

IN THE MATTER OF THE DENIAL : STATE BOARD OF EDUCATION  
OF A CHARTER SCHOOL APPLICATION. : DECISION

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For the Petitioner-Appellant, Cheryl Dowdell, pro se

For the Participant, John Worthington, Deputy Attorney General (John J. Farmer, Jr., Attorney General of New Jersey)

On February 5, 2000, Cheryl Dowdell (hereinafter "Dowdell"), who identified herself only as a "Newark Public Schools Educator," filed a notice of appeal to the State Board of Education from a determination of the Commissioner of Education rejecting an application for a charter school. Dowdell did not identify the proposed charter school. Nor did she include a copy of the Commissioner's rejection letter with her notice.

By letter dated February 9, 2000, the Director of the State Board Appeals Office acknowledged receipt of the notice of appeal and advised Dowdell that her notice was deficient in that she had not specified the proposed charter school whose rejection she was appealing. She was given until February 22 to cure this deficiency by filing a corrected notice of appeal. She was also informed that the briefing schedule was being placed into abeyance pending correction of this defect.

Dowdell did not submit a corrected notice of appeal. Nor did she respond to the February 9 letter or otherwise identify the proposed charter school which was the subject of her appeal. By letter dated February 24, Dowdell was advised that, as a

result of such failure, this matter was being referred to the Legal Committee of the State Board for consideration of her failure to designate the decision being appealed from.

N.J.A.C. 6:2-1.7 requires a notice of appeal to “specifically designate the decision appealed from.” Despite being provided with notice of this deficiency, Dowdell has still failed to identify the proposed charter school which is the subject of her appeal. Nor has she responded in any way to the February 9 or February 24 letters from the Director of the State Board Appeals Office. Under these circumstances, we dismiss the appeal in this matter with prejudice for failure to perfect.

April 5, 2000

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