

C #265-97  
SB # 57-97

IN THE MATTER OF BETTY JO ZIEMER, :  
BRADLEY BEACH BOARD OF EDUCA- : STATE BOARD OF EDUCATION  
TION, MONMOUTH COUNTY. : DECISION

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Decided by the School Ethics Commission, April 22, 1997

Decided by the Commissioner of Education, May 19, 1997

For the Petitioner-Respondent, Nancy Kaplen, Deputy Attorney General  
(Peter Verniero, Attorney General of New Jersey)

For the Respondent-Appellant, Betty Jo Ziemer, pro se

On April 22, 1997, the School Ethics Commission determined that Betty Jo Ziemer (hereinafter "appellant"), a member of the Board of Education of the Borough of Bradley Beach, had violated N.J.S.A. 18A:12-33 by failing to attend mandated training sessions for new school board members, and recommended that she be removed from the board as a result of such violation. On May 19, 1997, the Commissioner of Education modified the penalty recommended by the Ethics Commission, directing that appellant be suspended from her membership on the board for a period of three months.

On June 11, 1997, appellant filed a notice of appeal with the State Board, along with a request for a stay of the Commissioner's decision.

By letter dated June 24, 1997, the counsel to the State Board advised appellant that a brief in support of her appeal was due on July 1. She also advised appellant that the State Board could not entertain her request for a stay of the Commissioner's decision since such a motion must be made first to the Commissioner. N.J.A.C. 6:2-2.2.

Pursuant to N.J.A.C. 6:2-1.11(a), appellant's brief in support of her appeal was due on July 1, 1997, 20 days after she filed her notice of appeal. Appellant, however, failed to file a brief by that date. By letter dated July 8, 1997, appellant was notified that no appeal brief had been filed and that this matter was therefore being referred to our Legal Committee for consideration of her failure to perfect the appeal. Appellant has still failed to file a brief in support of her appeal, more than two months after the deadline for such filing, and nearly two months after she was provided with notice of her failure to file. Nor has appellant offered any explanation for her failure to file or requested an extension of time.

Consequently, the State Board of Education dismisses the appeal in this matter for failure to perfect. N.J.A.C. 6:2-1.12(a). See *Paszamant v. Board of Education of the Borough of Highland Park*, decided by the State Board of Education, April 1, 1992, aff'd, Docket #A-4812-91-3 (App. Div. 1993).

September 3, 1997

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