



NJDOE News

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For Immediate Release: September 2, 2009

**Commissioner Davy Praises Court Decision
on Administrator Payouts, Nepotism Policies**

The appellate court decision upholding the authority of the Commissioner of Education to adopt fiscal accountability regulations "is a welcome affirmation of the Corzine administration's efforts to bring transparency and efficiency to school district spending," Commissioner Lucille E. Davy said today.

In *New Jersey Association of School Business Officials v Davy*, issued today, the court ruled that the Commissioner had the authority to enact regulations that set standards for payments in lieu of unused sick and vacation leave to school business administrators and condition a school district's receipt of state aid on its adoption of a nepotism policy.

"The court considered the legislative and administrative genesis of these regulations and agreed that we have the responsibility to establish rules to effectuate the purposes of the school district accountability laws that the legislature approved and that Governor strongly supported and signed," Commissioner Davy said.

"As Governor Corzine has said repeatedly, we have an obligation to the taxpayers of New Jersey to ensure that public dollars are not wasted on excessive administrative costs but actually get into the classrooms, where they are most needed," the Commissioner said. "It is gratifying to see that the appellate court agreed."

Commissioner Davy adopted the regulations pursuant to the CORE and school district accountability laws, signed by Governor Corzine in 2007, and the School Funding Reform Act, signed by the Governor in 2008.

Today's appellate court decision can be found here: <http://www.judiciary.state.nj.us/opinions/a6074-07.pdf>