

# How Senator Sweeney's School Consolidation Bill Could Become Regionalization as Cover for More Segregation?



*Predatory serial segregationists have hijacked the school consolidation agenda and are already lining up to feed at the public trough*

"Watch out for false prophets. They come to you in sheep's clothing, but inwardly they are ferocious wolves." Matthew 7:15



- While Senator Sweeney has called for the consolidation of school districts for cost savings and efficiency there has been a rash of school district break-ups resulting in greater racial segregation and economic inequality.
- Recently a group of clever and well-paid lawyers and consultants led by Vito Gagliardi of the Porzio law firm have figured out a way to circumvent the courts, and the law, by compiling false and misleading data and hoping no one notices, and no one cares



*Vito Gagliardi “has handled the only three regional school district dissolutions in New Jersey’s state history” from Porzio Selected by Salem County to Conduct School District Consolidation Study – Porzio News 11/20/2020 | [Porzio, Bromberg & Newman P.C.](#)*

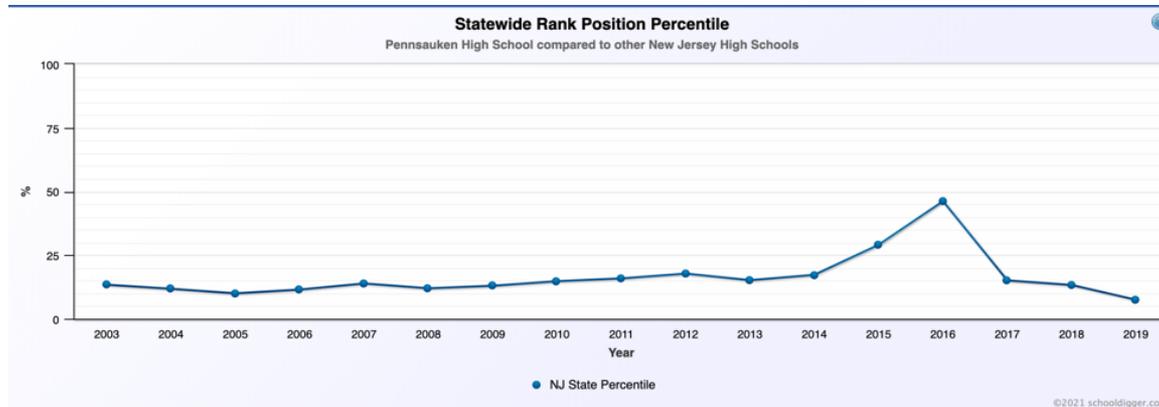
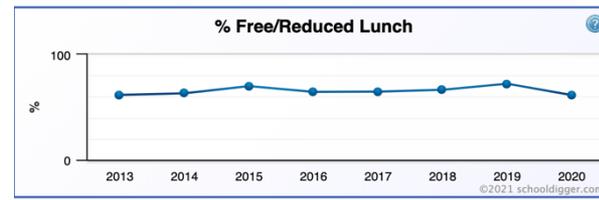
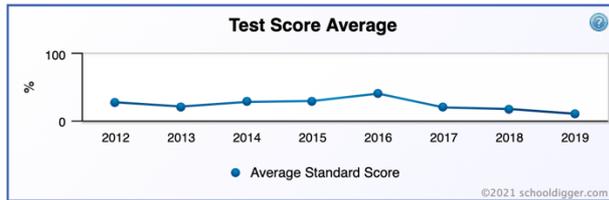
- The latest of these is a petition from the majority white Absecon school district trying to secede from the majority black and brown Pleasantville High School.
- Last year the Gagliardi gang succeeded using nearly identical arguments to pull majority white Maywood out of majority black and brown Hackensack.
- In 2015 they split majority white Merchantville from majority minority Pennsauken despite Pennsauken's herculean effort to stop them.
- Gagliardi argued there would be no negative impact, but now Pennsauken (Senator Sweeney's hometown high school) is more segregated, impoverished, and underperforming than ever before.
  - Now 90% Segregated and over 60% poor.

