

SB #30-97

IN THE MATTER OF AN ADJUSTMENT TO :  
THE SPENDING GROWTH LIMITATION :  
REQUEST OF THE BOARD OF EDUCATION : STATE BOARD OF EDUCATION  
OF THE TOWNSHIP OF BERKELEY, OCEAN : DECISION  
COUNTY. :

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Decided by the Commissioner of Education, March 24, 1997

For the Petitioner-Appellant, Robert D. Budesa, Esq.

This matter involves an appeal from a determination made by the Commissioner of Education on March 24, 1997 to approve only \$461,789 of a \$906,789 request by the Board of Education of the Township of Berkeley (hereinafter "Board") under N.J.S.A. 18A:7F-5(d) for an increase in the district's spending growth limitation for the 1997-98 school year.

The matter was initially placed in abeyance at the Board's request, and, by letter dated May 29, 1997, the Board requested to withdraw its appeal on the basis of an agreement it had arrived at with the Township Council with respect to its education budget for 1997-98.

After reviewing the Board's request, we approve withdrawal of the appeal since the documentation reflects a budget that is within the spending growth limitation

established by the Commissioner's March 24 determination. However, in that the agreement between the Board and the Township Council would also settle any dispute concerning the Township Council's determination pursuant to N.J.S.A. 18A:22-37 of the amount necessary to provide a thorough and efficient system of schools in the district, we refer the proposed settlement to the Commissioner for approval as required by N.J.A.C. 6:24-7.3.

July 2, 1997

Date of mailing \_\_\_\_\_