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July 15, 2022

VIA EMAIL

Angelica Allen-McMillan, Ed.D.
Acting Commissioner
New Jersey Department of Education
Office of Controversies and Disputes
P.O. Box 500
Trenton, NJ 08625
Angelica.allen-mcmillan@doe.nj.gov

Re: Proposed Creation of a PK-12 All-Purpose Regional

Dear Acting Commissioner Allen-McMillan:

We are counsel to the Borough of Sea Bright and Borough of Highlands. Please accept the following petition submitted with full collaboration by the Boards of Education of Henry Hudson Regional School District, Atlantic Highlands School District, Highlands Borough School District, and the Boroughs of Atlantic Highlands, Highlands and Sea Bright. This petition -- being filed jointly on behalf of all six entities -- seeks the authorization from the Department of Education for a referendum in the November general election on the expansion of the Henry Hudson Regional School District, which currently serves students from Atlantic Highlands and Highlands Boroughs, to add an additional purpose converting the limited purpose grade 7-12 school district to an all-purpose grade PK-12 school district. This would consolidate the three distinct school districts that currently share a superintendent in the Henry Hudson Regional Tri-District into one regional school district.

In addition, this petition seeks to enlarge the regional school district to include Sea Bright Borough as a member of the PK-12 regional district if its withdrawal from the Oceanport and Shore Regional School Districts is approved by the Department of Education and the voters of Atlantic Highlands, Highlands and Sea Bright.

Under our proposal, the expansion and conversion of the current Henry Hudson Regional School District to an all-purpose PK-12 district and the regionalization of the three existing school districts would occur on July 1, 2023, approximately eight months after the referendum vote.

The immediate expansion, conversion and consolidation of the existing district of the Henry Hudson Regional Tri-District would immediately provide budgetary savings based on the stabilization of state aid as outlined in NJ S3488 and would allow for governance and operational efficiencies that will eliminate significant obstacles to expanding educational opportunities for all children. Some of the most immediate educational benefits would include:

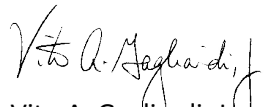
ATTORNEYS AT LAW

- Moving grade six out of the existing Atlantic Highlands and Highlands elementary schools into Henry Hudson would better align secondary curricula and instruction and to include our grade six students in more age- and developmentally-appropriate academic initiatives, clubs, activities, and athletics as well as provide them with more appropriate social, emotional learning supports for middle school-aged students.
- Using the additional capacity in the elementary schools would allow for expansion of preschool programs, specialized special education programming for students with autism, language learning disabilities, multiple disabilities or other specialized needs which may not be realized by the existing structures, and reducing special education out-of-district costs.
- Greater opportunity for staff development and growth, leadership opportunities, sharing of specialized staff and consistency in procedures, with consolidation of collective bargaining agreements and alignment of schedules, policies and leadership
- Immediate budgetary savings with the elimination of duplicative services.
- Alignment and sharing of resources and services that would enable the regional district to respond to future challenges.

The current Henry Hudson Regional Tri-District has been operating as a true exemplar of a commitment to shared services. Although the Tri-District is comprised of three separate districts, the districts have shared a Superintendent of Schools, a Director of Curriculum & Instruction, and a Special Services supervisor. Two of the three districts have shared a Business Administrator and have utilized shared contracts for a number of teaching and other professional staff for approximately 11 years. By formalizing the existing efficiencies of shared services and providing increased efficiency in governance and operations through this requested regionalization, we are removing barriers that have impeded common-sense educational planning growth and development practices that will greatly benefit the students, staff and community of all members of the new regional school district.

Thank you for your timely consideration of our request.

