

C #653-97E
SB # 7-98

RICHARD CHAMBERS, :

PETITIONER-APPELLANT, :

V. : STATE BOARD OF EDUCATION

BOARD OF EDUCATION OF THE : DECISION
CITY OF PLEASANTVILLE, ATLANTIC
COUNTY, :

RESPONDENT-RESPONDENT. :

Decided by the Commissioner of Education, December 19, 1997

For the Petitioner-Appellant, Richard Chambers, pro se

For the Respondent-Respondent, James L. Jackson, Esq.

Inasmuch as we agree with the Commissioner of Education that petitioner's application for emergent relief fails to meet the standards that would entitle him to such relief under Crowe v. De Gioia, 90 N.J. 126 (1982), we deny his request. In so doing, we reiterate that N.J.S.A. 18A:16-4 provides that if the result of a psychiatric examination "indicates mental abnormality...the employee shall be ineligible for further service until proof of recovery, satisfactory to the [district] board, is furnished...." There is no indication in the papers before us that petitioner has provided the Pleasantville Board with such proof.

Petitioner's request for oral argument is denied as not necessary for a fair determination of this matter. N.J.A.C. 6:2-3.2.

April 1, 1998

Date of mailing _____