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LUCILLE DAVY, COMMISSIONER	)	SUPERIOR COURT OF NEW JERSEY
OF THE DEPARTMENT OF	)	LAW DIVISION - MERCER COUNTY
EDUCATION,	)	
	)	
Plaintiff	)	DOCKET NO.
v.	)	
	)	VERIFIED COMPLAINT
BARBARA TRZESZKOWSKI,	)	IN SUPPORT OF A
KEANSBURG BOARD OF EDUCATION	)	DECLARATORY JUDGMENT
and KEANSBURG SCHOOL DISTRICT,	)	
	)	
Defendants.	)	

Plaintiff, Lucille Davy, Commissioner of the Department of Education, whose principal office is at 100 River View Plaza, Trenton, NJ 08625, by way of verified complaint against the Defendants says:

THE PARTIES

1. Plaintiff, Lucille Davy is the Commissioner of the Department of Education and was appointed by Governor Jon S. Corzine and confirmed by the Senate and is charged with supervision of all schools in the State of New Jersey.

2. Defendant, Barbara Trzeszkowski is the current superintendent of the Keansburg school district and has been so employed as superintendent since 1999. Trzeszkowski began working in Keansburg in January 1970 as a teacher and later as a principal before being appointed as superintendent.

3. Defendant, the Keansburg Board of Education is currently comprised of nine elected members: William Manoes, Kimberly Kelaher-Moran, Ann Marie Best, Yolanda Ann Commarato, Cindy Etkorn, Judy Ferraro, Robert Ketch, James Merkel and Christine Blum.

4. On information and belief, at the time the employment contract at issue in this matter was approved, the Keansburg Board of Education was comprised of the following members: James Cocuzza, Joseph W. Hazeldine, Patsy Acconzo, Jr., Annett Jacome, Patricia Hamilton, Edith L. Chimel, MaryAnn Franklin, Kimberly Kelaher Moran and Andrew Murray.

5. Defendant, the Keansburg school district is comprised of 2 primary schools, the Joseph C. Caruso and Fort Monmouth Road schools, one middle school, the Joseph R. Bolger Middle School and one high school, the Keansburg High School.

#### Factual Allegations

6. The Keansburg school district (hereinafter "Keansburg") is made up of approximately 1800 students with approximately 530 attending Keansburg High School.

7. Keansburg was first designated as an Abbott school district in 1990 and remains in this status in the 2007-08 school year.

8. For the 2008-09 school year, the designation of "Abbott" has been eliminated statewide and Keansburg will fall under the authority of the School Funding Reform Act of 2008 ("SFRA"), L. 2007, c.260, § 18. Under the SFRA, Keansburg will be held to similar requirements currently in place for Abbott districts.

9. For Fiscal Year 2006-2007, Keansburg received over \$34 million dollars in State aid, which accounted for approximately 80 percent of its school budget.

10. For Fiscal Year 2007-08, Keansburg received over \$31 million dollars in State aid, which accounted for approximately 77 percent of its school budget.

11. For Fiscal Year 2008-09, Keansburg is expected to receive close to \$33 million in total state aid which will constitute approximately 78 percent of its school budget.

12. Compared to other k-12 districts in New Jersey, Keansburg is within the top 15 highest spending school districts per pupil in all of New Jersey.

13. Pursuant to N.J.A.C. 6A:23-8.2, each district board of education must also prepare and submit a proposed budget in which the "advertised per pupil administrative costs does not exceed the lower of: (1) the district's adjusted pre-budget year per pupil

