

EDU #5656-07
C # 97-08
SB # 16-08

S.J., on behalf of minor child, V.J., :
PETITIONER-APPELLANT, :
V. : STATE BOARD OF EDUCATION
BOARD OF EDUCATION OF THE : DECISION
SOUTH ORANGE-MAPLEWOOD :
SCHOOL DISTRICT, ESSEX COUNTY, :
RESPONDENT-RESPONDENT. :

Decided by the Commissioner of Education, March 3, 2008

For the Petitioner-Appellant, S.J., pro se

For the Respondent-Respondent, Purcell, Ries, Shannon, Mulcahy
& O'Neill (Rita F. Barone, Esq.)

On March 13, 2008, appellant filed a copy of a notice of appeal with the State Board Office. Pursuant to *N.J.A.C. 6A:4-1.11(a)*, appellant's brief in support of her appeal was due on April 3, 2008, 20 days after she filed her notice of appeal. By letter dated March 17, 2008, the Acting Director of the State Board Office notified appellant that her notice of appeal was deficient because she did not file an original signed document as required by *N.J.A.C. 6A:4:1.6(a)*. Appellant was given until March 27, 2008 to correct the deficiency. No document was received by either due date.

By letter dated April 8, 2008, the Acting Director for the State Board Office extended the due date to April 21, 2008 to correct both deficiencies (submit an original signed notice of appeal and 17 copies of the brief). Appellant failed to correct the deficiencies by the prescribed extension.

By letter dated May 6, 2008, the Acting Director for the State Board office notified appellant that as a result of her failure to submit a signed original notice of appeal and a brief in support of her appeal, her case was being referred to the Legal Committee of the State Board for consideration of her failure to perfect the appeal.

In light of appellant's failure to perfect the appeal or provide any explanation for the failure to file we dismiss the appeal. 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).

Ernest Lepore did not participate in the vote

May 21, 2008

Date of mailing _____