

SB # 82-95

IN THE MATTER OF THE APPLICATION :
TO ESTABLISH A NORTH JERSEY :
JOINTURE COMMISSION BY THE :
SCHOOL DISTRICTS OF BOGOTA, STATE BOARD OF EDUCATION :
CLIFFSIDE PARK, EDGEWATER, :
ENGLEWOOD CLIFFS, FAIRVIEW, DECISION :
LITTLE FERRY, PALISADES PARK AND :
RIDGEFIELD PARK, BERGEN COUNTY. :
_____ :

Decided by the Commissioner of Education, May 19, 1995

Decision by the State Board of Education, February 7, 1996

Decision on remand by the Commissioner of Education, May 21, 1996

Decision on motion by the State Board of Education, August 7, 1996

Remanded by the State Board of Education, February 5, 1997

For the Petitioners-Appellants, Martin R. Pachman, P.C. (Robin T. McMahon, Esq., of Counsel)

For the Respondent-Respondent, Arlene G. Lutz, Deputy Attorney General (Peter Verniero, Attorney General of New Jersey)

This matter came before the State Board of Education for consideration of the substance of an appeal by eight school districts (hereinafter "petitioning districts") from a determination of the Commissioner of Education to reject their application to establish a jointure commission pursuant to N.J.S.A. 18A:46-24 through N.J.S.A. 18A:46-27. By decision of February 5, 1997, we remanded this matter to the Commissioner for reconsideration with the direction that such reconsideration should include all relevant information, including the recommendations that had been made by the County Superintendent and the Coordinating County Superintendent, and that he then

reexamine this matter in the context of our agency's policy favoring the regionalization of educational programs and services as it applied to the districts involved.

By a memorandum dated May 30, 1997 directed to the superintendents of the eight petitioning districts, Dr. Peter B. Contini, who was then Assistant Commissioner for the Division of Field Services, indicated that the school districts of Bogota, Cliffside Park and Englewood Cliffs were no longer interested in participating as member districts of the proposed jointure commission. He advised the districts that the Commissioner would take no action in the matter unless a revised application was submitted to him reflecting the current proposed members and the services they wished to provide.

By letter dated September 24, 1997, we notified counsel for the parties that the State Board had been provided with a copy of the memorandum and that our Legal Committee would be recommending that the State Board dismiss the appeal. Thereafter, by letter dated November 12, 1997, we notified the superintendents of the eight petitioning districts, as well as their counsel, that the State Board of Education would decide whether to dismiss this matter at its next public meeting.

We have received no response to either correspondence from any of the districts which had been among the original applicants. Consequently, we dismiss the appeal.

December 3, 1997

Date of mailing _____