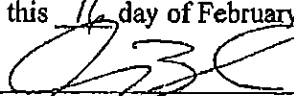
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BE IT FURTHER RESOLVED that the Board hereby authorizes and directs the Superintendent to take appropriate actions, including notifying affected employees of the intent to suspend the appropriate professional employees due to economic reasons as described above.



President of the Crestwood Board of Education

Dated this 16 day of February, 2023



Secretary of the Crestwood Board of Education