Sincerely,



Vito A. Gagliardi, Jr.

cc: Jonathan Busch, Esq.
Matthew Giacobbe, Esq.
Brian Kelly, Mayor, Borough of Sea Bright
Carolyn Broullon, Mayor, Borough of Highlands
Loretta Gluckstein, Mayor, Borough of Atlantic Highlands
Dr. Tara Beams, Tri-District Superintendent of Schools
Elisabeth Eittreim, President, Atlantic Highlands Board of Education
Diane Knox, President, Highlands Board of Education
Mark Heter, President, Henry Hudson Regional Board of Education

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Attorneys for Petitioner Borough of Atlantic Highlands

IN RE: REQUEST FOR AUTHORIZATION
FOR REFERENDUM ON EXPANSION OF
THE HENRY HUDSON REGIONAL
SCHOOL DISTRICT TO ADD ADDITIONAL
PURPOSES TO CONVERT TO AN ALL-
PURPOSE REGIONAL SCHOOL DISTRICT
AND TO ADD THE BOROUGH OF SEA
BRIGHT AS AN ADDITIONAL MEMBER.

BEFORE THE COMMISSIONER
OF EDUCATION STATE OF NEW
JERSEY

AGENCY NO.

**VERIFIED
PETITION**

Petitioners Atlantic Highlands Board of Education, Highlands Board of Education, Henry Hudson Regional Board of Education, joined by co-petitioners Borough of Sea Bright, Borough of Highlands, and Borough of Atlantic Highlands (hereinafter referred to collectively as the “petitioners”), body politics duly organized under the laws of the State of New Jersey, do hereby say as follows:

1. Petitioner Atlantic Highlands Board of Education is a body politic, which maintains its administrative offices at 140 First Avenue, Atlantic Highlands, NJ 07716; whose telephone number is 732-291-2020, ext. 1105; email address is jsherlock@henryhudsonreg.k12.nj.us. Atlantic Highlands operates a PK-6 elementary school which educates students from Atlantic Highlands.
2. Petitioner Highlands Board of Education is a body politic, which maintains its administrative offices at 360 NJ-36, Highlands, NJ 07732, whose telephone number is 732-872-1476 and email address is cmullins@hesk6.us. Highlands operates a PK-6 elementary school which educates students from Highlands.
3. Petitioner Henry Hudson Regional School District is a body politic, which maintains its administrative offices at 1 Grand Tour, Highlands, NJ 07732, whose telephone number is 732-872-0900, ext. 2006; email address is jsherlock@henryhudsonreg.k12.nj.us. Henry Hudson operates a limited-purpose regional school district serving Grades 7-12 which educates students from Highlands and Atlantic Highlands.
4. Petitioner Borough of Sea Bright is a body politic, which maintains its administrative offices at 1099 Ocean Avenue, Sea Bright, NJ 07760, whose telephone number is 732-842-0099; email address is cpfeiffer@seabrightnj.org; and fax number is 732-963-8998. Sea Bright resident students attend the Oceanport School District for grades PK-8 and the Shore Regional High School District for grades 9-12.
5. Petitioner Borough of Highlands is a body politic, which maintains its administrative offices at 42 Shore Drive, Highlands, NJ 07732, whose telephone number is 732. 872-0670; email address is clerk@highlandsborough.org; and fax number is 732.872-0670.

Highlands resident students attend the Highlands Elementary School District for grades PK-6 and the Henry Hudson Regional School District for grades 7-12.

6. Petitioner Borough of Atlantic Highlands is a body politic, which maintains its administrative offices at 100 First Avenue, Atlantic Highlands, NJ 07716, whose telephone number is 732-291-1444; email address is rferragina@ahnj.com; and fax number is 732-291-9725. Atlantic Highlands resident students attend the Atlantic Highlands Elementary School District for grades PK-6 and the Henry Hudson Regional School District for grades 7-12.
7. The Oceanport School District is a consolidated school district comprised of Oceanport and Sea Bright. The Oceanport School District educates students in grades PK-8 from Oceanport and Sea Bright.
8. The Shore Regional High School District is a limited purpose regional school district of which Sea Bright is a constituent member. Shore Regional educates students in grades 9-12 from Monmouth Beach, Oceanport, Sea Bright, and West Long Branch.
9. Henry Hudson Regional is governed by a nine-member Board of Education comprised of residents of its current constituent districts, Atlantic Highlands and Highlands.
10. Students in Grades Pre-Kindergarten through 6 who reside in the Boroughs of Atlantic Highlands and Highlands currently attend neighborhood schools located in each of the Boroughs, respectively, operated by separate Boards of Education.
11. Atlantic Highlands operates one elementary school, serving Preschool through Sixth Grade. The total enrollment for 2020–2021 (as of the official Fall Report listed on the website of the New Jersey Department of Education (“NJDOE”)) was 255 students. <https://www.nj.gov/education/doedata/enr/>. As of April 2022, some 265 students were