*“Vito Gagliardi turned Pennsauken in to an apartheid School district”* - former Pennsauken Board School member.



In 2015 Chris Christie’s Education Commissioner, David Hesper, signed off on the Pennsauken secession and then joined the Gagliardi gang as one of their high paid “education experts”

*Merchantville’s severance from Pennsauken will "not result in a substantial negative impact upon the quality of education, the financial condition or the racial composition of any of the districts involved," Commissioner David Hesper's decision in 2015*



- Today Gagliardi, Hesse and the rest of his team are involved in every *de-regionalization* case in the state where a majority white district is attempting to secede from a majority black and brown district...
  - *and being well compensated for it*

- **Somers Point (NJ)** – Feasibility Study (2017) – Analyzed demographic effects of the **reconfiguration** of the Somers Point School District.
- **Edgewater Park (NJ)** – Feasibility Study (2016) – Analyzed demographic effects of the **withdrawal** of Edgewater Park students for grades 9-12 from the Burlington City School District upon termination of its existing sending-receiving relationship, as well as the demographic effects upon the creation of a new sending-receiving relationship with the Delran Board of Education.
- **North Haledon (NJ)** – Feasibility Study (2016) – Analyzed demographic effects of the **withdrawal** of North Haledon students from Manchester Regional School District where students would instead attend Manchester Regional School District through a sending-receiving relationship.
- **Seaside Park (NJ)** – Feasibility Study (2015) – Analyzed the demographic and racial effects of Seaside Park students upon creating a second sending-receiving relationship with the Lavallette School District in addition to its existing sending-receiving relationship with the Toms River Regional School District.
- **East Newark (NJ)** – Feasibility Study (2014) – Analyzed demographic and racial effects of the **withdrawal** of East Newark students from the Harrison Public Schools upon **termination** of its existing sending-receiving relationship, as well as the demographic and racial effects upon the creation of a new sending-receiving relationship with the Kearny Board of Education.
- **Cape May (NJ)** – Feasibility Study (2013) – Analyzed demographic and racial effects of the **withdrawal** of Cape May students from Lower Cape May Regional for grades 7-12 and the establishing of a sending-receiving relationship with either Lower Cape May Regional or Middle Township for grades 7-12.
- **Merchantville Borough (NJ)** - Feasibility Study (2012) – Conducted a study considering the demographic and racial effects of the **withdrawal** of Merchantville students from the Pennsauken Public Schools upon **termination** of the existing sending-receiving relationship, as well as the demographic and racial effects upon the creation of a new sending-receiving relationship with the Haddon Heights Board of Education.

- **Merchantville Borough** (NJ) - Feasibility Study (2012) – Conducted a study considering the demographic and racial effects of the **withdrawal** of Merchantville students from the Pennsauken Public Schools upon **termination** of the existing sending-receiving relationship, as well as the demographic and racial effects upon the creation of a new sending-receiving relationship with the Haddon Heights Board of Education.
- **Black Horse Pike Regional School District** (NJ) Feasibility Study (2009) – Conducted a study considering the **dissolution** of the Black Horse Pike Regional School District (grades 9-12) whereby a full PK-12 regional district would be created between Bellmawr Borough, Gloucester Township, and Runnemede Borough. Analyzed demographic and racial impacts in each of the scenarios.
- **Montvale Borough** (NJ) and Woodcliff Lake Borough (NJ) - Feasibility Study (2008) – Conducted a study considering the **dissolution** of the Pascack Valley Regional High School District whereby a full K-12 regional district would be created between Montvale and Woodcliff Lake Boroughs.
- Carlstadt Borough (NJ) - Feasibility Study (2008) – Conducted a study considering the **dissolution** of the Carlstadt-East Rutherford Regional High School District whereby a full K-12 regional district would be created between East Rutherford and Carlstadt Boroughs or whereby a K-12 district would be created in East Rutherford Borough and high school students from Carlstadt Borough would attend East Rutherford on a sending-receiving basis.
- **Watchung Borough** (NJ) - Feasibility Study (2008) – Conducted a study considering the **withdrawal** of Watchung Borough from the Watchung Hills Regional High School District whereby Watchung would send its students to the existing regional district on a sending-receiving basis. The study also considered the **dissolution** of the Watchung Hills Regional High School District whereby a full K-12 regional district would be created or whereby a K-12 district would be created in Warren Township and high school students from Watchung Borough would attend Warren Township on a sending-receiving basis.
- **Park Ridge Borough** (NJ) - Feasibility Study (2007) – Conducted a study considering many different organizational structures to the existing PK-12 school district including forming an all-purpose regional school district with adjoining communities and joining an existing limited-purpose regional high school district.

