Porzio, Bromberg & Newman Successfully Represents Borough of Sea Bright in School Regionalization Case

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By: Vito Gagliardi, Jr., Kerri Wright, Thomas Reilly

Porzio, Bromberg & Newman, P.C. proudly represented the Borough of Sea Bright and the Borough of Highlands in a pivotal case before the Superior Court of New Jersey Appellate Division, securing a decision affirming Sea Bright's right to seek withdrawal from the Oceanport and Shore Regional High School districts to join a newly formed all-purpose regional school district.

The Porzio team, comprised of Vito A. Gagliardi Jr., Kerri A. Wright, and Thomas J. Reilly, successfully argued that the governing body of Sea Bright, as a municipality, had the statutory authority to initiate the withdrawal under newly enacted legislation, N.J.S.A. 18A:13-47.11. Oceanport and Shore Regional had challenged Sea Bright's standing, asserting that as a municipality without its own board of education, it could not request withdrawal. The court rejected this argument, concluding that the statute explicitly grants municipal governing bodies the authority to act in such cases, aligning with the Legislature's intent to promote regionalization and resource sharing.

“This ruling validates the Borough of Sea Bright and the Borough of Highlands's efforts to ensure the best educational opportunities for its community,” said Vito A. Gagliardi Jr., Managing Principal and Co-Chair of Porzio, Bromberg & Newman, P.C.'s Education and Employment Team. “We are proud to have successfully represented Sea Bright and Highlands in this important matter, which supports the broader goals of regionalization and shared resources in New Jersey schools.”

The Appellate Division's decision provides clarity on the statutory framework for school district governance and reinforces the Legislature's intent to empower municipalities to act in the absence of a board of education. Porzio's attorneys assisted in the development of this recent legislation and continue to be an invaluable resource and advocate for boards and municipalities across the state looking to study or modify their current educational structure. Having worked with over 100 municipalities and school districts across the State for over 30 years, Porzio's team has significant experience in school district reconfiguration.

The full opinion is available here.