

IN THE MATTER OF THE :
DISQUALIFICATION FROM : COMMISSIONER OF EDUCATION
SCHOOL EMPLOYMENT OF H.F.J. : DECISION
_____:

SYNOPSIS

Following appeal of the Department's disqualification of food service worker H.F.J., matter of disqualification was transmitted to OAL for hearing.

In light of the documents in evidence and the testimony of witnesses, the ALJ concluded that H.F.J. affirmatively demonstrated rehabilitation, having turned his life around after spending time in jail in 1971.

Commissioner concurred with ALJ that H.F.J. had clearly and convincingly demonstrated rehabilitation within the intentment of the criminal history record check law set forth at *N.J.S.A. 18A:6-7.1*.

MAY 19, 1998

OAL DKT. NO. EDU 3824-97
AGENCY DKT. NO. DHP 26-97

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The record of this matter and the initial decision of the Office of Administrative Law (OAL) have been reviewed. No exceptions were filed by the parties.

Upon careful and independent review, and based upon the credibility determinations of the Administrative Law Judge (ALJ), the Commissioner concurs with the ALJ's conclusion that appellant has demonstrated rehabilitation within the intentment of the criminal history record check statutes, as set forth at *N.J.S.A. 18A:6-7.1*.

Accordingly, the initial decision of the OAL is adopted for the reasons expressed therein and appellant is deemed eligible for school employment.*

IT IS SO ORDERED.

COMMISSIONER OF EDUCATION

MAY 19, 1998

* This decision, as the Commissioner's final determination in the instant matter, may be appealed to the State Board of Education pursuant to *N.J.S.A. 18A:6-27 et seq.* and *N.J.A.C. 6:2-1.1 et seq.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.