enrolled, excluding a parent-funded preschool. It is expected that the parent-funded preschool will add approximately 20 to 25 new students when it returns next year.

12. Atlantic Highlands is governed by a nine-member Board of Education.
13. Highlands operates one elementary school, serving Preschool through Sixth Grade. The total enrollment for 2020–2021 (as of the official Fall Report listed on the website of the New Jersey Department of Education (“NJDOE”)) was 174 students. As of April 2022, some 178 students are enrolled.
14. Highlands is governed by a seven-member board of education.
15. Sea Bright Borough no longer operates a Board of Education as its school district was dissolved and consolidated unilaterally by the Department of Education with Oceanport, at the elementary school level, several years ago.
16. The Borough of Sea Bright is geographically contiguous to Highlands.
17. Sea Bright students must travel further to Oceanport and Shore Regional than they would if they attended Henry Hudson Regional.
18. Petitioners Sea Bright, Highlands, and Atlantic Highlands wished to determine the viability and impact of a proposed school district reconfiguration whereby a new All-Purpose PK-12 Regional District would be created with Sea Bright, Highlands, and Atlantic Highlands as constituent districts of this new district and which would educate all students residing in the three communities in grades PK-12.
19. As a result, these three Petitioners hired Statistical Forecasting, LLC, Porzio Compliance Services, LLC; James L. Kirtland, CPA, and David Corso to analyze the educational options for Petitioners as well as the potential financial, educational, and racial impact on all affected districts and their students if an All-Purpose PK-12 Regional District was created and to prepare a feasibility study documenting the results of their analysis as well as their recommendations and conclusions. The feasibility study (referred to hereinafter

as *Feasibility Study 2020*), which was authored by a team of consultants consisting of Dr. Richard S. Grip, a demographer; David C. Hespe, two time former Commissioner of Education; James L. Kirtland, CPA, a retired certified public accountant; and David Corso, a former school business administrator and Assistant Commissioner of Education, provided various options for the communities to consider. A true and correct copy of *Feasibility Study 2020* is attached hereto as **Exhibit “A.”**

20. As a result of the COVID pandemic, and the passage of time, in December 2021 Statistical Forecasting, LLC, Porzio Compliance Services, LLC; and Steven Cea issued an update to *Feasibility Study 2020* that analyzed the financial, demographic, and educational impact of creating a new All-Purpose PK-12 Regional District which would be responsible for educating students residing in Highlands, Atlantic Highlands, and Sea Bright. A true and correct copy of *Feasibility Study December 2021* is attached hereto as **Exhibit "B.”**

21. In January 2022, a second study was commissioned by the Atlantic Highlands School Board, Highlands School Board and Henry Hudson Regional School Board (hereinafter referred to as the “Tri-District Boards”). Petitioners also wished to determine the viability and impact of a proposed school district reconfiguration whereby Henry Hudson would be converted into an All-Purpose PK-12 Regional District with Atlantic Highlands and Highlands as constituent districts. As part of this study, expansion of Henry Hudson to include Sea Bright on a PK-12 basis also was studied.

