

BOARD OF EDUCATION OF THE :
TOWNSHIP OF PLUMSTED, :
OCEAN COUNTY, :

PETITIONER, :

V. : COMMISSIONER OF EDUCATION

BOARD OF EDUCATION OF THE : DECISION
UPPER FREEHOLD REGIONAL SCHOOL :
DISTRICT, MONMOUTH COUNTY, :

RESPONDENT. :

_____:

For Petitioner: Ronald J. Ianoale, Esq. (McManimon & Scotland, L.L.C.)

For Respondent: Peter P. Kalac, Esq. (Kalac, Newman, Lavender & Campbell)

The Board of Education of the Township of Plumsted having applied, pursuant to *N.J.S.A.* 18A:38-13, to the Commissioner of Education for a change of designation of the receiving district for high school pupils, heretofore designated to attend the Allentown High School in respondent's district, to attend a high school to be established in petitioner's proposed K-12 district; and

The Board of Education of the Upper Freehold Regional High School District having joined with petitioner in requesting a termination of the sending-receiving relationship between itself and petitioner; and

Petitioner having conducted a feasibility study in accordance with *N.J.S.A.* 18A:38-13, said study having established to the Commissioner's satisfaction that the withdrawal of the Plumsted Township students from the Allentown High School would cause no substantial negative impact on the educational program of Allentown High School or on the quality of education received by the pupils in each of the districts; and

The feasibility study having further established to the Commissioner's satisfaction that there will be no substantial negative impact on the financial conditions of petitioner and respondent; and

The feasibility study having further established to the Commissioner's satisfaction that said withdrawal will have no substantial impact on the racial composition of either the proposed high school or the Allentown High School; now therefore

IT IS ORDERED, on this _____ day of December 1997, that, pursuant to *N.J.S.A.* 18A:38-13, the application of the Board of Education of the Township of Plumsted for severance of its sending-receiving relationship with the Upper Freehold Regional School District is approved, said severance not to take effect, however, until such time as, in the view of the districts' respective County Superintendents, the Board is actually able to provide programs and facilities for its high school students as anticipated in the feasibility study.

COMMISSIONER OF EDUCATION

DECEMBER 12, 1997