

DHPL #140-98  
SB # 47-98

IN THE MATTER OF THE DISQUALIFI- :  
CATION FROM SCHOOL EMPLOYMENT : STATE BOARD OF EDUCATION  
OF D.B. : DECISION

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Decided by the Assistant Commissioner of Education, March 23, 1998

For the Petitioner-Appellant, D.B., pro se

On March 23, 1998, the Assistant Commissioner of Education issued a letter decision in which he disqualified D.B. (hereinafter "appellant") from school employment after a criminal history record review conducted pursuant to N.J.S.A. 18A:6-7.1 revealed that appellant had been convicted of aggravated assault, a disqualifying offense.

On April 20, 1998, appellant, acting pro se, filed a notice of appeal with the State Board of Education.

Pursuant to N.J.A.C. 6:2-1.11(a), appellant's brief in support of his appeal was due on May 11, 1998, 20 days after he filed his notice of appeal. Appellant, however, failed to file a brief by that date. By letter dated May 15, 1998, the Director of the State Board Appeals Office notified appellant of his failure to file a brief and informed him that this matter was being referred to the Legal Committee for consideration of his failure to perfect the appeal.

Appellant has still failed to file a brief in support of his appeal, more than seven weeks after the deadline for such filing. Nor has appellant offered any explanation for his failure to file a brief or requested an extension of time for such filing. As a result, we dismiss 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, April 1, 1992, aff'd, Docket #A-4812-91-3 (App. Div. 1993).

Sam Podietz did not participate in deliberations in this matter.

July 1, 1998

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