22. The Study that was commissioned by the Tri-District Boards, entitled, “*Study of the Consolidation of the Limited Purpose Henry Hudson Regional School District with Atlantic Highlands School District, Highlands School District and/or Other Districts Within the Geographical Area to Create a New All-Purpose Henry Hudson Regional School District*”, was undertaken by Kean University, Ross Haber Associates, SSP

Architects and The Busch Law Group (hereinafter referred to as the “*Tri-District Feasibility Study*”). A true and correct copy of the *Tri-District Feasibility Study* is attached hereto as **Exhibit “C.”**

23. All of the aforementioned studies were prepared following application for a grant through the Department of Community Affairs' Local Efficiency Achievement Program (LEAP).
24. Each of the foregoing Studies included an exhaustive examination of financial, educational, demographic, logistical and legal considerations, inclusive of the criteria set forth in N.J.S.A. 18A: 13-47.3, related to the advisability and impact of various regionalization configurations and plans. While each study outlined a different approach to achieve the above result, the analysis in each study supported the conclusion that transforming the limited-purpose Henry Hudson Regional School District into a PK-12 all-purpose regional district which would educate their students PK-12 in a single all-purpose PK-12 regional district would be educationally and financially beneficial for the communities. The *Feasibility Study 2020* included a comprehensive analysis of demographic factors, including, among other things, racial composition of the schools. It concluded that there would be no negative racial impact, but rather a slightly positive impact as a result of the actions proposed herein.
25. The *Feasibility Study December 2021* included, among other things, a comprehensive analysis of various components of the schools' educational programs, including but not limited to: student performance, curriculum, extra-curricular offerings, climate, graduation rates, class size, special needs learners and staffing. It concluded that “. . . there should be no issues with continuing the high quality academic program Sea Bright students are receiving in Oceanport in Highlands and Atlantic Highlands for grades PK-6 and Henry Hudson Regional for grades 7 – 12.

26. The *Tri-District Feasibility Study* also included, among other things, a comprehensive analysis of various components of the schools' educational programs, including but not limited to: staffing, the school calendar, instructional time, class schedules and methodology, student performance, curriculum and instruction, special programs, enrichment opportunities, student support services, and extra and co-curricular activities. It concluded that ". . . the students in the three Henry Hudson Tri-District schools will continue to have available to them a high quality educational program at both the elementary and secondary levels, and that Atlantic Highlands, Highlands and Henry Hudson Regional students will benefit from the additional and combined resources that will inherently come along with the advantages of one seamless PK-12 governance structure. . . ."

27. *Feasibility Study 2020* and *Feasibility Study December 2021* examined and re-examined the financial impact of the actions proposed herein, concluding that, "From a financial perspective, an all-purpose regional provides tax levy savings for all constituent communities compared to the status quo, . . . Atlantic Highlands and Highlands will experience tax levy reductions primarily from Sea Bright's participation in the regional but also from the modest savings generated from unifying the constituent communities in the current region."

28. Section 11(a) of P.L. 2021, c. 402, paragraphs (2) through (8) have been met as the three Feasibility Studies collectively demonstrate that approval of the application:

- a. "is not foreseeably likely to increase or exacerbate the segregation of students by racial, socioeconomic, disability, or English Language Learner status..."
- b. "consolidates school districts that are in close geographic proximity of each other..."

- c. "to the maximum extent practicable, reduces student seat time and transportation costs;"
- d. "possesses the potential for improved efficiency and cost savings;"
- e. "possesses the potential to advance an enhanced learning environment for participating school districts;"
- f. "coordinates curriculum across schools and grades throughout the proposed limited purpose or all purpose regional district;" and
- g. "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."

29. As established by the Petitioners' highly qualified experts, there will be no negative impact on any of the affected districts or communities in terms of the quality of education, financial condition, or racial composition should the referendum be approved by the voters in the three communities.

30. From an educational perspective, there would be no negative impact on Atlantic Highlands, Highlands, or Sea Bright. As stated in *Feasibility Study December 2021*, an All-Purpose PK-12 Regional District "will present distinct advantages" for students from Atlantic Highlands, Highlands, and Sea Bright "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."