- **Merchantville** Board of Education (NJ) – Racial Impact Study (2007) – Conducted a study to determine the racial impact of Merchantville **terminating** its sending-receiving relationship with Pennsauken Township.
- **Oradell Borough** (NJ) - Feasibility Study (2006) – Conducted a study of **dissolving** the River Dell Regional School District, a limited-purpose grade 7-12 regional district, with the resulting formation of two independent K-12 districts in Oradell Borough and River Edge Borough. The study explored having Oradell enter into a send-receive relationship with River Edge for its grade 7 and 8 students while River Edge enter into a send-receive relationship with Oradell for its grade 9-12 students.
- **Liberty Township** (NJ) - Feasibility Study (2006, 2008) – Conducted two studies, one which would **dissolve** the Great Meadows Regional School District, a grade PK-8 regional district, and create two independent PK-8 districts in Liberty Township and Independence Township. The second study analyzed dissolving the Great Meadows Regional School District, creating a PK-8 district in Independence Township and a PK-5 district in Liberty Township where Liberty Township students in grades 6-8 would be sent to Independence Township on a sending-receiving basis.
- **Newfield Board** of Education (NJ) - Feasibility Study (2006) – Conducted a study of **terminating** the existing send-receive relationship between the Newfield Board of Education and the Buena Regional School Board of Education and initiating a new sending-receiving relationship between the Newfield Board of Education and the Delsea Regional Board of Education and the Franklin Township Board of Education. Testified at a deposition and trial as an expert witness in school demography regarding the termination of the sending-receiving relationship of Newfield Borough with the Buena Regional School District.
- **Elmer Borough** Board of Education (NJ) - Feasibility Study (2004) – Conducted a study of making the Elmer Borough School District a non-operating district by creating a new sending-receiving relationship between the Elmer Board of Education and the Pittsgrove Board of Education. Analyzed the demographic impacts on each school district for the proposed organizational change.
- **Elk Township**, Franklin Township, and Delsea Regional High School District (NJ) – Feasibility Study (2003-2004) – Conducted a feasibility study exploring the expansion of the Delsea Regional High School District from a limited purpose (grades 7-12) regional concept to an all-purpose (grades PK-12) regional alignment. Other options explored were the **dissolution** of the Delsea Regional High School District and formation of two independent PK-12 school districts in Franklin Township and Elk Township

- But despite the damage to Steve Sweeney’s high school and his role in every successful *de* regionalization case in the state, Gagliardi now brags that he helped write the Senate President’s school regionalization bill, S3488, that is now before the Legislature.
- He has been assuring his clients that the bill will “not affect” their secession plans and can even be used for more *de*-regionalizations and “withdrawals” in the name of regionalization...

- Despite his record as a self-proclaimed *de-regionalizer* he somehow snagged the state funded contract for a Salem county pilot project to explore a “unified county district”

*...while assuring the county's white parents and taxpayers there will be no unified district “only certain sections”*

- Senator Sweeney’s school consolidation bill S3488 could be a positive step forward and part of the answer to greater inclusion and equity as well as “efficiency and cost savings”...

..but instead, it is being brazenly hijacked by people who have declared they are going to use it for the opposite purpose...

*to secede, to exclude, discriminate and segregate.*

Language now in the bill requiring proposed consolidations to *avoid segregation* is not enough. Gagliardi has shown that more is needed to plug all the loopholes he and his clients intend to exploit.

