

EDU #8330-96  
DHPB # 139-97  
SB # 35-97

IN THE MATTER OF THE DISQUALIFI- :  
CATION FROM SCHOOL EMPLOYMENT : STATE BOARD OF EDUCATION  
OF V.E.K. : DECISION

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Decided by the Deputy Commissioner of Education, March 24, 1997

For the Petitioner-Appellant, Virginia E. Kovalak, pro se

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

On March 24, 1997, the Deputy Commissioner of Education issued a decision in which he upheld the disqualification of V.E.K. (hereinafter "appellant") from school employment as the result of a conviction for a disqualifying offense under N.J.S.A. 18A:6-7.1. The Commissioner found that appellant had failed to affirmatively demonstrate her rehabilitation by clear and convincing evidence.

On April 9, 1997, appellant, acting pro se, filed a notice of appeal with the State Board.

Pursuant to N.J.A.C. 6:2-1.11(a), appellant's brief in support of her appeal was due on April 29, 1997, 20 days after the appeal was filed. Appellant, however, failed to file a brief by that date. By letter dated May 5, 1997, the counsel for the State Board notified appellant that no appeal brief had been filed and that this matter was therefore being referred to the Legal Committee of the State Board 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 since she was given notice of her failure to file. Nor has appellant responded to that notice, offered any explanation for her failure to file or requested an extension of time for such filing.

Consequently, while we are mindful of appellant's pro se status, under the circumstances 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 of Education, April 1, 1992, aff'd, Docket #A-4812-91-3 (App. Div. 1993).

July 2, 1997

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