

RESOLUTION NO. 43-2022

**AUTHORIZING SPECIAL COUNSEL TO SUBMIT A PETITION TO THE
COMMISSIONER OF EDUCATION SEEKING AUTHORIZATION TO HOLD A
REFERENDUM ON THE ISSUE OF THE CREATION OF A PK-12 ALL PURPOSE
REGIONAL SCHOOL DISTRICT WITH SEA BRIGHT, HIGHLANDS, AND
ATLANTIC HIGHLANDS**

Councilmember Birdsall introduced and offered the following Resolution for adoption; seconded by Councilmember Booker:

WHEREAS, the Borough of Sea Bright ("Sea Bright") is a member of the consolidated Oceanport School District ("Oceanport") pursuant to a 2009 mandatory merger under P.L. 2009, c. 78 (eliminating non-operating school districts) and, by virtue of that membership, students residing in Sea Bright in grades PK-8 are educated in schools operated by Oceanport; and

WHEREAS, Sea Bright is a member of a limited purpose regional school district, Shore Regional High School District ("Shore Regional"), whereby students residing in Sea Bright in grades 9-12 are educated in schools operated by Shore Regional; and

WHEREAS, Sea Bright, the Borough of Highlands ("Highlands"), and the Borough of Atlantic Highlands ("Atlantic Highlands") wished to determine the viability and impact of a proposed school district reconfiguration whereby a new All-Purpose PK-12 Regional School District would be created with Sea Bright, Atlantic Highlands, and Highlands as constituent districts of this new district and which would educate all students residing in the three communities in grades PK-12;

WHEREAS, in an effort to explore this proposed school district reconfiguration, Sea Bright, Highlands, and Atlantic Highlands retained Porzio, Bromberg, & Newman, P.C., to facilitate a feasibility study that would be prepared by Statistical Forecasting, LLC, Porzio Compliance Services, LLC; James L. Kirtland, CPA, and David Corso; and

WHEREAS, in March 2020 Statistical Forecasting, LLC, Porzio Compliance Services, LLC; James L. Kirtland, CPA, and David Corso issued a report that analyzed the financial, demographic, and educational impact of creating a new All-Purpose PK-12 regional school district which would be responsible for educating students residing in Sea Bright, Highlands, and Atlantic Highlands; and

WHEREAS, in January 2022 Statistical Forecasting, LLC, Porzio Compliance Services, LLC; and Steven Cea issued an update to the March 2020 report that analyzed the financial, demographic, and educational impact of creating a new All-Purpose PK-12 regional school district which would be responsible for educating students residing in Highlands, Atlantic Highlands, and Sea Bright; and

WHEREAS, with regard to educational impact, the feasibility study concluded that "[t]he All-Purpose PK-12 Regional District will present distinct advantages" for students from Sea Bright, Highlands, and Atlantic Highlands "as opposed to the status quo given the degree of cooperation, alignment and articulation possible through a unified district from PK-12 in areas of curriculum, instruction, student services, transitions, enrichment, athletics and clubs, governance and leadership;" and

WHEREAS, the feasibility study further concluded "that a new All-Purpose PK-12 Regional District consisting of Highlands, Atlantic Highlands and Sea Bright will have the best opportunity to put in place those characteristics of successful schools and will be best able to respond to demographic, educational, and fiscal challenges in the future" and that "[t]o the extent the Sea Bright students bring greater diversity to these schools, the proposal will have a positive educational impact on students from Highlands and Atlantic Highlands."

WHEREAS, with regard to the financial impact of the possible reconfiguration, the feasibility study concluded that "the increased financial resources that Sea Bright students will bring to the regional district provides the opportunity for greater investments in education resources, programs and services" while still providing long-term tax savings to Sea Bright and moving "to an arguably fairer and more equitable allocation of cost methodology" for all three communities; and

WHEREAS, the criteria established in Section 11(a) of P.L 2021, c.402 paragraphs (2) through (8) have been met as the Feasibility Study demonstrates that the approval of the application:

1. "is not foreseeably likely to increase or exacerbate the segregation of students by racial, socioeconomic, disability, or English Language Learner status..."
2. "consolidates school districts that are in close geographic proximity of each other..."
3. "to the maximum extent practicable, reduces student seat time and transportation costs;"
4. "possesses the potential for improved efficiency and cost savings;"
5. "possesses the potential to advance an enhanced learning environment for participating school districts;"
6. "coordinates curriculum across schools and grades throughout the proposed limited purpose or all purpose regional district; and"
7. "reflects a documented commitment from the affected boards of education to make good faith efforts to implement practices that promote efficiency and quality of education."

WHEREAS, the proposed regionalization provides for the payment, pursuant to Section 11(c) of P.L 2021, c.402, of "transitional support to the limited purpose or all purpose regional district or consolidated school district..." which is being separated from; and

WHEREAS, as a result, the consultants who prepared the feasibility study recommended "that Highlands, Atlantic Highlands and Sea Bright Regional continue to pursue the creation of a new All-Purpose PK-12 Regional District as outlined in the proposed scenario;" and

NOW THEREFORE BE IT RESOLVED that, after due consideration, Sea Bright has determined that its students can receive an outstanding and fully aligned and articulated PK-12 education by withdrawing from Oceanport and Shore Regional and forming a new All-Purpose PK-12 Regional School District with Highlands and Atlantic Highlands; and

BE IT FURTHER RESOLVED that Sea Bright has determined that there exists good cause to pursue a referendum on the creation of a new PK-12 All Purpose Regional School District with Highlands and Atlantic Highlands so as to provide its voters with the ability to decide how their tax dollars are spent and how their children are educated; and

BE IT FURTHER RESOLVED that Sea Bright seeks to have a referendum placed on the November 2022 ballot with regard to the creation of this new PK-12 All Purpose Regional School District and simultaneously to withdraw from Oceanport and Shore Regional, with approval from the Commissioner of Education pursuant to Section 11 of P.L 2021, c.402; and

BE IT FURTHER RESOLVED that Sea Bright authorizes special counsel, Porzio, Bromberg, & Newman, P.C., to prepare and submit a petition, pursuant to state law, to the Commissioner of Education seeking authorization to hold a referendum on the issue of the creation of a PK-12 All Purpose Regional School District with Sea Bright, Highlands, and Atlantic Highlands and by which passage of such referendum will simultaneously withdraw Sea Bright from Oceanport and Shore Regional; and

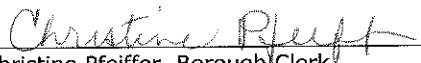
BE IT FURTHER RESOLVED that Sea Bright authorizes special counsel, Porzio, Bromberg, & Newman, P.C., to take any and all appropriate action to obtain the aforementioned authorization from the Commissioner of Education and to effectuate same.

Roll Call: Bieber, Birdsall, Booker, Catalano, Keeler, Lamia
 Yes Yes Yes Yes Yes Absent

February 1, 2022

CERTIFICATION

I, Christine Pfeiffer, Borough Clerk do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on February 1, 2022.


Christine Pfeiffer, Borough Clerk