31. "Students in the three Henry Hudson Tri-District schools will continue to have available to them a high quality educational program at both the elementary and secondary levels, and that Atlantic Highlands, Highlands, and Henry Hudson Regional students will

benefit from the additional and combined resources that will inherently come along with the advantages of one seamless PK-12 governance structure, which none of the three schools currently have in its entirety." (*Tri-District Feasibility Study*)

32. Under an All-Purpose PK-12 Regional District, all three schools would be retained. (*Feasibility Study 2020; Tri-District Feasibility Study*)

33. "Sea Bright students will be assigned to attend either Highlands Elementary School or Atlantic Highlands Elementary School primarily based on educational and capacity considerations with an effort to lessen the impact of transportation on the Sea Bright students and to keep Sea Bright students together to the extent practicable." (*Feasibility Study 2020*)

34. "Unifying the separate school districts represents a significant opportunity to create an educational model employing the latest research, best management practices, and proven practices to optimize student achievement." (*Feasibility Study December 2021*)

35. As stated in *Feasibility Study December 2021*, from a financial standpoint, the increased financial resources that Sea Bright 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 all three communities.

36. The inclusion of Sea Bright and the addition of purposes to Henry Hudson that would convert it from a limited purpose into an All-Purpose PK-12 Regional District would provide immediate benefit to taxpayers in Atlantic Highlands and Highlands. (*Tri-District Feasibility Study*) This arrangement also would provide significant financial benefit to Sea Bright, after the requisite transition payments to Shore Regional and Oceanport.

37. Although savings in Sea Bright would not be immediate due to transitional payments that would be owed to Oceanport and Shore Regional, in each year beginning in year two

after the expansion of the new all-purpose regional, Sea Bright would see increasing tax savings due to its inclusion in Henry Hudson Regional. (*Feasibility Study December 2021; Tri-District Feasibility Study*)

38. "Atlantic Highlands and Highlands share in the contribution Sea Bright makes toward the new regional. In other words, the tax levy reductions for Atlantic Highlands and Highlands total the new taxes generated by Sea Bright and the savings created by regionalizing the two PK-6 school districts." (*Feasibility Study December 2021*)
39. “. . . Consolidating the Tri-District into an all-purpose PK-12 regional district with Sea Bright . . . will produce the greatest near-term and long-term savings to the largest number of communities.” (*Tri-District Feasibility Study*)
40. Racially, "as the racial composition of Sea Bright students is similar to that of Oceanport, and that the number of Sea Bright students in each of Oceanport’s schools is small with respect to the total population in each school, there would be no negative racial impact at either Wolf Hill or Maple Place if Sea Bright terminates its relationship with Oceanport." Moreover, the experts came to the same conclusion with regard to the withdrawal of Sea Bright from Shore Regional. Sea Bright's withdrawal from Shore Regional and Oceanport is not foreseeably likely to increase or exacerbate the segregation of students by racial, socioeconomic, disability, or English Language Learner status in Shore Regional, Oceanport, or in the newly expanded Henry Hudson All-Purpose PK-12 Regional District.
41. In addition, "If Sea Bright students were to attend Henry Hudson Middle and High School, Sea Bright students would be afforded a racial environment similar to Shore Regional."
42. An All-Purpose PK-12 Regional District makes sense geographically. The regional schools are marginally closer than the schools in Oceanport and Shore Regional. The

distances to the respective elementary schools in the new regional range from 3.6 to 6.2 miles compared to Oceanport at 5.5 to 6.5 miles. Henry Hudson Regional High School is 3.7 miles from Sea Bright compared to 7.1 miles to Shore Regional High School. (*Feasibility Study December 2021*)