S3488 can be made into a bill that cannot be used for more segregation:

**Summary:**

1. Do not allow withdrawals, separations or dissolutions as a part of any proposed consolidation plan.
2. Require an affirmative obligation to create a racially and socioeconomically integrated consolidated district.
3. Require affirmative obligation to show impact toward desegregation and poverty de-concentration within the region where consolidation is being proposed.

S3488 can be made into a bill that cannot be used for more segregation:

**1. It must not permit “withdrawals” or “separations” as a step toward regionalization:**

- A withdrawal or separation is *not* consolidation or regionalization it is *de-regionalization!* It is the exact opposite of the spirit and purpose of the bill.
- Allowing withdrawals, as a step toward consolidation, will only lead to more racial segregation, isolations and abandonment of poor children.
- The bill must strike “withdrawals” and “separations” and make feasibility studies that include withdrawals and dissolutions ineligible for grants.
- ...including a provision that makes clear that no grant under the statute can be used for a feasibility study to investigate and/or support terminating any sending receiving relationship under 18A:38-13.

S3488 can be made into a bill that cannot be used for more segregation:

**2. It must require an *affirmative* obligation to advance inclusion, diversity and integration within the school district being consolidated:**

- Just as the bill has affirmative goals for efficiency and cost savings it must also include an obligation to achieve racial and socioeconomic integration within the consolidated district (as defined by the demographics of the region).
- The bill must make goals, projections and plans for socioeconomic inclusion based on regional demographics a requirement for grant eligibility.

S3488 can be made into a bill that cannot be used for more segregation:

**3. It must require an *affirmative* obligation to advance inclusion, diversity and integration in the larger region:**

- Applicants must be required to demonstrate how proposed consolidations will have an impact on the de-concentration of poverty and a reduction of racial segregation within the region as defined by the county, Metropolitan Statista Area and among contiguous surrounding districts.

*Simply avoiding segregation is not enough. The state is too diverse and too fragmented for required inclusion goals not to be included. Districts that consider consolidating without being required to include inclusion will be compelled to segregate by race and or class.*

S3488 can be made into a bill that cannot be used for more segregation:

- If the bill can make ***“improved efficiency and cost savings”*** a required goal of consolidation it can make ***inclusion and the reduction of segregation and poverty concentration*** a required goal.
- After all, school segregation is illegal, and the courts have made clear that the state has an *affirmative obligation* to reduce it not just avoid it. And reducing poverty - especially concentrated poverty in our schools - will do more to promote cost savings for New Jersey taxpayers than almost anything else we can do.

S3488 can be made into a bill that cannot be used for more segregation:

- With these changes the Senate President's School Consolidation bill will become a meaningful starting point for a powerful reform legislative agenda to end the shame of school segregation in New Jersey.
- We look forward to working with Senate President Sweeney on a powerful reform agenda that includes:

- **Strengthening funding** for diverse and integrated schools
- Directing more funding to local integration and **desegregation best practices** where diversity already exists.
- Reforming the ***Interdistrict Public School Choice*** program to advance integration within regions based on opportunity analysis.
- Providing for and **incentivizing integrated regional and consolidated schools.**
- Supporting **pro-integration magnet schools** in urban areas and for **county schools.**
- Reforming legislation to **require charters to advance integration** instead of promoting segregation.
- Increasing & **enforcing *Mount Laurel*** obligations on “far flung” high opportunity communities with exclusionary schools.
- **Reforming and strengthening Department of Education’s** civil rights capacity and enforcement requirements.
- Other “carrots & sticks” to **reward inclusion & discourage exclusion.**

*We do this by building support among a multi-racial coalition of leaders from and urban diverse suburban school districts and legislative districts across the state...*

*...and by attending **September 24** statewide conference on **the Problem of School Segregation in NJ and What We Can do About it.***

*September 24 is the 64<sup>th</sup> Anniversary of the day federal troops were deployed to integrate Little Rock High School.*

*Conference Center at Mercer, West Windsor, 10 AM to 3 PM*

