

Rosslyn Farms ruling could let municipalities seek new school districts

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By Ben Present, The Legal Intelligencer

An Allegheny County judge's decision allowing a Western Pennsylvania borough to take the first step toward seceding from its school district could create a chaotic new environment -- including "district shopping" and "recruitment" of municipalities, one lawyer said.

Last month, Common Pleas Court Judge David N. Wecht ruled a water boundary does not wash away the contiguity of two neighboring boroughs -- an issue of first impression that was lodged as a procedural hurdle in Rosslyn Farms borough's petition to leave Carlynton School District and join Chartiers Valley School District.

Judge Wecht's decision moved the issue to the state Department of Education, which will decide on the petition's merits, absent an appeal.

If approved, the case could lead other boroughs to do "a lot of district shopping," Carlynton's lawyer said.

Ira Weiss, who has been practicing municipal law for close to four decades, said once a precedent is established for district switching, residents will think they can change districts "just because they want to."

The lawyer representing the breakaway borough rejected that assertion, saying he did not think this case would start a trend and it is unlikely a community looking to secede could do so on a whim.

Mr. Weiss, however, said he could foresee the districts cooperating with the prospective boroughs, though, and likened the process to a school recruiting athletes. This would be especially true in bigger districts in Allegheny County, some with as many as 14 boroughs, he said, whereas Carlynton has only three.

But Rosslyn Farms' attorney disagreed, noting the "massive undertaking" set forth by the petitioners in "In re Establishment of Independent School District Consisting of the Borough of Rosslyn Farms."