43. The proposed All-Purpose PK-12 Regional District "reduces transportation time, provides potential for cost savings, and potential to advance student learning including the coordination of curriculum." (*Feasibility Study December 2021*)
44. Based on the three feasibility studies, this proposed reconfiguration possesses the potential for improved efficiency and cost savings and to advance an enhanced learning environment for the students of Highlands, Atlantic Highlands, and Sea Bright.
45. The fact that all Petitioners pursued feasibility studies and passed resolutions to support a referendum on expansion of Henry Hudson into an All-Purpose PK-12 Regional District and have spent years discussing this possibility reflects a documented commitment to make good faith efforts to implement practices that promote efficiency and quality of education.
46. The transitional Regional Board of Education, as set forth in statute, would be appointed by the three existing school boards, with one-third of the members drawn from the board of education of the existing limited purpose regional district (Henry Hudson), and two-thirds from the existing elementary school district boards of education (Highlands and Atlantic Highlands), resulting in a nine-member board with three representatives from each board who would serve until the new regional board elected in November 2023 takes office in January 2024. If Sea Bright receives permission to join Henry Hudson before that date, the Sea Bright Borough Council would appoint one representative to the transitional Board resulting in a 10-member transitional board.

47. The method of board member allocation based on inhabitants currently utilized by Henry Hudson would be applied to the newly elected regional board, with the allocation determined based on U.S. Census results and modified every 10 years accordingly.
48. With the newly elected nine-member board, it is anticipated that (based on the 2010 Census data) Highlands would have four members, Atlantic Highlands would have four members, and Sea Bright would have one member.
49. If a regionalization of the Tri-Districts with Sea Bright is advanced but becomes delayed for any reason, an opportunity cost to not regionalizing the Tri-Districts will present itself for Atlantic Highlands and Highlands Borough. (*Tri-District Feasibility Study*)
50. Accordingly, Sea Bright is prepared to and shall honor all of its commitments to expeditiously effectuate its withdrawal from Oceanport and Shore Regional with the understanding that Sea Bright's admission to the All-Purpose Regional District cannot occur without approval of its withdrawal by the Commissioner.
51. Pursuant to N.J.S.A. 18A: 13-47.11(c) students residing in Sea Bright on the date of Sea Bright's withdrawal from Oceanport and Shore Regional shall be permitted to remain in the school in which the student is enrolled at the time of withdrawal and Sea Bright shall pay tuition to Oceanport and Shore Regional for such students.
52. Sea Bright is prepared to and shall honor the obligations set forth in N.J.S.A. 18A:13-47.11(b) for payment of transitional support to Oceanport and Shore Regional, less the tuition dollars paid pursuant to N.J.S.A. 18A:13-47.11(c).

THE REQUEST TO PROCEED TO REFERENDUM

53. The Feasibility Studies and Petitioners maintain that:

(a) The addition of a purpose to Henry Hudson to convert it from a limited purpose into an all-purpose regional is feasible and beneficial from an educational, racial demographic, and financial standpoint;

(b) The addition of a purpose to Henry Hudson to convert it from a limited purpose into an all-purpose regional provides a more suitable financial structure and savings to all three communities;

(c) The addition of a purpose to Henry Hudson to convert it from a limited purpose into an all-purpose regional allows Sea Bright, Highlands, and Atlantic Highlands to provide their students with an equal or better education in the same facilities without jeopardizing the provision of a thorough and efficient education; and

(d) The addition of a purpose to Henry Hudson to convert it from a limited purpose into an all-purpose regional provides Sea Bright, Highlands, and Atlantic Highlands the opportunity to develop a more efficient and desirable educational system for their students.

(e) By Sea Bright joining the Henry Hudson All-Purpose PK-12 Regional District, all factors set forth in N.J.S.A. 18A:13-47.11(a) are met.

54. The current Henry Hudson Regional Tri-District has been operating as a true exemplar of a commitment to shared services. Although the Tri-District is comprised of three separate districts, the districts have shared a Superintendent of Schools, a Director of Curriculum & Instruction, and a Special Services supervisor. Two of the three districts have shared a Business Administrator and have utilized shared contracts for a number of teaching and other professional staff for approximately 11 years. By formalizing the existing efficiencies of shared services and providing increased efficiency in governance and operations through this requested regionalization, they would be removing barriers

that have impeded common-sense educational planning growth and development practices that would greatly benefit the students, staff and community of all members of the new regional school district.

