

OAL DKT. NO. EDU. 1830-98

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AGENCY DKT. NO. 52-97

IN THE MATTER OF THE DISQUALIFICATION : COMMISSIONER OF EDUCATION
FROM SCHOOL EMPLOYMENT OF R.J.B. : DECISION
_____ :

The record of this matter and the Initial Decision of the Office of Administrative Law (OAL) have been reviewed. The parties filed no exceptions to the Initial Decision.

Upon full and independent review of the record, the Commissioner concurs with the Administrative Law Judge (ALJ) that summary decision is appropriately granted to respondent on the issue of whether a conviction for possession of drug paraphernalia, pursuant to *N.J.A.C. 2C:36-2*, is an offense which disqualifies petitioner from employment as a school bus driver, pursuant to *N.J.S.A 18A:39-19* (as in effect at the time of petitioner's appeal), since this question was conclusively resolved in the affirmative by the Appellate Division on June 12, 2000 in *In the Matter of the Disqualification from School Employment of J.W.*, A-5481-98T, *cert. den.* 165 *N.J.* 602. The Commissioner further agrees with the ALJ that petitioner's claim of rehabilitation is dismissed as abandoned because of his failure to respond to communications or appear at scheduled hearings.

Accordingly, the Initial Decision of the OAL is adopted for the reasons stated therein. This matter is hereby transmitted to the State Board of Education which has retained jurisdiction.

IT IS SO ORDERED.

COMMISSIONER OF EDUCATION

Date of Decision: September 9, 2004

Date of Mailing: September 9, 2004