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Judge to hear Absecon Schools request to leave Pleasantville in July, attorney says

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Absecon School District will appear before a judge in July to argue why it should be allowed to leave its sending and receiving relationship with Pleasantville School District.

“The process requires us to demonstrate that we can leave Pleasantville and move to Greater Egg Harbor Regional without imposing a substantial negative impact on any of the districts involved,” Absecon’s special counsel Vito A. Gagliardi Jr. said this week. “We have a comprehensive expert report that demonstrates that there should be no impediments and we look forward to the presentation of our case before an Administrative Law Judge beginning on July 28.”

The K-8 district submitted its request to the Department of Education in August to sever its decades-old agreement with Pleasantville to send high school students there, citing the cost and quality of education there. The petition calls for students from Absecon to instead attend nearby Absegami High School.

Pleasantville filed an answer contesting the petition on Sept. 20, 2019, said Karyn White, the district’s in-house counsel.

“The Pleasantville Board of Education has and will continue to offer quality and quantity of educational opportunities to all students and we don’t admit or deny the dissatisfaction of the Absecon Board of Education. They’re just left to their proofs,” White said.

Department of Education spokesman Michael Yaple said the court process can take several months to a year. Once the judge issues an initial decision, the Commissioner of Education can accept, reject or modify it, Yaple said.

In 2015, Longport, a non-operating district with about a dozen high school students, was allowed to end its relationship with Atlantic City High School and instead offer students the option to attend Ocean City or Atlantic City high schools, but the court process took several years.

Gagliardi’s firm, Porzio, Bromberg and Newman, was successful in representing Newfield when it left Buena Regional School District and Merchantville when it left Pennsauken High School.

“It doesn’t happen every day, but it’s not exactly unheard of,” Gagliardi said. “Both of those were in the past 10 years.”

Absecon school district has long considered withdrawing from its agreement with Pleasantville for high school matriculation. Under the agreement, Absecon pays a tuition of $18,000 per student, but not many choose to attend.

According to school-provided data, most students from Absecon attend the Atlantic City Institute of Technology for high school. Less than 10% of eighth-grade students from Absecon attend Pleasantville High School. In 2017-18, 37 students in grades 9 through 12 from Absecon attended Pleasantville.

The district approved a feasibility study two years ago to determine whether the move was possible.

Absecon will need to satisfy three requirements to receive approval from the state: that the severance would not adversely affect education programming, the financial stability of the districts or the racial composition of the districts.

Absecon's petition was cited during a conference on school segregation in Pleasantville in November as a way that towns continue to pursue ways to segregate students. Gagliardi pushed back stating that it was insulting to Absecon and its students to suggest that.

"I don't think the case has anything to do with segregation. Children from Absecon who go to Pleasantville High School, a majority of them are minority students," he said. "Absegami High School, which they would otherwise attend if the suit is successful is also very diverse…This is hardly a racial issue."