55. Under the proposal, the expansion and conversion of the current Henry Hudson Regional School District to an all-purpose PK-12 district and the regionalization of the three existing school districts would occur on July 1, 2023, approximately eight months after the referendum vote.
56. The immediate expansion, conversion and consolidation of the existing district of the Henry Hudson Regional Tri-District would immediately provide budgetary savings based on the stabilization of state aid as outlined in NJ S3488 and would allow for governance and operational efficiencies that will eliminate significant obstacles to expanding educational opportunities for all children. Some of the most immediate educational benefits would include:
 57. Moving grade six out of the existing Atlantic Highlands and Highlands elementary schools into Henry Hudson would better align secondary curricula and instruction and include grade six students in more age- and developmentally-appropriate academic initiatives, clubs, activities, and athletics as well as provide them with more appropriate social, emotional learning supports for middle school-aged students.
 58. Using the additional capacity in the elementary schools would allow for expansion of preschool programs, specialized special education programming for students with autism, language learning disabilities, multiple disabilities or other specialized needs which may not be realized by the existing structures, and also could reduce special education out-of-district costs.
 59. Greater opportunity for staff development and growth, leadership opportunities, sharing of specialized staff and consistency in procedures, with consolidation of collective

bargaining agreements and alignment of schedules, policies and leadership would be realized.

60. There would be immediate budgetary savings with the elimination of duplicative services.
61. The alignment and sharing of resources and services that would enable the regional district to respond to future challenges.
62. Under the circumstances outlined above, Petitioners assert that the issue of the addition of a purpose to Henry Hudson to convert it from a limited purpose into an all-purpose regional should be submitted to the voters.
63. Moreover, Petitioners also assert that the issue of the addition of a new member, namely Sea Bright, to Henry Hudson upon conversion of Henry Hudson into an All-Purpose PK-12 Regional District, subject to the Commissioner's approval of Sea Bright's withdrawal from Oceanport and Shore Regional, should simultaneously be submitted to the voters.
64. The Petitioners are negotiating and will reach agreement on the proposed tax levy allocation that will be included in the referendum question to be presented to the voters. The Petitioners' proposed allocation shall be provided to the Commissioner of Education forthwith.
65. A true copy of a certified Resolution that was adopted by the Borough of Sea Bright on June 21, 2022 is annexed hereto as **Exhibit "D,"** authorizing the filing of the within Petition to regionalize with Highlands and Atlantic Highlands, simultaneously withdrawing from Oceanport and Shore Regional, and to submit a public question to the voters approving same at the upcoming November 2022 General Election.
66. A true copy of a certified Resolution that was adopted on June 15, 2022, by the Borough of Highlands is annexed hereto as **Exhibit "E"**.

67. A true copy of a certified Resolution that was adopted on July 13, 2022, by the Highlands Board of Education is annexed hereto as **Exhibit “F”**.
68. A true copy of a certified Resolution that was adopted on June 9, 2022, by the Borough of Atlantic Highlands is annexed hereto as **Exhibit “G”**.
69. A true copy of a certified Resolution that was adopted on July 13, 2022 by the Atlantic Highlands Board of Education is annexed hereto as **Exhibit “H”**.
70. A true copy of a certified Resolution that was adopted on July 13, 2022 by the Henry Hudson Board of Education is annexed hereto as **Exhibit “I”**.

WHEREFORE, Petitioners respectfully request that the Commissioner:

- a. Authorize a public referendum that would be submitted to and would ask the voters in Highlands and Atlantic Highlands to approve adding additional purposes to Henry Hudson Regional to convert it into a PK-12 all-purpose regional school district and simultaneously, if approved, to expand Henry Hudson to include Sea Bright as a constituent member, subject to the Commissioner’s approval of its withdrawal from Oceanport and Shore Regional; and
- b. Approve Sea Bright's withdrawal from Oceanport and Shore Regional, as set forth by statute, and upon such approval, authorize a public referendum that would be submitted to and would ask the voters in Sea Bright to approve its joining the PK-12 all-purpose Henry Hudson Regional School District; and
- c. Authorize the above described conversion of Henry Hudson into a PK-12 all-purpose regional school district to proceed upon voter approval without adding Sea Bright, in the event that its withdrawal from Oceanport and/or Shore Regional has not been fully approved by the Commissioner or is delayed, with the understanding that Sea Bright will be joined to the regional district upon such approval; and

- d. Grant permission to submit to the voters at the November 8, 2022 General Election, or as soon thereafter as permitted by law, the following public questions:

Proposed Public Question for the Voters of Highlands and Atlantic Highlands:

Shall the Boards of Education of the Highlands School District, Atlantic Highlands School District, and Henry Hudson Regional School District join together to convert Henry Hudson Regional into an all-purpose PK-12 regional school district, with the annual and special appropriations for such a two-constituent PK-12 regional school district to be apportioned upon the following basis: ____ % on each municipality's equalized valuation allocated to the regional district as provided by state law, and ____ % on the proportional number of pupils enrolled from each municipality on the 15th day of October of the prebudget year; and

Upon conversion of Henry Hudson into a PK-12 regional district, shall the PK-12 regional school district include the Borough of Sea Bright as a constituent member, upon approval by the Commissioner of Education of its withdrawal from Oceanport and Shore Regional School Districts, and approval by the voters of Sea Bright to join the Henry Hudson PK-12 Regional School, with the annual and special appropriations for the newly expanded three-constituent PK-12 regional school district to be apportioned upon the following basis: ____ % on each municipality's equalized valuation allocated to the regional district as provided by state law, and ____ % on the proportional number of pupils enrolled from each municipality on the 15th day of October of the prebudget year?

Proposed Public Question for the Voters of Sea Bright:

Upon approval by the voters of Atlantic Highlands and Highlands to convert the Henry Hudson Regional School District to a PK-12 regional school district and approval by the Commissioner of Education for Sea Bright to withdraw from the Oceanport and Shore Regional School Districts, shall Sea Bright join the Henry Hudson PK-12 Regional School District, with the annual and special appropriations for the newly expanded three-constituent PK-12 regional school district to be apportioned upon the following basis: ____ % on each municipality's equalized valuation allocated to the regional district as provided by state law,

and ____ % on the proportional number of pupils enrolled from each municipality on the 15th day of October of the prebudget year?

d. Provide all other appropriate relief the Commissioner shall deem just and proper.

Respectfully submitted,

THE BUSCH LAW GROUP LLC

Date:

BY:



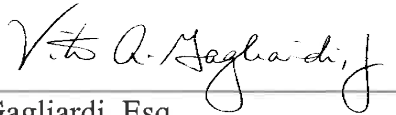
Jonathan M. Busch, Esq.

Attorney for Henry Hudson Regional School District
Board of Education, Atlantic Highlands Board of
Education and Highlands Board of Education

PORZIO, BROMBERG & NEWMAN, P.C.

Date:

BY:



Vito Gagliardi, Esq.

Attorney for Sea Bright Borough and Highlands
Borough

CLEARY, GIACOBBE, ALFIERI & JACOBS, L.L.C.

Date:

BY:

Matthew Giacobbe, Esq.

Attorney for Petitioner Borough of Atlantic Highlands

and ____ % on the proportional number of pupils enrolled from each municipality on the 15th day of October of the prebudget year?

d. Provide all other appropriate relief the Commissioner shall deem just and proper.

Respectfully submitted,

THE BUSCH LAW GROUP LLC

Date:

BY: _____
Jonathan M. Busch, Esq.
Attorney for Henry Hudson Regional School District
Board of Education, Atlantic Highlands Board of
Education and Highlands Board of Education

PORZIO, BROMBERG & NEWMAN, P.C.

Date:

BY: Vito A. Gagliardi, Jr.
Vito Gagliardi, Esq.
Attorney for Sea Bright Borough and Highlands
Borough

CLEARY, GIACOBBE, ALFIERI & JACOBS, L.L.C.

Date:

7/15/22

BY: Matthew J. Giacobbe
Matthew Giacobbe, Esq.
Attorney for Petitioner Borough of Atlantic Highlands